

IBRAHIM OLATUNDE UTHMAN

MUSLIM WOMEN IN NIGERIA. THE POSITION OF *FOMWAN*
AND LESSONS FROM ISLAMIC MALAYSIA

Introduction

Islam preceded Christianity in the entity now called Nigeria by 300 years (Fafunwa, 1982, p. 70). Islam was brought by the Berbers of North Africa to the West African country around the early centuries of its advent in Arabia and was already flourishing well by the eleventh century. By the time the Mali Empire began to decline, it was to Nigeria especially the Northern part, such as Kano, Katsina and Zaria that many of its scholars went to settle. The Yoruba in Southern Nigeria still refer to Islam as “*esin Imale*” meaning the religion of Mali (Abdul, 1982, p. 121). Islam was brought by the Berbers of North Africa to the West African country around the early centuries of its advent in Arabia and was already flourishing well by the eleventh century. The late M.O.A. Abdul, the first Nigerian Professor of Islamic studies, explained that at the time the Mali Empire began to decline, it was to Nigeria especially the Northern part, such as Kano, Katsina, Zaria and Yoruba Land that many of its scholars went to settle. Hence the Yoruba in Southwestern Nigeria still refer to Islam as “*esin Imale*” meaning the religion of Mali (Ibid). It was however not until 1550 that Islam had a strong footing in Yoruba land. According to S. Johnson, it was around that time that a Muslim cleric, Baba-kewu reprimanded the *Alaafin* of Oyo for killing some of his subjects because of the death of his son. The King was then compelled to apologize before the people (Johnson, 1976, p. 164). The action of the cleric must have been the result of a strong Muslim presence and influence, hence, J. O. Awolalu established that by 1840, Islam was fully entrenched in Yoruba land and some Muslim communities were already flourishing (Awolalu, 1979, p. 184). A key factor that brought about this influence was the conversions of many of the kings in Western Sudan to Islam. Another factor was the services rendered by Muslim clerics generally to the Kings and warlords in Yoruba land. For instance, Bashorun Ga of Ibadan had a Muslim spiritual mentor who came from Iwo. *Aare* Latosa also had *Shaykh* Bello as spiritual mentor while Alfa Ishaq was the spiritual adviser of *Balogun Akeré* of Ibadan. These Muslim clerics rendered prayers of spiritual fortification especially during wars Abdul Rahmon, 1990, pp. 23-24.

Therefore, Islam was fully entrenched in Nigeria before the advent of Christianity and the Colonial masters.

It was however British Colonialism that came to curtail Islamic influence especially in Nigeria among the Yoruba. Yet the Muslims in Yoruba land including Lagos, the former capital of Nigeria actually still petitioned the British Colonial Government in demanding for their religious rights such as the establishment of the Islamic legal system and Muib Opeloye, the former Dean of the faculty of Arts at Lagos state University and a professor of Islamic studies attributed this to the strong presence of Islam in Yoruba land which had resulted in the establishment of Islamic courts by some Yoruba Muslim traditional rulers in their domains (Opeloye, 2001). Through its educational evangelism which sought to Christianize Muslims and make Christians out of them, the Church succeeded beautifully only in the Southern part of Nigeria but partially in the North. In the South, however, the Muslims resolved to establish Muslim organizations such as the *Ahmadiyyah* Movement and the *Ansar ud- Deen* Society of Nigeria that would in turn found their own schools in order to checkmate Christian evangelization and crusade (Uthman, 2001, pp. 111-117). The schools established by Islamic organizations were open to both boys and girls in the South though the same could not be said about the Northern part of Nigeria where the general pattern was to deny girls access to education because girls once married would be tied to domestic duties which did not require any formal education.

Thus, although the colonial period was in many ways a setback to the growth of Islam, it however produced the impetus for the Islamic revivalism in Nigeria, especially of the *sūfī* order's West African tradition of raising leading female Muslim scholars, professionals and Islamic workers and as once championed by the *Islamization* and reformation efforts of *Shaykh* Uthmān ibn Fūdī through the above-organized societies. Hence, according to al-Ālūrī above, Muslim women have always played a prominent role not only in the economic but also social, religious and even political advancement of the Yoruba society (Al-Ālūrī, 1985, pp. 124-143). They were also incorporated into many mosque meetings called the *Asalatu* groups where they hold sessions for chanting *Dhikr* (Litanies of Allāh) and *Salāh* (the eulogies of the Prophet). The meetings were also used to educate women in the elementary aspects of Islam. Thus, although the colonial period was in many ways a setback to the growth of Islam, it however produced the impetus for the Islamic revivalism in Nigeria of the *sūfī* order's West African tradition of raising leading female Muslim scholars, professionals and Islamic workers through the above-organized societies.

A Review of Islamic Feminism and the Origin of Muslim Women Leadership and Activism in Nigeria.

This section offers an introduction to the main themes and aspirations of the feminist movement especially the version labeled “Islamic”, its nature, various developments as well as its vision and focus. There are as many definitions of feminism as there are many different perspectives in the feminist movement that show that it demands serious study (Hooks, 1999, p. 23). This applies especially in the case of the conditions of Muslim women. But despite the sheer diversity in the backgrounds of those who debate the role and empowerment of women within the Islamic tradition (Badran, 1995, p. 3), the term ‘Islamic feminism’ should only refer to those feminists who are not only studying, but also living Islam based on their firm faith in the Islamic way of life. The term ‘Muslim feminists’ however, should suffice for Muslim women, who are not in this category. This is so while the former group believes in the Islamic message and struggle to actualize it, the latter does not. Hence, the two should not be listed together. Islamic feminist movement as would be revealed is ultimately focused on gaining for women in practical terms all the rights that Islam has granted them, hence the term ‘Islamic feminism’ itself.

Contrary to the widely held modernist and liberalist view of Islamic feminism championed by the likes of Abdullahi an-Na’im (in his *Towards an Islamic Reformation: Civil Liberties, Human Rights and International Law*, 1990 and *Realities and Human Rights in Cross-Cultural Perspectives: Quest for Consensus*, 1992) and Fatima Mernissi (Cooke, 2001, pp. Viii-xxix and 142-148), who have been presented as foremost Islamic feminists but at the same time holds that the social laws even of the Islamic Law support gender inequality sustained by a patriarchal cabal or elite in Islam and are too significant and controversial as scholars in this debate to be left un-noted, this paper reveals how the activities of some Muslim women in modern society represent a new brand of authentic Islamic feminism in the struggle against *Taqīd* or slavish imitation of the legal rulings of Muslim righteous Imāms and jurists which forecloses *Ijtihād* that has stunted *Sharī’ah* Law on the status, rights and obligations of Muslim women.

