

Current Issues: A Shi'ah Reflection

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This book review assesses some articles that are presented in this compendium under the third category, which is related to human rights and social issues. It contains three articles which will be reviewed in the same order they appear in the book.

In the article on gender and human rights issues, titled *Hijab: the Qur'anic theory and the answers to the most common questions*, Professor Al-Hakim criticises the Western approach to defining and devaluing hijab, and Muslim women who choose to follow the Islamic dress code.

Professor Al-Hakim's approach is meritorious as he unties knots that are tied on seemingly sweet slogans, but that are in reality based on questionable philosophies, such as feminism. The article has effectively been able to peel off misguided judgements on hijab, and concentrates on encouraging it, even for non-Muslims, because it proliferates public decency. Indeed, any rational mind will be in harmony with hijab after reading this article, which approaches the matter pragmatically. Appreciation must also be extended to the answers given to contemporary issues surrounding this sensitive topic, such as the banning of hijab in France.

Whilst the effort that has gone into this article is duly acknowledged, it would have been more complete if, under the subtitle, "The historical context and Qur'anic theory", it had explored the fact that Islam did not initiate the laws pertaining to hijab, but rather just modified and upgraded them. The author could have brought forth examples and referents from history, and this would have made the article more suited to a broader range of individuals and backgrounds.

The author was effectively able to paint a picture of modesty in

Islam, yet for a mindset that may be hesitant to appreciate the Islamic approach – however rational it may be – a discussion under relativism could have solved this issue because feminism itself is a referent of relativism. Furthermore, the three types of relativism – liberal, radical, and cultural – and their numerous branches – are in conflict with one another. This would then lead a rational mind to question: what rights does an individual have, and who is to determine this?

The article should then have proceeded to prove how God is the sole being, who has the right to legislate laws for His creation, and that He alone sustains the right. I would highly encourage this article to young Muslims and inquisitive minds –regardless of religious dedication – that have questions and are yearning to learn. It is, by far, one of the most excellent articles written on the topic.

I have no hesitation in rating the next article highly: *Human Rights, Feminism and the Muslim woman's identity*. The title of the article is somewhat catchy due to the controversies and ambiguities it involves. Professor Al-Hakim has done a marvellous and assiduous job in discussing a much-needed understanding of three key areas: human rights, feminism, and the Muslim woman. The article is multifaceted as it thoroughly discusses many other related topics under the main title. His aim in the article is to explain the feminist position regarding human rights in two groups: the sceptical and the realistic, finally drawing a conclusion.

The flow, in which the author selects titles one by one, is commendable because answering follow-up questions saturates thinking. And he skillfully grounds the whole discussion on the sacred message of Islam and the Holy Prophet, who was a reformer and a true example for all peoples. Finally, he calls for the promotion of Qur'anic human rights in international institutions while upholding the purely Islamic principles of balanced equality between men and women.

While the article's title may interest most, it will be highly appreciated by academics more than general readers. The pen and content are appropriate for a specific group of people who enjoy thorough

investigation on topics such as prosody and intonations in general understanding and in the Arabic language specifically. Professor Al-Hakim's effort in giving a unique look at intonations when discussing texts pertaining to women's rights in Islam is much appreciated. The writer argues that Arabic is an intonation-based language and should be treated with that in mind.

Professor Al-Hakim further elaborates that it is due to human error that Arabic has been unable to grasp a textual writing of a verbal statement. Therefore, he has innovated a theory: *al-anmāṭ al-ṣawtiyya al-kalāmiyya* (the different phonological approaches of intonational forms). In the article, Professor Al-Hakim further encourages using the theory for the better understanding of sacred texts, especially those that are focused on women's rights, because on some occasions, women have been deprived (by androcentric systems) of what could justly be their right.

Whilst I am amazed at the ideas and attention to the subject matter, I must also argue that this theory is not always applicable to the most sacred texts, such as many verses of the Qur'an and narrations, because there is no longer a source to reach the correct intonation. Seeking further guidance from the experts in the field, they were all of the opinion that it is extremely difficult to determine the intonation of these sacred texts. For example, the word *ṣalli* (pray) has at times appeared in verses and narrations as is, and a reader may not be able to understand the exact intonation.

Professor Al-Hakim has succeeded in bringing a new perspective into this field. The theory can contribute in rephrasing many Islamic laws and drawing different conclusions. I certainly hope that the theory is further looked into by the experts of this subject, and can be of use in contemporary *ijtihād*. The article is an engaging read for those engaged in this area and I highly recommend it to all seminary students, especially those that may produce further research on it.

In the article *Flexible marriage (Al-Mut'ah)*, Professor Al-Hakim disproves many misconceptions and prejudices surrounding flexible

marriage by demystifying the allegations against it, and supporting it with historical and Qur'anic proofs. The writer has methodically and artistically stripped away most misunderstandings and ambiguities regarding flexible marriage to show its real purpose and function for a healthy society.

From the beginning of the abstract to the end of the article, the writing is impressive, fluent, and reader-friendly. The Arabic terms in italics are helpful for a better understanding of equivocal words in English. The very first paragraph caught my attention and answered my question with the definition of "fixed-period marriage". I had these very same questions in my younger days and I was often asked about *mut'a* – in fact, it was as if the identity of a Shi'a was one who believed in *mut'a* – and this article is the answer to many young minds that either want to learn more or simply want to understand what to say when asked.

The comparatives drawn in the article with Christian philosophers, their challenges and observations, and proposals for solutions in their societies are also much appreciated. This article is a must-read for all Muslims and non-Muslims, especially those that are well-versed in Western history and have ambiguities regarding flexible marriage in Shi'i Islam.

An in-depth consideration of this subject, such as this article, is just what society needs. However, an extra section in the article, under the subheading of, for example, "*mut'a* in other Islamic schools of thought" would have opened a new horizon for a large number of Muslim readers. After all, *mut'a* seems to always be a topic of interdiction in other Islamic schools of thought. Furthermore, a concise account on *misyār* and *ʿurfī* marriages, accepted by some Sunnī scholars, would have completed the discussion on this controversial topic. It would be refreshing to see a discussion on the brief history of *misyār* and *ʿurfī* marriages, and also a comparison between *misyār* and *mut'a*. These elements would have made the article more comprehensive, and much more relatable by any person in the east or west.

I would highly encourage this article to be included in all *madrassa*

and Muslim school curricula. I would also encourage that it be made accessible to all public libraries, regardless of religious inclinations.