



THE CONCEPT OF *QIWAMAH* ACCORDING TO
AMINA WADUD AND MUHMAMMAD SA'ID
RAMADAN AL-BUTI: A COMPARATIVE ANALYSIS

BY

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ABSTRACT

The subject of *Qiwamah* has been widely misconceived as implying men's superiority over women. This notion brought about four concerns that can be found in the verse of *Qiwamah*; the preference of men (*faddala*), the permit to be physically abusive towards women (*darb*), obedience to man (*qanitat*) and the claim that the classical interpretation is biased. Two scholars, Amina Wadud and Muhammad Sa'id Ramadan al-Buti, oppose the notion of men's superiority over women in *Qiwamah*. The purpose of this research is to present a comparative study of similarities and differences between the views of Amina Wadud, a Muslim feminist scholar, and Muhammad Sa'id Ramadan al-Buti, a traditional Muslim scholar, on *Qiwamah* with focus in the area of the scholars' objectives and background of study, their arguments and their methodology of interpretation. Thus, this is to identify which argument is more academically sound in order to apply the concept of *Qiwamah* appropriately. The method of analysis employed in this research is primarily textual analysis. In the second chapter, this research examines the meaning of *Qiwamah*, *ar-Rijal* and *an-Nisa'* from the classical dictionary, classical Qu'ranic exegeses and the English translation of the Qur'an. The perspectives and arguments made by Amina Wadud and Muhammad Sa'id Ramadan al-Buti will be presented in chapter three. The fourth chapter aims to compare their arguments based on their objectives, consistencies and methodologies. This is followed by the conclusion of this research in chapter five.

ملخص البحث

لا تزال موضوع "القوامة" محط سوء الفهم بشكل واسع بأنها سلطة الرجل على المرأة. والذي يؤدي إلى هذا المفهوم أربعة أسباب نجدها في آيات القوامة؛ (١) تفضيل الرجال (فضّل); (٢) الإذن بضرب النساء; (٣) طاعتهن للرجال (قانتات); (٤) الادعاء أن التأويل القديم فيه تمييز. يخالف عالمان محمد سعيد رمضان البوطي وأمينة ودود، مفهوم سلطة الرجال على النساء في القوامة. تهدف هذه الرسالة إلى تقديم دراسة المقارنة للتشابهات والاختلافات بين منظور العالمين في القوامة؛ أمينة ودود وهي عالمة مسلمة نسوية ومحمد سعيد رمضان البوطي وهو عالم مسلم محافظ، مع التركيز على المجالات التالية; (١) هدف العالمين من دراستهما وخلفيتهما; (٢) احتجاجهما; (٣) منهجية تفسيرهما ومن ثمّ تعيين أي الاحتجاجين أصوب علمياً من أجل أن نطبّق فكرة القوامة تطبيقاً سليماً. منهج التهليل المتبع في هذا البحث يركّز أساسياً على التحليل النصي. في الفصل الثاني سيتم عرض البحث في معنى القوامة، والرجال، والنساء من المعاجم القديمة وكتب التفسير القديمة والترجمة الإنجليزية للقرآن الكريم. سيُعرض منظور أمينة ودود ومحمد سعيد رمضان البوطي في القضية واحتجاجهما فيها في الفصل الثالث. أما الفصل الرابع فيهدف إلى مقارنة احتجاجهما من حيث الهدف والاتساق والمنهج التفسيري، ويليه فصل في الخاتمة.

APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion; it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Master of Arts in Islamic Thought and Civilization.