In regards to the above criticism of the perceived support of gender inequality in the *Sharī’ah* Law, Muslims do not need to set aside the *Sharī’ah* Law. This is because there are internal classical tools of *ijtihad* as explained above which safeguards the universal principles of justice, equity and Human Rights as provided by the *Sharī’ah* Law. For instance, it is well known that right from the time of the Prophet, the feminist question has been debated openly as Muslim women like Umm Salamah above championed the feminist question by questioning the apparent superiority of men over

women hence no mention of women in the assigning of rights and duties. In response to her demand Qur'ān 33, 35, 4, 32, 16, 97 were revealed to contradict the purported gender inequality. This is a clear evidence that there is no support in the *Sharī'ah* Law for the so-called misogynist or patriarchal curtailing of the rights of Muslim women. Though it may be argued that an egalitarian explanation of the *Sharī'ah* Law is not necessarily more Islamic than a misogynist interpretation because it lacks scientific classical methodology but this cannot be further from the truth. Egalitarian interpretation of the *Sharī'ah* Law is not arbitrary or based on the so-called liberal and modernist attempt to re-invent the *Sharī'ah* Law in any way but rather based on the classical *Maqāsid* or the objective based approach to the interpretation of the primary texts of Islam as championed by scholars like al-Shātibī. This is also in line with the classical use of *ijtihād* especially *qiyās* which employs the search for the *maslahah* or public interest and *illah* or intended cause of a ruling in applying it to other similar issues. Some of the contemporary scholars who uphold the *Maqāsid* approach in interpreting the primary texts of Islam include the late *Shaykh* Muhammad al-Ghazzālī *al-misrī*, *Shaykh* Muhammad Shahrur, *Shaykh* 'Abd al-Halīm Abū Shāqqah, *Shaykh* Hassan al-Turābī and *Shaykh* al-Qaradāwī. In fact, al-Albānī a stark classical and traditional Muslim scholar also supports the full participation of Muslim women in public and outdoor activities using pure classical methodology.

The case of 'Ā'ishah is well known, but her greatness is not considered highly in terms of in her intellectual, educational contributions in the fields of Islamic law, history, medicine, astronomy, and hadith literature that have been documented, but more importantly in her socio-religious and political contributions. Contrary to the claim by many western and secular writers, who aim at demonstrating that it is Muslim men who construct and portray women's contributions in Muslim society, the case of 'Ā'ishah is perhaps the most vivid example of how Muslim women in the early days of Islam shaped the Muslim society and constructed its legacy in their own unique ways. In fact, 'Ā'ishah as she challenged leading companions of the Prophet on the narrations from the Prophet and corrected these narrations, was as a Muslim woman, taking active and leading part in construction of almost all the teachings of Islam. Most western and secular writers, such as Spellberg fail to acknowledge this her strength and capacity, when they argue that all the Muslim women in the early days of Islam like 'Ā'ishah could not control the preservation or selection of their words as well as their applications in Muslim societies (Spellberg, 1994, pp. 57-58).

Though Katherine Bullock has identified three brands of feminism - the mainstream pop culture, the sophisticated and the contextual Schools of feminism brands, she places herself in the last brand (Bullock, xv-xvii). This

study however argues that she actually belongs to the above brand of 'Islamic feminism', as Islamic movements are today raising fundamental questions about the visibility, vitality as well as the attainability of the role of Muslim women in the social, economic, religious and even political spheres as well as their responsibilities in the Muslim societies. In contrast to Miriam Cooke above, however, it is only such Muslim women that believe in the authenticity of Islam, as a divine faith and work within the Islamic teachings for a change in their conditions that are identified under the term, "Islamic feminism" in this research.

Islamic Feminism in Nigeria can be mainly traced to the contributions of Islamic reforming movements of the *Qādiriyyah* and *Tijāniyyah* orders especially the Sokoto *Jihād* and *sūfī* scholars under the leadership of *Shaykh* 'Uthmān Dan Fodio (Uthman, 2007, pp. 60-70). The *Islamization* and reformation efforts of *Shaykh* Uthmān ibn Fūdī popularly known as Usman Dan Fodio engendered the eradication of *Takhlīt* (syncretism and mixture of Islam with pagan traditions and rites) prevalent among most of the early Muslims. Thomas Hodgkin has recorded how the Sokoto *Jihād* was a confrontation between a radical reformer who sought to save Islam from animism and a conservative ruler willing to compromise the practice of the religion and therefore opposed the reformation (Hodgkin, 1960, pp. 24-39). *Shaykh* 'Uthmān Dan Fodio viewed such conservative rulers who are willing to compromise the practice of the religion with idolatrous practices as committing an act of disbelief according to popular Muslim opinion (Palmer, 1913-1914, p. 407). According to Michael Ajayi Crowder, the British Historian, the Hausas were not pagans and animists but were Muslims guilty of syncretism by saturating Islam with pagan practices. He argued that the position of *Shaykh* 'Uthmān Dan Fodio as a learned Fulani scholar, caused great concern for the Hausa rulers leading to the confrontation (Crowder, 1962, pp. 80-81). The Hausa rulers ultimately launched a concerted attack against the *Shaykh* and its followers leading to the Sokoto *Jihād*. Hence Ibraheem Sulaiman, a professor of Islamic studies confirms the above point by asserting that the 'persistent inclination to reprehensible and evil customs' which the opponents of *Shaykh* 'Uthmān Dan Fodio held on to engendered the confrontation that led to the *Jihād*. (Ibraheem Sulaiman, 1986).

