



# online

HEIDELBERG JOURNAL OF RELIGIONS ON THE INTERNET



## Volume 09 (2015)

Institute for  
Religious Studies

University  
of Heidelberg

# Table of Contents

- 01 **Crowdfunding a New Church - A Multimodal Analysis of Faith-Related Giving Rhetoric on Indiegogo**  
*Adam J. Copeland*
- 19 **Renegotiating Shari'a-Based Normative Guidelines in Cyberspace - The Case of Women's 'awrah**  
*Sabine Damir-Geilsdorf & Leslie Tramontini*
- 45 **The Ahmadiyya in Germany - An Online-Platform as a Multi-Functional Tool**  
*Lauren Drover*
- 63 **Discovering the Digital Authority - Twitter as Reporting Tool for Papal Activities**  
*Damian Guzek*
- 81 **Internet and Kyais in Indonesia - Negotiation of Authority in a Mediatized Environment**  
*Fazlul Rahman*
- 107 **Attitudes Towards Women's Participation in Public Prayer Among Jewish and Muslim Websites**  
*Oren Steinitz*
- 125 **Review: Cybertheology - Thinking Christianity in the Era of the Internet**  
*Frank Bosman*



# Renegotiating shari‘a-based Normative Guidelines in Cyberspace:

## The Case of Women’s ‘awra

Sabine Damir-Geilsdorf & Leslie Tramontini

### Abstract

The internet has become a new source for religious advice and a new channel for communication about Shariah-based normative guidelines. Opinions and judgments concerning a variety of religious topics are stored in this medium, provided by both religious scholars and laymen. This creates new spaces of religious contestation offering a wide public the possibility to challenge traditional religious authorities. The aim of this paper is to examine the processes of renegotiating Shariah-based normative guidelines in cyberspace by using a case study approach. Via search engines a random sample of websites were drawn where women’s ‘awra (parts that are not to be exposed) are (re)defined and discussed. The paper is divided into four parts: After an introduction about various forms of religious normative guidelines in cyberspace and a discussion of the medium’s impact on authorities, we show in part two that the term ‘awra and its impact on female behavior is disputed since early Islam. Since definitions of the term ‘awra are based not only on Qur’anic verses but also on examples of women’s behavior in early Islam transmitted in historiography and hadith, there are always processes of selection and hierarchisation involved. In part three, we outline these processes by looking at online-fatwas from independent ‘ulama’ and from official state appointed muftis, furthermore at discussions about women’s ‘awra in forums and blogs. The examples show how religious scholars and laymen construct gender roles by relating in diverging ways to traditional concepts of legal teaching. Processes of (re)negotiations take place especially in informal websites where people criticize the *iftā*’ of religious scholars and challenge their authority.

### Keywords

Cyber-Islam, cyber-fatwa, hadith, shari‘a, women’s ‘awra, gender, religious authority, Mufti

## 1 Introduction: Islamic Guidelines in Cyberspace

The Internet as a source of religious guidance has created new public spheres where Islamic norms and identities are renegotiated, resulting in new forms of imagined communities. Unhindered by obstacles of time and geographical boundaries, advice-seeking Muslims connect to each other and post questions to Muslim scholars, a fact which according to Rasha Abdullah (2007, p. 73) may be religiously most benefiting to, but not exclusively, Muslims living in the West. The anonymity of the *mustaftī* on the internet facilitates delicate questions one hardly dares to ask in public or the imam of the neighboring mosque in face-to-face situations. Hundreds and thousands of sites on the internet provide religious knowledge and offer legal opinions (fatwas). They may be run by traditionally trained Islamic scholars, state appointed muftis or independent '*ulama*'<sup>1</sup>; but also by individual laymen not holding the traditional requirements for performing *ijtihād*<sup>2</sup>. Although laymen do not hold any legal weight in Islam their advice is read (and probably followed), leading to the notion that 'authority' – rather than deriving from traditional schooling – is increasingly based on 'being given attention' (Otterman 2006).

In many discussion forums Islamic norms are debated, generating transnational discourses exploring which set of rules to apply to a certain situation in a variety of issues. Varying greatly in content, target audience and strategies, these forums create new spaces of religious contestation where Islamic topics are debated offering multiple interpretations.

A lot of analyses on cyber-Islam show that the internet allows a wide public to challenge traditional religious authorities resulting in the manifestation of new classes of interpreters and contributing to the dissolution of traditional authorities (e.g. Bunt 2009, p. 118ff.; Anderson 2003; Mandaville 2004, 2007; Inan 2009, p. 141). It has proved "an ideal medium for breaking the limitations traditionally imposed on who is allowed to speak in public" (Hofheinz 2005, p. 93). According to Vit Sisler, the internet can be seen as a natural tool of 'resistance' providing a persuasive medium for dissent discourse. But also stresses the fact that just 'the mere *presence* of dissent discourse online doesn't give evidence of undermining established political and religious structures' (Sisler 2006).

This is a convincing argument since we have no knowledge of what people do with the fatwas provided in cyberspace. This would require further detailed empirical research on behavior of recipients and online-fatwa users: How do people search for legal advice, just online, or additionally to a fatwa obtained in a face-to face-contact or in print? Furthermore, we do not know if they take a fatwa as binding for their personal life and how it is selected from the pool of fatwas.

---

1 For the production of fatwas for mass consumption by '*ulama*' see Caeiro 2011.

2 For developments of the doctrine of who may issue legal opinions, see Masud et al. (1996); Hallaq (2009, pp. 144ff.). On the term of fatwa in general see Dallal (1995).

Respected scholars like Abu Ishaq al-Shatibi (d. 1388 CE) have declared that in case of contradicting fatwas, there is no free choice in selecting the most convenient. Rather, the person has to select the fatwa according to *tarjīh* (evaluation), that is, by weighing the mufti's level of mastery, *taqwā* and piety. However, tracing the reactions to cyber-fatwas is impossible without detailed empirical research.

The general statement that the internet per se as a medium undermines traditional authorities and institutions cannot be verified. Cyberspace as a form of media does not only exert one form of influence on contributors, audience, and message; rather, it has multiple functions and impacts. The internet, for example, allows women to declare their presence and assert their rights (Mazrui 2001). However, depending on the circumstances it may also create a new kind of isolation for them while connecting with the outside world (*ibidem*; Kort 2005). The internet merges a variety of media forms and different text genres (which Leggewie and Meyer [2004, p. 286] have called 'Multi-Monomedium'): personal opinions in blogs and chat rooms written especially for cyberspace, videos, audio files but also digitalized versions of print media (newspapers, articles, books, conference papers etc.). Muslims seeking religious guidance via cyberspace may choose among this wide range of text genres and media: They may look for a fatwa in fatwa services, ask for a fatwa directly or participate in a discussion forum. They may look for special issues via search engines, finding a variety of text genres like books, fatwa services, articles in newspapers and youtube videos – many with online reader comments. Various classical sources of Islamic jurisprudence nowadays are available online like Qur'an, hadith, Qur'anic commentaries and books of classical Muslim jurisconsults. Additionally, encyclopedias of *fiqh* (legal finding) approved by several ministries for religious affairs, in a variety of languages and sometimes with internal search engines of the specific website are available online.<sup>3</sup> This allows an interested person to form his own opinion on a religious issue by comparing religious sources conveniently from home without using a library. While this is something new created by cyberspace, it however, does not automatically give us a clue as to whether or not traditional authorities are weakened or threatened by these procedures. Forms of cyber-*iftā'* vary and are manifold, but three distinct kinds are easily identifiable:

- a) Websites of traditional Islamic jurisconsults who constitute religious authorities and usually run a special fatwa service (like Yusuf al-Qaradawi or Ibn Baz);
- b) websites of official religious institutions like al-Azhar, ministries of *awqaf* (religious affairs) or official Houses of Ifta' (like the Jordanian Da'irat al-Ifta' al-'Amma al-Urduniyya);

---

3 Just to name some: <http://hadith.al-islam.com>; <http://www.altafsir.com>; <http://www.islamport.com>; <http://islam.gov.kw/>; all accessed July 27, 2015.

- c) online fatwa services and archives<sup>4</sup>: anyone can directly address a scholar or a group of scholars (sometimes including educated laymen) with a request. The answers may be provided directly, in form of live-chats (*fatāwā mubashira*) or published later on the website. A typical fatwa archive is – just to name one – the *Fatwa Management System from the World Fatwa Management & Research Institute* (Infad)<sup>5</sup>, an institution within the Islamic University College of Malaysia (IUCM), a web based collection of fatwas which offers the possibility of comparing fatwas of different scholars.

But also in blogs and forums including facebook, certain issues concerning Shariah-based religious advice are discussed – often with fatwas quoted by some of the contributors. Online newspapers and magazines whose importance should not be underestimated also cite often fatwas and their counter-fatwas, allowing for the readers' own comments.

It is especially this space of blogs and forums which form a challenge to the *iftā'* of traditional authorities, offering some kind of renegotiation of Islamic norms. Norms are abstract guides for behavior, “a standard embodying a judgment about what should be the case” (McLean & McMillan [eds] 2003, p. 373). Factors like culture, class, race, gender, and religion intersect and interact to shape them, leading to new dynamics and potential changes. Religious norms arise from religious sources, but it is always the human being who interprets these sources and classifies them as guide for behavior. Hence, norms are always negotiated by social actors and interplay with specific interests of interpretation. And it is always specific historical settings, biographical influences, and political and societal power structures that shape the process of hierarchisation and selection from the pool of religious sources.