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*This dissertation is dedicated to my beloved parents, Abdul Rahim Bin Omar and
Adlina bte Shaik Mohamed Ally*

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TABLE OF CONTENTS

Abstract	ii
Abstract in Arabic	iii
Approval Page.....	iv
Declaration	v
Copyright	vi
Dedication	vii
Acknowledgements.....	viii
Transliteration Table	xi
CHAPTER ONE: INTRODUCTION.....	1
1.1 Introduction.....	1
1.2 Problem Statement.....	4
1.3 Significance of Study.....	4
1.4 Research Questions.....	5
1.5 Literature Review	5
1.6 Methods and Procedures.....	19
1.7 Proposed Chapter Outline.....	19
CHAPTER TWO: THE MEANING OF <i>QAWWAMUNA</i>, <i>AR-RIJAL</i> AND <i>AN-NISA'</i>	20
2.1 The Meaning of Qawwamuna in the Classical Arabic Dictionary and English Translation of The Qur'an.....	20
2.2 The Meaning of Qawwamuna in the Qur'anic Exegeses	21
2.3 The Meaning of Ar-Rijal in the Classical Arabic Dictionary and English Translation of The Qur'an.....	25
2.4 The Meaning of Ar-Rijal in the Qur'anic Exegeses	26
2.5 The Meaning of An-Nisa' in the Classical Arabic Dictionary and English Translation of the Qur'an	36
2.6 The Meaning of An-Nisa' in the Qur'anic Exegeses.....	37
CHAPTER THREE: <i>QIWAMAH</i> ACCORDING TO AMINAH WADUD AND MUHAMMAD SA'ID RAMADAN AL-BUTI	47
3.1 Qiwamah According to Amina Wadud	47
3.2 The Meaning of Bima and the Conditions of Qiwamah.....	48
3.3 The Meaning of Faddala.....	49
3.4 The Meaning of Ba'dahum ^{'ala Ba'd}	50
3.5 The Parameters of Qiwamah and the Significance of Child Bearing.....	51
3.6 The Meaning of Darajah.....	53
3.7 The Tawhidic Paradigm.....	55
3.8 Wadud's Model of Interpretation	57
3.9 Qiwamah According to Muhammad Sa'id Ramadan al-Buti.....	59
3.10 On the Significance of Guardianship (Qiwamah)	59
3.11 On the Significance of Man's Headship in the Family.....	60
3.12 On the Significance of Man's Role to Support his Wife and Family Financially	61

3.13 Al- Buti’s View on Woman’s Liberation Movement	63
3.14 Examination of al-Buti’s Citation of Qur’anic Texts that Oppose Superiority of Man in <i>Qiwamah</i>	64
CHAPTER FOUR: COMPARATIVE ANALYSIS OF WADUD’S AND AL-BUTI’S PERSPECTIVE OF <i>QIWAMAH</i>.....	71
4.1 The Similarities and Differences in Objectives and Background of Study of Wadud and al-Buti	71
4.2 Similarities and Differences in Wadud and al-Buti Argument of <i>Qiwamah</i>	76
4.2.1 The Significance of Child Bearing.....	80
4.2.2 Inconsistent Citations of Sayyid Qutb and Azizah Hibri views of <i>Qiwamah</i>	81
4.3 Similarities and Differences in their Methodologies of Interpretation.....	83
CHAPTER FIVE: CONCLUSION	86
5.1 Research Summary	86
5.2 Potential Area of Research	93
BIBLIOGRAPHY	94

TRANSLITERATION TABLE

ء	'	خ	kh	ش	sh	غ	Gh	ن	N
ب	B	د	D	ص	ṣ	ف	F	ه	H
ت	T	ذ	dh	ض	d	ق	Q	و	W
ث	Th	ر	R	ط	ṭ	ك	K	ي	Y
ج	J	ز	Z	ظ	ẓ	ل	L		
ح	ḥ	س	S	ع	ʿ	م	M		

Short Vowels	
َ	a
ِ	i
ُ	u

Long Vowels	
ا + َ	a
ي + ِ	i
و + ُ	u

CHAPTER ONE

INTRODUCTION

1.1 INTRODUCTION

The subject of *Qiwamah*, which is commonly understood as sanctioning man's superiority over woman has been debated extensively by Muslim scholars. According to Muslim feminist scholars, this matter is highly controversial for a number of reasons: 1) it highlights gender preference (*faddala*); 2) the approval to be physically abusive towards women (*darb*); 3) obedience to men (*qanitat*) and; 4) the claim that the classical interpretation is bias. Therefore, according to Muslim feminist scholars, these reasons appear to suggest that God has given an intrinsic superiority to men by stating "*ar-Rijal qawwamuna 'alan Nisa'...*". Thus, how do the Muslim scholars argue on the concept of *Qiwamah*?