The observation of Jean Boyd and Murray Last that the *Shaykh's* mother, grandmother as well as the mothers of many other jihādists throughout West Africa in the eighteenth century was learned does not mean that Muslim women's scholarship was not actively and vigorously pursued by the Sokoto caliphate. Female education was a common feature of the mystical orders in West Africa and since the Sokoto *jihād* scholars were inspired by the *Qādiriyyah* order, it is no surprise that they maintained this

tradition of active Muslim women's scholarship. Jean Boyd and Murray Last's interpretation of the female educational system of the Sokoto caliphate as a solution to the problems confronted by post-menopausal, pre-pubescent girls and divorced women, also in no way implies that women of childbearing age who fall outside these categories should not pursue education (Boyd and last, pp. 283-300). *Shaykh* Uthmān Dan Fodio not only showed serious concern over the ignorance of all women but also accused the scholars of dereliction of their religious duty for condoning the deplorable conditions of Muslim women and their ignorance. Against the prevailing norms of the Hausa society at the time which was one of the factors why *Shaykh* Uthmān Dan Fodio's reforming efforts met with stiff opposition from the Hausa rulers, the *Shaykh*, following the Prophet's step earmarked a special time for women's education. His brother Abdullāh Dan Fodio also put the education of women over and above marriage and Purdah for he stated unequivocally that women's "clothing should be seen except on the face and hand". (Uthman, 2007, *op. cit.*)

Women Leadership and Activism in Nigeria and the Federation of Muslim Women Associations in Nigeria (FOMWAN) Shining Examples.

Therefore the above is the antecedents of the ongoing attempts in Nigeria by Muslim women to redress the conditions of Muslim women using Islamic matrices aimed at the eradication of women's oppression in the larger Nigerian society. The Federation of Muslim Women Associations in Nigeria (FOMWAN) formed in 1985 at a conference of Muslim women aimed at restoring the lofty position enjoyed by Muslim women during the Sokoto caliphate era by mobilizing women to play active roles in all aspects of life, promoting their solidarity and uniting Muslim women organizations in the country to speak with one voice on national issues etc. Thus the establishment of FOMWAN must have been necessitated by the challenges of the post independence era, which saw a high number of Muslim women acquiring western education like their male partners. This was accompanied by the increase in their advent into the paid workforce especially as government workers, white collars positions, while some attaining the top echelon of the civil service and the various ministries. A necessity therefore arose to coordinate the religious activities of these educated women and thus FOMWAN was formed. (Ibid). FOMWAN is one Muslim organization in Nigeria that is positioned to care for both Muslim women and their children. It has passed beyond the planning stage and is today practically assuaging women's needs through effective social work. Members of the group although with their meager resources are able to carry out some basic social and civic services. In barely two decades of its existence, FOMWAN char-

ities have entrenched the society into some facets of the lives of Muslim women. Most of the interviewed men and women claim to appreciate and support the activities and efforts of FOMWAN. FOMWAN funds a vast range of fundamental programmes in female and children education, family aids and orphan cares. The scope of its activities encompasses the kindergartens and building of schools for orphans as well as organizing aids distribution for needy women and children. It has further championed campaigns against many Nigerian government policies on family planning, inheritance laws and gender-based sentences passed by *Shari'ah* courts. (Ibid).

In a recent publication of FOMWAN that marked the organization's 20th anniversary, the *Ahmīrah*, Oyo state, Rizqat F. Akinola traces the public, political, economic and gender advocacy activities of a Muslim woman. The article titled *Alhaja Humuoani: Scholar and Merchant* indicates that right from her youth, Umm al-Khayr Alarape Amoke Alaga popularly known as Alhaja Humuoani after attending the Qur'ānic schools and accompanying her parents to trading fares and on trading expeditions took control of mother's trade by the age of fifteen and by the time she got married at the age of eighteen in 1925, she was already into her own textile businesses. She later established her own her own shop on Lebanon Street, Old *Gbagi* Market between 1928 and 1929. In 1930, Alhaja Humuoani, as part of her religious activities, founded a female religious society known as the *Egbe Ifelodun* to educate women on religious matters and carry out social welfare projects. By 1933, she had become one of the most successful merchants at the Old *Gbagi* Market in Ibadan and she had ten clerks in her employment. Con-sequently, she was made *Iya Egbe Alaso* (Leader of textiles dealers) in 1934 and later the cental leader of all the market women in Ibadan. Alhaja Humuoani led the Women Cotton Traders Union in protest in 1938 against the practice of their Lebanese suppliers in undercutting the prices of the women traders. She also led a delegation of Ibadan Textiles Association in 1953 to the Mapo Municipal Council to protest against the imposition of a street trading Ordinance which restricted trading activities. The market women under Alhaja Humuoani's leadership succeeded in their requests in the above and similar protests held in 1964 and 1978 which were opposed to the movement of *Dugbe* Market to a new sites and the killing of demonstrating students by soldiers. In her capacity as the cental leader of all the market women, Alhaja Humuoani was conferred with a chieftaincy title of *Iyaleje of Ibadan* (Leader of all female merchants) during the second coronation of *Oba Shittu Oyetunde 11*, the *Olubadan of Ibadan* (King or Paramount Ruler of Ibadan). In 1953, the year Alhaja Humuoani performed pilgrimage to Makkah, she was appointed on the committee that drafted the plans for the formation of the women's wing of the Action Congress, the

party that later formed the government of the Old Western Region. She was later appointed the deputy leader of the wing to become the first Muslim and non-Christian woman in the executive. In 1958, she also founded the *Isabatudeen* Society of Nigeria with some members of her *Egbe Ifelodun* and she was elected the President. Alhaja Humuoani also co-founded the National Council of Women's Societies (NCWS) and was equally elected the President. Though some members opposed her election into the office because she was not literate in western education, Prof. (Mrs.) F. a. Ogunseye and Alhaja Humuoani's colleagues in the *Isabatudeen* Society of Nigeria, women's wing of the Action Congress and the Market women supported her election because of her chains of achievements. While at the NCWS, Alhaja Humuoani opposed the legalization of abortion and suggested that the government should instead create care centers for the unwanted children. This position is reflective of her holistic Islamic education, which assisted her in resolution of disputes on market, land, family and other matters that affected the lives of women. She did not sacrifice her Islamic values because of her feminist and political activism. In fact her religious fervor spurred her into building a mosque in the *Sango* area of Ibadan which also cater for Qur'anic education where she taught in addition to the teachers she employed. In addition, this fervor influenced the members of her *Isabatudeen* Society of Nigeria to found the *Isabatudeen* Girls Grammar School on 24 January 1964 that became the first Muslim Girls Secondary School in Ibadan.

