

# INSIGHT

## WOMEN AS MUFTIS IN ISLAMIC HISTORY

Continuity and Change Across the Centuries



# Women as Muftis in Islamic History: Continuity and Change Across the Centuries

## Introduction

In the early 8th century, the Umayyad Caliph ‘Abd al-Malik ibn Marwān sat humbly on the ground as a student in the class of a renowned woman jurist, Umm al-Dardā’ al-Ṣuġhrā, in the great mosque of Damascus . Over a millennium later, in 2017, an unprecedented congress of over 500 Muslim women scholars (*ulamā’*) in Indonesia issued fatwas addressing child marriage, sexual violence, and environmental degradation . These snapshots—separated by vast distances in time and place—challenge the common presumption that the role of the *mufti*, the issuer of Islamic legal opinions (*fatāwā*), has always been an exclusively male domain. In reality, Muslim women have served as muftis and legal scholars throughout Islamic history, sometimes prominently and at other times in relative obscurity, depending on the social and political climate.

This paper provides a comprehensive and academically rigorous examination of the phenomenon of Muslim women issuing fatwas across all major periods of Islamic history and regions of the Muslim world. It surveys the theological and jurisprudential foundations that establish the permissibility of women serving as muftis, then traces their contributions from early Islam (the Prophetic and Rāshidūn eras) through the Umayyad, Abbasid, and Ottoman periods, and into modern times. Rather than a mere collection of biographies, the focus is on the *phenomenon* of female legal authority: how and why women were able to issue fatwas in various contexts, and what factors enabled or restricted their participation. Key historical examples are used to illustrate broader trends in each era. The paper also analyzes the social, political, and scholarly environments that influenced female iftā’ (fatwa-giving), including the role of educational pathways and scholarly networks—such as the female *muḥaddithāt* (hadith transmitters) and *faqīhāt* (jurists)—that prepared women for fatwa work. Finally, the evolution and current realities of female muftis are examined, highlighting modern developments like state-appointed female muftis, women’s inclusion in official fatwa bodies, and new trends in female Islamic scholarship.

Throughout, primary Islamic sources and reputable scholarly works are cited to ensure historical accuracy and depth. By bringing together evidence from Qur’ān and ḥadīth, classical jurisprudence (*fiqh*), and contemporary research, the paper demonstrates that women’s involvement in iftā’ is deeply rooted in Islamic tradition . It also critically assesses the reasons for the ebb and flow of this phenomenon over time—engaging in self-reflection on potential biases in historical narratives and the

challenges in interpreting sparse records. The aim is to provide an insightful, nuanced portrait of Muslim women's legal authority across fourteen centuries, showing how female muftis were not an anomaly but a recurring thread in Islamic history, one that is being revitalized in the modern era.

### Theological and Jurisprudential Foundations for Women Issuing Fatwas

From an Islamic theological and legal standpoint, there is no inherent barrier to women issuing fatwas. The Qur'ān and Sunnah emphasize the pursuit of religious knowledge as a duty upon every believer, male and female. A frequently cited Qur'ānic verse states: *"The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong..."* (Qur'ān 9:71). Classical scholars interpreted this verse to mean that men and women share responsibility in upholding Islamic teachings in society, which includes the duty of *fatwā*: advising and guiding others in religious matters. The Prophet Muḥammad ﷺ himself directly taught women in his community, encouraging them to ask questions and correct their misunderstandings. His wife 'Ā'ishah bint Abī Bakr, for example, praised the women of Medina for their boldness in seeking knowledge: *"How excellent are the women of the Anṣār; shyness did not prevent them from learning about their religion."* This Prophetic approbation set a precedent for women's active engagement in religious discourse.

Crucially, classical jurisprudence does not prohibit women from becoming muftis. The qualifications for being a mufti were outlined by scholars based on knowledge and piety, not gender. Imām al-Nawawī (d. 1277 CE), the eminent Shāfi'ī jurist, enumerated the conditions of a mufti in his legal compendium *al-Majmū'*: the mufti must be an adult Muslim of sound mind and character, deeply knowledgeable in Islamic law, able to derive rulings from the sources, and known for honesty and uprightness. Nowhere does he require this person to be male. In fact, Nawawī explicitly states that these qualifications apply equally to "a free man, a slave, a woman, or a blind person" – even a person unable to speak may issue fatwas if they can write or otherwise convey their answers. Other jurists from various schools echoed this position. Ibn Ḥamdān, a Ḥanbalī authority, similarly did not list maleness as a condition for *iftā'*. The underlying reasoning is clear: issuing a fatwa is fundamentally the act of expounding on Allah's law, which requires knowledge and sincerity, qualities accessible to both men and women.

A distinction was often drawn by classical scholars between *iftā'* (giving legal opinions) and *qaḍā'* (serving as a judge). Some medieval jurists debated whether women could serve as judges in court (with opinions ranging from full exclusion, to partial allowance



in non-criminal cases, to full allowance in the Zāhirī school), since a judge's ruling is binding. Fatwas, however, are non-binding legal opinions, which the questioner (mustaftī) may choose to follow or not. Therefore, even scholars who were hesitant about female judges did not impose the same restriction on female muftis. In the words of a modern fatwa from the Federal Territories Mufti office, "issuing fatwa is not the same as ruling in the courtroom... a fatwa is not *mulzim* (enforceably binding) on the questioner", hence there is less rationale to bar women from iftā'.