## 2 The term 'awra in Qur'an and hadith

Islamic/Arabic sources differ in their definitions of 'awra. The term 'awra (pl. 'awrāt) in classical Arabic, according to the encyclopedia *Lisan al-'Arab* (Ibn Manzur 1955, vol. iv, pp. 616-617) means 'a hidden and secret place', a 'hole' (*al-khalāl fī l-thaghr wa-ghayrihī*), 'every place where something can be hidden' (*kull makman lī-l-satr*), and – in reference to the human body – the genital area (*'awrāt al-rajul wa-l-mar'a: saw'atuhumā*). It may also be translated with 'shame' or 'embarrassment' since the (genital) parts of a person's body which must be hidden will arouse shame if exposed (*kull amr yastahī minh idhā zahār*). *Lisan al-'Arab* also lists a further meaning

4 For the distinction between fatwa services and fatwa archives see Kutscher (2009, p. 141).

5 See <http://infad.usim.edu.my/modules.php?op=modload&name=News&file=article&sid=2241&mode=thread&order=0&thold=0>; see also Apkar PK: <http://www.ourdialogue.com/answers/articles.php>, both accessed January 15, 2011 (links not available anymore: July 28, 2015).

based on Qur'an (33:13): *'awra al-sa'ā'*, certain allotted time slots for repose where the *'awra* may be exposed. In the Qur'an, the term *'awra* appears four times, and the English translations vary<sup>6</sup>. *Sūrat al-Nūr* (24), verse 31 reads:

And say to the believing women, that they cast down their eyes and guard their private parts (*wayahfāzna furūjahunna*), and reveal not their adornment (*zinā'*) save such as is outward; and let them cast their veils over their bosoms, and not reveal their adornment save to their husbands, or their fathers, or their husbands' fathers, or their sons, or their husbands' sons, or their brothers, or their brothers' sons, or their sisters' sons, or their women (*nisā'uhunna*), or what their right hands own, or such men as attend them, not having sexual desire, or children who have not yet attained knowledge of women's private parts; nor let them stamp their feet, so that their hidden ornament may be known. And turn all together to God, O you believers; haply so you will prosper. (Arberry [tr] 1955, vol. ii, pp. 49-50)

The term *'awra* is used here in the plural (*min al-rijāl aw al-ṭifl alladhīn lam yazharu 'alā 'awrat al-nisā'*). While Yusuf Ali translates very freely “*or small children who have no sense of the shame of sex*” (1975, p. 495), Pickthall's translation reads: “*children who know naught of women's nakedness*” (1930, p. 360-361); M. H. Shakir's<sup>7</sup>: “*children who have not attained knowledge of what is hidden of women*” (n.d., p. 168), and Majid Fakhry's translation has: “*or infants who have no knowledge of women's sexual parts yet*” (1997, p. 218). *'Awra* occurs a second time in *Sūrat al-Nūr* (24), verse 58:

O believers, let those your right hands own and those of you who have not reached puberty ask leave of you three times – before the prayer of dawn, and when you put off your garments at the noon, and after the evening prayer – *three times of nakedness* for you. There is no fault in you or them, apart from these, that you go about one to the other. So God makes clear to you the signs; and God is All-knowing, All-wise. (Arberry [tr] 1955, vol. ii, p. 54)

*'Thalāth 'awra lakum'* is translated by Ali with “*these are your three times of undress*” (1975, pp. 500-501) while Pickthall (1930, p. 364) and Shakir (n.d., p. 170) both translate: “*Three times of privacy for you*”. Fakhry has “*three occasions of nudity for you*” (1997, p. 220). *'Awra* here seems to indicate a time for repose.

6 The website of the University of Southern California offers different translations of the Qur'an which facilitate comparison of translations; see: <http://www.usc.edu/schools/college/crcc/engagement/resources/texts/muslim/quran/024.qmt.html>; accessed January 2011 (link not available anymore: July 28, 2015).

7 There is a controversy about the identity of this translator. Even though many internet sites quote the translator as being Muhammad Habib Shakir, an Egyptian judge who died in the 1930s, it may be a pen name of a scholar wishing to remain anonymous.

The third and fourth time *‘awra* occurs is in *Sūrat al-Aḥzāb* al-Ahزاب (33), verse 13:

And when a party of them said, ‘O people of Yathrib, there is no abiding here for you, therefore return!’ And a part of them were asking leave of the Prophet, saying, ‘*Our houses are exposed*’; yet they were not exposed; they desired only to flee. (Arberry [tr] 1955, vol. ii, p. 122)

*‘Inna buyūtanā ‘awra wa-mā hiya bi-‘awra’* is translated by Yusuf Ali “*Truly our houses are bare and exposed though they were not exposed*” (1975, p. 597), by Pickthall: “*Our homes lie open (to the enemy). And they lay not open*” (1930, p. 430), by Shakir: “*Surely our houses are exposed; and they were not exposed*” (n.d., p. 201) and by Fakhry: “*Our homes were exposed, whereas they were not exposed*” (1997, p. 263). Here *‘awra* definitely indicates a place, the home which has to be protected.

In the hadith a few dozen times *‘awra* is mentioned, mostly referring to body parts: For example Tirmidhi and Muslim transmit the prophet’s word that a man should not look at another man’s *‘awra* and a woman not at another woman’s (Muslim 1955, p. 266 [*Kitab al-Hayd, Bab Tahrim al-Nazar ila l-‘Awrat*]). However, it is remarkable that most of the hadith mentioning the term refer to men’s *‘awra*.

Islamic scholars’ definition of women’s *‘awra* is based not only on hadith and Quranic verses in which the term itself directly occurs but also on instructions given in other verses and examples of women’s behavior in early Islam transmitted in historiography and hadith, although they do not contain the word *‘awra* explicitly. Often the Prophets words to Asma, daughter of Abi Bakr are cited: ‘O Asma, when a woman reaches the age of menstruation, it does not suit her that she displays her parts of body except this and this, and he pointed to his face and hands’ (Abu Dawud 1952, vol. ii, p. 383 [*Kitab al-Libas, Bab fi-mā tabdi al-Mar’a min Zaynatiḥā*]).<sup>8</sup> To identify the meaning of the word *‘awra* means sifting through a huge text corpus which offers multiple and rather vague interpretations, facilitating eclectic and selective choices to prove the correctness of one’s opinion.

### 3 Case study: Controversies of women’s *‘awra* in cyberspace

Since *‘awra* has always been a *terminus technicus* of Islamic jurisprudence, contemporary discussions are geared to classical opinions of the religious sources available. The debate on

---

8 Since this hadith cannot be traced back directly to the Prophet (*mursal*), a lot of scholars regard it as weak (*da’if*), rejecting its authenticity – a fact which obviously does not have much influence on its popularity and the frequency with which it is quoted to strengthen the argument that all of a woman’s body is *‘awra* except of face and hands.



women's *'awra* in cyberspace draws heavily on these classical disputes: often, a distinction is made between the *'awra* of female slaves and free women (!), and very often traditional ways of explaining the term are followed, detailing the *'awra* in front of *maḥram* (non marriable, of the same family) men, in front of non-*maḥram* men, in front of other Muslim women and in front of non-Muslim women. Furthermore, the distinction between women's *'awra* during prayer and outside of it is debated. In cyber-Islam, the issue of *'awra* includes a variety of topics and questions concerning proper dress code and social interaction (such as: Are Muslim women allowed to wear jeans in front of *maḥārim* and non-Muslim women? Are they allowed to wear sandals? To visit non-Muslim female beauticians? To speak on the phone? Or is the female voice part of the *'awra*?)<sup>9</sup>. Like in print media, scholars and laymen refer to different texts for proving their – sometimes conflicting – opinions.

In the following, we will illustrate the processes of selection and hierarchisation by tracing the following topics in cyber-discussions: The question of proper attire for a Muslim woman in front of non-Muslim women, and definitions of their *'awra* in front of non *maḥram* men.

### 3.1 Processes of Selection: Role Models and Homogenization of Traditions

Often a mufti bases his line of arguments on the role model of the prophet's wives. For example, in the fatwa database of the website Islam Question & Answers ([www.islam-qa.com](http://www.islam-qa.com)), the owner of the website, Shaykh Muhammad Salih al-Munajjid, gives his legal opinions but also features other sheikhs' opinions. There is one fatwa issued by the Saudi Shaykh Abd al-Aziz ibn Abdallah ibn Baz (1910-1999), the former Grand Mufti of Saudi Arabia:

Q.: What are the parts a Muslim woman can reveal in front of an infidel women like a Buddhist one? Is it right that she is only allowed to reveal her face?

A.: The right thing is that a woman in front of another woman – be she Muslim or infidel – may reveal what is above the navel and what is below her knees. What lies between navel and knee is her *'awra*. This applies to all: no woman should see it from another woman, be she Muslim or not, family or not, like the *'awra* of the men. A woman is allowed to see another woman's chest, head, legs, etc. (...).<sup>10</sup>

9 Cf. Saleh al-Sawy, "What Is the Islamic Ruling on Women Wearing Jeans?", [Feb. 18, 2009], [http://www.amjaonline.org/en\\_f\\_details.php?fid=77880](http://www.amjaonline.org/en_f_details.php?fid=77880), accessed January 13, 2015 (link not available anymore: July 29, 2015); also see Goma'a 2010. For an informed analysis of women's issues in legal discussion see Shahrour, M, n.d., "Fiqh al-Mar'a, al-Fasl al-Sadis: al-Libas", [http://shahrour.org/?page\\_id=783](http://shahrour.org/?page_id=783), accessed July 15, 2015.

10 Ibn Baz, "Hijab al-Mar'a al-Muslima amam al-Kafira", <http://www.islam-qa.com/ar/ref/13211/>, accessed July 22, 2015.

Ibn Baz rejects the opinion of other scholars that a Muslim woman should not undress in front of a non-Muslim woman. He refers to the fact that Christian and Jewish women mixed with the Prophet's wives without any of them covering themselves. Debates arise from different interpretations of the expression in Surat al-Nur (24), verse 31, that Muslim women should not 'reveal their adornment' (*zinā*) except to people like – inter alia – 'their women' (*nisā'uhunna*). Whether the expression *nisā'uhunna* applies only to Muslim women or to all women has been a controversial subject since early Islam as Tabari (1954, vol. xviii, p. 121) in his Qur'anic commentary shows. In another site (a thread in a forum), Ibn Baz is more explicit, basing his line of arguments on the role model of the prophet's wives.