The above publication by FOMWAN also contains an article titled *Alhaja Seenat: Iya Suna in Osun State* which documents the contributions of another Muslim woman. Alhaja Ogunwale was born over four decades ago and is a successful business woman who is following in the footsteps of her mother, the first *Iya Suna* of Iragbiji. Alhaja Seenat Olalompe Ogunwale was the first president of *Nawair-ur-deen* Society of Nigeria, (women's wing) in Iragbiji, was the first *Amīrah* of FOMWAN in Boriye Local Government, Osun State and is currently also president of all *Alasalatu* groups in Iragbiji and its environs as well as the matron of FOMWAN in Boriye Local Government, Osun State. As parts of her contributions to the growth of Islam, Alhaja Ogunwale mobilized the women *Alasalatu* groups to establish FOMWAN Nursey, Primary and Secondary Schools in Iragbiji in 1995 and 2004. She also established and financed two Qur'anic centers in the town. In recognition of her contributions to the community, Alhaja Ogunwale was appointed a member of the Iragbiji Advisory Council.

What these above two examples demonstrate is that Muslim women have much to accomplish and have accomplished much when they partake in Islamic organizations and religious revival activities. This is the stance of members of FOMWAN. Among leading members of FOMWAN in Osun

state can be found Dr. Mrs. Durosimi, the incumbent National *Amīrah* of FOMWAN and lecturer at the Obafemi Awolowo University (Dr. Mrs. Durosimi, interview by author, 1998). She submits that Muslim women in FOMWAN have succeeded in reforming the life-styles of many of their husbands and families. She believes this exercise is in line with Islamic teachings and that the few Muslims men who prevent their women from joining FOMWAN are beginning to realize their follies.

Muslim Women leaders in Nigeria and Lessons from Malaysia.

A direct result of the above Islamic activism of Muslim women in Nigeria today is the presence of many Muslim women not only in the workforce but also at the top echelon, increase in female participation in outdoor economic activities and white collars jobs and an upsurge in dual-earner families among Muslims. According to a former Imam of the University of Ibadan Muslim community, Noibi, when he came to the University in the post independence era in 1976, there was hardly any presence of Muslim women and certainly no one in Islamic attire (Prof. D. O. S. Noibi, talks and discussions, 1989-2003). Nevertheless, three decades after, the University is not only full of Muslim young women in virtually all disciplines, they also adorn the Islamic mode of dressing. He described the development as a momentous and overwhelming change in the life of the Muslim community in particular and the country at large. What is clear is that Muslim women, while performing their vocations as wives and mothers are also involved in various economic and productive activities that are vital to the well-being and survival of their families. Nigerian women's family relationship has a lot of influence on their performance in their family and work responsibilities as these women in paid work deal with balancing family responsibilities and their formal duties. Accordingly, some women cope better with the help of their husbands, house-helpers and grown-up family relations who assist them with domestic chores (Fapohunda, 1988, pp. 203-212 and Okeke, 2001, pp. 234-251). This is particularly true of Muslim women elites and activists who do not face any significant stress or distress because of their combination of family and work duties mostly because of the family support they receive from their husbands and extended family. Mrs. M. S. Olorode, a prominent member of the *Al-Mu'mināt* the female wing of the Muslim Congress and a senior high school teacher, explained that involvement in Islamic work is not a barrier to most of them that are mothers and career women at the same time (Mrs. Olorode, interview by research assistant and author, 2003/2004). This she attributed to the understanding and of their husbands as well as the assistance of their house helps. To her with the cooperation of their spouses, it is possible for Muslim women to cope with Islamic work and their voca-

tions as professionals and mothers. She explains that her profession as a teacher of seven years has in no way interfered with her primary duty as a mother. Despite her involvement in Islamic work, she has been able to perform favorably well compared with professionals who are either single mothers, unmarried or yet to have children. This is also the view of Mrs. Muhammad, a High Court Judge who concludes from her personal experience as well as the experience of other women that are known to her that home support from the husbands, children and other members of the family plays a very determinant role in the success of women in their vocations as career women and mothers (Mrs. Muhammad, interview by author, 1998).

According to Mrs. Adesina-Uthman, Muslim women in Islamic organizations in Nigeria are successfully combining work with motherhood and wifehood. She however explains that some few women however find it difficult to combine these different roles because of the uncooperative attitudes of their husbands (Mrs. Adesina-Uthman, interview by author, 1998/2004). Mrs. Adesina-Uthman recalls the experience of a working Muslim sister who once gave birth to twins and though she did get a 60-day maternity leave, but she had to start work as soon as it was over. To her "That was really hard", especially "When the twins are so little and still require their mother's attention such as to breastfeed them". She had to put them in a nearby nursery so as to be able to breastfeed them and when she comes back home from work, she is always too tired to do anything- such as changing diapers and here her husband's support came very handy. Mrs. Adesina-Uthman says, this is similar to her own situation after she had her last baby as she continued to work and school at the same time. It is a very sticky situation no doubt but her husband's support did the trick.

However, one area where these Muslim women leaders are facing some constraints is the position of a few but virile Islamic organizations on veiling the face by Muslim women and their seclusion in Islam. Though these Muslim women leaders all agree that the dressing of women like that of men should cover their *'Aurah* or nakedness but they are opposed to the imposition of veiling on Muslim women which came to the limelight in recent times through the Muslim Students' Society (MSSN) and since then the controversy over the veil has been boiling in Nigeria, especially in Yoruba land speaking areas. A major bone of contention among members of the MSSN is female dressing; some of its members even rebuke Muslim women who fail to wear the face-veil that they consider to be the only acceptable proper Islamic dress. They opine that such women are either not Muslims at all or are at best weak Muslims. The belief, which gradually crept into the society has caused a very serious intra religious conflict among the Muslim community and is spreading to other parts of the country. The MSSN which

used to be the most virile and largest Muslim organization in Nigeria is however been torn apart by these sectarian differences. All the details about the issue of veiling a woman's face and other sectarian differences that are considered as fundamental creeds by some members of the society can be found in a publication of one of its chapters (*An-Nur Magazine* (Published by the MSSN, Obafemi Awolowo University Branch), April, 2002).