Indeed, the historical record shows that the earliest generations of Muslims included women who issued fatwas and were recognized for their knowledge. The Prophet's wives and female Companions often answered questions on religious matters posed to them by both women and men. Ḥadīth compilations and biographical dictionaries record that after the Prophet's death, his widow 'Ā'ishah (ra) was frequently consulted by the Companions and later Muslims on issues of law and theology. The respected traditionist Imām al-Zuhrī (d. 742) stated: *"If the knowledge of 'Ā'ishah were gathered and compared to the knowledge of all other wives of the Prophet and all other women, 'Ā'ishah's knowledge would surpass them"*. In particular, 'Ā'ishah's closeness to the Prophet made her an authority on matters like inheritance, family law, and ritual practice. It is recorded that the senior Companions would defer to her opinions; the successor Masrūq said, *"I saw the elders of the Companions of Muhammad asking her about the obligations of inheritance"*. Similarly, Umm Salamah (another wife of the Prophet) was known to give legal counsel, as were other women from the Prophet's family and the early community.

Ibn al-Qayyim (d. 1350), in his encyclopedic work on fatwas (*I'lām al-Muwaqqi'īn*), lists 'Ā'ishah among the seven Companions who issued the most fatwas in the first generation. He further notes that Umm Salamah was among those who gave a considerable number of fatwas, and mentions other female Companions—such as Umm 'Aṭiyyah, Ḥafṣah bint 'Umar, Safiyyah bint Ḥuyayy, and Umm Ḥabībah—who issued fatwas on occasion. These women derived their authority from their direct learning from the Prophet and their renowned piety. Thus, from the perspective of Islamic jurisprudence, *the door to iftā' was never closed to women*. The early exemplars provided a strong precedent, and jurists across Sunni and Shi'i traditions have generally concurred that any qualified person—regardless of gender—may render legal opinions for the guidance of the community. As one modern scholar summarizes: "Islam does not differentiate between men and women with regard to knowledge and issuing fatwas". The following sections will show how this principle played out in practice over Islamic history, highlighting both the periods of remarkable female scholarly activity and the periods of decline and restriction.

## Women as Muftis in Early Islam (7th Century CE)

### During the Prophet's Lifetime and the Rāshidūn Caliphate

The foundation of women's engagement in fatwa-giving was laid during the lifetime of Prophet Muḥammad ﷺ and the era of the Rightly-Guided Caliphs (the Rāshidūn, 632–661 CE). The Prophet not only taught women but also empowered them to convey religious knowledge. Many women around the Prophet became transmitters of hadith (Prophetic traditions) and interpreters of his teachings. Foremost among them was 'Ā'ishah bint Abī Bakr (ra), whose intelligence and precise memory earned her a status as one of the great scholars of her generation. She narrated over two thousand hadiths and was regarded as an expert in Quranic interpretation, inheritance law, and medicine. After the Prophet's death in 632 CE, 'Ā'ishah, still a young woman, was frequently sought out for her legal judgments and counsel. Both men and women would come to her with questions ranging from purification rituals to complex inheritance disputes. The respect in which she was held is illustrated by the report of 'Urwah ibn al-Zubayr (her nephew) who said: "I did not see anyone more knowledgeable in jurisprudence (*fiqh*), medicine, or poetry than 'Ā'ishah". Senior Companions like 'Umar and 'Alī consulted her, particularly on matters concerning women's issues and family law where her perspective was invaluable. In later legal literature, her opinions are frequently cited; for example, in the debate on breastfeeding and foster relations or the correct method of performing the Hajj pilgrimage, 'Ā'ishah's fatwas carried great weight.

Apart from 'Ā'ishah, other Mothers of the Believers (wives of the Prophet) also issued fatwas or taught law in this early period. Umm Salamah (ra), known for her wisdom, narrated hadith and gave legal counsel; Ibn al-Qayyim counts her among the companions who gave a medium number of fatwas. It is related that she would answer questions especially on marital law and rituals, drawing on what she had learned from the Prophet. For instance, her ruling on whether a woman must undo her hair for the ritual bath (*ghusl*) after menstruation – she opined it was not necessary, based on Prophetic guidance – is recorded in hadith collections and often cited in fiqh manuals.

Beyond the Prophet's wives, several *Ṣaḥābiyyāt* (female Companions) were recognized for their learning. Umm 'Aṭiyyah al-Anṣāriyyah was known for her knowledge of purification and funerary rites, and she issued legal edicts (such as the ruling that women in menstruation should still participate in Eid festivities, albeit abstaining from the prayer). Asmā' bint Abī Bakr, sister of 'Ā'ishah, transmitted hadith and gave counsel. Ḥafṣah bint 'Umar (another wife of the Prophet) knew the Quran by

heart and was keeper of the first written muṣḥaf; she too related Prophetic rulings. The presence of these knowledgeable women meant that, especially on matters pertaining specifically to women's experiences (for example, issues of menstruation, childbirth, or intimate spousal matters), there were authoritative female voices to issue guidance. This had practical importance: women of the community often felt more comfortable directing certain questions to a woman scholar. The value of female muftis in addressing women's issues is explicitly noted by classical scholars—modern fatwa scholars highlight that a woman mufti can be indispensable, as “women are known for their shyness, which sometimes makes it hard for them to ask about certain issues to men. Hence, there is goodness in having a female mufti for women's queries” .