The right (opinion) is that "*nisā'uhunna*" refers to the female sex in its entirety, be they Muslim or unbelieving, there is nothing to be said against this. The Jewish women in the Prophet's time (PbuH) and the pagan women came to them [the wives], and it is not transmitted that they covered in front of them.<sup>11</sup>

So, Ibn Baz abolishes the diversity in legal opinions for the sake of a simple answer without elaborating on the different opinions scholars had (and have) about this issue. Similarly, the Kuwaiti professor of fiqh at Kuwait University's Faculty of Shari'a and Islamic Studies, Dr Muhammad Abd al-Ghaffar al-Sharif, answers in his own fatwa service: "All the *fuqahā*' came to the conclusion that the 'awra of a woman in front of a women is like the 'awra of a man in front of another man, e.g. the part between the navel and the knee."<sup>12</sup> This tendency to simplify and abolish differences and contradictions and homogenise heterogeneous views for the sake of a (short and) satisfying answer however, seems to be not only the problem of the internet as a medium. Rather, it is related to the genre of fatwa. Written fatwas are literary products in a genre which usually are short and concise texts answering a concrete query.

However, not all scholars give simple answers. The Kuwaiti Wizarat al-Awqaf for example states without going into further details: "Regarding the feet some jurisconsults say that they belong to the 'awra while others say the feet beneath the ankle doesn't belong to the 'awra. God knows best",<sup>13</sup> leaving it open for the reader to interpret, without offering strict guidelines.

11 Alukah, al-, "Fatwa li-l-Shaykh Ibn Baz Hayyaratni an Hudud 'Awrat al-Mar'a amam al-Mar'a", <http://majles.alukah.net/showthread.php?t=41606> [October 2007], accessed June 22, 2015.

12 Muhammad Abd al-Sharif, Fatwa no 420 ("Awrat al-Mar'a bi-l-Nisba li-l-Mar'a al-Muslima"), <http://www.dralshef.net/Fatwa.aspx?SectionID=4&RefID=420>, accessed July 28, 2015; compare to the similar fatwa in Islam Su'al wa Jawab, "Awrat al-Mar'a amam al-Nisa' wa-l-Maharim", <http://www.islam-qa.com/ar/ref/82994/>, accessed June 17, 2015.

13 Wizarat al-Awqaf wa-l-Shu'un al-Islamiyya, Dawlat al-Kuwait, Fatwa no. 8092 ("Hal Halal Izhar al-Wajh li-l-Mar'a aw Haram? Hal Halal Izhar Ka'b al-Mar'a?"), [July 7, 2010], <http://islam.gov.kw/cms/fatwa/show/8092/>, accessed February 19, 2012 (link not available anymore: July 28, 2015).

Reasoning that official institutions pay attention to the diversity in *iftā'* while independent scholars don't (as demonstrated by the two Kuwaiti examples) does not prove correct: sometimes it is vice versa. Often it seems to be the mufti's personal inclination to certain principles of Islamic law which decides his process of selection and argumentation. The Hanafi researcher, lecturer and director of the UK based Dar al-Ifta', Leicester, Mufti Muhammad ibn Adam al-Kawthari, hints at diverging interpretations of women's *'awra* by quoting Fakhr al-din al-Razi's Qur'anic commentary *Tafsir al-Kabir* (died 1209):

The exegetes of the Qur'an differ with regards to the interpretation of this statement of Allah. Imam Fakhr al-Din al-Razi (Allah have mercy on him) states:

“With regards to the statement of Allah ‘or their women’, there are two opinions. The first is that it refers to those women who are of the same religion (din) as them (i.e. Muslims). This is the opinion of the majority of the predecessors (salaf). Ibn Abbas (Allah be pleased with him) states: ‘It is impermissible for a believing/Muslim woman to uncover herself in front of non-Muslim women, and she is only allowed to expose that what is allowed in front of non-Mahram men...’ Sayyiduna Umar ibn al-Khattab (Allah be pleased with him) wrote to Abu Ubaida ibn al-Jarrah (Allah be pleased with him) to stop non-Muslim women from entering bath areas (hammam) with Muslim women.”<sup>14</sup>

The second opinion is that it refers to all the women (i.e. she may uncover in front of all the women). This is the adopted opinion, and the opinion of the predecessors is based on superiority (istihbab). (See: *Tafsir al-Kabir*, 8/365).

As we have seen, that Imam al-Razi (Allah have mercy on him) adopted the second view in that a woman may uncover in front of non-Muslim women to the extent of what she is allowed to uncover in front of Mahram men.

However, many scholars chose the first view, and it is the view that is adopted by the Hanafi School.<sup>15</sup>

However, Kawthari himself advocates women to cover in front of non-Muslim women if possible, alluding to the fear that they might describe the Muslim women's beauty to men and to the dangers of lesbian *fitna* (discord, chaos).<sup>16</sup> At the same time he points at the difficulties this may cause in everyday life and comes to the conclusion that “the ruling of covering in front of non-Muslim women is not as strict as the other situations”:<sup>17</sup>

14 See also Wizarat al-Awqaf wal-Shu'un al-Islamiyya (1994, vol. xxxi, p. 30); al-Tabari (1954, vol.xxviii, p. 121).

15 Kawthari, Muhammad ibn Adam al-, “A comprehensive guide to a women's nakedness (awra)”, <http://www.shariahprogram.ca/islam-qa-women/womens-awra.shtml>, accessed July 8, 2015.

16 Ibid.

17 Ibid.

[...] firstly, there is a difference of opinion between the scholars regarding it, and secondly, it may be at times very difficult to cover in front of women. The great exegete, Imam al-Alusi (Allah have mercy on him) states:

“This opinion (of not covering in front of non-Muslim women) is more appropriate these days, for it is almost impossible to cover in front of them”. (Ruh al-Ma’ani)

In conclusion, a woman should cover whenever reasonably possible in front of non-Muslim women, especially when there is fear that she may describe her to other men. Also nowadays, Fitnahs such as lesbianism have become so wide spread that it has become necessary for women to observe caution with non-Muslim women. However, if it is difficult to fully cover, then one may take the concession on not covering and minimising it to the minimum.<sup>18</sup>

In advocating to cover in front of non-Muslim women, he refers to the concept of *sadd al-dharā’i*’ (lit.: ‘blocking the means’ [to evil] or ‘opening the means’ [to beneficence]), a principle of Islamic jurisprudence applied when a lawful means is expected to lead to an unlawful result (Kamali 2006, pp. 400-409; Abu Zahra 1952, pp. 323-335). However, at the same time he applies the principle of avoiding hardship (*mashaqqa*), conceding the impracticability of this restriction.

Most scholars seem to agree that a woman’s ‘awra includes everything except hands and face. Only some like the fatwa commission of the Jordanian Da’irat al-Ifta’ al-Amma claim it is forbidden to wear sandals because the feet belong to the women’s ‘awra, referring to the opinion of the Shafi’i Zakariya al-Ansari.<sup>19</sup> From the point of view of this institution, women are prohibited from leaving the house without socks. Kawthari mentions that according to the Hanafite teaching the feet do not belong to the ‘awra, but – adopting the Shafi’i opinion – he warns of the dangers of seduction when not covering the feet, even with women wearing *jilbāb* or burka: Although these dresses may cover all the body, when climbing in a car the woman’s ankles may get exposed. This – he claims – constitutes “a sin according to all scholars”.<sup>20</sup>

The Egyptian born scholar Yusuf al-Qaradawi (born 1926)<sup>21</sup> in his online-fatwa also refers to al-Razi’s *Tafsir*. While hinting at the ‘ulama’ ’s diverging definitions of women’s ‘awra, also he applies the principle of ‘avoiding hardship’ (*mashaqqa*): According to this interpretation, the

18 Ibid.

19 Lajnat al-Ifta’, Da’irat al-Ifta’ al-‘Amma, Jordan, Fatwa no. 847 (“Khuruj al-Mar’a Muzahhara li-Juz min al-Qadamayn”), [July 15, 2010], <http://www.aliftaa.jo/index.php/ar/fatwa/show/id/847/search%D8%B9%D9%88%D8%B1%D8%A9>, accessed July 8, 2015. See also their fatwa no. 814 (“Qadam al-Mar’a Juz min al-‘Awra fi-l-Sala wa-amam al-Rijal al-Ajanib”), [July 13, 2010], <http://www.aliftaa.jo/index.php/ar/fatwa/show/id/814/search/%D8%B9%D9%88%D8%B1%D8%A9>, accessed July 8, 2015.

20 Kawthari, Muhammad ibn Adam al-, “A comprehensive guide to a women’s nakedness (awra)”, <http://www.shariahprogram.ca/islam-qa-women/womens-awra.shtml>, July 23, 2015.

21 For a detailed analysis of Qaradawi’s online-fatwas see Gräf (2010).

woman is allowed to show her face and her hands to all, because this is necessary (*ḍarūrī*) in daily life and work and difficult to hide. But unlike other scholars Qaradawi concludes that the rest of her body should only be seen by her husband.<sup>22</sup> Diverging from these opinions is the recommendation of the Kuwaiti Shabakat al-Fatawa al-Shar‘iyya:

Q.: Are the fingers of a woman’s feet *‘awra*? And what is the difference between foot (*qadam*) and hand (*kaff*)?

A.: [...] The foot of a woman is what lies beneath the ankles (*mā dūna l-ka‘bayn*), but the scholars dispute this issue. Some of them say it belongs to the *‘awra*, and some others refute this, while again some others argue that the *‘awra* is below the ankles. The best is to wear socks and a long dress so as to avoid any dispute with the fuqaha’. As to the hands, all scholars agree that they don’t belong to the *‘awra* because the woman has to use them in her daily transactions.<sup>23</sup>

It is not possible to simply state that Wahhabi orientated scholars like Ibn Baz give “stricter” guidelines while scholars living in the West, catering for an English-speaking Arab or/and non-Arab public, offer a more liberal interpretation. Rather the whole issue seems to be related to legal schools and the personal inclination of the muftis involved when mixing the legal schools’ opinions (*talfīq*).