However, this view that the face-veil is the only acceptable proper Islamic dress for women has largely been regarded by many other Islamic organizations as a strategic position. This is because the few organizations that propagate the view including the Muslim Students Society of Nigeria still appoint some leading Muslim women in the country, most of whom are active politicians, lecturers, business magnets, and civil servants, some of whom barely cover their hair with the ordinary scarves as their matrons, sponsors and even special guests at religious functions and activities. Most Islamic organizations in Nigeria therefore still consider wearing the face-veil as a form of attire by Muslim women not to be compulsory. The practices of veiling the face of a Muslim woman, and her segregation from public life has however always been upheld by these few Islamic organizations. For instance, in Yoruba speaking area of Nigeria, it is prevalent considerably among the *Zumuratu Islamiyyah*, *Islahudeen*, *Lanase*, *Bamidele* and Saudi affiliated Islamic organizations. To these few Islamic organizations, veiling the face by a Muslim woman is not only an Islamic norm but also a compulsory creed whose neglect takes a person out of Islam. Some members of these few Islamic organizations even hold on to the outrageous practice that a Muslim woman wearing the face-veil can only uncover her face on three occasions, in her youthful age before she reaches puberty, on the day of her marriage and when she dies. This is similar to the practice found in some Pakistani regions (Goodwin, 1994, p, 56).

The Muslim women leaders covered by this research reject this view on veiling the face and its attendant segregation of women from public life, Mrs. Adesina-Uthman above, asserts that it is obvious from experience in modern Nigerian and other similar societies that the wearing of outer garments that cover a woman's body is essential for modesty. To her, this simple and modest Islamic dressing is required to safeguard women from unwarranted molestation. She argues that women really need this protection because of some men's willingness to enter into relationship with women even if they have to use force. She supports the face-veil for this reason but she just doesn't view it as obligatory. Mrs. G.Y. Akinyemi, a member of the MSSN and a senior high school teacher, also believes in the need for Muslim women to be properly adorned especially when they are at work. She explains that all they as women are seeking is the right to be humble but

dignified, self-controlled but assertive, and spiritually upright but politically and economically thriving at the same time. Men according to her will only respect women when they dignify themselves and not when they make themselves easy prey for men (Mrs. Akinyemi, interview by a research assistant, 2003). According to the opinion of some of these Muslim women, they desire by upholding the wearing of *hijāb* among other objectives to curb sick men who only perceive women as objects of their lustful gratification and nothing more. They want to divert men from focusing on women's appearances but to rather pay attention to their personalities and minds. They want men to assess women based on moral and academic qualifications and not just chase them around for our bodily charms and physical looks. (Mrs. Olorode, Akinyemi, Monsurat Mustapha, Badmus, Mudathir, Raji, Alarape, Omotosho, Oseni, Adesina-Uthman and Aminah Otulana-Apembe, interview by author and Research Assistant).

Mrs. M. S. Olorode above asserts that to her, the simple and modest Islamic dressing makes a woman conspicuous but respected and honored member of the society. Since she started working for instance some eight years ago, she has always been approached, assessed and accorded with respect by both her fellow female and male workers and even male strangers. This, she strongly believes is connected to her wearing the outer garments prescribed in Islam. So according to Mrs. Olorode, the message men extract from non-*hijāb āb* wearing women is that they are free to have as many lovers among these non-*hijāb* wearing women as they want and never have to be tied down in marriage to a monogamous relationship with one woman ever again. To her, this explains why the average non-*hijāb* wearing women are dated by men, going from men to men for decades at times or worse till eternity without settling down in marriage or not even succeeding in tying just one of these dozens of men down in marriage even when some of these women are badly desperate for marriage. Yet, even the few non-*hijāb* wearing women who are lucky to succeed in tying just one of these dozens of men down in marriage must continue to maintain the façade by dressing even more alluring to attract and so to say "kill" their husbands in order to keep them around in the marriage lest their gaping and roving Casanova husbands spot other younger, prettier and tastier catches.

Mrs. A. O. Alarape and Mrs. R. A. Raji both submit that the Islamic dressing is a symbol of their feminine freedom in a society that imposes shameless degrees of a culture of nudity and immodesty on women. Mrs. Alarape believes that wearing the outer garments prescribed in Islam is dignifying and beautiful for those women who choose to dress in order to achieve self-respect and dignity and not to please the tastes and lusts of men (Interview by author and a research assistant, 2003). Mrs. Raji however

adds that the Islamic modest dressing is no doubt liberating but can become punitive where women are not allowed to choose for themselves and are segregated from public life. This, she argues distorts totally the underlying goal and beauty of the Islamic dressing. Similarly, Mrs. Sekinat Omotosho, a senior high school teacher, views the wearing of the Islamic dress by some women who are nominal Muslims and even secular and western oriented as an indication of their unwillingness to conform to the western culture of nakedness and indignity which reduce women to advertising agents and hostesses instructed to dress in order to please men's roving and lustful eyes (Interview by author and a research assistant, 2003). They have chosen the Islamic dress because it directs attention to their intellectual competence and impressive personality and not their feminine charms.

Mrs Adesina-Uthman concurs on the above point that women unwittingly contributes to some men's depravity and sexual misconduct. She opines that though it takes the two, both men and women to commit immorality yet it is regrettable that women are cooperating with men who seek to turn these women into sexual commodities, sex-workers and traffickers when they, the women, more than the men, have perhaps been the greatest victims of this sexual liberalism, not only because Nigerian campuses and in fact the larger societies are becoming increasingly unsafe as women have to live under the constant fear of rape and other forms of harassment, but more because the women seemly encourage men by their shameless attires. Though in Nigeria, the stigma attached to victims of rape has prevented the reports of such incidents, thus making the statistics of rape virtually unavailable, there have been cases of rape in many Nigerian universities especially among rival secret cult groups and their members as well as in the larger society (Federal Ministry of Justice, "Women and Children under Nigerian Law", *Law Review Series*, Vol. 6).

Though their decision to adorn the *hijāb* is at times met with harsh opposition, most of these women have refused to be daunted. There was the case of some parents at the University of Ibadan who tore their daughter's *hijāb* to pieces in public all because they saw wearing the *hijāb* as "uncivilized". Hundreds of Muslim female students at the Universities, Polytechnics and colleges of education in Nigeria are facing or have faced the confrontations over the *hijāb* at one time or the other. Some students in fact witness opposition from government owned institutions where they have been barred from attendance at classes because of *hijāb*. One such incident took place at college of Education staff school in Ikere Ekiti where a female Muslim student was asked to remove her *hijāb* if she wanted to continue schooling there. As a matter of fact, the guardian of the *hijāb* wearing

student was summoned at the college of education when his ward refused to remove the *hijāb* (Uthman, 2002, pp. 80-86).