Renowned Muslim scholars have argued differently in their literatures. Some supported the liberal views while others supported the traditional views. Among those who are traditional in their understanding are Muhammad Sa'id Ramadan al-Buti (d. 2013), Muhammad 'Imarah (b.1931), Muhammad Quraish Shihab (b.1944), Mohammad Mazheruddin Siddiqi (b.1915). Others such as Amina Wadud (b.1952), Azizah Hibri (b.1943) and Asma Barlas (b.1950) have a more liberal understanding. However, the focus of this research is to analyze and compare the concept of *Qiwamah* in the perspective of two important scholars, Amina Wadud and Muhammad Sa'id Ramadan al-Buti, because of their works act as references to others.

Amina Wadud is currently a Professor of Islamic Studies in Virginia

Commonwealth University in the Department of Philosophy and Religious Studies.¹ She is one of the founders of Sisters in Islam (SIS), which was formed in 1987. To date, she continues to be the main resource person to the members in matters pertaining to the interpretations of Quran. Members of the NGO comprise largely of women from a wide range of professions such as executives, lawyers, academics, journalist and professional analyst.²

On addressing the rights of Muslim women, Wadud has published 2 books and an article titled; 1) *Qur'an and Women: Rereading the sacred Text from a Women's Perspective*, which she published during her tenure as an assistant lecturer in the International Islamic University Malaysia; 2) *Inside the Gender Jihad: Women's Reform in Islam* and; 3) *The Ethics of Tawhid over the Ethics of Qiwwamah* respectively. She was a controversial figure in 2005 and had caused uproar when she led congregational Friday prayer of men and women in the United States. Academics and scholars who supported Wadud on this controversial issue include Gamal Al-Banna, Leila Ahmad, Javed Ahmad Ghamidi and Khaled Abou El-Fadl.³

Another modern and prominent Syrian born scholar, whose thoughts and arguments will be analyzed and compared extensively, is Muhammad Sa'id Ramadan al-Buti. His literature entitled *Women Between the Tyranny of the Western System and*

¹ Wadud receives her Masters degree in Near Eastern Studies from the University of Michigan. In 1988, she then obtained her PhD in the same University in Arabic and Islamic studies.

² The organization has challenged many policies and had received many severe criticisms from Islamic agencies in Malaysia namely JAKIM (the Department of Islamic Development), PAS (Pan Malaysia Islamic Party), MAMY (Malaysia Assemble of Mosque Youth). Some critics from Sisters in Islam that cause this backlash are; 1) promoting monogamy; 2) criticizing the criminal bill of PAS Kelantan; 3) appearing to promote liberalism and pluralism in Malaysia. Amongst their board members includes Marina Mahathir who in 2012 alongside Zainah Anwar, the former director of Sisters in Islam were listed by the top ten magazine of Malaysia as Malaysia's 10 most inspiring women. The NGO is also affiliated to other women's right organization such as MUSAWAH, an international movement that campaigns for women in the Muslim world their rights to equality and justice. Mona Eltahawy, an internationally known and an award-winning columnist is a member of Musawah.

³ www.sistersinislam.org.my

the Mercy of the Islamic Law discusses the concept of *Qiwamah*, and therefore will be studied further.⁴

Muhammad Sa'id Ramadan al-Buti had presented his perspective and ideas on Islamic culture and civilization in numerous international seminars and conferences in various Islamic countries, the Middle East, European countries and the United States. His books and articles, which had reached over 60 collections, encompass subjects on Islamic law, philosophy, language and literature as well as diverse cultural and social problems. The prominent and influential scholar regularly contributes to various newspapers and journals pertaining to Islamic legal ruling, personal concerns, social problem and current issues, raised to him by his readers.