Shaykh Ahmad Kutty (b. 1946, Kerala, India), who completed his religious education in India, Saudi-Arabia and Toronto, and whose fatwas appear on various international sites (including Islamonline.net, Islamicity.com, Islamophile.org, Infad.usim.edu.my, Islam.ca) explains:

According to the scholars of both the Maliki and the Hanbali schools, the phrase ‘their women’ includes all women including non-Muslims, while the scholars of both the Hanafi and the Shafi’i schools say rather it specifically distinguishes Muslim women from others, and, therefore, she must observe stricter rules of covering when appearing before non-Muslim women as opposed to Muslim women.<sup>24</sup>

Referring to the role models of the prophet’s wives he comes to his own personal conclusion, not by following a certain legal school but by sole reasoning:

22 Qaradawi, Yusuf al-, “‘Awrat al-Mar’a amam Maharimiha wa-Banat Jinsiha”,

[http://www.qaradawi.net/site/topics/article.asp?cu\\_no=2&item\\_no=3818&version=1&template\\_id=226&parent\\_id=17](http://www.qaradawi.net/site/topics/article.asp?cu_no=2&item_no=3818&version=1&template_id=226&parent_id=17),

accessed July 12, 2015

23 Kurdi, Ahmad al-Hajji al-, Fatwa no. 4674 (“Al-Qadam, al-Kaffayn, hal Huma ‘Awra bi-l-Nisbha li-l-Mar’a?”), [15.04.2006], <http://www.islamic-fatwa.net/fatawa/index.php?module=fatwa&id=4674>, accessed July 23, 2015.

24 Kutty, Ahmad, “Different levels of ‘sitr’”, <http://askthescholar.com/question-details.aspx?qstID=843>, accessed July 23, 2015.

The last mentioned view that a Muslim woman is absolutely obliged to cover her entire body except her face, hands, and feet in presence of non-Muslim women seems to be a little extreme. We find no evidence in the sources to support such a conclusion. There are numerous instances of non-Muslim women, from both Jewish and pagan backgrounds, visiting the wives of the Prophet (peace be upon him), as well as other Muslim women, and yet, there is no mention anywhere that the Prophet (peace be upon him) ever ordered them to observe special rules of covering in their presence. If it had been necessary for them to do so, it is most unlikely that the Prophet (peace be upon him) would have failed to mention it to them plainly and clearly.

Therefore, the view of Maliki and Hanbali schools on this issue seems to be more consistent with the evidences of the sources, as well as the general spirit of the Shari'ah.<sup>25</sup>

### 3.2 Confusion – Contestations – Challenges

In cyberspace people express their confusion about the many diverging fatwas. In the discussion forum al-Alukah someone started a thread with the heading: “The fatwa of Ibn Baz confused me about the limits of women’s ‘awra in front of non-Muslim women”.<sup>26</sup> This person who refers to the above mentioned fatwa (women’s ‘awra = from navel to knee) wonders if this means that sleeveless and short dresses are allowed in front of other women and asks provocatively: “Where have the religious exhortations about covering and shame gone?”<sup>27</sup> The posts in this thread exceed 40 answers, each diverging in content and most of them drawing on religious authorities. In the ensuing debate, a man admonishes her: “Firstly: We should not say something like this, at least not out of respect for the shaykh. Secondly: There is nothing wrong for a woman in front of her equal to show some of her charming qualities like breast, arms and legs because there is no proof that she must cover these parts in front of another women. God knows best.”<sup>28</sup> Another person cites the beginning of the well-known hadith “*The woman is ‘awra. When she leaves the house the devil looks at her*”, which is reported among others by al-Tirmidhi<sup>29</sup>. She does not bother about the fact that its authenticity is disputed, and most probably is unaware about it.<sup>30</sup>

However, the debate continues with the advice seeker expressing her confusion once more. Underlining the similarity of women’s and men’s clothing nowadays and asking for help since this

25 Ibid.

26 Alukah, al-, “Fatwa li-l-Shaykh Ibn Baz Hayyaratni an Hudud ‘Awrat al-Mar’a amam al-Mar’a”, [9 Shawal 1430], <http://majles.alukah.net/showthread.php?t=41606>, accessed July 22, 2015.

27 Ibid.

28 Ibid.

29 Ibid. The hadith is transmitted in the collection of al-Tirmidhi (n.d., vol. iii, p. 319 [Kitab al-Rida 17]).

30 On the other side there are other discussion forums where people critically discuss the authenticity of this hadith, see for example the thread in the forum Ana Muslima, “Hal Hadith al-Mar’a ‘Awra Şahih?”, [started 30 dhu al-qa’dah 1423], <http://www.muslimh.com/vb/t3347.html>, accessed June 18, 2011.

kind of modern clothes did not exist during Prophet Muhammad's time. Other contributors try to solve the confusion by citing different fatwas and legal works both from online sources and print media. One comes up with quotes from the Kuwaiti *Encyclopedia of Fiqh*, another one offers a different fatwa of Ibn Baz<sup>31</sup> in which the shaykh explains that a woman should regard modesty and shamefulness and not wear transparent clothes showing her 'awra in front of *maharim*. Defending Ibn Baz he concludes that one should never take the 'ulama's words out of context but should compare them to other fatwas of the same 'alim. While one person cites Ibn Hazm, another one cites a fatwa of Muhammad ibn Salih al-Uthaymin which he found in another discussion forum.<sup>32</sup> Other people protest against this comparison since a fatwa about 'awra in front of other women has nothing to do with one on 'awra in front of male *maharim*. However, the people contributing in this thread try to answer the question by relying on statements of religious authorities – an attitude which contributors show in other discussion forums, too.<sup>33</sup>

People also contest 'ulama's opinions. In Shabakat Filastin li-l-Hiwar (paldef.net) a person with the nickname of "Shakir" (the Grateful) lists a number of Qur'anic verses and hadith supporting his argument that the feet belong to the woman's 'awra. He refers to the above mentioned hadith of the prophet pointing at the face and hands of Asma bint Abi Bakr, explaining that everything except these parts has to be covered.<sup>34</sup> The fact that this hadith – according to many scholars – is not referring back directly to the Prophet and is therefore regarded as weak does not bother him. Most of his arguments are based on the demand that a woman should avoid causing *fitna*, arguing that showing the feet "may cause *fitna* for many men, something not known to many girls". He tries to persuade women to warn other women and to instruct them to wear socks, obeying the demand of *amr bi-l-ma'rūf wal-nahī 'an al-munkar*. The other contributors of the thread agree and thank him for his efforts:

Brothers and sisters: I hope to enrich this subject with everything that is useful in this respect, regardless of the 'ulama' who agree with this point of view and those who don't.<sup>35</sup>

Nobody in this thread quotes any 'ulama' and their fatwas.

---

31 <http://www.binbaz.org.sa/mat/8875>, accessed July 26, 2015.

32 Ibid. al-Uthaymin's fatwa is cited from Multaqa Ahl al-Hadith: "Hadith 'Awrat al-Mar'a aman al-Mar'a", [27.12.2004], <http://www.ahlalhddeeth.com/vb/showthread.php?t=25042>, accessed July 23, 2015.

33 E.g. Sunniforum.com, "Awra of a Woman", [April 25, 2009], <http://www.sunniforum.com/forum/showthread.php?45344-Awra-of-a-Woman>, accessed June 17, 2015. Here a contributor draws on a fatwa of Ibn Taymiyya: "As for awra in front of ghayr Mahram, Ibn Taymiyya says 'She has to cover everything, including the face, hands and feet, according to the most correct opinion.'" (p. 35 *Fatawa an-Nisa' li Ibn Taymiya*)".

34 Shabakat Filastin li-l-Hiwar, "Qadam al-Mar'a 'Awra, Haram Kashfuha", [Oct. 8, 2008], <http://www.paldf.net/forum/showthread.php?t=314884>, accessed May 9, 2015.

35 Ibid.

Another contested area of the female body is the voice: Does the voice of a woman belong to *‘awra*? This question touches real life situations. Although most scholars and internet users agree that the woman’s voice usually does not belong to *‘awra*, the Qur’anic verse (Surat al-Ahzab, 32: *fa-lā takhḍa’anna bi-l-qawli*, translated in various ways: “Be not abject in your speech” [Arberry (tr) 1955, vol. ii, p. 124], “Be not too complaisant of speech” [Yusuf Ali (tr) 1975, p. 601], “Be not soft of speech” [Pickthall (tr) 1930, p. 432], “Be not soft in (your) speech” [Shakir (tr) n.d., p. 202], “Do not be abject in speech” [Fakhry (tr) 1997, p. 264]) has led to a common disdain of a woman singing or reciting the Qur’an since this would make her voice automatically *‘awra*. This in consequence has led to the view that any female voice speaking in a seductive way is *‘awra*.<sup>36</sup> The Kuwaiti scholar al-Kurdi, member of the Kuwait Dar al-Ifṭā’, in the above mentioned Shabakat al-Fatawa al-Shar’iyya, explains this dilemma in the following way:

The normal voice of a woman without melodious tenor does not belong to *‘awra* according to most scholars. However, melodiously singing or Qur’an recitations do belong to *‘awra*, and men not belonging to the family are not allowed to listen to it. So women should better not teach men or speak with them except in cases of utmost necessity.<sup>37</sup>

On the other hand, Yusuf al-Qaradawi comparing the different views and hadith concerning singing, concludes that there is no strong hadith supporting its prohibition and sinfulness.<sup>38</sup> Some years later in 2010, he states in a TV show that there is no proof for prohibiting singing, a statement which stirred up heated debates in newspapers and forums: There were aggressive reactions with bad abuses but also counter fatwas of Azharites. One of the many comments in discussion forums reads: “This is the beginning of the *fitna* the prophet prophesized”, while another one urges for more respect for the *‘ulama’*.<sup>39</sup>

While these arguments may sound quite academic and far off, the question as to whether a woman may pick up the phone – not knowing who will answer or whether the other person might be a man – seems more pressing. In forums like *ejabat.google*, discussions take place about whether talking to women on the phone is haram or not, with different answers from the contributors.<sup>40</sup>

36 See for example Munajjid, Muhammad Salih al-, Fatwa no. 26304 (“Hal Sawt al-Mar’a ‘Awra?”), <http://www.islam-qa.com/ar/ref/26304>, accessed July 23, 2015.