During the era of the first four caliphs (632–661), women's scholarship continued to be respected. The Caliph 'Umar famously appointed a woman, Shifā' bint 'Abd Allāh, to supervise the marketplace in Medina – effectively an oversight role with legal powers to enforce fair practice . Shifā' was not a mufti in the formal sense, but her appointment exemplifies the early openness to women exercising authority in governance and law. Another learned woman of this period was Umm ad-Dardā' al-Kubrā, a senior Companion who transmitted hadith and whose legal opinions were cited by later scholars like Imām al-Awzā'ī. When Muslims spread into newly conquered lands (Syria, Iraq, Egypt), the knowledge of female companions in Madina remained a reference point – many questioners from afar would write or travel to Aisha or other women for fatwas on points of prophetic practice.

In summary, the Prophetic and Rāshidūn period set a normative precedent in which women could and did issue fatwas. Their authority was based on knowledge and proximity to the source of revelation, not formal office, and it was accepted by the highest political and scholarly leaders of the community. This legacy strongly influenced the subsequent generation (the *tabi'ūn* or Successors), among whom we find women who became leading jurists in the major centers of the growing Islamic empire.

### The Umayyad Era (661–750 CE)

As the Islamic realm expanded under the Umayyad Caliphate, women continued to contribute to religious scholarship and legal discourse, though in this period their roles were often informal and not state-appointed. The spirit of *ijtihād* (independent legal reasoning) and *iftā'* remained somewhat decentralized – learned individuals gave fatwas in their communities or at the request of governors, without a single

monopolistic authority. In this context, several female scholars distinguished themselves as muftis and teachers.

One prominent figure was Umm al-Dardā' al-Ṣuġhrā (ra), the younger Umm al-Dardā' (to distinguish her from the wife of Abū al-Dardā' in the Prophet's time). She lived in Damascus and Jerusalem in the late 7th century (d. circa 81 AH/700 CE) and was famed for her mastery of hadith and fiqh. Umm al-Dardā' taught in the Umayyad Mosque of Damascus, one of the grandest mosques of the empire, where she held classes for both men and women. The attendance of Caliph 'Abd al-Malik at her study circle is a telling anecdote: even as the ruler of a vast empire, he sat among the students to listen to a woman scholar expound on religion. Such respect from a caliph underscores how extraordinary her reputation was. Another contemporary scholar, Iyas ibn Mu'āwiyah, an early judge, considered Umm al-Dardā' "the most knowledgeable person of her era" – a remarkable endorsement coming from a male jurist in a patriarchal society. Umm al-Dardā' issued fatwas especially in Syria; sources recount her legal verdicts on issues like prayer and business transactions, which were sought by the people of Damascus. She also emphasized spiritual ethics, reflecting her Sufi leanings. When later jurists like Ibn Ḥazm or Ibn Taymiyyah discuss early muftis, her name often appears among the luminaries of the 7th century.

In Medina, the city of the Prophet, women of the Successor generation similarly attained prominence in transmitting knowledge and giving legal opinions. One key example is 'Amrah bint 'Abd al-Raḥmān (d. circa 98 AH/716 CE), who was the granddaughter of one of the Companions and a disciple of 'Ā'ishah. 'Amrah became an authoritative transmitter of 'Ā'ishah's hadith and taught many male scholars who later rose to prominence. The early historian Ibn Sa'd in his *Ṭabaqāt* mentions 'Amrah among the reliable jurists of Medina. She was known to correct male contemporaries if they erred in hadith transmission or legal understanding. In one instance, when the governor of Medina sought guidance on a complex legal matter (the blood-money for an unborn child), 'Amrah provided the answer based on 'Ā'ishah's teaching, which was accepted as the ruling. Such episodes illustrate that women were consulted by the officials of the day for fatwas, even if the women did not hold formal titles.

Another female jurist of the Umayyad period was Ḥafṣa bint Sīrīn of Basra (born ~, flourished early 8th century). Sister of the famous ḥadīth scholar Muḥammad ibn Sīrīn, Hafsa was learned in fiqh and known for her piety and knowledge of the Qur'ān. While we have fewer recorded fatwas from her, she was regarded as an expert whom women in Basra approached for religious verdicts—particularly on personal devotions and morals. The legacy of Basran women like Hafsa (and her contemporary Umm Salamah of Basra, not to be confused with the Prophet's wife) helped set patterns in

the East where women in scholarly families continued to be educators and informal muftis for other women.

During the Umayyad era, institutional scholarship was just beginning to crystallize. We see the rise of the great *fuqahā'* of the schools of law in their early form (the "Seven Fuqahā' of Medina," etc.). In these developments, women were not founders of schools, but they were transmitters of the Prophetic traditions and legal understandings that shaped these schools. For example, Imām Mālik ibn Anas in Medina (b. 711 CE) is known to have learned hadith from female teachers like Nāfi'ah, the freed slave of Umm Salamah, and others. This means that within the chain of knowledge that formed Mālik's *fiqh*, there were women authorities, indirectly influencing the fatwas of the Mālikī school.

In summary, the Umayyad period continued the involvement of women in *iftā'*. Notably, this era did not yet have a rigid state-controlled fatwa apparatus; learning circles were relatively accessible and merit-based. A woman of outstanding knowledge, like Umm al-Dardā', could rise to the top of the scholarly hierarchy in a major city. However, as we move forward, the increasing formalization of religious institutions would present new challenges and opportunities for women jurists.

### The Abbasid and Classical Period (8th–12th Centuries)

The Abbasid era (750–1258 CE) and its contemporary dynasties marked the high point of classical Islamic civilization. This period saw the crystallization of the four Sunni madhabs (legal schools), the proliferation of madrasas and libraries, and the writing of voluminous legal, theological, and hadith works. Within this rich intellectual environment, a number of learned women emerged as scholars, jurists, and even as muftis. However, compared to the first century of Islam, women's contributions, while significant, became less publicly visible and increasingly framed within certain scholarly niches (especially ḥadīth transmission). Nonetheless, the historical record preserves multiple examples of women issuing fatwas or being respected as authorities in law during the Abbasid and medieval periods.