He also appeared weekly in the Syrian Television program, and was known widely by the Syrian people. Al-Buti was considered as a celebrity scholar, but was known for his humility amongst the people. He also lectured in mosques in Damascus and other parts of Syria. At the peak of his career, he was President of the Levant Scholars Union in Syria, a member of the Royal Academy for Research on Islamic Culture in Amman, Jordan, and a member of the Higher Council of the Oxford Academy. The Royal Islamic Strategic Studies Centre of Jordan that studied influential Muslims, placed Al-Buti in the 17th position in 2010, 20th in 2011 and 27th in 2012.⁵ He was not only known as a scholar locally, but also throughout the Muslim

⁴ Muhammad Sa'id Ramadan Al-Buti began his career in 1960 as an Assistant Professor of Islamic law in Damascus University. Following this appointment by the University, he was sent to pursue his PhD in the Principles of Islamic Law in the University of Al-Azhar in which he completed in 1965. Upon the completion, he became a Lecturer in Damascus University. He then became Vice Dean in the university in 1975 and in 1977. In the same university, he was appointed as the Dean of the Faculty of Islam Law. He was then promoted as the Head of Department of Doctrines and Religions.

⁵ rissc.jo – The Royal Islamic Strategic Islamic Centre. On the social media, presently, his Facebook page has over 144,442 followers as of 15th April 2017 and his lectures are readily accessed in YouTube.

world, in the majority and minority Muslim states, regarding him as a religious reference and an authority on Islamic thought.⁶

1.2 PROBLEM STATEMENT

Both Amina Wadud and Muhammad Sa'ïd Ramadan Al-Buti agree that the concept of *Qiwamah* does not suggest superiority of men over women. However, they have presented their arguments differently. As such, this research will focus on a comparative analysis of the arguments of these two Muslim scholars regarding *Qiwamah*. This study will focus on the following; 1) the objectives and background of study of the two scholars; 2) their arguments and interpretive methodology, and subsequently; 3) to analytically compare between the two thoughts.

1.3 SIGNIFICANCE OF STUDY

The argument of *Qiwamah* is intensely debated in the academic world especially between the Muslim feminist scholars and the Muslim traditionalist scholars with supporters on both sides, supporting without an in depth research. Therefore, the significance of this comparative analysis is to first understand the background and reason behind the Muslim feminist and the Muslim traditionalist scholar's arguments, Wadud and Al-Buti, and to ultimately determine which presentation of argument is more academically sound in the aim to understand and apply the concept of *Qiwamah* appropriately.

⁶ Muhammad Sa'ïd Ramadan Al-Buti, *Women Between the Tyranny of the Western System and the Mercy of the Islamic Law*, translated from Arabic by Nancy Roberts (Damascus: Dar al-Fikr, 2009), 15-16.

1.4 RESEARCH QUESTIONS

In ensuring that the study would be in line with the proposed objectives, the following sets of questions will help this research:

1. What is the meaning of *Qiwamah*, *Ar-Rijal* and *An-Nisa'* according to the classical dictionary, exegeses of the Qur'an and the English translations of the Qur'an?
2. What are the arguments of Wadud and her interpretive methodology?
3. What are the arguments of Al-Buti and his interpretive methodology?
4. What are the similarities and differences in their arguments?
5. What are the conclusions that can be drawn from their arguments?

1.5 LITERATURE REVIEW

The connotation of *Qiwamah* is stated in the Qur'an in chapter *An-Nisa'* verse 34. This subject has brought about misconceptions that Islam is structurally authoritarian, which leads Islam to be perceived as a patriarchal religion.