The above misgivings regarding the *hijāb* wearing students and women as well as the larger issue of women status under the application of the *sharī'ah* in Nigeria which does not protect women from possible sexual violence, assault and coercion, instead it is willing to punish the victims of such assault, making men violate and rape girls and women with impunity as long as they make sure that there are no witnesses to their crime and women and girls who are victims of rape or coercion having their situation further compounded as they are subjected to charges of both *zinā* and *Qadf* (false sexual accusation against their molesters) have clearly underscored the need for Nigerians, especially the *sharī'ah* operators in Nigeria to learn a lot from the practice and implementation of the *sharī'ah* in Malaysia. The status of Muslim women in Nigeria has undergone a rather revolutionary transformation since the political transition in the country from military to civilian regime in 1999. The primary manifestation of this has been the enforcement of the criminal aspects of *sharī'ah* leading to increases in cases of assault against women which feminists like Ayesha Imam, the human rights prize winner, lawyer, and scholar, who carried the struggle to free women victims of the *sharī'ah* Law in Northern Nigeria to the United Nations and got the attention of the international community, have opposed and described as dramatic. They argue that this development has led to increases in cases of assault against Muslim women in Nigeria, especially in domestic matters (Imam, 1991, pp. 4-18 and 1994, pp. 3-5). Baobab where Imam was a regional coordinator has documented numerous instances where the implementation of the *sharī'ah* criminal provisions have violated women's rights, justice and security while protecting those men who harass, molest and rape women and girls. In all these cases, women were sentenced in similar circumstances based on circumstantial evidences for *zinā* which is defined as sexual intercourse by a man or woman through the genital of a person over whom he has no sexual rights and in circumstances in which no doubt exists as to the illegality of the act (Uthman, 2007). Baobab and Amnesty International have documented how lower courts that handed down such sentences do not have penal jurisdiction and lacked adequate *sharī'ah* training and also urged the Nigerian federal authorities to guarantee the constitutional right of appeal for all those condemned under *sharī'ah*-based penal codes ensuring that they are able to appeal to higher jurisdictions not only at state level but also at Federal level (Ibid). In addition, these cases emphasized that *sharī'ah* Law as practiced in Northern Nigeria, does not protect women from possible sexual assault and coercion, instead it is willing to punish the victims of such assault. The clear implication of not pursuing the allegations of rape as right-

ly pointed out by Ayesha Imam and others is that men would violate and rape girls and women with impunity as long as they make sure that there are no witnesses to their crime. On the other hand, women and girls who are victims of rape or coercion have had their situation further compounded as they are subjected to charges of both *zinā* and *Qadf* (false sexual accusation against their molesters).

Consequently, over time, Muslim women activists have found compelling reasons or needs to call for the rights and protections of women. According to them, the manner of implementing the *hudūd* has contributed in no small measure to the vulnerability of women to abuse in many forms, by creating conditions in which this abuse can be perpetrated with relative impunity. They wondered why the evidence of a woman should be accepted when she confessed to committing an offence yet her evidence is not good enough for her fellow male culprits and when she retracts her confession, it is not accepted in a religion that has set very high and impeccable standards for the procedure of establishing the commission of *zinā*. They therefore call for total overhaul of the operation of the *sharī'ah* law especially in respect of the *hudūd* application to Muslim women. The above misgivings regarding the application of the *sharī'ah* have opened up debates that have taken a highly public form, notably in the cases of Muslim women sentenced to death. According to Hajiya Bilkisu Yusuf (mni) editor, Citizen Communications, Kaduna and a leading member of FOMWAN in Nigeria, the *sharī'ah* law in Nigeria has been reduced to a body of laws in the hands of poorly trained and incompetent judges and ill equipped supervisors whose only pre-occupation is to fish out women who commit adultery. Currently, she reveals that only poor women and men seem to be the convicts of the *sharī'ah* courts while the elites and the rich appear to have some inbuilt immunity from *sharī'ah* laws (Ibid).

The above as already recommended by this author clearly points to the need to adopt the use of forensic evidence to determine culprits of sexual offences under the *sharī'ah* in order to protect women's rights to justice and security while punishing those men who harass, molest and rape women and girls. In this respect, the *sharī'ah* operators in Nigeria can learn a lot from the implementation of the *sharī'ah* in some parts of the Muslim country especially Malaysia. This is because by the late 90s, many Muslim scholars had come to terms with the projection of the country as an Islamic state following the appointment of the immediate past Prime Minister of Malaysia, Dr. Mahathir Mohamad in 1981. Such Muslim scholars like the *Shaykh al Azhar*, Muhammad Tantawi, Yūsuf Qarādāwī, the late Muhammad al-Ghazālī, have at one time or the other hailed the Malaysian model of an Islamic state (New Straits Times, Kuala Lumpur, March 24 1997). In fact,

many commentators had expressed their marvel at how the country was grasping with the concept of a modern day and Islam as a religion (Khuri, 1998). The whole world was therefore not taken completely unawares when in 2001; the then Prime Minister, Dr. Mahathir Mohamad finally boldly declared that Malaysia was an Islamic country (New Sunday Times, Kuala Lumpur, September 30 2001). What is rather shocking about this modern Islamic state is that the *hijāb* wearing students and women who are usually portrayed as backward and oppressed by a patriarchal Islam and who therefore need to be emancipated are in fact playing a leading role in all sectors of the 'Islamic Malaysian' Society. The visibility of Malay Muslim women who make up about half the Malaysian population today could be said to reflect what this author has earlier termed the re-emergence of the phenomenon of authentic Islamic feminism (Uthman, 2005). This phenomenon of authentic Islamic feminism can be said to have begun in Malaysia with the publication of Kāssim Amīn Bey's *Tahrīr al-mar'ah* under the title *Alam Perempuan* in Penang in 1930 and according to Che Husna, this emancipation for Malay women could only come through an ideology that would support their education. Since its independence in 1957, Malaysia has engendered a remarkable women's entry into the paid labor. Their percentage has increased from about 30% in 1957 to about 48% in 1995. This rise was possible with the new-found oil wealth in the 1970s and the heavy investment by the Malaysian government in social reconstruction, industrialization and education especially for women (Uthman, 2006).

