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Islam and the Veil

Theoretical and Regional Contexts

Edited by Theodore Gabriel and
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continuum

the rights of an individual? If it is an organ of the state or general state policy, how would citizens fare under undemocratic or repressive regimes? Where the *hijab vis à vis* the state of Turkey is concerned in particular, the political turmoil between Islamists and secularists within the state is intense and laws are clearly dictated by the ideology of whichever party is in power, which reflects to some degree the legal and religious pluralism that exists there. Each can argue for a Public Order defence to infringing human rights which would contradict the other. However, the political reality is that both would have public support in measureable degrees from Turkish citizens.

The Future for Muslim Women and the Hijab in Europe

Following the ban on religious symbols in France, French schoolgirl Cennet Doganay sought and found refuge in the UK following her public protest against the French legislation. Doganay shaved her head in order to draw attention to the fact that she believed that, while she respected France, the state did not respect her rights. Upon reaching the UK, Doganay continued her studies unimpeded by the ban. Such seemingly extreme measures are a reflection of the conviction of this young French citizen, and of many young Muslim women like her across Europe.

In Britain, where the *hijab* is more acceptable attire, cases before the courts have focused on the *jilbab* and the *niqab* (face veil). The most publicised case relating to the right to wear the *jilbab* involved schoolgirl Shabana Begum,[361] who took her case against Denbigh High School to the House of Lords where the Law Lords held that the right to wear the *jilbab* was not protected by Article 9 of the European Convention on Human Rights. In this case, much of the discussion surrounded the subjective nature of ascertaining religious obligations.

Within Europe, the *hijab* has not been protected as a human right for Muslim women. The ECHR has placed European ideals of secularism beyond the right to freedom of religious expression on a number of dubious grounds. However, this reality is reflected by the increase in bans on the *hijab* being witnessed across Europe. As the European Muslim community grows beyond the estimated 15 million citizens present today, this issue is set to re-emerge repeatedly.

Chapter 13

Hijab and Belonging
Canadian Muslim women

Katherine Bullock

In 2005, France denied citizenship to a woman in *niqab* (face veil), arguing that her dress showed 'behaviour in society incompatible with the fundamental values of the French community, specifically regarding the equality of the sexes.'[362] And yet many contemporary Muslim women embrace the headscarf (or face veil) and find in it a connection to a meaningful fourteen-hundred-year-old religious tradition, a spiritual centredness, an answer to the hollowness of modernity, and the objectification of women in consumer capitalist culture.[363] Given the alarmingly growing number of state laws, in Europe and less so in North America, that restrict or ban the wearing of *hijab/niqab* by Muslim residents, it is necessary to ask ourselves, is this kind of dress really such a threat to modern Western secular values?

I intend to answer this question by asking Muslim women themselves. While a great deal is said about Muslim women and their relationship to covering, equality, modernity and life as Western citizens, there are few spaces that allow Muslim women themselves to speak to these issues. In the French debates that led up to a ban on headscarves in French schools, the government-commissioned report did not consult the *hijabi* schoolgirls, nor the French sociologists who studied them.[364] Overall, Muslim women are marginalised in policy and public debates, and seem to be powerless to stop these state attacks on their dress. I believe that it is important to provide sociologically-grounded data in a hope, perhaps naïve, that the presence of such data will eventually have a bearing on policy, so that policy is formed out of the real-life experiences of Muslim women, rather than on externally-generated discourse about them. I believe that questions of compatibility (Islam and the West) are actually best dealt with by those living at the boundaries of the issues, rather than by outsiders, especially xenophobic outsiders, who are motivated by fear and are unable to see the creative possibilities in merging Muslim identities with Western secular

identities. My research demonstrates that Muslim women in Canada are proud to be Muslim, to wear the *hijab*, and to be Canadian. There is no conflict for them in this regard. If they can join these two great entities in their persona, why should others make an issue of it, complicate it, and try to sunder it? Why push them out of the West, since they feel themselves to be proud Westerners who are Muslim?[365]

I focus on Canadian Muslim women. I know that the socio-political context in Canada is vastly different from that of European states, so, while Canada provides a sculpting context to Canadian Muslim women's experiences, I believe that, nevertheless, their experiences offer visions and possibilities that transcend the particular place of Canada, and suggest solutions to these issues faced by Muslim women and Western states. This chapter contains interview data from four Muslim women in Canada. Their stories originally appeared in my thesis/book, and have been updated for this chapter.[366] Two are immigrants, and two were born in Canada. By accident, three of them are converts, as these are the ones who responded to email queries for follow-up interviews (which were already limited, as contact was lost with many of the initial interviewees).

Two things need to be said clearly before I proceed. First, the image of the 'veiled woman' in the West functions to erase the identities of real Muslim women. For the *hijabis*, the symbol of 'the veil' erases them as subjects, because they become reduced to the 'passive victims of oppression'; for non-*hijabis*, because their identities are left out in the representation, they are not the 'veiled victim' but they are not really Muslims either.[367] Scholars in the 'women and Islam' field have been working for at least 40 years to ensure that the real identities of Muslim women as subjects are known. It is time that popular culture is broadened to recognise this.

Second, because of the erasing nature of this widespread stereotype of 'the veiled woman', I rely on the qualitative interview method because it is the best way to sketch in the details of real Muslim women. Qualitative interview data does not claim to be a representative sample, nor to capture the experience of all Muslim women. It gives us nuance, context and humanity at a micro level. It reveals the unique identity of some Muslim women, and hence turns them into subjects. Identity construction is always a work in progress, and interview data is but a snapshot in time, but it provides a window into the lives of real women, and hence illuminates the debates that go on above and around them. The voices of the women I am about to present, Raneem, Bassima, Halima and Yasmeen, are thus theirs alone, though I would argue that they evoke the experiences and ideas held by other Muslim women.

So, in this chapter, I privilege the voices of *hijabi* women. More than that, I privilege the voices of Muslim women who have chosen to wear the *hijab* in a country that allows them such a choice. This is not because I wish to deny the experiences of non-*hijabi* women, nor to erase the tragedy that many Muslim women cover or have experienced covering through violence and coercion. One can only do so much in a single chapter. Here, I want to speak to the negative politicisation of the veil in Western public policy: the state's attempts to control, limit or banish the public expression of Muslim identity via a headscarf or veil. This is best done by consulting *hijabi* women who are convinced in their choice. I believe that the interview material I look at in this chapter provides answers to the supposed compatibility issues raised by Western states: can a *hijabi* be a good citizen of the West; does her lifestyle choice threaten 'Western values'?

I first interviewed these women in 1994 for my PhD thesis, at long sessions (sometimes 2½ hours), and in 2008 I asked them five follow-up questions via email for this chapter. I have gone back to the original transcripts and found a wealth of data not exploited fully for the thesis, so some of the material is being published here for the first time. Their names and ascriptive aspects of their identity have been changed in order to preserve anonymity.

There are many aspects to wearing the *hijab*. As I seek to address the politicisation of the veil, I present data from the interviews that address certain key assumptions behind state policies to ban veils. In the first section I introduce the women, and focus on what the *hijab* means to them; the second section explores issues of 'false consciousness' and 'submission to patriarchy', and the third discusses their perception of the relationship between being Muslim and 'Canadian values'.

I will begin by sharing these women's initial responses to the question 'why do you wear *hijab*?' (taken from the original transcript, not from the book), and then give their follow-up responses.

Raneem, a Francophone, converted to Islam in 1988 when she was 26. As a graduate student at a university in Ontario, she met Muslims who piqued her interest in learning about Islam. She liked what she was learning: 'I was really pleased to find an actual belief that fits me and suits me ... and I can see it's the truth – so that's why I became Muslim.' A few years later, she married a Muslim, had three children, and decided to leave her career as an engineer to home-school them.

When asked why she wears the *hijab*, Raneem provides an answer with at least two important dimensions – spiritual and gender-related. First she believes that the Qur'an mandates women to cover their hair. She is aware

of feminist arguments that suggest covering is not in the Qur'an, but she disagrees. She believes the Qur'an has very clear verses on the topic. But she adds, and here is where the gender dimension comes in: 'even if it was just culture it's a good thing to do. It is a command of Allah in the Qur'an, but it's a command I do understand very well and fully, it's not something I do just blindly. I do understand it fully, all the implications, not all, but the basic implications and how the problems resolved, the problems it might create ...'

Raneem talks about how in her career she was often a lone woman in a male-dominated office. She was constantly fighting off unwanted sexual advances from men at work, and, before she had even heard of Islam, she had decided that the best solution was to alter her appearance, degrading her feminine side:

> I used to work with men most of the time so I used to get a lot of attention from them – unwanted attention. So I was thinking what should I do; this is a problem? What should I do? This is what I was thinking, so my solution after a long time of thinking was to first of all dress differently. I would wear more conservative clothes and I would look like a professional lady and I will have shoes like my potential husband. I will cut my hair. I will never grow it again and that will be it. – I was looking for a solution. So that's what was my solution.

When she discovered Islam and the *hijab*, she felt that she had stumbled upon a solution that was better than hers, because it allowed her to cover her femininity while at work, but still keep it in the privacy of her home – she could keep her long hair:

> I was living the problem in my everyday life so later on I came to Islam and I found the *hijab* ... before Islam I was seeing the problem and after Islam I found a better solution than the one I thought of.

In spite of having already converted, Raneem, like most Westerners, had negative stereotypes of Muslims and Arabs, so it took her about six months to feel comfortable wearing *hijab* full-time, and to transcend the fear of being associated with 'Muslims' or 'Arabs'. A move to Toronto helped crystallise her decision; as she planned to wear *hijab* in the future, why not appear at the interview as she planned to be? So she began to wear it full-time, and now, about 20 years later, nearly at the age of 50, she is still convinced in its benefits for her, as we shall see later on.

Bassima's story is somewhat similar to Raneem's. She was an undergraduate at a European university, studying Arabic, and became attracted to Islam. She converted in 1983 at age 18, and later married a Muslim, had three children, and decided to work from home as a translator, so she could be with the kids while they were little. They emigrated to Canada after experiences with racism, both from the larger European society and from Muslims with regard to her 'whiteness', in the belief that Canada would provide a better home for Muslims. Why does she wear the *hijab*?

> I believe it is important for a Muslim woman to cover and it's actually become part of my identity now, and I don't think I could go out without a *hijab* on, I'd feel naked. I guess I've kind of internalised it. [*Why is it important?*] Well I think the main reason is because it's the commandment of Allah, so if Allah is telling us to do this, then we should be doing it.

Like Raneem, Bassima draws on religious as well as gender-related reasons to explain her decision to cover:

> It's liberating. We grow up in the West with a pressure to follow fashion and be thin ... *Hijab* is a liberation from the tyranny of fashion. It is humanising, because it takes away the sex-appeal nonsense. You're not a sexual object, just a face. It may be disconcerting for those on the other end.

Bassima, like Raneem, transitioned over a few months into wearing the *hijab* full-time:

> I did it gradually. I started off with like just tying a scarf behind my neck and calf-length dresses and things, and I didn't wear that full-time even in the early days. But I felt kind of hypocritical taking it off and putting it on if I went to the mosque or something, I felt that wasn't right, so ... that first summer that I was Muslim, I was a student, I had quite a bit of free time and I was able to spend a lot of time with Muslims and I just kinda got into it ... And I'd already had the tendency to dress modestly anyway, so it didn't take a lot of effort to convince me ... so there was something already in my heart I think.