One classical Arabic dictionary, *Lisan Al-'Arab*, defines *qiyam*, a related word of *qawwamuna* as "preservation and betterment".⁷ Another definition from another classical dictionary *Kitab Al-'Ayn* gives definition of the related word "*qayyim*" as "one who manages the people's affair, leads and straightens them out".⁸ The English translations of the Qur'an of "*qawwamuuna...*" give several meanings including "the protectors and maintainers..."⁹, "take full care of..."¹⁰, "managers..."¹¹, and "in

⁷ Muhammad Ibn Manzur, *Lisan Al-'Arab* (Bullag Misr al-Matb'ah al-Kubra al-'Amiriyah, 1883), vol. 15, 398.

⁸ 'Abi Abdul Rahman Al-Farahidi, *Kitab 'Al-Ayn* (Beirut, Mu'assasat al-A'lami li al-Matbu', 1988), vol. 5, 232.

⁹ 'Abdullah Yusuf 'Ali, *The Meaning of the Holy Qur'an* (New Delhi: Farid Book Depot (P) Ltd, 1998), 191. (*An-Nisa'*: 34).

¹⁰ Muhammad Asad. *The Message of the Qur'an* (U.S: Book Foundation, 2003) 144.

charge of...”¹². Therefore, *qawwamuuna* is defined in numerous ways, and some definitions are open to authoritarian interpretation.

It consequently brought about misconception that Islam is structurally a patriarchal religion. Some prominent scholars have elucidated the concept of *Qiwamah* while others reconciled the conventional interpretation of verse 4:34.

On addressing the primary argumentation of *Qiwamah*, all literature by Muslim scholars that were reviewed concerning the subject oppose to the understanding that *Qiwamah* means superiority of men over women.

Al-Hibri¹³ (1997) views that the verse contradicts the principle of equality in Islam as stated in the Qur’an, that men and women are created from same *nafs*.¹⁴ She states “one ayah appears to conflict with the Equality Principle...” The first part of the 34th ayah of *surat al-Nisa* (referred to as the Complex Phrase) starts with the following statement which has often been used to justify “male dominance...”¹⁵

M. Siddiqi¹⁶ (1952) studies in depth the concept of equality in Islam. In his book, “Women in Islam”, he analyzes the misconception of equality and explains the meaning of equality in Islam¹⁷. He discusses the equality of men and women in

¹¹ Sayyid Abul ‘Ala Mawddudi, *Towards Understanding the Qur’an*, ed. Zafar Ishaq Ansari, translated from Urdu by Zafar Ishaq Ansari (United Kingdom, Leicester: The Islamic Foundation, 1983) vol. 2, 35.

¹² M.M Pickthall, *The Meaning of the Glorious Qur’an*, ed. Arafat K El-Ashi (USA, Beltsville, Amana Publication, 2002), 107.

¹³ Azizah Y. al-Hibri is a professor in the University of Richmond (School of Law). She focuses on Islamic law, gender equality and human rights. Her work appears in various journals such as Journal of Law and Religion, Harvard International Review and University of Pennsylvania journal of constitutional law. She is advisor to President Barrack Obama on International Religious Freedom. She is also the founder and chairperson of KARAMAH: Muslim Women Lawyers for Human Rights.

¹⁴ Azizah Hibri and et al, “Islam, Law and Custom: Redefining Muslim Women’s Rights”, *American University International Law Review*, vol. 12, no.1 (1997): 27.

¹⁵ Ibid.

¹⁶ M. Mazheruddin Siddiqi, was a Professor of History in several Universities in Karachi such as Jamshoro University, Hyderabad, and Sindh. He was the Senior Research Associate at the Central Institute of Islamic Thought, Karachi. He also wrote “*The Quranic Concept of History*” which was supervised by Dr. Fazlur Rahman.

¹⁷ Muhammad Mazheruddin Siddiqi, *Women in Islam*. (Lahore: the Institute of Islamic Culture, 1952), 15.

executing religious and secular duties¹⁸. He states from the verses of the Qur'an and *Hadith*, the special duties and responsibilities that God has assigned to men and women¹⁹. M. Siddiqi argues from the biological angle the differences of men and women in which he referred to Havelock Ellis, a prominent British modern expert and authority on the psychology of men and women. He further explained the purposive nature of gender differences, the beneficial effects of it and the importance of social happiness²⁰.