Today Malay Muslim women enjoy basic constitutional rights. They enjoy the freedom to vote, run for office, pursue education and hold administrative and political positions as notable as university presidents and government ministers. Contrary to the claim of the Norwegian Professor, Ingrid Rudie, the Islamic revival in the 1980s has not curtailed the rights of Malay Muslim women. Her submission that the Malay husband had the right and duty to sanction his wife's movement contradicts the realities of today (Ibid). The emergence of Malay women in administrative and political positions has changed the power relations in the family and society. This followed the massive recruitment of Malay Muslim women in to the paid labor force after the 1970s economic boom from oil. Thus the equations of power in Malaysian families actually changed and women took over the reins of power in not only the domestic realm but also in many administrative and political positions. Malaysian Muslim women took over the reins of power in marriage. With the DVA or Domestic Violence Act was enacted in 1994, Muslim women could seek protection from domestic violence. It was enacted to grant both civil and criminal remedies for victims of domestic violence such as in matters of maintenance, custody, divorce, assault, beating,

physical and sexual threat. It enables a battered spouse to apply for protection order or injunction without asking for divorce and even though, it does not recognize marital rape, it allows a woman to abstain from sexual relations if she has obtained an injunction restraining the husband from having sexual intercourse with her (Ibid).

In addition, before a man can marry a second wife, he has to obtain permission in writing from the *Sharī'ah* court with evidence that he can satisfy certain conditions. A *Sharī'ah* Judge for instance, did not entertain Wan Mohd Yusof and Abdul Wahab's applications for a second wife in 1990 because they could not satisfy any of the conditions. Though the provisions on polygamy were not enforced in Kelantan, Terengganu and Perak which accounted for the high cases of the practice in the past, with the circular of the Chief *Qādi* of Kelantan in 1991 to refine and improve the process of polygamous marriages, the applications for the practice have decreased. So also, the IFLA recognizes the wife's rights to maintenance, divorce, *Mut'ah* or consolatory gifts after divorce without just cause, her share of jointly owned property, inheritance, custody of children and protection from violence including statutory rape. In short, generally according to Zaleha Kamaruddin, who teaches law at the International Islamic University, Malaysia and a former Dean of the Centre for Postgraduate Studies, the Malaysian Muslim woman is well off than her colleagues elsewhere yet because most of these women have not received adequate education in respect of the Islamic law; they suffer discrimination from court officials. She therefore suggests certain measures to improve the conditions of Muslim women (Ibid).

A key area of the implementation of Islamic civil laws in Malaysia that is of serious significance to this paper is in the use of forensic evidence as an integral part of admission of evidence. Today in Malaysia, forensic evidence has performed many wonders in the apprehension of unknown perpetrators of many heinous crimes, especially where women are the victims such as rape and even stark murder. For instance, in a celebrated case of a six-year-old girl that was murdered, the perpetrator was eventually caught six years later because of his hair, skin and other materials which was found in the fingernails of the victim who scratched her attacker. It was this evidence that the DNA used in nailing him for the crime. The DNA profiling includes finger and toe prints identification and the laboratorial analysis of blood and semen and is therefore pure medical, pathological and other sciences (*The Sun*, Kuala Lumpur, Sunday 26 June 2004). The adoption by *sharī'ah* courts of such forensic evidence in Nigeria as rightly noted by a researcher would have prevented some of the most celebrated misjudgments in cases involving the rape of Muslim women such as that of Bariya Ibrahim (Shah Haneef, 2005, p. 126).

The polemics among the classical schools of *fiqh* to accept or not to accept forensic evidence can no longer hold water. As argued by the S. S. Shah Haneef above, the *sharī'ah* is in support of the use of forensic evidence. Its use is supported by many Islamic texts such as the Prophet's acceptance of the evidence of an expert on facial comparison for Usamah's paternity and Umar's acceptance of Ali's soaking an egg-stained cloth in water which turned out to be white solid yoke to ascertain a woman's allegation that a man raped her. She had submitted the egg-stained cloth as evidence (Ibid, 123). Acceptance of forensic evidence is also supported by the *sharī'ah* principle of removing hardship from the people as well as establishing proof beyond reasonable doubt which informs Ibn Qayyim's argument that whatever establishes justice is an integral part of Islamic law because Allah the just when specifying ways of establishing justice would not overrule other emerging more reliable and strong evidence (Al- Jawziyyah, p. 13).

Conclusion

This paper has traced the activism of Muslim women leaders in Nigeria and how Islamic female organizations especially FOMWAN in Nigeria represents hope for the regeneration of the decayed status of Muslim women in Nigeria. The paper has further revealed that Muslim women's intellectual religious and political leadership in Nigeria is addressing and arresting the relegation of Muslim women through active and full participation in both Islamic work and other public roles in addition to their roles as mothers and wives. As Muslim women make leadership inroads into all fields in Nigeria, they are learning to devise approaches in maintaining Islamic decorum and eliminating practices harmful to women. These Muslim women while upholding the decent Islamic dressing on the one hand in their Islamic activities, however oppose the imposition of the face-veil and other harmful practices in the name of the Islamic law on the other hand. Consequently, the research calls for and recommends the adoption of the Malaysian example because Malaysia is today a modern Islamic state that has come to terms with modernity and Islam as well as the leadership roles of Muslim women and reformation in the application of *sharī'ah* especially as far as Muslim women are concerned and it defends the adoption of forensic evidence as upheld by some *sharī'ah* scholars and schools of *fiqh* and as already in vogue in Malaysia. Today, it is possible to apprehend criminals for many crimes such as rape because there are modern means of obtaining evidence for the crime such as DNA tests to examine the sperm of the alleged rapists, examining their fingers and palms' prints on the body of the alleged rape victims.