37 Kurdi, Ahmad al-Hajji al-, Fatwa no. 984 (“Sawt al-Mar’a”), [Jan. 3, 2006], <http://www.islamic-fatwa.net/fatawa/index.php?module=fatwa&id=984>, accessed July 23, 2015.

38 Qaradawi, Yusuf al-, “Adillat al-Muhrimin li-l-Ghina wa-Munaqashatihi”, [Jan. 11, 2005], <http://qaradawi.net/library/75/3855.html>, accessed July 22, 2015. See also: Qaradawi, Yusuf al-, “Ma Hukm al-Islam fi l-Ghina wa-l-Musiqa?”, [Jan. 11, 2005], <http://qaradawi.net/library/75/3853.html>, accessed June 17, 2015.

39 See Muntadiyat Baniyas wal-Sahil, “Al-Qaradawi: Ghina al-Mar’a Yajuz Shar’an idha Lam Yata’arad ma’a Ahkam al-Shari’a al-Islamiyya” [Sept. 9, 2010], <http://www.baniascc.com/t17479-topic>, accessed January 3, 2012 (link not available anymore: July 28, 2015).

40 See Ijabat, “Hukm al-Tahadduth ma’a al-Nisa’ abra al-Hatif”, [July 20, 2010], <http://ejabat.google.com/ejabat/thread?tid=6e220e0605d81cd0>. See also: Ijabat, “Hal Sawt al-Mar’a A’wra? Wa-



While some people cite religious authorities others argue with historical role models. A person in the thread “Is the voice of a woman ‘awra?”, al-Uqab Forum (alokab.com), claims that a woman’s voice can’t be considered ‘awra. This is because women in early Islam used to talk to men, especially Aisha who shouted at both male and female Muslims in the Battle of the Camel.<sup>41</sup> Most contributors in the forums we looked at are of the opinion that women are allowed to talk to men and to answer the phone. But there are also people who support strict interpretations like the above mentioned of al-Kurdi or the view of Ebrahim Desai, a Deobandi Mufti from Dar al-Ifta’ in South Africa<sup>42</sup> who claims that women should only talk to men when absolutely necessary. His fatwa is very short and does not contain any legal proofs.<sup>43</sup> A certain Amina H. – in search for personal certainty of proper behavior – strongly advocating for women to not talk to men at all, bases her string of argumentation on the above mentioned surat al-ahzab:32. She also refers to the often quoted Bukhari hadith “*al-tasbīḥ li-l-rijāl wa-l-tasfīq li-l-nisā*” (The saying of ‘Subhanallaah’ is for men and clapping is for women)<sup>44</sup>, fueling fears of *fitna*. This hadith usually is understood that men can invite the attention of the Imam by saying ‘Subhanallaah’ while women may only clap their hands.<sup>45</sup>

She claims the female voice to be haram because of its potentially seductive character and finally comes to the conclusion that it is best not to speak at all to men, calling for other Muslim women to follow her.<sup>46</sup> Another woman opposes her by trying to deconstruct her gendered argumentation. Starting with the argument that “not to be soft in speech” was addressed to the prophet’s wives who “*are not like any other women*”, she concludes that the female voice is not ‘awra:

---

Idha Kana kadhaliqa fa-Kayf Tatahaddath ma’a al-Rijal?”, [Feb. 28, 2011], <http://ejabat.google.com/ejabat/thread?tid=76197e3fa6aa2b57&table=%2Fejabat%2Fsearch%3Fq%3D%25D8%25B5%25D9%2588%25D8%25AA%2B%25D8%25A7%25D9%2584%25D9%2585%25D8%25B1%25D8%25A2%25D9%2587%2B%2B%25D8%25B9%25D9%2588%25D8%25B1%25D8%25A9>, both accessed June 17, 2011 (both links not available anymore: July 28, 2015).

- 41 See Muntada al-Uqab, “Hal Sawt al-Mar’a ‘Awra?”, [started April 1, 2010], <http://www.alokab.com/forums/lofiversion/index.php/t50199.html>, accessed November 28, 2012 (link not available anymore). See a similar argumentation in Muntada Ansar al-Sunnah, “Hal Sawt al-Mar’a ‘Awra?”, [thread started July 13, 2009], <http://www.ansarsunna.com/vb/archive/index.php/t-2470.html>, accessed July 23, 2015.
- 42 See his weekly program in <http://www.askimam.org/index.php>, a Deobandi Mufti expressing views against the Wahhabis: <http://www.sunniforum.com/forum/showthread.php?404-Mufti-Ebrahim-Desai-Again-Comments-on-the-Wahhabis>, accessed July 26, 2015.
- 43 See Ebrahim Desai, “Are Women Allowed to Talk to Men?”, answer 250, <http://www.islam.tc/cgi-bin/askimam/ask.pl?q=250&act=view>, accessed July 20, 2015.
- 44 In: *Al-Amal fil-Salat* 5, adhan 48, sahwu 9.
- 45 Muhajabah.com, “Is the Female Voice Awrah? A Personal Opinion by Amina H”, Ramadan 1420, <http://www.muhababah.com/docstorage/voice-amina-h.htm>, accessed July 28, 2015. Also see Munajjid, Muhammad Salih al-, fatwa no. 26304 (“Hal Sawt al-Mar’a ‘awra?”), <http://www.islam-qa.com/ar/ref/26304>, accessed July 23, 2015.
- 46 Ibid.

It is really quite astonishing how something that is reported by many Sahaba (rAa) to be halal (i.e., woman's speech in front of non-mahram men) is declared by some people to be haram on the basis of a Quranic ayah and a hadith that do not even state a ban in the first place!! Let's use some common sense, people! Do not put your opinions in place of the Sunna. If the Prophet (sAas) allowed women to speak in front of non-mahram men, then it is HALAL. Do not innovate obligations in the deen (such as women having to be silent) that Allah SWT and His Messenger did not put there.

Note: It is true that women should keep their conversations with non-mahram men business-like and that they should make efforts so that their voices are not alluring. However, to say that a woman's voice can never be heard at all is, I feel, extreme and not demanded by Islam.<sup>47</sup>

### 3.3 Constructions of Gender Roles in the Context of Fears of Fitna

Some of the vivid cyber debates discussing *'awra* and the proper behavior of women are clearly fueled and emotionalised by the fear of *fitna*. In islamweb.net a concerned mother of two daughters, living in the USA, asks:

Assalam Alikom Wa Rahmat Allah Wa Barakato, i live in USA and i have 2 daughters 6 and 3.I started letting them have swimming lessons for the last 2 months, their female instructor is a non-muslim and she doesn't cover her Awra (she wears the usually swimming suits they have here).usually when it's time for the swimming classes only the kids and the instructors are in the pool, a friend told me may be it's haram to let my kids go to learn how to swim because of the instructors' swimming suit? so is it really haram or not? taking into consideration any where we go here the non- muslims doesn't cover their Awra( in the mall.work.....) so please tell me exactly what to do. Jazakom Allah Khair.

The Mufti whose name does not appear gives her the advice to withdraw her daughters from this place and – best – to leave this country:

Therefore, if you send your daughters to this non-Muslim female instructor, you are exposing their creed and moral conduct to danger, as it is most likely that your daughters will be emotionally attached to her especially if she treats them well, as a result, they will love her. Consequently, they will try to imitate her in her behaviour and probably in her creed, and then it will be a catastrophe. It is only then that you will regret but it will be already too late.

---

47 Muhajabah.com, "The Voice of a Woman", <http://www.muhababah.com/voice.htm>, accessed June 9, 2015.

Hence, you should endeavour to avoid this by taking away your daughters from this place. [...] As regards the non-Muslims who do not cover themselves properly and dress scantily, then this is not a sound reason for doing what would cause Allaah's Anger. Indeed, due to the widespread evil and acts of disobedience which happen in the non-Muslim countries, the scholars stated that a Muslim should not reside there except for a necessity or a dire need.<sup>48</sup>

The Permanent Committee for Islamic Research and Fatawa, the official Saudi Fatwa committee, supports the idea that it is prohibited to watch television because women could see handsome men and men could watch women without hijab i.e. exposing their 'awra:

Question: What is the ruling regarding looking at a woman (ajnabiyyah - someone who he is not a mahram to) and (similarly) a woman (ajnabiyyah) looking at a man whilst watching television?

Response: It is not permissible because generally that which one sees of women on the television are without hizaab and revealing some of their 'awrah; and regarding the men, that they too are beautified and the effect of this is a fitnah, leading to evil in general.

And with Allaah lies all success and may Allaah send prayers and salutations upon our Prophet (sal-Allaahu `alayhe wa sallam) and his family and his companions.<sup>49</sup>

Guidelines of proper behavior for women vary and rely on different hadith or Qur'anic verses. Based on the above mentioned hadith "*The woman is 'awra. When she leaves the house the devil will look at her*", some contributors in the forum [ejabat.google.com](http://ejabat.google.com) consider it best for women not to leave the house except for pilgrimage (hajj) or in case of emergencies.<sup>50</sup> In contrast, others point to the role model of the Prophet's wives and other famous women in early Islam who were teachers and instructed men with religious knowledge. The fact that they left the house for work without any objection from the prophet supports their argument that these ideas are not based on shari'a but on primordial patriarchal interpretation.<sup>51</sup>

48 Islamweb.net, Fatwa no. 92682 ("A Naked Non-Muslim Female Teacher Giving Swimming Lessons to Her Small Daughters"), [Jan. 7, 2007], <http://www.islamweb.net/emainpage/index.php?page=showfatwa&Option=FatwaId&Id=92682>, accessed July 8, 2015.

49 <http://www.fatwa-online.com/fataawa/womensissues/hijaab/0020925.htm> ("Looking at the Opposite Sex in Television"), accessed July 18, 2015.