According to M. Siddiqi, Ellis (1894)²¹ believes that while a small group of men has the tendency to be more inclined towards femininity and so does women towards masculinity, an average man or woman would each possess qualities that only each of them can perform to the fullest. Ellis believes that average men or women could change roles or contribute to what each gender is good at. However, it is only within certain limit. This limitation is by virtue of the gender's nature itself.

While there are diverse claims and views on the subject of human physic and physical ability, Ellis asserted, a few things in the man and woman's nature has been consistent in the anthropological studies. They are: 1) the greater changeability of the male gender, physically and emotionally, which Ellis views, has major social importance, to the extent, past civilization has benefitted from it and 2) the rapid maturity of the female gender which is most often faster than men. According to Ellis, women have the potentiality to become more intimate with children. This is because,

(1) When males grow bigger, the female tend to be the smaller parent, who is closer to

¹⁸ Ibid., 19

¹⁹ Ibid., 22

²⁰ Ibid., 24-33

²¹ Havelock Ellis (d. 1859) was an English physician, psychologist, anthropologist and a writer who researched on the anthropological aspect of a human being. He has written close to 50 books related to his field of expertise. He was appointed as the President of Galton Institute in the United Kingdom. The institution is popularly known for the study of Eugenics and famous for presidents who were highly intellectual such as Sir Robert Geoffrey Edward (d.2013), Sir Julian Sorell Huxley (d.1975) and Sir Francis Galton (d.1911).

the child type, and this could create a more intimate bond with her children, and (2) physiologically and pathologically, woman possesses greater affectability or quicker response to emotions. Women are naturally quicker in sensing the emotional stability and instability of children especially the younger ones who tend to be more emotionally expressive.²²

‘Imarah²³ (2009) illustrates an important practice in *Qiwamah* and that is *Shura* or also known as discussion amongst husband and wife and other family members with regards to matters that affect the family. He asserts that *Qiwamah* is not a position of dictatorship, but a leadership that nurtures and involves welcoming the views of family members especially the partner in order to reach a consensus that is best for the family. *Shura*, according to ‘Imarah is considered amongst good moral virtues that are recommended by the religion. He explains that this is stated in verse 42:37-38 of the Qur’an.²⁴

Al-Hibri (1997) determines her argument with three main points, namely:

- (1) the understanding of “*faddala*” which, in her view, clearly appears as the first condition to describe “*Qiwamah*”. She further asserts that “*faddala*” originally gives the meaning of having distinction. However, it should be given a suitable meaning in accordance to the proper context. Al-Hibri then delves on the various meaning of “*ma*” from the linguistic

²² Havelock Ellis, *Man and Woman: A Study of Human Secondary Sexual Characters*. (London: Walter Scott Ltd Paternoster Square Charles Scribner’s Son, 1894), 386-387.

²³ Muhammad ‘Imarah is one of the prominent scholar and thinker in Egypt. He is a member of Academy of Islamic Research, Egypt. He has written more than 200 books and has received several appreciations from countries and organization such as Lebanon and Egypt. He studies the classical scriptures and traditional thinkers such as Muhammad Abduh, Jamaluddin, Abdu rRahman Al-Kawakibi and others.

²⁴ Muhammad ‘Imarah, *Haqiq Wa Shubhat Haula Makanatil Mara*. (Cairo: Dar-alsalam, 2010), 156-158.

perspective, and finally interprets “*ma*” as having three possible meanings namely: a) “because”; b) “in circumstances”; c) and “in that which”²⁵.