Bibliography

- Abdul. M. O. A., *The Historical Origin of Islam*, Lagos: Islamic Publications Bureau.
- 'Abdullāh Adam Al-Ālurī, *Al-Islām Al-yawm Wa Gadān Fī Nayjīriyyah*, Egypt: Matabi 'Al-Mukhtar Al-Islāmī, 1985.
- Abdullahi an-Na'im, *Towards an Islamic Reformation: Civil Liberties, Human Rights and International Law* Syracuse, Syracuse University Press, 1990 and *Realities and Human Rights in Cross-Cultural Perspectives: Quest for Consensus* Philadelphia, University of Pennsylvania Press, 1992.
- Abdul Rahman M. O. A., "A Thematic and Stylistic Study of Arabic Poetry in Ibadan, 1876-1976," Doctoral dissertation, University of Ibadan, pp. 23-24.
- Awolalu J. O., *Yoruba Beliefs and Sacrificial rites*, London: Longman, 1979.
- Badran Margot, *Feminists, Islam and Nations: Gender and the Making of Modern Egypt*, Princeton: Princeton University Press, 1995, p. 3.
- Boyd D. and D. M. Last, "The Role of Women as Agents Religieux in Sokoto," *Canadian Journal of African Studies*, Vol. 19, No. 2, pp. 283-300.
- Bullock Katherine, *Rethinking Muslim Women and the Veil: Challenging Historical & Modern Stereotypes*, Herndon, USA: The International Institute of Islamic Thought, 2002. Cooke Miriam, *Women Claim Islam: creating Islamic feminism through Literature*, New York: Routledge, 2001.
- Crowder Michael Ajayi, *the Story of Nigeria*, London: Faber and Faber, 1962.
- EleanFapohunda Eleanor R., "Urban Women's Roles and Nigerian Government Development Strategies," in *Sex Roles, Population and Development in West Africa*, ed. Christine Oppong, London: James Currey, 1988.
- Fafunwa Babs Aliu, *History of Education in Nigeria*, London: George Allen and Urwin, 1982.
- Goodwin Jan, *Price of Honour: Muslim women lift the Veil of silence on the Islamic World*, Boston: Little Brown and Company, 1994.
- Hodgkin Thomas, *Nigerian Perspective: An Historian Anthology*, London: Oxford University Press, 1960.
- Hooks Bell, "Feminism: A Movement to End Sexist Oppression" in *Feminism* eds. Sandra Kemp and Judith Squires, Oxford: Oxford University Press, 1999.
- Imam Ayesha, "The Development of Women's Seclusion in Hausa land, Northern Nigeria" in *Women Living under Muslim Laws Dossier 9/10*, 1991, pp. 4-18 and "Introduction to Islam, Islamization and Women in Africa," in *Women & Islam in Africa Series No.1*. Grabels, France: WLUML Research Information and Documentation Unit, 1994, pp. 3-5.
- al-jawziyyah Ibn Qayyim, *al-turuq al-Hukmiyyahfi al-Siyasah al-Shariyyah*, Ed. Muhammad Jamil Ghazali, Cairo, Dar al-Madani, N.D., 13.
- Johson S., *The History of the Yorubas*, Lagos: CSS Bookshop, 1976.
- Khuri R. K., *Freedom, Modernity and Islam- Toward a Creative Synthesis*, Syracuse: Syracuse University Press, 1998, p. 6. Okeke Philomina, "Negotiating Social Independence: The Challenge of Career Pursuits for Igbo Women in Postcolonial Nigeria," in "Wicked Women" and the Reconfiguration of Gender in Africa, eds. Dorothy Hodgson and Sheryl McCurdy, Oxford: James Currey, 2001.

- Opeloye Muib, "Building Bridges of Understanding between Islam and Christianity in Nigeria," in *Lagos State University Inaugural lecture series*, Lagos: Lagos State University, 2001.
- Palmer H. R., "An Early Fulani Conception of Islam," *Journal of the African Society*, xiii 1913-1914, p. 407.
- Ramadan Tariq, *Western Muslims and the Future of Islam*, Oxford: Oxford University Press, 2004.
- Shah Haneef Sayed Sikandar, "Forensic Evidence: A Rethinking and Evidential weight in Islamic Jurisprudence" *Journal of Islam in Asia*, International Islamic University, Malaysia, Vol. 2 No. 1, 2005, p. 126.
- Spellberg Denise A., *Politics, Gender and the Islamic Past: The legacy of Aisha bint Abi Bakr*, New York: Columbia University Press, 1994, pp. 57-58.
- Sulaiman Ibraheem, *A Revolution in History*, London: Mansel Publishing Limited, 1986.
- Uthman Ibrahim Olatunde, "Feminism in Postmodern Society: An Islamic Perspective," *Journal of Islam in Asia*, Vol. 2, No. 2, 2005, pp. 131-150.
- , "The Institution of Jihad and the Yoruba Experience" *Journal of Arts and Social Sciences*, Adeniran Ogunsanya College of Education, Vol. 3, No 1, March, 2001, pp. 111-117.
- , "Muslim Women in Nigeria between Post-modern feminism and Religious fanaticism: the case of the Islamic law" in *Revisioning Modernity in the Eyes of Religion* eds. M.A. Folorunsho et al, *Book of National Association for the Study of Religions and Education*, (NASRED), March, 2007, pp. 60-70.
- , "The role of Arabic and Islamic Studies in a Secular Society" *Journal of the Nigerian Teachers of Arabic and Islamic Studies*, Vol. 6, No 2, 2002, pp. 80-86.

SUMMARY

The paper in line with the need to capture the 'feelings, experiences and perspectives' (Bullock, 2002, pp. 35-40) of Muslim women who hold tenaciously to the Islamic creed and its tenets, presents a study of educated, experienced and committed Muslim women within Islamic organizations. These women who are playing leading roles in religious, administrative, educational, economic and political spheres in contemporary Nigerian society falls under the typology of Islamic feminism as earlier articulated by this author (Uthman, 2005, pp. 131-150). As observed by Tariq Ramadan, the movement that affirms the liberation of Muslim women within and through Islam itself is afoot, maintaining complete fidelity to the principles of Islam (Ramadan, 2004, p. 141). It focuses on Muslim women leaders leading the Federation of Muslim Women Associations in Nigeria (FOMWAN) in Nigeria using the examples of especially two Muslim women process of attaining leadership after rising through the follower-ship cadre. Thus, the paper explores the role of Muslim Women leadership in their Islamic activism to eradicate harmful practices such as Domestic Violence against Muslim in Nigeria and shows the extent their Islamic activism and leadership in contemporary Nigerian society can borrow from the Malaysian experience. Malaysia is a country that is today regarded as a model for a

modern Islamic state. The whole world was shocked when in 2001; the then Prime Minister, Dr. Mahathir Mohamad boldly declared that Malaysia was an Islamic country. It is even more shocking that Muslim women who are usually portrayed as backward and oppressed by a patriarchal Islam and therefore need to be emancipated are in fact playing a leading role in all sectors of the 'Islamic Malaysian' Society as by the late 90s, many Muslim scholars had come to terms with the projection of the country as an Islamic state (New Straits Times, 24 March 1997). How the country is grasping with the concept of modernity and Islam (Khuri, 1998, p. 6), especially as it affects Muslim women; will be of immense benefit to Muslim women in Nigeria.

UNIVERSITY OF IBADAN LIBRARY