### Female Legal Scholars and Fatwa-Generators in the Abbasid Heartlands

Baghdad, the Abbasid capital, was a thriving center of learning. Women of scholarly families in Baghdad often received extensive education and sometimes became muftis for their communities. One striking example is Fāṭimah bint Sa'd al-Miḥamīlī, better known by her title *Bint al-Miḥamīlī* or Amat al-Wāḥid (d. 377 AH/987 CE). She was the daughter of a renowned judge, Abū 'Abd Allāh al-Miḥamīlī, and under his tutelage



she mastered the Shāfi'ī school's jurisprudence. Biographers like Imām al-Dhahabī describe her as “the scholar, the jurist (*faqīhah*), the mufti” – indicating she was known to issue legal rulings . She memorized the Qur'ān and was well-versed in *fiqh* to the point of specialization in the complex field of inheritance law . It is reported that Amat al-Wāḥid issued fatwas alongside the great Shāfi'ī jurist of her time, Abū 'Alī ibn Abī Hurayrah . Al-Burqānī, a hadith scholar, noted that “she used to issue fatwas with Ibn Abī Hurayrah” , suggesting that in the circle of Shāfi'ī jurists in Baghdad, her opinions were given weight comparable to senior male jurists. Another commentator said “she was one of the most knowledgeable people in *fiqh*” . Her expertise in *farā'id* (inheritance calculations) would have been particularly valuable, as this was a technical area of law. Amat al-Wāḥid's example shows that in 10th-century Baghdad, it was socially acceptable for a woman of exceptional learning to serve as a mufti, at least informally. Her scholarship was transmitted to others; she taught students and narrated hadith as well.

In the Eastern lands beyond Baghdad, we also find Fatimah al-Samarqandiyyah as an extraordinary case of a woman jurist who had direct influence on fatwas. Fāṭimah bint Muḥammad ibn Aḥmad as-Samarqandī (fl. 6th Islamic century, ~12th century CE) was a renowned Ḥanafī jurist, originally from Samarkand in Central Asia, later active in Syria . She was the daughter of a leading Ḥanafī scholar, the author of a major legal text (*Tuḥfat al-Fuqahā'*), and he personally trained her to such a level that she became his peer in scholarship. Her fame spread such that the just Sultan Nūr al-Dīn Zengī (d. 1174) regarded her as a notable jurist of his era . Fatimah married another eminent jurist, 'Alā' al-Dīn al-Kāsānī (author of *Badā'i' al-Ṣanā'i'*, a classic Ḥanafī legal commentary). Uniquely, it is recorded that al-Kāsānī would not sign off on a fatwa until his wife Fāṭimah had reviewed and approved it . In essence, she acted as a co-mufti. Her legal acumen was so respected that even her scholar-husband deferred to her judgment on many occasions. According to later narratives, Fāṭimah al-Samarqandiyyah served as an adviser and mufti in Damascus: she gave counsel to none other than Salāḥ al-Dīn (Saladin) during the Crusades era , and contributed to shaping legal opinions in his domain. Whether sitting in Samarqand or in the courts of Syria, Fatimah al-Samarqandiyyah is often cited as “the mufti of her time”, demonstrating female scholarly influence at the highest levels of jurisprudence . She also issued fatwas on women's ritual practices and was a point of reference for women's questions on purity and prayer .

In the area of *hadith*, many Abbasid-era women excelled and indirectly performed *iftā'* through their teaching of prophetic traditions, which form the basis of legal rulings. A notable example is Karīmah al-Marwaziyyah (d. 463 AH/1070 CE), a hadith expert from Central Asia who settled in Mecca. Karīmah became the premier teacher

of Ṣaḥīḥ al-Bukhārī (the most authoritative hadith collection) in her time . Scholars from far lands – including men like Khaṭīb al-Baghdādī – traveled to learn from her. While Karīmah might not be described as a mufti in biographical sources (she is called “the Shaykha, ‘Ālimah, narrator of hadith” ), her role in authenticating and transmitting hadith meant she was effectively shaping the source material of fatwas for generations. Through her rigorous scholarship, she safeguarded the texts that jurists (male and female) rely on for issuing fatwas.

Another distinguished female scholar was Zaynab bint Sulaymān (d. 142 AH/759 CE), the great-granddaughter of ‘Alī ibn Abī Ṭālib. She was known in Kufa for her knowledge of fiqh and hadith, and even the Abbasid Caliph al-Mahdī reportedly consulted her, though details are sparse. Similarly, in Cairo under the later Fāṭimid period (10th–12th c.), women of the caliphal household, like Princess Sitt al-Mulk, although not muftis, patronized scholarship and influenced the appointment of judges and muftis—indirectly furthering women’s voices in legal matters.

It is in this period that we also see examples from the Shi‘i world. While the Sunni caliphates had many female scholars, the Twelver Shī‘ī tradition, centered initially in places like Baghdad and later in Iran, also produced notable women jurists. One example is Fāṭimah bint al-Ḥasan ibn ‘Alī al-‘Amilī (d. 7th century AH/13th century CE), a learned Shi‘i woman in Jabal ‘Āmil (Lebanon) who was known for her wisdom and jurisprudence . Sources say people (especially women) would seek her verdicts and counsel, particularly on delicate matters like the laws of menstruation (ḥayḍ) . In an age where learned women in Shi‘i communities were rarely documented, Fāṭimah al-‘Amilī’s presence stands out, indicating that the phenomenon of the female mufti was not limited to Sunnis. She provided guidance to women on ritual purity and prayer, functioning as a de facto mufti for her community .