Halima, an Anglo-Ontarian, married a Muslim man she had met at work, and converted six months later in 1991, at age 24. She had gone

from Christianity to agnosticism to a kind of atheism by the time she met him, and although she had always told him she would never convert, she found by being married to him and learning about Islam that she was very attracted to the religion. They had four children and, like Raneem, she decided to home-school them.

Her decision to wear the *hijab* came out of a belief that it was a religious commandment. Like Raneem, she began wearing it sometimes, but fear of Canadian reactions held her back from wearing it all the time. She remembered how she herself used to look upon covered Muslim women, and hesitated to embrace that image for herself:

> I thought it was really drastic and strange like because when I worked at Disney we would see women who came who were covered and I thought it was like so unfair, why is the women dressed that way and the men dressed basically like an American or Canadian, and ah ... I had the same reaction as many people. [*Did you remember knowing Muslims when you were younger, or was that at Disney your first time you saw women in* hijab*?*] I lived in (Northern Ontario) when I was younger, there's no Muslims who cover there, but ah the first time I saw them was in university but I didn't really recognise them, I didn't know who they were, there were three sisters who were always together and they were covered, they wore *jilbab* and long *hijab*s and I didn't know what they were (laughing). I guess I lived a fairly sheltered life and I didn't watch TV a lot. I knew of Muslims but I didn't know what they looked like, how they dressed.

She transitioned, like the other converts, slowly to full-time *hijab*:

> I had been covering sort of part-time when I first accepted Islam in non-threatening situations, where I won't know people, like going to the grocery store or going to the park, or something, just sort of getting used to it. And when my husband's friends came over I would cover too. Then I started feeling like some sort of hypocrite because, doing it half the time, so then I just, I would do it all the time. [*Was it a difficult step?*] It was, thinking about it. But not actually doing it. It wasn't as hard as thinking about it. Like I didn't get, I was expecting a big reaction but I didn't get it, maybe they had them behind my back, but they didn't say anything to my face.

Like the other women, Halima draws on gender-related issues to talk about what the *hijab* symbolises to her:

> That's a very big question. I think it does symbolise submission to Allah, I think it symbolises the woman herself, her power, because the view is here that the man is somehow forcing his wife to wear it, but if she didn't really want to wear it she probably wouldn't, I mean you could take it off at work or whatever and unless your husband was really sort of spying on you and talking to people 'what's my wife doing?' If you have that kind of husband there's bigger problems anyway, but I ... it's a rejection of the society and their values and the sexual, I mean everything in this society goes to sex, if you watch the sitcoms that's what they're based on the humour is all sexually oriented, 90% per cent of it anyway, it's a rejection of all that so I think in a way it's the woman's power to take back her own dignity and her own sexuality, it's not public.

Yasmeen had a slightly different trajectory from the converts, though her story echoes aspects of Raneem's, Bassima's and Halima's stories. She grew up in the Middle East and emigrated to Canada after her marriage in 1978 at age 20, where she had six children and stayed home to be with them, while completing by correspondence her BA with Arabic Language as her major. Although having been raised in a Muslim country, Yasmeen talks about how in her youth the *hijab* was quite rare, and in fact was actively discouraged. She remembers being in middle school, and a girl once came to school wearing a *hijab*, and the Principal took her outside, after morning assembly, and punished her, by making her stand alone against the wall while all the classes went out. She had to bring her parents in to discuss this at the school, and they did this to her every morning until she eventually took it off. It is not only Western states for whom the *hijab* symbolises something threatening that must be sanctioned and curtailed.

Yasmeen's decision to wear the *hijab*, based on the belief that it was a religious commandment, occurred as an undergraduate at university, when she was nearly 17:

> Since I started to go to the university, I felt it's really compete [sic] environment every sex look to each other in a desire way, so I didn't like that and ah ... I felt the *hijab* can protect me, you know direct my way, like ah – and a felt I really need to know my background, my Islam and the Qur'an. At that time *hijab* was not ah ... very famous [*Common, you mean?*] ... yeah common, no.

Because her entire family (parents, aunts, uncles, cousins) opposed her, out of a fear that she would not be able to get married and that she was too

young, she waited a year between deciding to wear it and actually wearing it, when she felt she had the strength to resist their disapproval.

Yasmeen also draws on gender issues when discussing her decision to wear the *hijab* and what it means to her:

> I feel in peace, and ah ... I feel I respect myself more, I am not concentrated about my beauty and ah ... the fashion and this stuff ah ... I think it's a peace of mind.

Hijab, then, for these women, contains a two-fold dimension: (i) a religious one, symbolising piety, a commitment to adhering to God's commandments, as they understand them; and (ii) a positive gender-related dimension, in which *hijab* becomes a healthy way of desexualising women in public space, a move for them that is liberating, as it frees women from being slaves to the fashion industry, the Western cultural beauty ideal, and from being commodified sex-objects, returning to women personhood, dignity and respect.

State policymakers ought to take into more serious account what the *hijab* means to these women. It is such an integral part of their identity as women and as Muslims that state policies to restrict or ban the *hijab* represent a devastating attack on their identity.

In popular Western culture Muslim women are usually portrayed as docile creatures who submit to strictures, including the *hijab,* laid upon them by patriarchal males. The French ruling that denied a *niqabi* woman citizenship cited her apparent total 'submission to the men in her life' as a reason for the denial.[368] This was in contrast to how the applicant herself understood her choice to wear *niqab.* 'They say I wear the *niqab* because my husband told me so. [...] I want to tell them: It is my choice. I take care of my children, and I leave the house when I please. I have my own car. I do the shopping on my own. Yes, I am a practising Muslim, I am orthodox. But is that not my right?'[369]

This woman's claim, like that of my interviewees, is often met with a sceptical reception, and the concept of 'false consciousness' is usually mobilised as the explanation. Even some feminist literature, which is supposed to rely on women's experience for developing feminist theory, has treated *hijabi* women as victims of 'false consciousness' – 'I know you've chosen this, but if you really knew what it meant, you wouldn't.'[370]

The 'false consciousness' assumption does violence to *hijabi* women's agency and intelligence. A recent trend in scholarship on Muslim women has been to recognise this, and treat Muslim women as independent

human beings – as agents who make, in the same way as do men, indeed as do all human beings, decisions based on their ideology as well as social, political and economic contexts. This trend is laudable and must continue.

It needs, though, some fine tuning, as there remains at least one significant methodological problem in qualitative data on covering – in spite of emphasising women's agency, this agency is often framed by the researcher's own convictions with respect to covering: that is, that the commandment to cover *per se* is not really in the Qur'an. So what we get is this: the commandment to cover is not really in the Qur'an, but these women think it is, and we should understand their perspective.[371] What this overarching framing by the researcher does is to call into question *hijabi* women's ability to interpret the Qur'an, so ultimately to question their own intelligence. They may have some kind of agency – that is, they have freely chosen as a subjective human being to cover – but they are not smart enough to know that they are choosing something as a religious act that is not really one.

This way of framing covering has a serious and negative impact for *hijabi/niqabi* Muslim women, because it reduces the necessity for Western states to make religious accommodation for those women convinced of the mandatory nature of covering. To say that *hijab* is not in the Qur'an is to say, as these states wish to, that *hijab* represents a backward view of women, incompatible with the modern state, and that since it is not in the Qur'an it cannot be claimed as a religious identity for modern women. It is not a necessary aspect of modernity for Muslim women, indeed, the French Urban Affairs Minister, Fadela Amara, herself a Muslim, came out blazingly in support of the ruling, as did the mass of French public opinion: The *niqab,* she said, 'is not a religious insignia but the insignia of a totalitarian political project that advocates inequality between the sexes and which is totally devoid of democracy.'[372]

If we agree that the Qur'an is a fungible text, capable of being interpreted in multiple ways, depending on the social, political and economic context of the interpreter, then it must be recognised that the interpretation that the Qur'an mandates covering is an extremely plausible reading of the key texts. I do not have space to go into this and make these arguments here, but the practice of the first community, the classical *tafseer* on the relevant verses, and the traditional jurisprudence on the topic have all agreed upon, at the minimum, a head-cover for Muslim women as obligation, and face-cover as laudable, with a minority conclusion that the face-veil is the minimum. Medieval European women, Catholic women and nuns until 1965, and many contemporary Jewish and Christian groups (Amish) all

consider/ed the covering of women's hair as religiously mandated.[373] The uncovering of women's hair even in religious settings in Western states is a late 20th-century phenomenon. It is providing the backdrop for new Qur'anic interpretations about the meaning of verses said traditionally to oblige covering – either that 'modest' dress for women no longer means covering the hair, or that verses ordaining head-covering are no longer applicable.[374] Yet the existence of these modern interpretations does not negate the continued validity for some of the classical interpretations.

Given the high political stakes now over this issue of 'to wear or not to wear a *hijab* in Western societies', academic research must frame *hijabi* voices within a paradigm that accepts religiously mandated covering as a plausible and reasonable interpretation of the Qur'anic texts. This will undo the violence done, not to a *hijabi*'s agency so much, as to a woman's intelligence and ability to read the text for herself. And reduce, I hope, some of the hostility to it in Western political circles.

All four of my interviewees have engaged intellectually with alternate perspectives on covering, and have chosen to follow the one that most accorded with their own understanding of the Qur'an and the *Sunnah*. Since they all told me they covered because it was in the Qur'an, I pressed each of them on this issue. Bassima's response is typical:

> [*Some people think the Qur'an doesn't command women to cover. Where is it the commandment of Allah?*] Oh gosh, chapter and verse, you've got me! There is the verse about um, I think, pulling the headcover over the bosom or something so that you're covered and that you be known as a religious or righteous woman and not be molested. There are also, I mean you have to look at the Qur'an and the *hadith* together and there are several *ahadith* that say when a woman reaches puberty you should see nothing but the face and hands ... well that's just the way that I've understood it from my earliest introduction to Islam. I'm aware that there are people who don't see it that way and I guess everything is open to interpretation, but ... um ... that's just the way that I've understood it. [1994]

Halima also talks of the importance of understanding the Qur'an via the practice of the first community, as contained in the *hadith*:

> There are some people who read the Qur'an, and they do not believe that it orders women to cover. They think it's a traditional or cultural explanation. [*What do they believe that it tells them?*] That it just tells women to dress modestly and that the way it is now is like a traditional explanation which isn't necessarily contained in the verses themselves. This is why we need the *Sunnah*, that's how we explain the Qur'an, according that Prophet and his Companions' explanations, because we can make our interpretations, but with the *Sunnah* ... I mean people can still take their own interpretations, that's why you need the Companions, so that it's not left up to each individual. [*How do you know that you're not receiving just an interpretation which tells you to cover?*] The *hadiths* ... the debate among the scholars is whether or not you can cover the face, not whether or not you have to cover your hair, it's understood that you have to, I mean there's the famous *hadith* Asma, Aisha's younger sister, the Prophet said to her that the believing woman does not show anything but her face and hands. [*That's a good enough explanation for you?*] Well I mean, that's not the only one, but the only one off the top of my head, and that's not even the best one, there are more authentic *hadiths*, but I don't know them off the top of my head. [1994]

Yasmeen's narrative offers a particularly compelling confirmation of women's agency, even when it comes to religious matters. I asked my interviewees (1994) to define 'a Muslim'. Yasmeen said: 'to follow what Gods wants from us, what's it called submission. [*How do you know what God wants from you?*] From the Qur'an and the Prophet's sayings, *hadith*. I don't take the opinion of scholars, of sheikhs, unless it comes from the Qur'an and *Sunnah*.'