50 See e.g. the thread "Ilayki Ukhti... ma Hukm Khuruj al-Mar'a min al-Bayt min Duna 'Idhn al-Zawj" (For you sister... is a woman allowed to leave the house without the consent of her husband?), [Feb. 14, 2011], <http://ejabat.google.com/ejabat/thread?tid=4aca648183aefbf4&table=%2Fejabat%2Fsearch%3Fq%3D%25D9%2587%25D9%2584%2B%25D9%258A%25D9%2585%25D9%2583%25D9%2586%2B%25D9%2584%25D9%2584%25D9%2586%25D8%25B3%25D8%25A7%25D8%25A1%2B%25D8%25AE%25D8%25B1%25D9%2588%25D8%25AC%2B%25D9%2585%25D9%2586%2B%25D8%25A7%25D9%2584%25D8%25A8%25D9%258A%25D8%25AA>; accessed March 14, 2012 (link not available anymore: July 28, 2015).

51 <http://forums.islamicawakening.com/f20/women-scholarship-4500/>, accessed July 18, 2015.

But hardly ever opinions like those of the liberal thinker and professor of Comparative and Islamic Law at Cairo University, Muhammad Sa' id al-Ashmawi are found. He tries to prove that covering the hair is just a custom originating from cultural premises.<sup>52</sup> Also Jamal al-Banna, the brother of Hassan of Banna, argues in his book *Al-Mar'a al-Muslima Bayna Tahrir al-Qur'an wa-Ta'qid al-Fuqaha'* ("The Muslim Woman Between Qur'an's Liberation and Juriconsults' Restriction", Banna 2008) that there is no Qur'anic verse obliging women to wear headscarves. Even after the ban of his book by Al-Azhar, newspapers and forums widely discussed his accusations against 'ulama' who falsely and in contrast to Qur'an teachings make the whole body 'awra.<sup>53</sup>

On the blog [hegabs-nekabs.blogspot.com](http://hegabs-nekabs.blogspot.com), an Arabic website obviously created to publish arguments against head covering, people strongly support the book of Mustafa Awwad *Mushkilat 'Awrat al-Mar'a wa-Malabisiha* ("The Problem of Women's 'Awra and her Clothes") in which he lists 14 arguments against headscarves from a religious point of view.<sup>54</sup>

The fatwa of the Egyptian-born Zaki Badawi (1922-2006), an Azharite, dean of the Muslim College in London and long time Chief Imam of the London Central Mosque in Regents Park, stirred much excitement when he claimed that Muslim women are allowed to take off their hijab in times of danger. Arguing that the main reason for the hijab originally was to identify Muslim women so that they would not be attacked or harassed, he comes to the conclusion that in the case of danger or harm – like in the aftermath of 9/11 – women should remove the hijab, – exactly out of the same reasons.<sup>55</sup> In discussion forums he was supported yet more often criticized with comments

---

52 Ahl al-Quran, International Quranic Center, "Sha'r al-Mar'a Laysa 'Awra" (A Woman's Hair Does Not Belong to 'Awra), [Oct. 27, 2009], [http://www.ahl-alquran.com/arabic/show\\_article.php?main\\_id=5898](http://www.ahl-alquran.com/arabic/show_article.php?main_id=5898), accessed July 20, 2015.

53 Egypty, "Jamal al-Banna Ya'tabir Taghtiyyat Sadr al-Mar'a Hiya l-Hijab al-Islami" (Jamal al-Banna Considers the Covering of Women's Breast as the Islamic Hijab), [June 3, 2008], [http://www.egypt.com/people-talk-details.aspx?people\\_talk=1580](http://www.egypt.com/people-talk-details.aspx?people_talk=1580), accessed July 20, 2015; the Saudi website Dar al-Liberaliyya al-Sa'udiyya had a long thread about this topic, see <http://www.darlibrl.com/vb/showthread.php?t=16532&page=6>, [Jan. 17, 2011], accessed May 20, 2011 (link not available anymore: July 28, 2015); Muhawirat al-Misriyyin features an interesting dialogue on this: "Al-Mufakkir al-Islami Jamal al-Banna: la Luzum li-l-Hijab wa-Sha'r al-Mar'a laysa 'Awra" (The Islamic Thinker Jamal al-Banna: No Hijab Necessary, and a Woman's Hair Does Not Belong to 'Awra), [July 2008], <http://www.egyptiantalks.org/invb/index.php?showtopic=61021>, accessed June 9, 2015.

54 See hegab, nekab & other trash, "Arba'ta 'ashar Dalilan 'ala 'Adam Fardiyyat al-Hijab" (Fourteen Proofs that the Hijab Is No Duty), [July 12, 2010], [http://hegabs-nekabs.blogspot.com/2010/07/blog-post\\_12.html](http://hegabs-nekabs.blogspot.com/2010/07/blog-post_12.html), accessed January 5, 2012 (link not available anymore: July 28, 2015). Also refer to al-Fakhrani, "Al-Niqab bayna al-Ra'y wa-l-Ra'y al-Akhar", al-Ahram, Oct 24, 2009, <http://www.ahram.org.eg/Archive/2009/10/24/WRIT5.HTM>, accessed July 22, 2015.

55 See the article in Islam/online, "Take Off Hijab to Avoid Harm: UK Muslim Scholar", reproduced in <http://www.mostmerciful.com/fatwa-on-hijab-and-my-rejoinder.htm>, accessed July 8, 2015, and also on BBC News "Women hit back over hijab ruling", [Aug. 4, 2005], [http://news.bbc.co.uk/2/hi/uk\\_news/4742869.stm](http://news.bbc.co.uk/2/hi/uk_news/4742869.stm), accessed July 22, 2015.

like “My God! Our shari‘a has become a place for experiments and contested fatwas”<sup>56</sup> or “The ‘ulama’ justify matters renouncing the religion”.<sup>57</sup>

However, not only in Europe but also in Egypt, heated discussions about ‘awra flamed up after the niqab was forbidden in Egypt’s universities in October 2009. The prohibition of the niqab followed the claims made by Muhammad Sayyid Tantawi (1928-2010), the Shaykh al-Azhar and the minister of Religious Affairs, Mahmoud Hamdi Zaqzouq, that the niqab was just a custom and not a religious duty. Zaqzouq even proclaimed it a non-permissible innovation (*bid‘a*) (cf. Hamid 2009). This led to heated debates and harsh criticism of the Shaykh al-Azhar in cyberspace, involving accusations that he has “sold his religion” (cf. moheet.com 2010) and provoking a lot of counter-fatwas and even resulting in a number of lawsuits. The debates consisted of a comparison between the opinions of Egypt’s official religious authorities and those of Muslim scholars in past and present, but also arguments of religious freedom. Supporters of the niqab-prohibition in schools and university often expressed anxiety that the niqab would come along with mainly Wahhabi religious influences and was a ‘foreign custom,’ imported into Egypt by people returning from Gulf Arab countries (Nrkumah 2005). On the other hand, opponents of the niqab-prohibition argued against the hegemony of the Azhar. In their eyes, it has lost its legitimacy and authority as an independent juridical institution. It has turned muftis and *mujtahidīn* into mere state officials, supporting the state’s religious policy and giving European burka-prohibitions a point of attack (cf. Tawfiq 2009). However, the Shaykh al-Azhar insistence that his point of view was the only right one was widely criticised, as one man in the discussion forum ahlalhadith stated: “I really wonder how the Shaykh al-Azhar can say that this is a matter of *ijmā‘* (consensus) although the differences in opinions are known and popular. How can he claim it is *ijmā‘*?”<sup>58</sup>

The diverging discussions about ‘awra contribute to the definition of women’s gender role, to a religiously and socially appropriate set of social and behavioral norms. Often, in cyber discussions, the definition of ‘awra is extended from certain parts of the female body to the female body as a whole. Assumptions of what exactly is women’s ‘awra are derived from the behavior of the prophet’s wives as transmitted in hadith, historiography and legal works. The famous Iranian feminist Ziba Mir-Hosseini claims that the legal construction of women’s bodies as ‘awra and of their sexuality as a source of *fitna* removed them from public space and thus from political life in

---

56 Majallat al-Mu‘allim, “Al-Hijab fi Britaniyya wa-Salamat al-Mar‘a al-Muslima” (The Hijab in Great Britain and the Well Being of the Muslim Woman), <http://www.almuallem.net/saboora/showthread.php?p=76539>, accessed July 23, 2015.

57 “‘Alim min al-Azhar Ya‘tabir anna l-Fakhdh Laysa ‘Awra” (An Azharite Scholar Considers the Thigh Not to Be ‘Awra), [Feb. 10, 2010], <http://www.al-jahafal.com/vb/showthread.php?t=5923>, accessed April 17, 2011 (link not available anymore: July 28, 2015).

58 Ahl al-Hadith, “Madhhab al-Hanabila fi-Satr al-Wajh” (The Hanbalite School on Covering the Face), [July 2, 2003], <http://www.ahlalhdeth.com/vb/archive/index.php/t-50843.html>, accessed July 20, 2015.