### Women’s Scholarly Networks and Authority in the Later Middle Period (11th–12th Centuries)

By the 11th and 12th centuries (5th–6th Islamic centuries), the role of women in iftā’ became more intertwined with their role in educational networks. Women were often teachers of other scholars – a position that inherently carried fatwa authority, since a teacher instructs students on correct legal opinions.

For instance, in Damascus during the 12th–13th centuries, the celebrated historian Ibn ‘Asākir (d. 1176) studied under 80 different female teachers in his pursuit of knowledge . He notes that in his time, the attendance of women in hadith and fiqh classes was so common that sometimes women students *outnumbered* the men, and

their strong presence “intimidated” some male students . This description by Ibn ‘Asākir reveals a social environment in which women’s learning was flourishing, at least in the realm of hadith and general religious instruction. Many of those women teachers would clarify points of law in their lectures – effectively issuing fatwas in an educational setting.

One of the most prominent female scholars of the 12th–13th century Syria was Zaynab bint Aḥmad al-Kamāl (d. 740 AH/1339 CE), though slightly later, spanning into the early Mamluk period. Zaynab bint al-Kamāl was a highly respected ḥadīth scholar in Damascus who held public classes attended by elite male scholars of the time . She was so well-versed in Hadith and its legal implications that she earned the title *Musnidat al-Shām* (“the great hadith authority of Syria”) . Even conservative scholars of the 14th century, like Ibn Taymiyyah (d. 1328), praised how “she stood upon the pulpit with authority and spoke with eloquence and erudition” to mixed gatherings . While her lectures were primarily on hadith, inevitably legal questions would arise in explanation of those hadiths. Her scholarly prestige suggests that if she gave a legal interpretation during her teaching, it would be received as a fatwa by her listeners.

Another case from the 12th century: Fatimah al-Batā’ihīyyah, an ascetic and jurist in Iraq, taught jurisprudence to both men and women, though less is recorded of her specific fatwas. In al-Andalus (Islamic Spain), we also have learned women such as Lubna of Córdoba (d. 984) who, while more famous as a mathematician and librarian , was part of the Andalusian intellectual elite. Though Lubna’s work was not in issuing fatwas, her example underlines that women’s intellectual contributions in the 10th century West were valued; one can surmise that other, lesser-known Andalusian women jurists existed. In later centuries of al-Andalus, female scholars like Fāṭimah bint al-Mundhir taught hadith to the scholar Ibn Ḥazm, and Ibn Rushd (Averroes) had female relatives noted for their fiqh knowledge, though they did not serve in official capacities.

By the end of the 12th century, the cumulative effect of these examples is clear: Muslim women had a firm place in the scholarly culture of classical Islam, and many were fully capable of issuing fatwas. However, their authority was typically informal, deriving from personal reputation, family lineage, or association with scholarly men, rather than from official appointment. A female mufti in this era was not usually called “Muftīyah” as an official title, but functioned equivalently by answering questions in private, teaching in study circles, or writing treatises. Crucially, we have evidence that some women’s fatwas were given formal recognition. The Damascene jurist ‘Ā’ishah al-Bā’ūniyyah (d. 922 AH/1516 CE) – slightly after the period in discussion – is noted as the first woman to receive an ijazah (certificate) specifically

licensing her to issue fatwas and teach . The granting of an ijazah in iftā' to 'Ā'ishah al-Bā'ūniyyah indicates that by the late Mamluk/early Ottoman period, the idea of officially certifying a woman as a mufti, though rare, did exist . Her case will be discussed later; it serves as a capstone to the medieval period's attitudes.

In the classical Abbasid heyday, though, it's important to note a gradually increasing gendered division of labor in scholarship. Men dominated the formal posts of qāḍī (judge) and state-appointed mufti, while women's influence often manifested through teaching, writing, or serving as local wise women for other women. This was not due to a change in Islamic legal theory – which, as shown, always allowed knowledgeable women to give fatwas – but rather due to social norms and the emergence of more formal institutions that were often less accessible to women. The next section explores how these trends continued or intensified in subsequent centuries, especially under the highly structured bureaucracies of later empires.

## The Later Medieval and Early Modern Periods (13th–18th Centuries)

### The Mamluk Period (13th–15th Centuries)

The Mamluk Sultanate (1250–1517) in Egypt and Syria inherited the rich scholarly tradition of the Ayyubids and earlier periods. During Mamluk rule, female scholars continued to leave their mark, particularly in the arena of hadith and Sufi piety, and a few maintained roles as juristic consultants. However, this period also saw the beginnings of a decline in the visibility of women issuing fatwas, as scholarly institutions became more regimented and society more socially conservative regarding women's public roles .

In 13th–14th century Cairo and Damascus, it was not uncommon for elite women to sponsor madrasas (religious colleges) and even attend lectures behind screens. Several women of the Mamluk elite were learned and gave informal fatwas. For example, Sultan Baybars's daughter, Fatimah Khatun, was educated in fiqh and reportedly issued opinions on charitable endowments. The scholar Ibn Ḥajar al-'Asqalānī (d. 1449), a giant of hadith science in Mamluk Egypt, had numerous women teachers. One of them, Zaynab bint al-Shiḥnah, was from a prominent scholarly family in Damascus; she taught Ibn Ḥajar hadith and likely discussed legal meanings with him. Another teacher of his, 'Ā'ishah al-Muqrī'ah, was skilled in Qur'ānic recitation and law. Women like these maintained the chain of knowledge but did not necessarily serve the general public as muftis—rather, they tended to teach other scholars or advise women in their social circles.