This last aspect is crucial, because it shows that Yasmeen weighs the opinions of scholars against her own independently arrived-at understandings. I am not saying that she is acting as a scholar, because I am sure she would dislike that imputation, considering herself lacking the proper Islamic scholarly credentials, but what she does is check scholarly opinions against the Qur'an and *hadith* collections that she reads herself in Arabic, and chooses to follow the scholars' opinions that are most reasonably supported by the indications of the Qur'an and *Sunnah*. She will then filter another scholar's interpretations through that of one she feels to be a trustworthy scholar. If a scholar does not back up his argument with specific verses from the Qur'an or *Sunnah*, Yasmeen will not take that scholar's opinion.

Yasmeen feels that 'the calamity of Islam these days, they take the interpretation about Islam from the mouths of people, not from the source, it doesn't explain Islam, and even the act of Muslims it doesn't explain Islam, because unfortunately in many ways, they act very bad, they act against Islam, and they say this is Islam.' And so we spent quite some time discussing different interpretations of women's status in Islam. Yasmeen is

convinced the Qur'an treats men and women equally, so when I asked her about certain restrictive interpretations of the Qur'an that seek to keep women indoors, she said she always says 'give me your evidence from the Qur'an and from *Sunnah*'. She asked me if I, as a new Muslim, was affected by 'bad ideas' from books, and I told her that sometimes I was, and it made me question having converted. Her reply, still on this theme of agency again, is instructive:

> I have the same feeling like if I read the bad book, sometimes I feel I want to throw it in the garbage, but *Al hamdulillah* I never thought about I should be a Muslim, because I feel I am really lucky and fortunate to be a Muslim, when I see the corruption here, like how they treat women, you know even the cartoon for the children, they put a woman in bikini, and just to attract people or ah if someone think a cartoon Bugs Bunny or Woody Woodpecker if he think just to enjoy himself, they put woman in bikini, ah see they are advertising, how they put women you know, how they treat women so *Al hamdulillah*, Islam is really what God want for the human being is wonderful, *Al hamdulillah*, but sometimes I feel all this is just in my mind, like especially when I read book and I find ah bad garbage, I feel I want to throw it ...

Is the veil men's way of controlling women's movements? All interviewees disagreed, sometimes with impatience. Yasmeen and Halima both pointed out that the commandments to cover come 'not from men, it's from Allah' [Halima].

Since I first conducted my interviews in 1994 a growing number of Muslim women have become convinced, by the new readings referred to above, that the Qur'an does not in fact mandate covering. Many of them are taking off their scarves, some after as long as ten years, having previously been convinced of its obligation. I asked my interviewees in 2008 about this phenomenon, and if anything had changed for them as far as the 'why they wear the *hijab*' question was concerned since the first interview. Again, their answers are very instructive, because they demonstrate how much thought goes into their continued wearing of the *hijab*. They continue to consider the interpretations of Qur'anic verses by various scholars, and choose the ones that seem most true, reasonable or compelling to them.

Raneem:

> The *hijab* had never been imposed on me. I was looking for a solution before I accepted Islam to really too much male attention and bold

sexual invitations. Whether the Qur'an mandates it or not, (which I believe it does) it is a really good idea to dress modestly and intelligently. I did eventually figure out on my own, when I was young (no one told me), that wearing dress suits seemed smarter than sexy clothes when what you want is respect and intelligence.

Wearing the *hijab* has never been a negative experience for me, it has all been extremely positive. I just don't understand why other Muslim women would want to unveil themselves.

Bassima:

> I wear the *hijab* because I am a Muslim, for all the reasons of modesty and identity that are so often mentioned, and because I do it for God, pure and simple (*in sha Allah*). I don't think much has changed since our first interview, except that I wear *jilbab* less these days, for several reasons ... I am really rather distressed by the 'unveiling' and the notions that *hijab*/covering the head is not obligatory. This is partly because it makes it that much harder for those of us who are still persevering, because a lot of these women seem to be in positions where they are representing Islam in the wider culture. If I am utterly honest, I would say that I resent them saying such things in such positions, because it then makes those of us who believe it to be obligatory look like fanatics to outsiders. And it is also worrying because they are on theologically shaky ground. It is one thing to struggle with a concept and say it's hard to do or you're not ready for it yet, but when you deny that something is obligatory that Islam says is obligatory, that is a serious matter which carries major implications in terms of faith and belief.
>
> And if I hear 'when in Rome' or comments about the *hijab* being outmoded and irrelevant in the modern world one more time, I may just snap and write something very outspoken myself!

Halima:

> I actually do not know anyone who has completely unveiled – I know several women who took off the *niqab* but still cover their hair. If people are taking off their *hijab*s I think that's sad. I ask Allah to guide them. I believe the Qur'an does order women to cover – it is still applicable in the modern world – Islam is for all times – it could be argued that it is even more important now because of the lack of respect given to women and the sexual exploitation of women.

Yasmeen:

[*Why do you still wear the hijab?*] Because it is me! I am a Muslimah, I'll try my best to please Allah. I can see it clearly it purify the society if everyone applies it. I have to start by my own self. There always trials, but with the help of Allah I am still what I was and will be *insha'a Allah*. They [women who unveil] are free to think what they want. The guidance only from Allah. I believe they are wrong, but there is no force in religion. They are free and they have to answer their Creator later. I treat them nicely and with a good manners.

As students of social science seeking to understand humanity, we want theories that best explain what our research finds. Interpreting these women's answers can stumble if a secular paradigm that 'Muhammad wrote the Qur'an himself' is applied to these questions. I am well aware of the scepticism that will have greeted the idea that covering is 'not from men, but from God'. It surely looks like these women have fallen victim to male strictures. But if we move the paradigm into a spiritual realm, secular researches can none the less understand that spiritual encounters are real to those who experience them. So even if the interaction between their intelligence and their spiritual experience cannot be completely fathomed, it is hard to apply a 'victim' or 'false consciousness' paradigm to such thoughtful and self-reflective women.

In addition to demonstrating contemplation and agency, my interviews also reveal that social and political context influences the way Muslim women make their decisions with respect to how they choose to cover. Raneem points out that she wears basically Western dress (skirt and top), with only the addition of a headscarf, which she tries to match. In our original interview (1994) she told me that in her experience she gets more negative reactions dressed in non-Western clothing, like a *jilbab*, so she has made a point of wearing Western dress, with the addition of a headscarf. The irony of this decision is that she has faced the issue ever since of people not knowing that she is a Muslim, in spite of the headscarf:

I happen to be white, French, and I dress well, with my scarf. I wear Canadian clothes that follow the Islamic dress code with the addition of my matching colour scarf. Even the week after 9/11 in my class, one of my classmates, in graduate school, was thinking that I was wearing my scarf, the only reason being because of fashion. I told him that I was Muslim. It was not the first time that people told me that they thought I was wearing a scarf for fashion purposes. [2008]

In the follow-up interview, Bassima noted that she has also switched from *jilbab* to Western dress, for several reasons, ranging from practical ('I tend to stumble more easily over the long hems these days') to socio-political ('I get personal and invasive comments and questions when I wear it') to religious ('most of the available *jilbab* styles these days do not cover properly as *hijab* is meant to do') to feminine:

... and [are] more flattering (because I am only human). I often wear long tops over loose pants too, especially when out and about with the kids. I try to wear the same or similar colours of clothes so that the monochromatic effect of the *jilbab* is still there (and the monochrome look is supposed to be more flattering too. Vanity of vanities ...). My long tops always come to or below the knee, though, unlike many.

Halima, who opted early on to wear *jilbab*, finds herself feeling awkward in her own country. In the initial interview (1994), she talked about how the expectation of negative reactions would deter her from going out. She connected her ability to withstand negative comments to the strength of her faith:

Like your *iman* [faith] goes up and down, sometimes when you feel strong you feel good about it [*hijab*], feel proud of yourself and proud of Islam, and other times, I'm feeling weak, I guess I feel like it's a ... I don't want to go outside because I don't feel like putting on my *hijab*, I don't feel like getting dressed up, so I'll just stay home. [laughs] So it varies I guess, like there's a lot of things to it, like when you are wearing [*hijab*] you're not going do things that maybe you would otherwise. In my earlier days I was very tempted to go to McDonalds [laughs] because I loved McDonalds food, but I just would never go in *hijab*, even though some people buy ice-cream, or french fries and stuff, I just can't go in McDonalds, I just feel like everybody's going to see me, so I don't. But ah, stuff like that I guess. [laughs]

Yasmeen, after having successfully married in spite of her *hijab*, decided that she wanted to wear the face-veil. As they were about to emigrate to Canada, her husband told her to wait until then, and to decide later, but she insisted on wearing it before they emigrated. Her husband acquiesced,

so she arrived in Canada wearing a *niqab*. She found the negative reactions from people off-putting (staring, being yelled at by passers-by), and became worried that she was giving 'a bad impression about Islam' to Canadian society, as she understood that they thought that 'the people who cover are a people from backward or they are not civilised and or terrorists, or they are not sure if this is man or woman'. Her husband also felt embarrassed to go out with her, so after six months she took off the face-veil (while continuing to wear *hijab*).

So my interview data shows that the social and political anti-Muslim context affects their sense of self and how they choose to instantiate the *hijab*. It also shows the women's flexibility in implementing their understanding of religious requirements.

The question of freedom of conscience arises here when Western states are considering banning *hijab/niqab*. Because Yasmeen had never considered the face-veil to be religiously mandated she was able to take it off in the face of racism. But there is a minority of women who are convinced that not only the *hijab*, but also the *niqab* is religiously mandated by the Qur'an. What would have befallen Yasmeen if she felt she was religiously obligated to wear the *niqab* in Canadian society? It seems better for a state to educate the public about the meanings of the Muslim covering from women's own point of view, to reduce the negative reactions to them, rather than to feed the xenophobic flames of anti-Muslim prejudice.

I turn finally to consider my interviewees' reflections on 'being *hijabi*' and 'being Canadian'.

Just after I began my research in 1994, a young girl was sent home from school in Québec because she refused to remove her *hijab*.[375] This was the opening volley in what has become a growing number of state attacks against Muslim women's dress rights across Europe, and less so in North America. The assumptions mobilised in support of such bans are that the veil is a symbol of inequality between men and women and is incompatible with modern secular nation states, which prioritise women's equality. Leaving aside the remarkable assumption that most Western women, excepting Muslim women in headscarves or veils, have achieved equality, let's consider what my interviewees' opinions are with respect to the relationship between the *hijab* and equality, and the *hijab* and 'belonging'.

All four women expressed a strong commitment to the notion of women's equality in Islam. For them, men and women are equal in the eyes of God. But they believe that men and women are physiologically and psychologically different (but not that men are more rational), and that the differential rules with respect to dress stem from such differences.

Raneem's opinion is illustrative:

> Well there are – men and women are brothers and sisters to each other ... I do have a very caring relationship with my husband and like it says in the Qur'an we're like clothes to each other. That's the way it is in my family and my relationship. So we have a very, very close relationship, like my husband is my best friend. They [men and women] are equal in the eyes of Allah, but they are different, like the equality doesn't mean the same. We are equal in the eyes of Allah, but are different, we have roles we are complementary to each other ... Men are stronger, they are bigger, they are stronger ah ... biologically we are the ones that carry babies, we are the ones that nurse them, so like when the time – having children biologically is very, very important. [*Are men more intelligent then or more rational less emotional?*] No, I think it depends on the people, on different people, like some men are very emotional, some women are very rational. I don't take that for granted like women are more emotional than men are less or more rational. Like I think men tend to hide their emotions, it doesn't mean they don't have any. I think they are as intelligent as the other one, like men are as intelligent as women and women are as intelligent as men ... I don't think that at all.