Muslim societies.<sup>59</sup> She considers this mainly a product of legal, social and gender settings that reflect the state of knowledge, the normative values, and patriarchal institutions during the time of early scholars: “These rulings – which were all the product of either juristic speculations or social norms and practices – came to be treated by successive generations as though they were immutable, as part of the shari‘a.” (Mir-Hosseini 2007, pp. 85-113) However, our observation is that both male and female Muslims may derive very strict behavioral norms from their understanding of the religious sources. In the forum taqwa.com the contributors discuss a statement of Shaykh Kishk “that a women leaves the house only three times: the first time when she leaves her mothers’ bottom, the second time when she leaves her fathers’ home for her husband’s home and the third time when she leaves her house for her grave.” The woman who started the thread justifies her conviction that women should not leave the house by quoting certain hadith without caring for their authenticity (an issue quite often ignored in cyberspace). Also she refers to the hadith that the woman is *‘awra* and that the devil looks at her whenever she leaves the house. However, for other contributors her argumentation is not convincing at all: “I read your post and the ahadith [you cited] and could not find any *hadith* prohibiting women to leave the house. What Shaykh Kishk says is not a Qur’anic verse or a *hadith*, it is only his own words!” Another person by the (nick)name Abu Salem reminds her of women in early Islam who took part in military expeditions caring for the wounded and asks “Do you also want to deprive girls from attending schools?” The woman who started the thread responds: “Yes, I never leave the house and as I told you – schools are not schools but full of rottenness. I stay at home, study the Qur’an and pray that very soon an Islamic state will come into existence”. She quotes the well-known but weak hadith “None of you is a true believer unless his affections are like the ones I brought” (*lā yu’min aḥadukum hattā yakun hawāhu tib’an li-mā ji’tu bihi*)<sup>60</sup> and attacks the other contributors: “It seems that it is you who follows his affections since you want the woman to leave the house so that she’ll become a easy tasty bite for the dogs!”<sup>61</sup>

---

59 A similar opinion is made by a Moroccan internet user: “Al-Nisa’ wa-l-Rijal Siwasiyya fi l-Mashaykha wa-l-Ifta’”, <http://zawaya.magharebia.com/ar/zawaya/opinion/322>, accessed June 18, 2011 (link not available anymore: July 28, 2015).

60 The hadith is reported by quite a few scholars, among them Imam al-Baghwi (Sharh al-Sunna 213/1) and al-Hassan bin Sufyan (al-Arba‘in al-Nawawiyya, no 41) and generally considered to be weak.

61 Altqwa.com, “Al-Ahadith al-Dalla ‘ala ‘Adam Jawaz Khuruj al-Nisa’ min al-Buyut illa li-Ḍarura Qiswa“ (The Hadith Which Hint at the Fact that it Is Not Allowed for Women to Leave Their Houses Except in Strong Necessities), [June 6, 2006], <http://www.altqwa.com/archive/index.php?t-1921.htm>, accessed June 16, 2011 (link not available anymore: July 28, 2015).

## 4 Conclusion

As we have seen in our case study, the plethora of advice-seeking Muslims online and the fatwas these queries generate leads to quite some contestations and debates. There are rivaling opinions concerning the above detailed aspects of *‘awra*. Internet actors construct different gender roles by relating in diverging ways to traditional concepts of *uṣūl al-fiqh* and legal teaching, based on their findings of normative instructions for social interactions.

However, from our point of view, these contestations do not only exist in cyber-*iftā*: in 2009 and 2010 quite a few newspapers reported about ‘fatwa wars’ in Saudi Arabia. This ‘war’ started when Adel al-Kalbani, Imam at the Grand Mosque in Mecca, issued a fatwa endorsing music as halal although public music performance is banned in Saudi Arabia, with some ultra-conservative scholars even claiming it is forbidden at home. Another scandal was evoked when a senior cleric, shaykh ‘Abdul Mohsen al-‘Ubaykan, endorsed the idea that a grown man would be considered a biological son if breast-fed by a woman. The aim of this proposal/fatwa was to ensure an “Islamically endorsed and legalized” cooperation of men and women in the same place of work.<sup>62</sup> Maybe the most heated debate was initiated when the Saudi shaykh Ahmed al-Ghamdi, head of Mecca’s ‘Religious Police’, proclaimed that there is no such thing as gender segregation in Islam, and that gender segregation as practiced in Saudi Arabia is based on extremism and cultural considerations. He supported his claim with the argument that the presence of maids in households is not prohibited at all (Mufaddali 2009). Debates like these may have led to the Royal Edict of King ‘Abdullah that only officially approved religious scholars associated with the Senior Council of Ulama are now authorized to issue fatwas (Watan unlayn [online] 2010).

The term ‘fatwa crisis’, coined by Mujahed Khalaf, editor in chief of the Egyptian newspaper *al-Jumhurriyya*, seems more suitable than ‘fatwa war’. He calls the current situation a fatwa crisis because it is hardly distinguishable, what is right, based on real *fiqh*, and what is wrong, based on falsifications and distortions in the name of religion. For him, this mirrors a crisis of society in which traditional religious institutions like Al-Azhar have lost their authority, leading to a struggle between different official *iftā*’ from state appointed muftis and between official and non-official *iftā*’. So, while contestations and controversies are always inherent in religion and nothing new initiated by new media, Khalaf’s observation that scholars in former times often replied ‘I don’t know’, today does not seem an option anymore (Khalaf 2007, pp. 20ff.).

Notably Hubert Knoblauch’s thesis states that every religion can also be considered a ‘form of memory’ since remembering tradition is essential for its adherents (Knoblauch 2007, p. 169).

---

62 Manbar al-Ra’y, “Irda al-Kabir wa-Taḥlil al-Ghina. Harb Fatwa fil-Sa‘udiyya”, April 28, 2011, <http://www.manbaralrai.com/?q=node/75318>, accessed May 2, 2011.

Processes of selection and hierarchisation from the Islamic legal corpus have always been involved in opinion making. Based on selections from the two written primary sources of shari‘a, Qur’an and sunna, and on different ways of *ijtihād* and/or *taqlīd* (recurring to other legal writings), Muslim scholars in past and present have always generated and negotiated norms for daily (religiously and socially accepted) behavior. The dynamics of these processes are shaped by changing historical and political contexts, hegemonic interpretation, prevailing power structures and the struggle for interpretive predominance. Also, challenges arising from new societal and political developments have their impact on these processes. Moreover, the plurality of opinions and heterodoxies in the examples of our case study is not only due to the different selections and hierarchisations from the pool of religious sources. It is also a result of their embedding in new structures and transformation into new narratives and contemporary contexts. This, however, also did already exist in early Islam.

Sometimes it is argued that fatwas have been changed both in form and content by the new media because they are no longer opinions from a mufti to a *mustafī* in a face-to-face situation. Brinkley Messick states that “[I]nstead of individualized communication, the new fatwas are broadcast messages for a mass audience [...] the fatwa is removed from the nexus of immediate human contact.” (Messick 1996, p. 320). While this may be true, even in former times muftis have been known to release fatwas for court cases without any immediate human contact. Nissreen Haram convincingly argues in her research on fatwas of the Mamluke Taqī al-Din al-Subki (d. 1355), manuals for muftis at this time show that “a mufti had to keep in mind that a fatwa might be read by someone other than the petitioner”. Furthermore, the muftis were advised to incorporate in their fatwa all relevant information about the case so as “to take all the precautionary measures to insure that their written fatwas would stand as autonomous and self-explanatory texts.” (Haram 1996, p. 86).

Contemporary reformers often hint at the fact that changing times and societal contexts demand new interpretations adjusted to new circumstances. An issue which classical scholars like Shihab al-Din al-Qarafi (died 1285 CE) and Ibn Qayyim al-Jawziyyah (died 1350 CE) have also underlined. Even al-Qaradawi who represents a rather conservative approach to Islam, calls the plurality of legal opinions a *rahma* (mercy), a *ḍarūra* (necessity) and a *sa‘a* (wealth) (Qaradawi 2010, pp.109, 152ff.). In the past, the differences in Islamic jurisprudence (*ikhtilāfāt*) were not necessarily always seen as disturbing or annoying (Samra 2009; Bauer 2011). Obviously it is particularly a phenomenon of modern times that people are searching for clear cut answers, discarding legal plurality. Contestations and controversies are not new; the difference lies in the visibility created by the medium internet and in its easy accessibility. Maybe it is this visibility which stimulates the yearning for easy solutions.

To sum up, processes of (re)negotiations take place especially in informal websites where people criticize the *iftā’* of religious scholars, challenging authorities and allowing a worldwide



audience to rethink traded norms. Internet empowers people to express their opinions and give normative guidelines without being traditionally licensed scholars. This leads to the fact that being listened to in cyberspace is closely connected to the capability of attracting attention: Authority is what people *consider* authoritative.

## Literature

Abdullah, RA 2007, *The Internet in the Arab World. Egypt and Beyond*, New York.

Abu Dawud 1952, *Sunan*, vol. ii, Ahmad Sa'd Ali (ed), Sharika wa-Matba'a Mustafa al-Babi al-Halabi wa-Awladhi, Cairo.

Abu Zahra, M 1952, *Malik. Hayatuhu wa- 'Asruhu – Ara'uhu wa-Fiqhuhu*, Cairo.

Ali, AY (tr) 1975, *An English Interpretation of the Holy Qur'an*, Sh. Muhammad Ashraf, Lahore.

Ali, SS 2010, "Cyberspace as Emerging Muslim Discursive Space? Online Fatawa on Women and Gender Relations and Its Impact on Muslim Family Law Norms", *International Journal of Law, Policy and the Family*, 24:3, Oxford University Press, pp. 338-360.

Anderson, JW 2003, "The Internet and Islam. New Interpreters", in DF Eickelman & JW Anderson (eds), *New Media in the Muslim World*, Bloomington.

Arberry, AJ (tr) 1955, *The Koran Interpreted*. Allen & Unwin, London/New York.

Banna, J al- 2008, *Al-Mar'a al-Muslima Bayna Tahrir al-Qur'an wa-Taqyid al-Fuqahā'*, Cairo.

Bauer, T 2011, *Die Kultur der Ambiguität. Eine Andere Geschichte des Islam*, Suhrkamp, Berlin.

Bunt, GR 2011, *iMuslims. Rewiring the House of Islam*, C. Hurst Co, London.

Caeiro, A 2011, "Transnational Ulama, European Fatwas and Islamic Authority. A Case Study of the European Council for Fatwa and Research", in M van Bruinessen/S Allievi (ed), *Producing Islamic Knowledge. Transmission and Dissemination in Western Europe*, Routledge, Abingdon and New York

Dallal, AS 1995, "Fatwa", in JL Esposito (ed), *The Oxford Encyclopedia of the Modern Islamic World*, Oxford/New York.

Fakhry, M (tr.) 1997, *The Qur'an. A Modern English version*, Garnet Publishing, Reading.