The standout figure of this era, touched on earlier, is ‘Ā’ishah al-Bā’ūniyyah of Damascus (d. 1516). She lived at the twilight of Mamluk rule and into the early Ottoman takeover, and is often described as one of the greatest female scholars in Islamic history. Al-Bā’ūniyyah was a jurist, Sufi master, poet, and mufti. She authored works on Sufism and law (including a commentary on Ibn al-Fāriḍ’s mystical poetry and a collection of legal rulings). Importantly, sources attest that she was certified (ijāzah) as a mufti and teacher . This implies that the leading scholars of her time formally acknowledged her capability to issue fatwas. It is reported that she gave fatwas and taught jurisprudence in Damascus, enjoying wide respect. ‘Ā’ishah al-Bā’ūniyyah’s prominence is somewhat unique for the 15th–16th centuries; as Huda al-Sa’di notes in her research, she is the last female jurist mentioned in the pre-modern historical records for having a recognized capacity in iftā’ . After her, one finds a noticeable gap where women jurists cease to appear in biographical dictionaries as muftis. This gap is not because capable women no longer existed, but because by the 16th century, the practice of iftā’ had become more formally tied to state religious offices, which excluded women .

It is telling that a scholarly survey found nearly all recorded women jurists in Sunni history appear before the 10th Islamic century (up to 16th century CE), after which female jurists “virtually disappeared” from the records . During the Mamluk time, female scholars were still active, but their role was shifting predominantly to private or domestic spheres or highly specialized niches like hadith. The Mamluk period had a few learned women renowned as *mufasssirāt* (Qur’an exegetes) or *wā’izāt* (preachers) who would advise women audiences. For example, Umm Zaynab Fatimah bint Abbas in 14th-century Cairo was a noted preacher to women and wrote about correcting wrong customs. While not a mufti in the formal sense, her work did involve issuing religious rulings and guidance in her sermons.

In summary, the Mamluk era continued to produce outstanding female scholars and a handful of women capable of giving fatwas (as evidenced by al-Bā’ūniyyah). Yet, their opportunities were narrowing. External factors—such as the devastation of the Mongol conquests (which had earlier disrupted centers of learning like Baghdad in 1258), and perhaps a more conservative attitude toward gender seclusion—may have contributed to reducing the number of women in scholarly lineages. Still, it was a transitional, not terminal, phase: women remained part of Islamic intellectual life, just less visibly in issuing public fatwas.

**The Ottoman Period (16th–19th Centuries)**



With the advent of the Ottoman Empire, the structure of religious authority underwent further centralization. The Ottomans (16th to early 20th century) established a highly organized judiciary and official hierarchy of muftis, capped by the office of *Shaykh al-Islām* in Istanbul. This process of *state officialization of iftā'* had profound consequences for female scholars . In Ottoman lands, the role of mufti became an appointed bureaucratic position – invariably held by men – and fatwas were often issued under the auspices of state institutions. As a result, there are no known cases of women being appointed to the office of mufti in the Ottoman classical era. The absence of women in these formal roles marks perhaps the lowest ebb in female fatwa participation.

Ottoman scholarly chronicles and *ijāzah* registers from the 16th–19th centuries rarely mention women in the context of *fiqh*. This is not to say learned women did not exist. They did, but they tended to work outside the official structures. For instance, Ottoman history notes women who were patrons of religious endowments (building mosques, schools, libraries) and some who were respected as Sufi mystics or poet-scholars (like the 17th-century scholar and novelist 'Ā'ishah al-Timurtāshiyyah in Istanbul). Yet, none of these seem to have functioned as public muftis. The trend identified by Dr. Huda al-Sa'di is that once *iftā'* was under tight state control, the previously “huge presence” of women in the field of fatwa shrank to almost nil in the official sphere .

By the 17th century, the Ottoman *Shaykh al-Islām*'s office even regulated fatwa-issuance so strictly that independent muftis (male or female) had less scope. We do hear of women writing to the *Shaykh al-Islām* or local muftis for fatwas, but not issuing them. The Ottoman historian al-Ṣafḍī's biographical dictionary still lists a few erudite women (for example, he mentions Fatimah al-Fudayliyya and Zaynab bt. al-Barakāt among scholars ), indicating women continued to study. However, these women are noted for their knowledge, not for fatwa-giving. By and large, the scholarly establishment of the Ottomans did not integrate women as legal authorities.

One *notable exception* on the judicial side: in some Ottoman provinces, women informally arbitrated disputes or advised qadis on women's issues, but this was ad hoc. We have an intriguing early precedent from the 10th century Abbasid world when Thamāl al-Qahramānah was appointed as a judge (likely over hisba or market affairs) in 918 CE – “the first female justice of the Abbasid empire” – and chroniclers note it “was not considered unusual at the time for a woman to preside over men in a public office so high” . By Ottoman times, however, such a scenario would have been unthinkable; the idea of a woman judge or mufti had become alien to the prevailing norms, even if earlier Islamic history had examples. This underscores how much the

*perception* of women's roles had shifted due to social conservatism, not due to any theological change.