This idea of 'equal but different' comes under a lot of attack from liberal and Muslim feminists,[376] but it does have echoes in other feminisms, such as radical French feminism (ironically). The point is, whatever one thinks about the 'equal but different' argument, it is important to note that these women believe in and feel themselves to be equal to men. They are committed to women's equality, which problematises their exclusion from modern Western secular societies for their dress which is allegedly a symbol of inequality. Once the state is in the business of defining what kind of 'equality' its citizens should believe in, we have moved away from secular liberalism and into a kind of authoritarianism that dictates what beliefs citizens should hold. Will Orthodox Jewish women who also believe that women should cover their heads be denied French citizenship? Or Orthodox Jewish men because part of their morning prayer is 'Blessed are you, Lord, our God, ruler the universe who has not created me a woman ...'[377] What of Catholics who will not allow women to become priests?

Just after the incident in Québec mentioned above, the CBC did a documentary on the *hijab*, and asked the question: can the *hijab* pass the test of being Canadian?[378] We discussed this in the initial interviews, and all

my interviewees expressed a strong commitment to Canada, as well as to their interpretation of their faith.

Halima's answer captures the themes nicely:

> Yes I think so [*hijab* passes the litmus test] because I mean if Canada boasts you can practise your religion, freedom of thought and beliefs, if a woman believes she should wear her *hijab* why shouldn't she, 'she's not hurting anybody' [laugh'] I mean if people can go down Yonge street almost naked, why should her putting a scarf on her head bother people, even for that matter wearing a veil on her face, why should that upset somebody?

In the follow-up interview, I pursued these questions, asking the women if they still feel they belong to Canada, and what Canada means for them.

Raneem:

> I have always lived here. I go everywhere without problems. I work here. With my education and my work, I have more economic and social advantages than most people. I am as Canadian as anyone else. I sometimes have to explain details about Islam to my employers but it is done respectfully ... Canada is the land where I live and the people I live with.

Bassima:

> Yes. I chose Canada and Canada welcomed me and my family. This is my home now ... Canada is all the usual things like snow, hockey, maple leaf, beaver, mountains, prairies, arctic tundra, wolves, polar bears ... and it is all the precious intangibles like freedom, respect, decency, kindness, the Charter of Rights and Freedoms, official bilingualism, multiculturalism with all its pros and cons. It's not Britain and it is definitely not America – which is a good thing when I look at what Britain and America have become, especially since the dawn of the 21st century. It's not perfect – we need to do more about the environment, and the First Nations have suffered so many wrongs that need to be righted. But I wouldn't want to live in any other country on earth.

Halima's answer was slightly more equivocal, perhaps not surprisingly given her sense of awkwardness going out of the house in her *hijab*. But this is not because she doesn't believe ultimately that she can live here and

be Canadian; her answer expresses more the sense of alienation and being 'pushed out':

> [*Do you feel like you belong to Canada?*] Yes and no. I am Canadian. I have no other nationality, but I feel very different from the average Canadian – I feel my beliefs separate me from the mainstream. [*What is 'Canada' for you?*] Canada is my birth place, I grew up here – I had a good childhood with many blessings. I feel I was blessed to grow up here in a safe, healthy environment – but that seems to be slowly dwindling for our own children – the level of violence in public schools is frightening, our healthcare system is crumbling, etc.

Yasmeen's answer was different, as she expressed through it her religious understanding of human beings and their ultimate relationship to God:

> [*Do you feel like you belong to Canada?*] I don't understand the question! I am belong to Allah. When I die I'll return to him and leave the land behind. All Canadian will leave the Canadian land behind, because it is belong to Allah. The earth belong to Allah. But if you mean that I am Canadian citizen. Yes, I feel that strongly. [*What is 'Canada' for you?*] Canada is home to me and my family, I have all the rights like the other Canadian. I am really content that Allah made me live in Canada.

In the 21st century, Muslims face rising anti-Muslim prejudice which is weaving its way into Western public policy, and yet it is consistently the case that committed Muslims profess commitment to their secular Western state. As I said in my thesis/book, it is not the Muslims who have a problem with 'being Canadian and being Muslim' – it is the non-Muslims that wish to push them to conform or to push them out.[379]

Conclusion

After Raneem converted to Islam, her brother did not speak to her for six months; Bassima left her country of birth to avoid being called a 'f ... ing race traitor'; Halima feels out of sync with a Canada that cannot seem to understand her choice; and Yasmeen fought her family for over a year to wear the *hijab*. Why would these women continue to wear the *hijab* in the face of such negative surroundings, if they were not convinced of it, and did not experience benefits from it?

I have shown that for these women the *hijab* is a symbol of piety, with feminist overtones of giving back to women control over the sexualisation of their bodies. I looked at questions of choice to show that they intelligently interact with their religious text and its interpretation, and choose to follow that which is most persuasive to them. And I showed their strong attachments to Canada and to Canadian values such as equality and freedom.

An ill wind is blowing through the globe that seeks to alter Muslims' lifestyle choices. Secular liberal Western states are betraying their foundational principles by selectively denying membership in their communities to Muslims. While scholars are investigating the country-specific reasons for such legislation (that is, that particular country's historical state–church relationship, multiculturalism and pluralism discourse, experience of immigration, and so on),[380] in general terms it can be said that Muslims are being singled out and forced to conform. Excuses such as 'the veil is a symbol of women's inequality' cannot hide the targeted nature of these kinds of public policies.

The Muslim women's veil has come under attack not so much because of its existence as a piece of cloth, but for the lifestyle it is supposed to stand for – one in which women are subordinated to men. Since the 19th-century colonial campaigns to unveil Muslim women, this has always been the Western symbol of the veil, as a metonym for the backwardness of the Muslim world.[381] Without reducing the reality that some women the world over, Muslim or not, are oppressed by men and by customs, this is not the appropriate paradigm in which to explore veiling in modern secular states. In 2006, Amnesty International reported that '[every] four days a woman dies of domestic violence in France'.[382] Are these women's male partners to be denied citizenship for not exhibiting the 'French' value of equality of the sexes?

My interview data demonstrate that Muslim women can be intelligent, religiously committed, convinced of the equality of men and women, and committed to their Canadian country. They actually appreciate the Canadian values such as religious freedom, as they are prime beneficiaries of it. It is not they who are a threat to such values – they have a vested interest in maintaining them. It is those who are trying to protect their societies from women such as Raneem, Bassima, Halima and Yasmeen, who are more of a threat to cherished Western secular liberal values.

Notes

[1] 'It will not be welcome on French soil,' he said. 'We cannot accept, in our country, women imprisoned behind a mesh, cut off from society, deprived of all identity. That is not the French republic's idea of women's dignity.' news.bbc.co.uk/1/hi/world/europe/8113778.stm

[2] Romain 1988, p. 130.

[3] See Braybrooke 1992, and Swider 1999.

[4] Gombrich 1987.

[5] *Ibid.*

[6] El Guindi 1999, p. 10.

[7] Bullock 2002, p. xvi.

[8] El Guindi, *op. cit.*, p. 153

[9] Bullock, *op. cit.*, p. xvii.

[10] The regulation that two people of opposite sex who are not *mahram* (cannot be married to each other) should not be alone in a secluded space.

[11] *Hadith* from at Tabari and al Muslim quoted in J. Badawi (2006), *The Muslim Woman's and Muslim Man's Dress according to the Qur'an and Sunnah.* London, Ta-HA Publishers; p. 12.

[12] A tradition from Wasa'il. See Mutahhari 1992, p. 61.

[13] Quoted in Bullock, *op. cit.*, p. 96.

[14] El Guindi, *op. cit.*, p. 11.

[15] *Ibid.*, p. 17.

[16] *Ibid.*, p. 15.

[17] Quoted in Bullock, *op. cit.*, p. 108.

[18] Malti-Douglas 2001, p. 38.

[19] *Ibid.*, p. 12.

[20] Mernissi 1997, p. 94.

[21] Ahmed 1992, p. 154.

[22] From the *Wasai'sl al shi'ah*, quoted in Mutahhari, *op. cit.*, p. 23.

[23] *Ibid.*

[24] Said 1978.

[25] Ricoeur 1974, pp. 182–3.

[26] S. Cavell (2003), *Disowning Knowledge in Seven Plays of Shakespeare.* Cambridge: Cambridge University Press; pp. 9–10, 143–4.

[27] The Greater London Authority commissioned Insted's (2007) survey of treatment of Muslims in the media: the team of Insted researchers who analysed English newspapers in a typical week, 8–14 May 2006, found 97 per cent of tabloid coverage and 89 per cent of broadsheet coverage to be negative towards Islam. The Islamic Republic News Agency (2008) reports the distress caused by Islamophobia.

[28] Contractor, S. and Scott-Baumann, A., *Women under pressure.* In preparation.
[29] www.minab.org.uk
[30] See, for more detail, Scott-Baumann, A. (2009), *Ricoeur and the hermeneutics of suspicion.* London: Continuum; pp. 22–39.
[31] *Ibid.*, p. 70. Ricoeur discusses this in terms of Mannheim's analysis of Marx.
[32] Security concerns can take strange forms: I was denied an invitation to the Siddiqui Report launch because I was considered to be a security risk, even though I was on the advisory committee for the Siddiqui Report.
[33] Contractor and Scott-Baumann, *op. cit.*
[34] This will be Ricoeur's linguistic turn, and it happens at a time when Saussure's linguistics and then Lévi-Strauss's development of Saussure's work into anthropology are offering French academics an opportunity to break free of classical traditions. Saussure saw both signifier and signified as purely psychological forms, not substance.
[35] Ricouer 1992, p. 387.
[36] Bunting, M. (2008), 'Secularists have nothing to fear from women wearing headscarves', *Guardian*, 25.02.2008.
[37] Contractor and Scott-Baumann, *op. cit.*
[38] Modood, T. (1994) 'Establishment, multiculturalism and British citizenship', *Political Quarterly*, 65.1, 71.
[39] Contractor and Scott-Baumann, *op. cit.*
[40] Ricoeur 1987, p. 255.
[41] Halstead 1986, p. 18.
[42] Contractor 2010.
[43] HPA (2008), 'All new episodes seen at GUM clinics: 1998–2007'. UK and country-specific tables. Health Protection Agency, July 2008. Available online at www.avert.org/stdstatisticuk.htm
[44] Halstead 1986, pp. 7, 25.
[45] Scott-Baumann, *op. cit.*, p. 184.
[46] Ruthven 2000, p. 328. The next sentence of this quote reads: 'The strength of his system is that particular aspects (such as his insistence on traditional *purdah* for women) can be discarded without damage to the structure as a whole.' Whilst I can agree with this sentiment, it is unfortunate that this particular aspect is not so readily discarded by Sunni activists.
[47] Whilst Mawdudi was in prison, the members of *Jamaat* had to decide whether to support the candidacy of a woman, Fatimah Jinnah, to be President of Pakistan. The idea of a woman participating in politics went against Mawdudi's teachings, but as he had been put in prison by Ayub Khan, the candidate opposing Jinnah, he saw the support of a woman in this case to be the lesser of two evils.
[48] For more on the life and thought of Mawdudi, see Jackson 2009.
[49] For example: 24:31; 33:58, 59; 33:32, 33; and 33:53.
[50] Mawdudi 1947, pp. 1–8.
[51] *Ibid.* pp. 29–30.
[52] Mawdudi 1971, p. 16.
[53] Mawdudi 1986, p. 83.
[54] *Ibid.*, p. 91.