Goma'a, A 2010, *Fatawa al-Nisa. Fatawa wa-Ahkam li-l-Mar'a al-Muslima*, Dar al-Muqattam li-l-Nashr wa-l-Tawzi, Cairo.

- Gräf, B 2010, *Medien-Fatwas@Yusuf Al-Qaradawi. Die Popularisierung des Islamischen Rechts*, Klaus Schwarz Verlag, Berlin.
- Hallaq, WB 2001, *Authority, Continuity and Change in Islamic Law*, Cambridge University Press.
- Hallaq, WB 2009, *Shari‘a. Theory, Practice, Transformations*, Cambridge/New York University Press.
- Hamid, M 2009, “Shaykh al-Azhar: Marhaban bi-l-Niqab fi l-Shari”, *al-Ahram al-masa’i*, Oct. 12.
- Haram, N 1996, “Use and Abuse of the Law: A Mufti’s Response”, in: MK Masud, B Messick & DS Powers (eds), *Islamic Legal Interpretation*, Cambridge et al., pp. 72-86.
- Hofheinz, A 2005, “The Internet in the Arab World: Playground for Political Liberalization”, *Internationale Politik und Gesellschaft* 3, pp. 78-96,  
[http://www.fes.de/ipg/IPG3\\_2005/07HOFHEINZ.PDF](http://www.fes.de/ipg/IPG3_2005/07HOFHEINZ.PDF), accessed July 28, 2015.
- Ibn Manzur 1955, *Lisan al-‘Arab*, vol. iv, Dar Sadir, 1955, Beirut.
- Inan, A 2009, “Die ‘Neuen’ Interpreten des Islam“, in M Brückner & J Pink (eds), *Von Chatraum bis Cyberjihad. Muslimische Internetnutzung in Lokaler und Globaler Perspektive*, Ergon, Würzburg, pp. 75-94.
- Kamali, MH 2006, *Principles of Islamic Jurisprudence*, 3rd ed, Cambridge.
- Khalaf, M 2007, *Sira al-Fatawa*, Cairo.
- Knoblauch, H 2007, „Transzendenzerfahrung, Kommunikation und Populäre Religion“, in I U Dalfarth & Ph Stoellger (eds), *Hermeneutik der Religion*, Mohr Siebeck, Tübingen, pp. 151-172.
- Kort, A 2005, “Dar al-Cyber Islam: Women, Domestic Violence, and the Islamic Reformation on the World Wide Web”, *Journal of Muslim Minority Affairs* 25:3, pp. 363-383.
- Kutscher, J 2009, “Online-Fatwas – Islamische Rechtsgutachten und Ihre Bedeutung für die Politische Partizipation”, in: M Brückner & J Pink (eds), *Von Chatraum bis Cyberjihad. Muslimische Internetnutzung in Lokaler und Globaler Perspektive*, Ergon, Würzburg, pp. 135-154.
- Leggewie, C & E Meyer 2004, “‘Collecting Today for Tomorrow’. Medien des Kollektiven Gedächtnisses am Beispiel des ‘Elften September’”, in A Erll & A Nünning (eds), *Medien des kollektiven Gedächtnisses. Konstruktivität, Historizität, Kulturspezifität*, Berlin, pp. 277-394.
- Manbar al-Ra’y 2011, “Irda al-Kabir wa-Taḥlil al-Ghina. Harb Fatwa fi l-Sa‘udiyya”, April 28, <http://www.manbaralrai.com/?q=node/75318>, accessed May 2, 2011 (link not available anymore: July 28, 2015).
- Mandaville, P 2004, *Transnational Muslim Politics*, Routledge, London/New York.

- Mandaville, P 2007, “Globalization and the Politics of Religious Knowledge: Pluralizing Authority in the Muslim World”, *Theory, Culture and Society* 24:2, pp. 101-115.
- Masud, MK, B Messick & DS Powers 1996, “Muftis, Fatwas, and Islamic Legal Interpretation”, in: MK Masud, B Messick & DS Powers (eds), *Islamic Legal Interpretation*, Cambridge et al., pp. 3-32.
- Mazrui, A 2001, “The Digital Revolution and the New Reformation’, *Harvard International Review*, 23:1, <http://hir.harvard.edu/articles/1001/>, accessed June 16, 2011 (link not available anymore: July 28, 2015) .
- McLean, I & A McMillan (eds) 2003, *The Concise Oxford Dictionary of Politics*, Oxford University Press, p. 373 (online resource).
- Messick B 1996, “Media Muftis: Radio Fatwas in Yemen”, in: MK Masud, B Messick & DS Powers (eds), *Islamic Legal Interpretation*, Cambridge et al., pp. 310-320.
- Mir-Hosseini, Z 2007, “Islam and Gender Justice”, in V Cornell, O Safi & V Gray (eds), *Voices of Islam* 5, Voices of Change, Westport, Connecticut/London, pp. 85-113.
- Moheet.com 2010, “Azmat al-Niqab”, [10.10.], [http://www.moheet.com/show\\_files.aspx?fid=307428](http://www.moheet.com/show_files.aspx?fid=307428), accessed May 2, 2011.
- Mufaddali, M al- 2009, “Al-Ikhtilat Mustalah Jadid”, Dec. 9, *Okaz*, <http://www.okaz.com.sa/new/Issues/20091209/Con20091209319589.htm>, accessed July 26, 2015.
- Muslim: *Jami' al-Sahih*, Kitab al-Hayd 74, Bab Tahrim al-Nazar 'ila l-Awrat, ed. Muhammad Fu'ad 'Abd al-Baqi, Cairo 1955, p. 266
- Nkrumah, G 2005, “Souad Saleh: ‘Time to Tear Down Divides’”, *al-Ahram Weekly*, Oct. 27-Nov. 2, <http://weekly.ahram.org.eg/2005/766/profile.htm>, accessed July 26, 2015.
- Otterman, S 2006, “Fatwas and Feminism: Women, Religious Authority, and Islamic TV”, *Transnational Broadcasting Studies* 16, <http://www.tbsjournal.com/ottermanpf.html>, accessed July 3, 2011 (link not available anymore: July 28, 2015).
- Pickthall, M (tr) 1930, *The Meaning of the Glorious Koran*, Knopf, London.
- Qaradawi, Y al- 2010, *Al-Qawa'id al-Hakima li-Fiqh al-Mu'amalat*, Dar al-Shuruq, Cairo.
- Samra, A 2009, “Adab al-Ikhtilaf fi l-Fiqh al-Islami”, in MH Zaqqouq (ed), *Mawsu'at al-Tashri' al-Islami*, vol. v, Cairo, pp. 15-41.
- Shakir, MH (tr) n.d., *The Holy Qur'an*, [http://web.ebscohost.com/ehost/ebookviewer/ebook/nlebk\\_2009234\\_AN?sid=7376cb91-706b-4a9e-8ee6-cdb941e3e3c4@sessionmgr104&vid=1&lpid=lp\\_COVER-2](http://web.ebscohost.com/ehost/ebookviewer/ebook/nlebk_2009234_AN?sid=7376cb91-706b-4a9e-8ee6-cdb941e3e3c4@sessionmgr104&vid=1&lpid=lp_COVER-2), accessed May 6, 2013.

Sisler, V 2006, “Islamic Jurisprudence in Cyberspace: Construction of Interpretative Authority in Muslim Diaspora”, in R Polcak, M Skop, D Smahel & Brno (eds), *Cyberspace 2005 conference proceedings*, Masaryk University, <http://www.digitalislam.eu/article.do?articleId=1420>, accessed June 15, 2015.

Tabari, M al- 1954, *Jami‘ al-Bayan ‘an Ta’wil Ayat al-Qur’an*, vol. xviii, Sharikat Maktaba wa-matba’a Mustafa al-Babi al-Halabi wa-awladihi, Cairo.

Tawfiq, I 2009, “Waqfa ihtijajiyya li-l-Talibat al-Mutanaqqibat bi-Jami‘at al-Qahira”, Oct. 7, <http://www.ikhwanonline.com/Article.asp?ArtID=54770&SecID=342>, accessed January 8, 2015.

Tirmidhi, al- n.d., *Al-Jami‘ al-Sahih. Sunan*, vol. iii, Abd al-Rahman Muhammad Uthman (ed), al-Maktaba al-salafiyya, Medina.

Watan unlayn [online], al- 2010, “Amr Malaki li-Qasr al-Fatwa ‘ala A‘da Hay’at Kibar al-‘Ulama’”, Aug. 12, [http://www.alwatan.com.sa/Local/News\\_Detail.aspx?ArticleID=16807&CategoryID=5](http://www.alwatan.com.sa/Local/News_Detail.aspx?ArticleID=16807&CategoryID=5), accessed July 26, 2015.

## Biographies

SABINE DAMIR-GEILSDORF is a professor of Islamic Studies at the University of Cologne, Germany. Her Ph.D. dealt with the state concept of the Egyptian Islamist Sayyid Qutb and his reception, her habilitation was published in 2008 under the title “Remembering the nakba: Palestinian Narratives of the first Arab-Israeli War 1948” (Wiesbaden 2008, in German). Currently, she conducts a research project on migration in the Arab Gulf States.

Prof. Dr. Sabine Damir-Geilsdorf  
 Orientalisches Seminar  
 Universität zu Köln  
 Albertus Magnus Platz  
 D-50923 Köln

LESLIE TRAMONTINI is the executive manager of the Center for Near and Middle Eastern Studies at the Philipps-Universität Marburg. Her research interests include confessional coexistence in Muslim countries (Iraq, Lebanon, Malaysia) and modern Arab poetry. Her latest publication is the two-volume dictionary on modern Arab authors, co-edited with John J. Donohue s.j.: *A‘lām al-Adab al-‘Arabī al-Mu‘āṣir*; 2<sup>nd</sup> ed., Würzburg 2013 (in Arabic). Currently she is working on colloquial poetry and its implications for political resistance.

Dr. Dr. h.c. Leslie Tramontini  
 Centrum für Nah- und Mittelost-Studien  
 Philipps-Universität Marburg  
 Deutschhausstr. 12  
 D 35032 Marburg