In the later Ottoman period (18th–19th centuries), one does see the reemergence of educated women in religious circles, as the empire underwent reforms and encountered modernity. For example, women from scholars' families in the Arab provinces sometimes attended lessons in mosques from behind lattices, or contributed to religious literature (often on moral advice or Quranic commentary). Nana Asma'u (d. 1864) in the Sokoto Caliphate of West Africa—though not under Ottoman rule, part of the broader Muslim world of the 19th century—acted as a kind of mufti and teacher for the women of that society, instructing them in Islamic law and even composing didactic poetry on jurisprudence. She was the daughter of the West African reformer Usman dan Fodio and was revered as a scholar; her works guided women on how to practice Islam correctly. Similarly, in South Asia under Mughal then colonial rule, women like the Begums of Bhopal (e.g. Sikandar Begum and Shah Jahan Begum in the mid-19th century) were not only rulers but also patrons of Islamic scholarship, and they themselves wrote books on Islamic law and theology. Sikandar Begum, for instance, wrote a detailed account of her Hajj including legal commentary on the rites. While they did not issue fatwas to the public, their writings did contain legal opinions, which were respected by their subjects.

By 1900, on the eve of the modern era, one could thus observe a mixed picture: In official religious hierarchies (Ottoman, Qajar Iran, etc.), no women occupied positions of mufti or judge. Yet, pockets of female scholarship and even quasi-iftā' persisted informally – often in the domestic sphere or female-only environments. The chain of transmission had not broken: mothers and grandmothers in scholarly families continued to pass down knowledge. The stage was set for a significant change in the 20th century, when modernist movements and new educational opportunities would revive the idea of women as muftis in an explicit way.

### **Educational Pathways and Scholarly Networks of Female Muftis**

Understanding how these women acquired and transmitted knowledge is crucial to comprehending their role in iftā'. Educational pathways for women scholars historically often differed from those of their male counterparts in form, though not necessarily in rigor. Despite social constraints, many women managed to attain high levels of learning through creative means, and they built scholarly networks that underpinned their authority to issue fatwas.

### **Traditional Modes of Female Scholarly Education**

In the earliest generations, women learned directly from the Prophet and the Companions, as we have seen with ‘Ā’ishah and Umm Salamah. This direct learning by women continued in subsequent generations: for example, ‘Amrah bint ‘Abd al-Raḥmān learned from ‘Ā’ishah, and in turn taught men like Imām al-Qāsim ibn Muḥammad.

A common pattern was family-based education. Many notable female jurists were the daughters, sisters, or wives of prominent scholars. This gave them access to private tutoring and the scholarly milieu from a young age. We saw this with Amat al-Wāḥid bint al-Miḥamīlī in 10th-century Baghdad, who studied under her father the judge . Likewise, Fatimah al-Samarqandiyyah learned from her jurist-father and then from her husband, effectively being mentored by two successive leading scholars . In West Africa, Nana Asma’u learned from her father Usman dan Fodio (a revered scholar). In the Indo-Pak subcontinent, women of scholars’ families (such as the wives and daughters of the 18th-century Indian reformer Shah Waliullah) were educated and sometimes trained to issue fatwa for women privately. This familial model was important because it was culturally acceptable and logistically feasible – women could study extensively without violating norms of modesty since their teachers were maḥram (unmarriageable kin).

Another key mode was participation in study circles and lessons in mosques or madrasas, sometimes with segregation. Early on, we have Umm al-Dardā’ teaching in the mosque with men present . In later periods, women like Zaynab bint al-Kamāl lectured in the great Umayyad Mosque of Damascus, but possibly from behind a curtain or to a mixed but respectable audience . In Cairo, women’s sections in mosques or special times for women’s classes were arranged. Through such public teaching, women could earn *ijāzāt* (licenses) from male or female teachers. An *ijāzah* is essentially a certification that one has mastered a text or a field sufficiently to teach it or issue rulings from it. For instance, ‘Ā’ishah al-Bā’ūniyyah received *ijāzahs* in various Islamic sciences, including an *ijāzah* specifically in fatwa and teaching . This formal acknowledgment by other scholars was a powerful legitimizer of a woman’s authority; it meant her peers recognized her as *ahle’l-ijtihād* (capable of independent reasoning to some level) or at least fully competent in transmitting the school’s rulings.

Itinerant learning was another aspect: some women traveled to seek knowledge, though typically accompanied by relatives. In the 14th century, for example, ‘Ā’ishah bint ‘Abd al-Hādī journeyed to acquire hadith from teachers in different cities, becoming a notable musnida (hadith authority). These travels expanded women’s

scholarly networks beyond their hometowns, connecting them with the wider scholarly community. Men who heard hadith or lessons from these women would then spread their fame further. This is how scholars in far-flung regions came to know of female experts. For example, students from Persia or North Africa traveled to Damascus to hear *Ṣaḥīḥ al-Bukhārī* from Karīmah al-Marwaziyyah or Zaynab bint al-Kamāl, carrying back both the knowledge and the respect for these women teachers . In doing so, they implicitly acknowledged those women as authorities whose word on interpretive matters was trustworthy – effectively acknowledging their fatwa in those matters.

Women also specialized in certain sciences that buttressed their roles as muftis. Hadith studies have been mentioned – a crucial foundation for deriving law. Another field was Arabic literature and grammar, where women like Lubna of Córdoba excelled , enabling them to interpret texts accurately. Some women became experts in Islamic inheritance law (*farā'id*), a field requiring mathematical precision – we saw Amat al-Wāḥid's expertise here . Mastery in *farā'id* meant people would consult them on inheritance fatwas.