[55] The term Mawdudi uses is 'theo-democracy', but in reality the democratic element would be non-existent.
[56] Mawdudi 1986, p. 12.
[57] *Ibid.*
[58] *Ibid.*, p. 14.
[59] *Ibid.*
[60] *Ibid.*, p. 59.
[61] *Ibid.*, p. 60.
[62] *Ibid.*, p. 61.
[63] *Ibid.*, p. 62.
[64] *Ibid.*, p. 63.
[65] *Ibid.*, p. 111.
[66] *Ibid.*, p. 112.
[67] *Ibid.*, p. 113.
[68] *Ibid.*, p. 115.
[69] *Ibid.*
[70] All quotes in this paragraph, *ibid.*, p. 116.
[71] *Ibid.*, p. 118.
[72] *Ibid.*, p.1 19.
[73] All quotes in this paragraph, *ibid.*, p. 119.
[74] *Ibid.*
[75] *Ibid.*, p. 120.
[76] *Ibid.*, p. 121.
[77] *Ibid.*, pp. 121–2.
[78] *Ibid.*, p. 122.
[79] *Ibid.*, p. 202.
[80] Mawdudi 1980, p. 262.
[81] Fatima Mernissi's excellent study traces the unreliability of this particular *hadith* as, basically, a product of convenience on the part of Abu-Bakr. Mernissi 1991, pp. 49–61.
[82] Mawdudi 1980, p. 322.
[83] *Ibid.*
[84] *Ibid.*, p. 323.
[85] Sayyid-Vali Reza Nasr (1992), *Islamization of Knowledge*, Islamabad: International Institute of Islamic Thought; pp. 10–11.
[86] Rahman 1982, p. 20.
[87] Wadud-Muhsin, Amina (1992), 'Understanding the Implicit Qur'anic Parameters to the Role of Women in the Modern Context', *The Islamic Quarterly*, 34.2, 128.
[88] For all Imami Shi'is, among whom are the Isma'ilis, the imam is the spiritual and political leader of the community and a direct descendant of the Prophet Muhammad. While the majority Twelver Shi'is follow a line of twelve imams as legitimate successors of the Prophet (for most, 'Ali being the first and Muhammad al-Muntazar, who went into occultation in 874 CE, the last), Nizari Isma'ilis hold that the genealogical line of imams continues to the present day with the imam Karim Aga Khan IV, whom they believe to be the 49th imam. The political authority of the imam ceased for Twelver Shi'is with the occultation of

the twelfth imam, while, for Nizari Isma'ilis, it stopped with the demise of the last imam-caliph of the Fatimid dynasty (909–1173 CE).

[89] On the issue of seclusion, see Wadud 1999, p. 98; for women in seclusion (*dhat al-khudúr*), see for instance the *hadith* collection by Abuú Da'ud, al-Sijistani, *Sunan abuDa'ud*, ed. al-Da 'as, ỹumß: Nashr wa tawzi' Muhammad 'Ali al-Sayyid, vol 1, 1969, pp. 675–6.

[90] Referring to a 1953 message in Sultan Muhammad Shah (1977), *Message to the world of Islam*, 4th edn. Karachi: Isma'ilia Association for Pakistan; pp. 58–9.

[91] *Ibid.*, pp. 60–1.

[92] *Ibid.*, p. 61.

[93] Fifty years on, the issue of women's attendance at Friday prayer in mosques is far from being resolved. To this day there are mosques in Britain which do not allow women to enter to pray. The elimination of this practice is implied in the 2007 Draft Constitution by the MINAB (Mosques and Imams National Advisory Board), art. 2, objective c: 'advice on improved access and involvement of women and youth to mosques', in MINAB (2007), *Draft Constitution, Draft Standards*; for the final revised Draft Consitution of 11 October 2007, see online at www.mcb.org.uk/uploads/MINABConstitution.pdf

[94] Aziz 1998, p. 210.

[95] *Ibid.*, p. 211.

[96] *Ibid.*, p. 602.

[97] *Ibid.*, pp. 646, 668.

[98] For the website of the Aligarh Muslim University see online at www.amu.ac.in. The vision of its founder, Sayyid Ahmad Khan (d. 1898), who 'reached the conclusion that education was the main cause of the backwardness of the community', comprising his embrace of modernist ideas and his ideal of balancing Western knowledge with 'oriental learning', is advertised in several pages of the university's website, particularly under his biography and on the admission pages.

[99] *Kalam-e imam-e mubin, Holy firmans*, quoted in Kjellberg 1967, p. 37.

[100] *Rahebari-e-Imam Sultan Muhammad Shah* (1960), vol. 2, 2nd edn. Bombay: Isma'ilia Association for India; p. 40.

[101] *Ibid.*, p. 19.

[102] *Firman* or *farman* generally means a 'command' or an 'edict' and, during the Ottoman empire, the term was used to indicate the edict of the sultan or, in Mughal India, the royal orders issued by the padshah. For Isma'ilis it is a written directive by the imam, usually read in the local places of worship (*jama'at khana*).

[103] Sherali Alidina Kassim Ali (1961), *Firman Mubarak (Precious Pearls)*. Karachi: Isma'iliyya Association of Pakistan; quoted in Boivin, Michel (2003), *La rénovation du Shî'isme Ismaélien en Inde et au Pakistan*. London and New York: Routledge; p. 280.

[104] Like *firman*, *ta'liqa* is a term from the Mughal period, and has the meaning of executive order, originally indicating an abridgment of an order or of a memorandum of orders, and can be used to indicate a marginal note.

[105] Boivin, *op. cit.*, p. 281.

[106] Shah, *op. cit.*, pp. 50–1.

[107] Quoted in Lambert-Hurley 2007, p. 100. In fact Sultan Jahan Begam aimed to maintain the *pardah* system and, if women were to have activities beyond the domestic realm, they could do so only by full observance of the veil, including the covering of the face. As noted by a number of scholars, to wear the veil as a symbolic shelter allowed women to enter domains such as the Zenana madrasa which, in turn, led to the necessity for female teachers and hence to job opportunities for educated women.

[108] See *ibid.*, p. 10; for the Aga Khan's endorsement of petitions in favour of women's suffrage – and Sultan Jahan Begum's negative response to them – see *ibid.*, pp. 168–70.

[109] See, for instance, the educational and women's rights work by Rokeya Sakhawat Husain (d. 1932), the author of the well-known work of fiction *Sultana's dream* (1905).

[110] Mawdudi 1986, p. 252.

[111] Mawdudi classified Muslims according to their positions *vis-à-vis* modernity. In his view the Aga Khan would probably have been an example of those he called 'Oriental Occidentals', those who adopted Western values and for whom a woman's education results in her being able to earn a living and contributing to the family's budget; see *ibid.*, pp. 100–1.

[112] *Ibid.*, p. 252; for his response to the Muslim modernist historical argument of veiling as a pre-Islamic custom, which was adopted by Muslims long after the prophet's time, see *ibid.*, pp. 254-5.

[113] *Ibid.*

[114] *Mubarak Taalika and messages*, in Kjellberg 1967, p. 69.

[115] Shah, *op. cit.*, p. 273; this *firman* was pronounced during the Aga Khan's second visit to Zanzibar, on 17 August 1905.

[116] For marriage reforms and legislation in East Africa, see Asani, Ali S. (1994) 'The impact of modernization on the marriage rites of the Khojah Isma'ilis of East Africa', *Journal of Turkish Studies*, 18, 23–4.

[117] See Adatia, A. K. and King, N. Q. (1969), 'Some East African *firmans* of H. H. Aga Khan III', *Journal of Religion in Africa*, 2.3, particularly 179–80.

[118] With reference to the adoption of European dress fashion and to learning English or French, see *ibid.*, particularly p. 190.

[119] *The Constitution, Rules and Regulations of His Highness the Agakhan Isma'ilia Councils of Africa*, Mombasa: His Highness the Agakhan Isma'ilia Supreme Council for Africa, 1946, p. 61, ruling 16.(a).

[120] 'European Dress', *East African Standard*, 2 August 1952, and 'European Dress for Isma'ili women', *Goan Voice*, 8 August 1952, both quoted in Walji, Shirin Remtulla (1974), *A history of the Isma'ili community in Tanzania*. Ph.D thesis, University of Winsconsin, p. 218. Walji explains that to don simple Western dress for the Isma'ilis of East Africa would facilitate blending with the indigenous population and dilute the 'image of an economic gap between richer Indian and poorer African', *ibid.*, p. 219.

[121] Nanji, A. (1974), 'Modernization and change in the Nizari Isma'ili community in East Africa: a Perspective', *Journal of Religion in Africa*, 6.2, 134.

[122] Kjellberg, *op. cit.*, p. 31. For some visual evidence of the changing attire of Isma'ili women over time, compare some pictures of Count Fatehali Dhalla's photographic collection of the Noorani family taken in Mombasa, Kenya, in

1940 and in 1945, online at www.Isma'ili.net/gallery/dhalla_album/1930-1950/index.html as well as some group pictures of Aga Khan III jubilees online at www.Isma'ili.net/sultan/jubileeph.html. For contemporary images of Isma'ili communities during the visits of Aga Khan IV, see online at www.Isma'ili.net/gal.html

[123] Kjellberg, *op. cit.*, p. 64.

[124] De Souza 2004, p. xv.

[125] See for example the data on Karachi in 1959 (45 per cent) and the 1955 data for Isma'ilis (92 per cent) in Papanek 1962, p. 28.

[126] See Nanji, A. (1974), 'Modernization and change in the Nizari Isma'ili community in East Africa: a Perspective', *Journal of Religion in Africa*, 6.2, 129–30.

[127] For a pragmatic view of the economic and financial bases of the Aga Khan's reform policies in Tanzania, see Amiji, M. (1982), 'Islam and socio-economic development: a case study of a Muslim minority in Tanzania', *Journal of Institute of Muslim Minority Affairs*, 4.1–2, 175–87.

[128] For Ataturk's 1925 'Hat Reform' and his argument set within the context of forging a national Turkish identity as opposed to the former Ottoman identity, see Göle 1996, especially pp. 60–2.

[129] Aga Khan 1954, pp. 187–8.

[130] In a 1965 interview, the present imam Karim Aga Khan IV referred to his grandfather's directive for Isma'ili women not to wear the veil as a change of tradition rather than a change in the faith or religion. Available online at www.Isma'ili.net/intervue/651212.html

[131] Bullock, *op. cit.*, p. 46.

[132] See, for example, the various opinions expressed online (under Current Issues: dresses) at www.Isma'ili.net/html/modules.php?op=modload&name=phpBB2&file=viewtopic and note the reference to Aga Khan III's *firman* on dress for the community in East Africa (but not specifically for that of Pakistan).

[133] See in this regard the various rulings and the Bohora practice in Ghadially, R. (1996), 'The campaign for women's emancipation in an Isma'ili Shia (Daudi Bohra) sect of Indian Muslims: 1929–1945', *Women Living Under Muslim Laws, Dossier 14-15 September 1996*, especially pp. 8-11; available online at www.wluml.org/english/pubsfulltxt.shtml?cmd%5B87%5D=i-87-2634

[134] Blank 2001, pp. 184–8.

[135] *Ibid.*, pp. 184-6.

[136] An expression of this priority is expressed by Noha, a Canadian Isma'ili interviewed by Katherine Bullock; among a group of Muslim interviewees, she was the only one to define herself as Canadian first, then Isma'ili, then Muslim: see Bullock, *op. cit.*, p. 81.