- (2) The interpretation of “*bi*” and “*ma*”. Al-Hibri argues that “*faddala*” is a particular ability at a particular time where the women lack. This does not include all men because “*bi*” and “*ma*” which appears before “*faddala*” also conveys circumstantialities (*tharfiyyah*). Therefore, it operates as a limitation to generalization, which does not refer to all men. Al-Hibri also asserts the importance of looking at the verse in today’s context as the time of the revelation of this verse was during an authoritarian/patriarchal society in which the Prophet s.a.w attempted to civilize it. Therefore, where a country is civilized, the interpretation varies especially when new age educated women have obtained higher ranks in profession. She asserts the circumstance varies in accordance to the time. ²⁶

The second condition, in Al-Hibri’s opinion, emphasizes the particular man who is providing advice for the woman. This, at the same time, puts the importance of limiting the advisory role, or else there will be many men who will provide advice²⁷.

- (3) Lastly, Al-Hibri discusses how the interpretation of *Qiwamah* by Al-Razi, a thirteenth century jurist, suggested a patriarchal interpretation and therefore, should be reviewed.

Al-Hibri claims that a classical jurist, Ar-Razi, interprets verse 4:34 biasedly. She points out an interpretation of *Bima* in 4:34 that can be found in verse “*fassaliha tuqani tatunha fi zatun bi ma hafiz Allah*”. According to Al-Hibri, Ar-Razi presents

²⁵ Azizah, *Islam, Law and Custom...*, 27.

²⁶ *Ibid.*, 29-32.

²⁷ *Ibid.*, 30.

three possible interpretation of the mentioned phrase; 1) that the wives has to protect the husband's property in his absence and her chastity in exchange (*Bima*) for the protection (*Qiwamah*) that Allah has prescribed for women; 2) that the wives has to protect the men's property and it is only with Allah's will that they (wives) succeed; 3) that they have to protect the husband's property because they are to obey the husband. Al-Hibri believes that all interpretation does not give women the freedom to choose what is best for her.

The first interpretation seemingly shows role reciprocation: men to give protection, and women to protect husband's property. However, according to Al-Hibri, men still have the absolute power to control women based on the traditional scholar's understanding of *Qiwamah*. Second interpretation merely emphasizes women's obligation to protect the husband's property while not given the choice to undertake the role. Finally, the third interpretation emphasizes the role to obey husband when in actuality, obedience (*ta'ah*) is only for Allah s.w.t. Al-Hibri claims that her interpretation of *Qiwamah* promotes equality and symmetrical responsibility.²⁸

Barlas²⁹ (2010) opposes the argument that the interpretation of *Qiwamah* is to be referred to as guardian or ruler, and opposes the claim that God has given men preference and a degree above women. She further argues that this interpretation interpolates meanings into the Qur'an and contextually, which means the argumentation cannot be justified. Therefore, it contradicts the Qur'an's teaching of equality.³⁰ With references to Yusuf Ali's translation of *Qiwamah*, Barlas justifies that

²⁸ Ibid., 31-34.

²⁹ Asma Barlas specializes in Comparative and International Politics, Islam and Qur'anic Hermeneutics, and Women and Gender. She is a Professor and Director of the Centre for the Study of Culture, Race and Ethnicity at Ithaca College. Barlas was awarded the prestigious Spinoza Chair at the University of Amsterdam for her contribution on women and Islam.

³⁰ Asma Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretation of the Qur'an* (Texas: The University of Texas Press, 2010), 184.

it should be described as protectors and maintainers. However, she disagrees on his translation of “*faddala*” to mean “strength” as it suggests paternalism. She further argues that the *Qur’an* does not use the word “strength”. Barlas also disagrees with Ali’s commentary of the men’s duty “to maintain the women” in 2:228 as she views that the argument of male biology to justify inequality. She highlights this verse for the reason that scholars co-relate “*darajah*” or status to the *Qiwamah* of man, and therefore views Ali’s translation as encouraging sexual differentiation and inequality.³¹ Barlas adopts Asad’s translation which she thinks is an improvement. Asad’s translation states, “men shall take full care of women with the bounties which God has bestowed more abundantly on the former than on the latter, and with what they spend out of their possessions”. Barlas views “bounties”, stated in the verse, to refer to “financial resources”. She views that men cannot maintain women by means of virtue, strength and intelligence. She further asserts that the relation of men and women is of mutual protectors and not superiors. While maintaining women through financial resources should be adhered, in Barlas’ opinion, it does not conclude that the men are to be designated as the head of the household.³²

Wadud (1999), whose arguments will be analyzed and compared with Muhammad Sa’id Ramadan Al-Buti’s, highlights three main factors:

- (1) The meaning of *faddala* which represents *Qiwamah* as a conditional position. She argues that the word “*ba’ad*” which some suggest to mean that not all men are endowed over all women and some women are endowed with some abilities and likewise some men also³³.

