incredible human spirit that drives the disempowered to overcome the obstacles that are ever present in Bangladeshi society.

**Sufia Mendez Uddin**


The book under review is in fact a statement of protest against the attitude of those contemporary Muslim scholars who assume an authoritarian posture while expressing their opinions on issues relating to the *shari‘ah*. The point of protest is that they virtually equate their opinions with the dictates of God and try to impose them on others.

The author was spurred to pursue his scholarly investigation by an incident which resulted to the publication of this book: “... in 1996, [when] a Muslim basketball player refused to stand up for the American national anthem” (p. 1) giving rise to a public controversy in America. However, according to the author, “the book is rooted in a much longer and more complicated dynamic” (p. 2).

The book takes up for discussion, among other things, the legal edict (*fatwā*) issued by the Society for Adherence to the Sunnah, which contended that standing for national anthem represents an act of *walā‘* (allegiance) and a Muslim is not allowed to show his *walā‘* to unbelievers and their objects of worship (p. 158). The author considers this illustrative of the authoritarian trend in Islamic legal discourse. The author is also dissatisfied with the arbitrary manner in which at times *ahādīth* are marshalled by this group of scholars. This trend, the author believes, negates the richness and diversity of the Islamic tradition. He argues that in order to uphold the authoritativity of the religious text, and to respect the integrity of Divine law, it is necessary to adopt rigorous analytical methodologies of interpretation.

The author stresses that no human being embodies God’s Divine authority. Human mind is free to strive to discover the Divine will, but no one has the right to lay an exclusive claim to knowing it. If a person, while
interpreting a text, assumes that it has “a clear, precise and singular meaning” (p. 41) excluding all evidence to the contrary and disregards all other possible competing views, he in fact hijacks and nullifies the text by violating the text’s independence and integrity.

This authoritarianism, in the opinion of the author, represents a deviation from the classical juristic tradition of Islam which is characterized by disagreement and diversity of opinions and which was a major contributing factor in the diversity that has characterised the Islamic legal schools. Ironically, the author’s own attitude seems no less authoritarian than the attitude of those whom he seeks to demolish through his work. On many of the issues that he has taken up for discussion, he seems absolutely sure that the text lends itself only to a clear, precise and singular meaning.

The author also criticizes what he terms “Wahhābī puritanism” which tends to promote, according to the author, a bifurcated morality in the Muslim society. One of the manifestations of this bifurcated morality mentioned by the author is that while a Muslim male could work alongside and even talk to non-Muslim women during the day, the same person would insist that the voice of women should not be heard in an Islamic center (centre), or that women should sit behind a curtain when attending the functions of such centers (p. 14).

The author believes that the Wahhābī thought does not care for natural rights, and for such notions as human dignity, common sense, decency and reasonableness. It only insists on the law even when it is inherently immoral (p. 16). If something is proved to be a law, then it will be presumed to be correct and reasonable. He offers an illustration: if a husband asks his wife to make herself available for his sexual enjoyment, she must consent unless she is physically ill. Therefore, according to the Wahhābī approach, this position “is moral, beautiful, reasonable and sensible by virtue of the fact that the law mandates it” (p. 16).

The author is particularly annoyed that recourse is made to ahādīth to support such positions. He mentions several instances of recourse to the ahādīth which, in the opinion of the author, are characterised by a degrading attitude to women. He examines a number of ahādīth relating to the status of women, and concludes that those ahādīth suffer from serious defects in their substance and hence could not be relied upon for deriving laws therefrom.

It is pertinent to point out that most of the ahādīth to which the author has objected have been regarded as sound and authentic by the Ḥadīth experts on the grounds that they have been transmitted through sound chains of narration. Yet their validity and legitimacy have been questioned by the
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author, who argues that they have serious moral and social implications for women.

In our view, the *ahādīth* under study do not pose any mentionable problem for women. The meanings implied in these *ahādīth* are obviously metaphorical rather than literal. They only imply that a woman should adopt an attitude of due respect towards her husband. It is also to be noted here that contrary to the author’s contention the notion of respect to the husband as articulated in the traditions under study, does not imply servitude or subordination of a woman to her husband. They only allude to an attitude of reverence towards the husband as the maintainer and protector (*qawwām*) of the family. This notion of respect is in no way in conflict with the legal rights that a woman enjoys as a partner in matrimonial life. On that score, a woman is essentially at par with a man. The principle of equity and equality in rights and duties of spouses has been emphasized in the Qur’ān itself: “... And due to them (wives) is similar to what is expected of them according to what is equitable” (Qur’ān 2: 228).

The ideal marital relationship as envisaged by the *Sunnah* of the Prophet (peace be on him) is also the one based on a view of humanity that is characterized by mutual respect, equality and dignity rather than servitude and subordination. The *ahādīth* under discussion are not inconsistent with the ideals and values of love, affection, compassion, mercy and companionship which Islam seeks to promote through marriage. The Prophet (peace be on him) was himself kind and gentle to his wives and directed the believers as well to treat their wives with kindness and sensitivity.

As regards the author’s posture in subjecting *ahādīth* to critical scrutiny, we share the author’s opinion that in judging the authenticity of a *hadīth*, one should not confine oneself simply to examining its chain of narration; instead, one should also consider its substance (*matn*). However, as far as the *ahādīth* under consideration are concerned, examined on the touchstone of the Islamic value system, and the foundational principles enshrined in the Qur’ān for marital relations, as suggested by the author, certainly appears to be authentic and reliable, as they are not inconsistent with the Qur’ānic conception of marital relationship, which requires that a wife should indeed be respectful and obedient to her husband (see Qur’ān 4: 34).

While going through the work under review, the reader encounters an interesting fact, that the book which started with a criticism of a *fatwā* on standing up for national anthem, soon changes into a manifesto of the rights of women. A considerable part of the book is devoted to issues relating to women such as *hijāb* (veiling), segregation between men and women, respect for husband, the extent of the husband’s right to have sexual relationship with
his wife, etc. In an effort to restore the woman’s dignity and save her from becoming a “punching bag of men” (p. 17), the author challenges many authentic *ahādīth* and rejects a number of positions taken by the Muslim jurists. Even the issues which are a matter of consensus in Islamic Law, being established by the Qur’anic text (such as lower share for women in inheritance, etc.), the author argues for their re-interpretation in the light of “Islamic moral imperatives and normative values” (p. 148).

The most important observation about the book is that in his polemical condemnation of Wahhabism, the author focuses on a number of issues that are not specific to Wahhabis. The question of *ḥijāb* is a case in point. Far from being controversial among the jurists of Islam, it has been the established view among them that *ḥijāb* had been prescribed by the Qur’an and the Sunnah. Moreover, the consensus on *ḥijāb* is not based on analogical reasoning; rather it is anchored in explicit injunctions of the Qur’an and is reinforced by the authentic Sunnah of the Prophet (peace be on him).

Over all, the book is informative, educative and interesting. The author has investigated the issue of authoritarianism in the Islamic legal discourse with great vigour. One may disagree with some of his conclusions, but one cannot deny the academic worth of the book and the pains that the author took in tackling some of the sensitive and thorny issues which confront modern Islamic jurisprudence, in fact, modern Islamic thought.

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