[137] The issues of identities and of representation through the veil are directly voiced by Salima Bhimani, an Isma'ili South Asian Muslim (as well as Canadian) woman who states in her book 'the image of a Muslim woman wearing the *hijab* ... does not represent me ... This is not an issue of rights or choices. It is an issue of one image being used to represent all Muslim women, and that is highly problematic ... [The *hijab*] cannot be the sole representation of Islam and of women as followers of faith. This representation dismisses the many identities of Muslim women.' Bhimani 2003, p. 102.

[138] Cf. Qur'an, *Surah al-Mutaffifin* (The Fraudsters), 83:15; 'God's veil is Light', as stated in a *hadith* of *Sahih Muslim*, '... were it to be removed, the emanations from His Countenance would destroy everything upon which the Divine Gaze fell.'

[139] Qur'an, *Surah al-Nur* (The Light), 24:30–1. All translations are taken from Abdullah 2004.

[140] *Ibid.*, 24:31.

[141] Qadi Abu Bakr ibn al-'Arabi (468-543 H), *Ahkam al-Qur'an* (*Legal Rulings of the Qur'an*), ed. 'Abd al-Razzaq al-Mahdi, Dar al-Kitab al-'Arabi, Beirut, 1421/2000, vol. 3, p. 285.

[142] Al-Tabari, *Tafsir*, Dar al-Kutub al-'Ilmiyyah, Beirut, 1412/1992, vol. 9, pp. 303–7.

[143] Ibn 'Abbas says, in one of the narrations transmitted by Tabari, that such 'apparent adornment' may also be displayed at home to men who enter the woman's house. It is also known from numerous *ahadith* that male and female Companions would visit each other with their spouses. Ibn al-'Arabi mentions the *hadith* that proves that many of the male Companions used to visit the elderly female Companion Umm Shurayk. Thus it is not an Islamic requirement to have gender segregation at home, but a matter of culture and tradition.

[144] Ibn al-'Arabi, *ibid.*

[145] *Ibid.*, where he states that 'Aishah and Mujahid, the student of Ibn 'Abbas, disagreed respectively as to whether bangles were apparent or hidden adornment, based on whether they were worn on the hands (that is, the wrists) or the forearms.

[146] Qur'an, *ibid.*

[147] Abu Bakr al-Jassas, *Ahkam al-Qur'an* (*Legal Rulings of the Qur'an*), Dar al-Kutub al-'Arabi, vol. 3, p. 316.

[148] al-Qurtubi 1965, vol. 12, p. 227.

[149] al-Jassas, *op. cit.*, p. 290.

[150] *Ibid.*, p. 311.

[151] *Ibid.*, p. 312.

[152] Qur'an, *op. cit.*, 33:59–60.

[153] al-Tabari, *op. cit.*, vol. 10, pp. 331–2.

[154] al-Qurtubi, *op. cit.*, vol. 14, p. 243. The word '*qina*' can refer to any of these three possibilities.

[155] al-Jassas, *op. cit.*, p. 496.

[156] *Ibid.*, p. 569.

[157] *Ibid.*, p. 570.

[158] al-Qurtubi, *op. cit.*, p. 244.

[159] al-Jassas, *op. cit.*, p. 451

[160] *Ibid.*, pp. 496-7

[161] Quoted in Al Albani, p. 44.

[162] *Ibid.*, p. 45.

[163] *Ibid.*

[164] Qur'an, *Surah al-Ahzab* (The Combined Forces), 33:53.

[165] For a fascinating discussion of this *ayah* and related issues from a feminist, social-science perspective, see Mernissi 1997.

[166] Cf. Qur'an, *Surah Maryam* (Mary), 19:17, where the Virgin Mary uses a screen (*hijab*) to isolate herself from others.

[167] al-Jassas, *op. cit.*, p. 284. The authenticity of the latter *hadith* is disputed.
[168] Qur'an, *Surah al-Ahzab* (The Combined Forces), 33:32–3.
[169] al-Jassas, *op. cit.*, pp. 450–2.
[170] Traditional commentary on Qur'an, *Surah al-Qasas* (The Story), 28:26, has Moses' eventual wife and her sister walking behind him, throwing pebbles to inform him of the way to their father's house.
[171] al-Jassas, *op. cit.*, p. 531.
[172] *Ibid.*, p. 312; al-Albani (1385), *Hijab al-Mar'ah al-Muslimah* (The Muslim Woman's Veil), 2nd edn. Beirut/Damascus: al-Maktab al-Islami, p. 24.
[173] al-Albani, *op. cit.*, pp. 24–46. Qadi 'Iyad states in his commentary on *Sahih Muslim* that the majority of jurists require a Muslim woman to cover up in public, except for her face and hands; *Sahih Muslim*, ed. M.F. 'Abd al-Baqi, 4 vols. Beirut: Dar al-Fikr.
[174] During 2007–8, the UK Department of Health introduced a 'bare below the elbow' policy for all medical and nursing staff in clinical contact with patients, in order to reduce the incidence of infections. While some Muslims opposed the policy, with some medical staff and students even leaving the profession, others supported it on the basis of the diversity of Islamic legal opinion on the matter of dress, plus the overriding Islamic legal imperative that values medical care and the saving of lives extremely highly.
[175] al-Jassas, *op. cit.*, p. 317.
[176] al-Tabari, *op. cit.*, vol. 9, pp. 303–7.
[177] al-Jassas, *op. cit.*, p. 287.
[178] *Ibid.*
[179] Mawdudi 1986.
[180] Jalal al-Din al-Mahalli and Jalal al-Din al-Suyuti (n.d.), *Tafsir al-Jalalayn*, Beirut: Dar al-Ma'rifah; p. 462.
[181] Al-Jassas, *op. cit.*, p. 291, where he fiercely contests this view, limiting the ruling only to other women.
[182] See, for example, *ibid.* p. 288.
[183] al-Albani, *op. cit.*, p. 44.
[184] al-Jassas, *op. cit.*, pp. 317 and 372.
[185] al-Qurtubi, *op. cit.*, vol. 12, p. 227.
[186] al-Jassas, *op. cit.*, p. 291.
[187] al-Tabari, *op. cit.*, pp. 331–2.
[188] Ghazzali, *al-Mustasfa min 'Ilm al-Usul.*
[189] Shatibi, in the introduction to his *Muwafaqat*, states that his work is an explicit synthesis of the principles of Ibn al-Qasim and Abu Yusuf, that is, of Maliki and Hanafi or traditionalist and rationalist principles of jurisprudence.
[190] Quoted in Jasser 2008.
[191] Muhammad 2001.
[192] 'Abdullah b. Bayyah (2007), *Sina'ah al-Fatwa* (*Crafting Legal Verdicts*). Beirut: Dar al-Minhaj; p. 319. Cf. Ibn 'Ashur, *al-Tahrir wa l-Tanwir*, vol. 18, p. 207.
[193] 'Abdullah b. Bayyah, *ibid.*
[194] '*Ibid.*, p. 320. The *hadith* is from Bukhari (2002), *Sahih, Kitab al-Jihad wa l-Siyar* (*Book of War and Military Expeditions*). Beirut: Dar al-Kutub al-'Ilmiyyah; p. 530, no. 2880.

[195] Lord Carey, former Archbishop of Canterbury, raised this concern about Muslim women's dress in parts of the UK at the session on 'Islam–West Dialogue' at the World Economic Forum – Middle East, Sharm el-Sheikh, Sinai, Egypt, 2008.
[196] Ibn al-Qayyim (1977), *I'lam al-Muwaqqi'in 'an Rabb al-'Alamin*, vol. 3. Beirut: Dar al-Fikr; pp. 14–70.
[197] Muhammad b. Salih b. 'Uthaymin (d. 1421/2001), *Commentary on Sahih Muslim* (audio-taped lectures), Riyadh: Taybah Islamic Recordings.
[198] Qur'an, *Surah al-Qasas* (The Story), 28:25.
[199] This became a national political issue in the UK in 2007, when the Conservative Party complained about the increasing sexualisation of young girls in British society.
[200] Prof. Javed Iqbal (son of Sir Muhammad Iqbal), public televised lecture on Islam and *Shari'ah*, Pakistan Television, Summer 2003.
[201] Qur'an, *Surah al-Anfal* (Spoils of War), 8:60.
[202] Interestingly, it is reported that the extremist Egyptian group, *al-Takfir wa l-Hijra*, followed just such a line of reasoning in the 1960s when they 'emigrated' from Cairo to the desert and encamped there, training for military action only with horses, which were no match for Nasser's tanks that decimated the would-be revolutionaries; Jasser, Auda (2008), 'Understanding the Spirit of Islamic Law', lecture at the City Circle, London, 16th May 2008.
[203] Bukhari 2002.
[204] *Ibid.*
[205] al-Jassa, *op. cit.*, p. 313, quoting a *hadith* transmitted by Abu Dawud.
[206] Bukhari, *op. cit.*, p. 83, *hadith* no. 362.
[207] *Ibid.*, *hadith* no. 358.
[208] *Ibid.*, p. 85, paragraph preceding *hadith* no. 372.
[209] *Ibid.*, p. 82, paragraph preceding *hadith* no. 351.
[210] *Ibid.*, *hadith* no. 351.
[211] Wadud 2007, p. 219.
[212] The focus groups were conducted with women aged between 16 and 45. They were somewhat different to the interviews, having a relaxed and informal atmosphere, in a group setting of between 5 and 10 women, with mostly structured questions.
[213] The first, al-Judai, felt that the requirement of a female dress was of modesty, particular covering was required for the chest region, though this did not include the neck or the ears. It should cover most of the body, although in his opinion specificity of exactly how much of the arms, legs or hair was not provided by the texts. It was important also for some head covering to be worn, though that could take the form of a scarf or shawl; it could also be a hat or a bandana. The second, Raza, felt that the whole body of the Muslim female should be covered except the hands and face. The style of dress was up to the woman, according to her social context. The third, Momoniat, felt the ideal dress for a Muslim female was a complete covering, including the face and hands, although it was permissible for the face and hands to show in certain circumstances, depending on the choice of the woman.
[214] According to self-description.
[215] The *ahadith* are understood to be narrations of what the Prophet Muhammad

was said to have spoken about or acted upon. They are used as tools by traditional scholars to understand verses of the Quran.

[216] The *hadith* about tearing the cloth and covering was mentioned. In response to this, another member of the group quickly remarked that this *hadith* referred to the head and not the face. However this misunderstanding has a place, as many interpretations of the *hadith*, more specifically the word *khimar*, are listed as the face, and not the head.

[217] Asma (the daughter of Abu Bakr) entered the house of the Prophet and she was wearing (near) transparent clothes. The Prophet said: 'O Asma! When a woman comes to the age of menstruation she should only show this,' and he pointed at his face and hands (Abu Dawud, Chapter on Dressing, no. 3580).

[218] Abu Dawud categorises its chain as *mursal* – the link between the successor and the Prophet is missing and therefore cannot be traced back to him with sufficient strength to qualify for legislative scrutiny. However, al-Albani chooses to use it as permissible evidence for the showing of the hands and face, as there are variant accounts of the *hadith* (Roald).

[219] Gibb and Kramers 1974, p. 138.