³¹ Ibid., 185.

³² Ibid., 186-187.

³³ Amina Wadud, *Qur’an and Woman: Rereading the sacred Text from a Woman’s Perspective* (New York: Oxford University Press, 1999), 69-71.

- (2) The parameters of *Qiwamah*, she clarifies should be extended beyond the conventional understanding where most scholars limit it only to the relationship between husbands and wives. Wadud argues that *Qiwamah* should be extended to the society in general, men and women. She mentions “*I apply this verse to society at large, but not on the basis of inherent superiority of men over women or of Allah’s preference of men over women. Rather I extend the functional, which Sayyid Qutb proposes between the husband and the wife, towards the collective good concerning the relationship between men and women in society at large*”³⁴.
- (3) The significance of the responsibility of *Qiwamah* is for the reason of child bearing. This is because it is the one role where only women are able to undertake the responsibility physically, and one that requires a deep personal commitment. Based on the issues that the society faces today such as overflow of population, insufficiency of single income earners to lead a comfortable life and the problem of men who cannot provide materially, emphasize the importance of the responsibility of men towards women in child bearing.³⁵
- (4) Wadud views that the relationship of men and women was always equally horizontal and not one that is superior to another. A horizontal relationship means that both men and women have to reciprocate in order to contribute to one another.³⁶

³⁴ Ibid., 72.

³⁵ Ibid., 73.

³⁶ Amina Wadud, “The Ethics of *Tawhid* over the Ethics of *Qiwamah*” in *Men in Charge?: Rethinking Authority in Muslim Legal Tradition*, ed. Ziba Mir-Hosseini, Mulki Al-Sharmani and Jana Rumminger (England: Oneworld Publication, 2015), 271.

Al-Buti (2009) assembles important topics in his literature. He compares the sources of women's rights and duties in Islamic law and their rights and duties in the reality of Western societies. He concentrates on women's position and the meaning of equality in Islam. He goes in depth on issues such as the misconception of guardianship (*Qiwamah*), inheritance (*nafaqah*), rebelliousness (*nusyuz*), polygamy, the authority in divorce (*talaq*), legal testimony (*shahadah*) and the issues of veiling (*hijab*), and the status and practices in regards to women during the pre-Islamic time. Specifically, on *Qiwamah*, Al-Buti clarifies three (3) main issues:

- (1) He regards *Qiwamah* as a position of responsibility. He opposes the notion of man's superiority over woman in *Qiwamah*, and presents four verses to support his argument; 3:195, 16:97, 4:124, and 49:13. Al-Buti illustrates a metaphorical example of leadership in an organization, which he finds similarities to a family institution³⁷.
- (2) With regard to leadership, he emphasizes the essence in the saying of the Prophet, "*If three people are on a journey together, let them appoint one of their number to be in charge of their affairs*". He suggests the importance of overseeing so that order will prevail. He further asserts that the appointment of leadership in a group does not necessarily indicate that the chosen individual is the best person, but competent in certain areas and at the same time bears the burden of leadership. Al-Buti maintains the position of guardianship of nurture, but not one that suggests control and domination³⁸.

³⁷ Muhammad Sa'ïd Ramadan Al-Buti, *Women Between the Tyranny of the Western System and the Mercy of the Islamic Law*, translated from Arabic by Nancy Roberts (Damascus: Dar al-Fikr, 2009), 139-142.

³⁸ *Ibid.*, 140-141.