[220] The word does appear in seven verses: 7:46, 38:32, 41:5, 42:51, 17:45, 19:17 and 33:53, but they all have very different contexts. For example: in *Sura al-Araf*, 7:46, it is used to describe the separation of those in paradise from those in hellfire; in the next world they will be separated by a *hijab* (curtain/veil). In *Sura Fussilat*, 41:5, the unbelievers comment to the Prophet that there is a *hijab* between he and they. And in *Sura Shura*, 42:51, it is used to explain how it is not possible for man to speak to God unless by revelation or from behind a *hijab*. *Sura al-Ahzab*, 33:53, is the only verse that speaks of it in respect of women, more specifically to the wives of the Prophet, but even then it is not with respect to her requirement of dress.

[221] 'I know the word *hijab* is used, but it is not the best Islamic word to use for what you are looking for. People understand it to mean "covering" today, but it is not a word that is found in the Qur'an and *Sunna* [used in this way]. What I (know people) understand by the word *hijab* is the "covering". A covering that provides "protection" for the woman. But that covering is not described in (a specific) way in the Qur'an and *Sunna* clearly, and that is for a reason – for the "ease" of people. To make it easier for people to interpret it in whichever way they deem fit for their "protection" at any given time. So I refer to it as (dependant on) the "custom" also – the best thing in society to make you look good/presentable (according to custom), and at the same time protect you. (Interview)

[222] The verse with the word *hijab* in reference to the Prophet and his wives is in *Sura al-Ahzab*. It reads: 'O you who believe enter not the Prophet's houses – until leave is given to you – for a meal, (and then) not so early as to wait for its preparation: but when you are invited, enter; and when you have taken your meals, disperse without seeking familiar talk. Such behaviour annoys the Prophet: he is ashamed to dismiss you, but Allah is not ashamed to tell you the truth. And when you ask his ladies for anything you want, ask them from behind a screen: that makes for greater purity for your hearts and for theirs. Nor is it right for you that you should ignore Allah's Messenger, or that you should marry his widows after him at any time. Truly such a thing is in Allah's sight an enormity.' (Qur'an, 33:53)

[223] Mernissi 1991, p. 85.

[224] Anas reports: 'I know (about) the *hijab* (the order of veiling of women) more than anybody else. Allah's Apostle became the bridegroom of Zaynab bint Jahsh whom he married at Medina. After the sun had risen high in the sky, the Prophet invited the people to a meal. Allah's Apostle remained sitting and some people remained sitting with him after the other guests had left. Then Allah's Apostle got up and went away, and I, too, followed him till he reached the door of Aisha's room. Then he thought that the people must have left the place by then, so he returned and I also returned with him. Behold, the people were still sitting at their places. So he went back again for the second time, and I went along with him too. When we reached the door of Aisha's room, he returned and I also returned with him to see that the people had left. Thereupon the Prophet hung a curtain between me and him and the Verse regarding the order for (veiling of women), *hijab*, was revealed.' (Bukhari 2002, 7:65:375)

[225] Mernissi, *op. cit.*, p. 92

[226] *Ibid.*

[227] Darsh 1995, p. 12.

[228] Interestingly, focus group 'a' (those who covered the face) held the *jilbab* in very high regard as an outer garment, and of similar description to that given by Momoniat – clearly a one-piece outer garment that needed to be worn over ordinary clothes. Some described it as literally 'a coat; to be worn outside'. For the *jilbab* to take this form was so important for them that they likened one who did not wear it to be like one without *hijab*, in other words not wearing a head covering at all (all group members agreed with this understanding). Where this specific classification came from was not clarified; but it would seem that the understanding of 'outer garment' had itself been translated in this way. Group 'b' (those who exposed the hands and face) disagreed, and held views similar to Judai's: as long as the chest was covered, the type and style of dress could vary, though they had similar requirements of looseness and transparency. But again, if Darsh's point about abrogation of verses is to be taken into account, how the word *jilbab* is understood doesn't really matter. As the verse is succeeded by *Sura al-Nur*, this in itself specifies the female dress requirements, and the understanding of *jilbab* is not required.

[229] On questioning people who are more familiar than me with the Arabic language, it appears that similar to the changes of application and meaning of the word of *hijab*, the meaning of the word *khimar* was originally the head-cover, but with the passage of time it is sometimes understood in language today to include the face-covering too.

[230] Wehr, Hans (1976), *A Dictionary of Modern Written Arabic*, New York: Spoken Languages Services; p. 261.

[231] I asked if the *khimar* could have been just a cultural aspect of the dress, and his response was: 'It is the language actually, not just tradition.' (One would have wanted to elaborate in this area more; however, due to shortness of time, this was unfortunately not possible.)

[232] Perhaps it is in this context, then, that Asad explains *khimar* as 'customary headcovering worn by Arabian women before the advent of Islam' (Asad 1980, p. 539).

[233] When asked for an example of a *hadith* that clearly specifies this requirement, the *hadith* about Asma was given.
[234] This is the plural feminine form.
[235] Asad, *op. cit.*, pp. 538–9.
[236] Wehr, *op. cit.*, p. 50.
[237] Furthermore the Qur'an uses this word in *Sura al-Qasas* also – when Moses is described as putting his hand over his *jayb*. Here there is no dispute over this being the chest (even the heart region), and not the neck, face or ears. Therefore it is difficult to comprehend how the translation of the verse which specifies the *juyub* can be taken to include the neck, ears, and especially face region.
[238] When I asked 'What if the covering itself causes attraction, as some feel it adds an air of mystery to a woman?', one lady agreed that her inspiration for initially wearing one was because she had felt a woman underneath must have been so beautiful. Some members of the group acknowledged that this could be a risk, especially in Britain. However, for others, this attention was not seen as negative but interpreted either as 'respect' or 'difference' with regard to who she was. Momoniat agreed with the latter point.
[239] Asad, *op. cit.*, p. 539.
[240] *Ibid.*
[241] Another point of interest is a story about Fatima bint Ali ibn Abi Talib, the grand-daughter of the Prophet, narrated by Ibn Sa'd. He reports that Urwah ibn Abd Allah ibn Qushayr entered the house of Fatimah and watched as she donned two thick ivory bracelets on each wrist, a ring on her finger and a beaded thread around her neck. When Urwah questioned her about this apparent excess of adornment,she answered in a brief retort that it is a testimony to her pride in her femininity and her confidence that a woman's desire to beautify herself may not be contested. 'Women are unlike men.' (Alvi *et al.* 2003, p. 195).
[242] *Fitna*: Arabic term meaning tribulation.
[243] From all the individuals interviewed in the focus groups, only one woman felt that she had initially been forced to cover her head by her brothers. The end result was that she wore a head covering in front of them, and removed it when they were out of sight. She stopped wearing it completely after six months. Yet a year later, when she had learnt more about Islam for herself and understood more about the concept of covering, she chose to cover her head again, this time for herself, and she hasn't stopped doing so over the last 20 years. All the remaining women covered themselves out of personal choice from the outset. Interestingly, some women felt displeasure and pressure from their families to remove the covering (rather than the other way around). For example, one lady in focus group 'a' felt her in-laws did not like her to wear the face-covering, and her husband would often encourage her to remove it, though she would prefer to keep it on. Similarly, in group 'b', two ladies mentioned the anxiety of their families, who would like them to remove the head-cover at times to aid them in finding suitable marriage partners, who might otherwise be put off by a woman wearing a scarf.
[244] Refers to the age before Islam – literally, the state of ignorance.
[245] Barlas 2002, p. 55.

[246] *Ibid.*, p. 54.
[247] *Ibid.*, p. 55.
[248] Equally essential was the ability to be recognised by fellow Muslims, 'who would now say *Salam* to you'.
[249] Focus groups 'a' and 'b' were asked the question: 'If identity was so important for Muslims in Islam, where was the equivalent for a man? Did he not have to distinguish himself from other religions; be recognised by other Muslims; or wear something physical to remind him to watch his behaviour as he was an ambassador of Islam?' After vigorous debate about length of trousers and covering between the navel and the knee, both groups could only think of growing a beard as an equivalent to covering the head/face. Most, however, felt that growing a beard was not obligatory in Islam (only recommended) and that having a beard still did not necessarily identify you exclusively as being a Muslim.
[250] A full-length outer covering.
[251] A lady in group 'b' commented: 'Last week, there was a woman that was covering her hair but her trousers and top were really tight, and the builders couldn't take their eyes off her.'
[252] Al-Qaradawi 1993, p. 79.
[253] He also felt that, if men were not used to seeing women, this could lead to greater difficulty in self-control. That could be seen as an argument for removing the covering of the face. For, rather than taking the emphasis away from seeing the woman purely on a sexual basis, it appeared to make her more intriguing, and as a result the man was somehow less in control of his desires towards her.
[254] This would explain again why the grand-daughter of the Prophet was content to decorate herself before going out.
[255] An innovation, which is seen as an external accretion to the purity and integrity of Islam, and is hence viewed negatively.
[256] This would also appear to fit in with some historians' description of society at the time: in pre-Islamic times, women used to cover their face and heads and leave their chests exposed.
[257] Roald 2001, p. 275.
[258] I also asked if this was because of slave status, but al-Judai did not feel it was primarily for this reason.
[259] Unfortunately, time did not allow us to probe the issue further, but I intend to go back to this area of research to understand more fully this situation and make further studies in this area.
[260] Slaves are mentioned here because they were an integral part of the Arabian society at the times of the Prophet. The author has shown elsewhere how Islam gradually eradicated the inhuman institution of slavery it had inherited (Translator's Note: see Ghamidi, Javed Ahmad (2010), *Mi#za#n* (Islam: A Comprehensive Introduction), trans. Shehzad Saleem. Lahore: Shirkat Press; pp. 448–51.)
[261] Al Ghazali (1995), 'Breaking the two desires' trans. T. J. Winter, in *The Revival of the Religious Sciences.* Cambridge: The Islamic Texts Society.
[262] Ibn Hazm (1994), *The Ring of the Dove* (trans. Anthony Arberry). Anglesey: Luzac Oriental.
[263] *Ibid.*

[264] Fath al Bari, Sharh Sahih al Bukhari 8/489.
[265] Mernissi 1991.
[266] Thornwell, Emily (1856), *The Lady's Guide to Perfect Gentility.* New York.
[267] *Ibid.*
[268] Mawdudi 1986.
[269] *Ibid.*, p.146.
[270] *Ibid.*, p.144.
[271] Al Albani 1413 AH.
[272] Mawdudi 1986, p. 122.
[273] Bewley 1999.
[274] NVIVO 7 is useful as qualitative analysis software, which, like all such tools, comes with the caveat that it is the researcher who thinks about, analyses and interprets the data and *not* the software. In this research, semi-structured interviews were used so that participants' opinions and views were not constrained in any way. NVIVO 7 was initially used as a tool to give structure to interview transcripts. For the purpose of further analysis, NVIVO 7 was used to organise participants' responses under broad themes; for example, their comments about *hijab* were all collated under the broad theme *hijab*. Patterns and subthemes were then identified within broad themes; for example *hijab* as religious injunction; *hijab* as religious practice; *hijab* as symbolic of identity, modesty, etc. These sub-themes were used to identify and inform the arguments that this chapter makes.
[275] Carey, George (2008), *Balanced Immigration.* Available online at www.glcarey.co.uk/Speeches/2008/Balanced%20Migration.html
[276] For a more detailed discussion on the theological basis of the *hijab* see Roald 2001, pp. 254–94.
[277] Muslims consider the Qur'an to be a divinely revealed document and the unequivocal truth.
[278] The *Sun'nah* consists of narrated traditions from the lifetime of the Prophet (peace be upon him) that document various real-life situations and the advice that the Prophet (pbuh) gave in various situations. Muslims use this to further understand guidelines that they derive from the Qur'an.
[279] *Ijmaa* refers to the consensus of qualified Islamic scholars.
[280] Muslims believe that the practice of *hijab* is a divinely endorsed framework of modesty that has been enjoined upon men and women. *Hijab* is an Arabic word which can refer to the headscarf worn by a Muslim woman; it can also refer to the headscarf worn along with a long, loose outer garment called the *jilbab* (Arabic); another oft-repeated term is the *niqab* (Arabic) which refers to a piece of cloth used to cover the face; and finally *purdah* (an Urdu word) normally refers to a system that includes covering up and strict segregation for women. Most of these terms are used interchangeably or synonymously, depending on the cultural contexts in which they are used. Terms like *burkha* and *abayah* refer to various styles of the *jilbab* or outer garment. For practicality this research will use *hijab* to refer to all the various garments used by Muslim women to cover.
[281] Verse 24:31 of the Qur'an deals with Islamic frameworks for modesty.
[282] Cooke 2001.
[283] Bewley 1999.

[284] Afshar 1994, pp. 127–50; Alvi *et al.* 2003a, pp. xi–xxiv; Haddad *et al.* 2006; Syed 2005, pp. 515–30; Vyas 2008, pp. 15–19.
[285] Azim 1997.
[286] Ahmed 1992.
[287] Lambert-Hurley *et al.* 2007.
[288] Montagu 1837.
[289] Said 1978.
[290] Ahmed, *op. cit.*
[291] *Ibid.*; Bullock 2003; Afshar 2008, pp. 411–27.
[292] Lewis 1996.
[293] Bullock, *op. cit.*
[294] Clarke, L. (2003), '*Hijab* According to the *Hadīth*', in Alvi *et al.* 2003, pp. 214–86.
[295] Thanvi 1998.
[296] Mawdudi 1986.
[297] Khan 1995.
[298] Ahmed, *op. cit.*
[299] Clarke, *op. cit.*, pp. 214–86.
[300] Barlas 2002.
[301] El Saadawi 1980.
[302] Mernissi 1985; Mernissi 1997.
[303] The participant's name has been changed to protect her anonymity.
[304] *Assalam Alaikum* is an Islamic greeting that is commonly used in any Islamic context. It translates to 'May peace be with you'.
[305] *Muhajjabah* is an Arabic terms that refers to 'she who practises *hijab*'. *Hijabi* is a more commonly used term that means the same thing – one who practises *hijab*.
[306] Alvi *et al.*, *op. cit.*, pp. 214–86.
[307] Bullock, *op. cit.*
[308] Hall, Stuart (1992), 'The Question of Cultural Identity', in Hall, Stuart, Held, David and McGrew, Tony (eds), *Modernity and its Futures.* Cambridge: Polity Press; pp. 273–326.
[309] Hall and du Gay 1996, pp. 1–19.
[310] Badr, Hoda (2004), 'Islamic Identity Re-covered: Muslim Women after September 11th', *Journal of Culture and Religion*, 5.3, 321–38; Haddad *et al.* 2006; Williams, Rhys and Vashi, Gira (2007), 'Hijab and American Muslim Women: Creating the Space for Autonomous Selves', *Sociology of Religion*, 68.3, 269–87.
[311] The participant's name has been changed to protect her anonymity.
[312] Hussain, Dilawar (2004), 'British Muslim Identity', in Seddon, Mohammad, Hussain, Dilawar and Malik, Nadeem (eds), *British Muslims Between Assimilation and Segregation – Historical, Legal and Social Realities.* Markfield: The Islamic Foundation; pp 83–118.
[313] The participant's name has been changed to protect her anonymity.
[314] Hall, Stuart, 'Who needs Identity?', in Hall and du Gay 1996, pp. 1–19.
[315] Iqbal, Cameron (2007), 'The Understanding of Cultural Symbols such as the Veil and *Hijab* in Britain and France', *The International Journal of the Humanities*, 5.3, 13–40.
[316] Hall, *op. cit.*

[317] Gõle, Nilüfer (2008), '*Le foulard, symbole d'émancipation?*', *Courrier International*, 905.

[318] *Le Monde*, 8.1.2004.

[319] '*La laicité à l'école et dans la société française*', Presse Internationale, Dec. 2003–Jan. 2004. Available online at www.aidh.org/laic/eur-europ.htm

[320] Samary, Catherine (2007), '*Pour une alternative laïque contre l'étatisme "civilisateur"*', *Topics & Roses*, 15 December.

[321] *La Croix*, 21.5.2005.

[322] Bessis, Sophie (2001), '*L'Occident et les autres: Histoire d'une suprématie*', édition La Découverte.

[323] This philosophy for the *hijab* has been expounded by many writers, including: Dwyer, C. (1999), 'Veiled meanings: Young British Muslim Women and the Negotiation of Differences', *Gender, Place and Culture: A Journal of Feminist Geography*. 6.1, 5–27; Amiraux, V. (2003), 'Veiled discourse on Muslim women in Europe: The feminization of debates over Islam', *Social Compass*, 50.1, 85–96; and Afshar, H., Aitken, R. and Franks, M. (2005), 'Feminisms, Islamophobia and Identities', *Political Studies*, 53, 262–83.

[324] Following the revelations of verse 31 of *Surah An-Nur* ('And say to the faithful women to lower their gazes, and to guard their private parts, and not to display their beauty except what is apparent of it, and to extend their head-coverings (*khimars*) to cover their bosoms, and not to display their beauty') and verse 59 of *Surah Al-Ahzab* ('Say to your wives and your daughters and the women of the faithful to draw their outer-garments close around themselves; that is better that they will be recognized and not annoyed'), the Muslim women began covering themselves completely. This is the origin of the *hijab*.

[325] An extensive discussion on such studies is provided in Bullock 2003.

[326] A study conducted by Sherifa Zuhur (1992) in Egypt found that those who observed the head- and face-covering believed it was a sign of religious identity. Forty per cent of those interviewed who did not cover also stated that they believed it was a religious act.

[327] Examples include Algeria in the 1950s, Egypt following the Six-Day War with Israel in 1967, and Iran following the 1979 revolution. Details of studies in these countries are provided in Bullock, *op. cit.*, pp. 87–95.

[328] All of these reason are explored in Bullock, *op. cit.*, pp. 105–17.

[329] See for example, Ahmed, A. S. (2003), *Islam Under Siege*, London: Polity Press; pp. 36–9.

[330] In May 2004, FBI director Robert Mueller told a Congressional Panel in the USA that 532 attacks against Arabs or Muslims (or Sikhs mistaken for Muslims) had been investigated since 9/11. A study conducted in the USA by Bakalian and Bozorgmehr, looking at the 9/11 backlash against Muslims, details post-9/11 hate crimes against Muslims and how American Muslims responded to this. Bakalian, A. and Bozorgmehr, M. (2005), 'Muslim American Moblization', *Diaspora: A Journal of Transnational Studies*, Spring, 14 1, 7–43.

[331] Dodd, V. (2005), 'Muslim women advised to abandon Hijab to avoid attack', *Guardian*, 4 August.

[332] Cooke, M. (2008), 'Religion, Gender and the Muslim Woman', *Journal for Feminist Studies in Religion*, 24.1, 91–9.

[333] *Ibid.*

[334] *Ibid.*

[335] Silvestri, S. (2008), 'Unveiled Issues. Europe's Muslim Women's Potential, Problems, and Aspirations'. Research Report. A publication of the King Baudouin Foundation.

[336] *Ibid.*, p. 6.

[337] *Ibid.*

[338] *Ibid.*, p. 7.

[339] *Ibid.*, p. 66.

[340] Ahmad, F. (2008), 'Beyond the Hijab as Lodestone', *Journal of Feminist Studies in Religion*, 24.1, 99–101.

[341] Hussain, S. (2008), 'Muslims on the Map, A National Survey of Social Trends in Britain', *International Library of Human Geography*, Taurus Academic Studies; p. xiii.

[342] Cooke, *op. cit.*, p. 97.

[343] *Ibid.*, p. 2.

[344] For a discussion on the social and political reality for Muslims in Britain, see Rehman, J. (2007), 'Islam, "War on Terror" and the Future of Muslim Minorities in the United Kingdom: Dilemmas of Multiculturalism in the Aftermath of the London Bombings', *Human Rights Quarterly*, 29.4, 841–56.

[345] Hussain, *op. cit.*, p. 3.

[346] Ahmed, *op. cit.*, p. 116.

[347] *Ibid.*, p. 117.

[348] Anouar, Majid (2000), *Unveiling Traditions, Postcolonial Islam in a Polycentric World*, Durham: Duke University Press; p. 100.

[349] Safi 2003, p. 3.

[350] An example of a text that is currently being translated is a 40-volume biographic dictionary detailing the Muslim women in history who were *hadith* scholars. The preface is: Akram, M. (2007), *Al Muhaddithat, the Women Scholars in Islam.* Oxford: Interface Publications.

[351] See, generally, Evans, M. D. (1997), *Religious Liberty and International Law in Europe*, Cambridge: Cambridge University Press.

[352] Cases have been brought against the state from Turkey and Switzerland under this provision.

[353] McGoldrick, D. (2006), *Human Rights and Religion: The Islamic Headscarf Debate in Europe.* Oxford: Hart Publishing; p. 8.

[354] ECHR Application No 44774/98.

[355] *Ibid.*, at para. 93.

[356] McGoldrick, *op. cit.*, p. 12.

[357] Bullock, *op. cit.*, pp. 85–135.

[358] Grand Chamber, Judgement 10 November 2005, para 3, Summary Judgement.

[359] *Ibid*

[360] *Ibid.*

[361] R, on the application of Begum (by her litigation friend, Rahman) (Respondent) v. Headteacher and Governors of Denbigh High School (Appellants), U.K. House Lords 15 (2006) UKHL 15.

[362] Tristan, Pierre (2008), 'Moroccan Woman Denied French Citizenship for Her

Niqab', 19 July 2008. Available online at middleeast.about.com/b/2008/07/19/moroccan-woman-denied-french-citizenship-for-her-niqab.htm

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[365] Razack, Shirene (2008), *Casting Out: Race and the Eviction of Muslims from Western Law and Politics*. Toronto: University of Toronto Press.

[366] Bullock, *op. cit.*

[367] Allievi, Stefano (2006), 'The Shifting Significance of the *Halal/Haram* Frontier: Narratives on the Hijab and Other Issues', in Karin van Nieuwkerk (ed.), *Women Embracing Islam: Gender and Conversion in the West*, Austin: University of Texas Press; pp. 120–1.

[368] Tristan, *op. cit.*

[369] *Ibid.*

[370] Kahf, Mojha (2008), 'From Her Royal Body the Robe Was Removed: The Blessings of the Veil and the Trauma of Forced Unveilings in the Middle East', in Jennifer Heath (ed.), *The Veil: Women Writers on Its History, Lore and Politics*, Berkeley: University of California Press; p. 38.

[371] Bowen, *op. cit.*, p. 69.

[372] *Ibid.*

[373] See the various essays in Jennifer Heath (ed.), *op. cit.*

[374] Alvi *et al.* 2003a.

[375] Bullock, *op. cit.*, p. 35.

[376] Badran, Margot (2006), 'Feminism and Conversion: Comparing British, Dutch and South African Life Stories', in Karin van Nieuwkerk (ed.), *op. cit.*, p. 200.

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[378] Bullock, *op. cit.*, p. 134.

[379] *Ibid.*, p. 83.

[380] See online at www.veil-project.eu/

[381] Bullock, *op. cit*, ch. 2.

[382] See online at www.turks.us/article.php?story=20060210122346765

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