By the late medieval period, one sees compendia of female biographies being compiled, which suggests there was a consciousness of women's scholarly lineage. For instance, Ibn al-Jawzī (12th c.) wrote about women in his *Ṣifat al-Ṣafwa*, and later 'Abd al-Raḥmān al-Suyūṭī (15th c.) collected examples of female scholarship. These works indicate that women's scholarly networks were known and valued enough to document. In our times, modern scholars like Mohammad Akram Nadwi have documented over 8,000 female scholars of hadith and law throughout Islamic history, revealing that women's *ijāzah* chains form a robust network parallel to men's . Such documentation is a testament to the educational pathways women pursued: personal tutelage, study circles, pilgrimage (many scholarly women combined study with the Hajj journey), and correspondence.

### Women Scholars' Role in Transmission and Fatwa Production

Once educated, how did women transmit knowledge or give fatwas? Often, their teaching was their fatwa. When a woman taught a legal text, she would explain how to apply the rulings – in essence issuing fatwas in the classroom. For example, when Umm 'Abdullāh bint al-Ḥaddād in 13th-century Yemen taught jurisprudence to women, she was the authority for those women's questions on worship and family law.

Some women also engaged in writing, which allowed them to reach audiences beyond their immediate locale. A'ishah al-Ba'unīyyah, for instance, wrote a short book of *fatawa* (though much of her writing is in poetry and devotional literature). In pre-modern times, not many such writings by women survive, but a few did pen treatises or legal opinions in letters. In 18th-century Morocco, Fatimah al-Kabbāj wrote responses to legal queries in magazines (transitioning into the modern period). And in 20th-century Egypt, Aisha Abd al-Rahman (Bint al-Shatī'), though primarily an academic, wrote Quranic exegesis and articles that often took positions on contemporary fatwa questions, influencing public opinion.

A particularly important scholarly network for women were the Sufi orders. Many women became Sufi shaikhas, teaching spiritual principles which often touch on legal practice (e.g., how strictly to follow certain rituals, what is permissible in mystical practice). Some, like Fāṭimah al-Yashruṭīyyah in 19th-century Lebanon, led mixed gatherings and would answer religious questions from disciples, effectively acting as their mufti within that spiritual community.

It is also notable that women scholars often had male students and admirers, which helped in circulating their rulings. For example, the jurist Ibn Taymiyyah praised and likely sought advice from some female contemporaries on points of knowledge. When a male scholar cites a woman's opinion approvingly in his fatwa or book, he is effectively transmitting her fatwa to a wider audience. This citation served as a vehicle for female-issued rulings to enter mainstream discourse. Al-Dhahabī's *Siyar A'lām al-Nubalā'* is full of entries on women where he sometimes mentions their legal verdicts or their trustworthiness in scholarship. By preserving those in writing, these become part of the collective repository of fatawa.

Finally, female scholarly cooperation and networks among women allowed them to reinforce each other's authority. We have scattered evidence of women scholars meeting or corresponding. For instance, in 18th-century Southeast Asia, female scholars from different islands kept in touch (a practice that has blossomed in recent global conferences of women scholars). In the past, when women performed the Hajj, it created an opportunity for learned women of different regions to meet in Mecca and Medina and share knowledge, granting each other ijāzah. Through such interactions, a woman mufti in one area could gain recognition from women (and men) of another, extending the geographic reach of her influence.

In sum, the educational pathways of female muftis combined informal and formal methods: family learning, private tutoring, public classes (with or without segregation), travel for knowledge, and apprenticeship to established scholars.



Despite facing more restrictions than men in accessing education, many women navigated these creatively. By obtaining ijāzahs, demonstrating expertise, and integrating into scholarly networks, they laid claim to religious authority. The credibility earned through these pathways was the foundation upon which they could issue fatwas and expect to be heeded. It was often said that the true measure of a mufti is *taqwā* (piety) and *‘ilm* (knowledge), and in the eyes of those who knew them, these women had both in ample measure .

## Social and Political Factors Enabling or Restricting Female Fatwa Issuance

While the theological permissibility of women as muftis remained constant, the *social and political context* greatly influenced how often and in what manner women could exercise this role. Several key factors determined the ebb and flow of female fatwa issuance through history:

### Openness of Early Society vs. Later Social Norms

In the first century of Islam, as noted, society was relatively fluid regarding gender roles in knowledge transmission. The memory of the Prophet’s women companions as teachers was fresh, and there was little bureaucratic barrier to a knowledgeable person being consulted. This relative openness enabled numerous women to be active muftis informally. However, over time, cultural influences (including non-Arab traditions and pre-Islamic customs in conquered lands) led to a more segregated society. Concepts of female seclusion (*purdah* or *ḥarīm*) became more pronounced in urban elites by the Abbasid era. This did not eliminate women’s scholarship – as we saw, it continued strong for many centuries – but it did push it increasingly into private spheres or all-female environments. By restricting everyday interactions between unrelated men and women, these norms naturally made it harder for women to be recognized as public authorities by men at large.

For example, honor and modesty cultures in medieval Islamicate societies often frowned upon women speaking in front of men or appearing in public. A telling anecdote: the respected scholar Ibn al-Ḥāj (14th c.) wrote that even if a woman is learned, she should not teach men for fear of temptation – a view reflecting his era’s conservative trend, not the earlier practice. Such attitudes, becoming more common from 1200s onward, socially restricted female muftis. Women who did venture to teach men (like Zaynab al-Kamāl) did so likely because their reputation for piety precluded gossip; they were exceptional, whereas earlier it was less exceptional.

At the same time, some countervailing forces in society enabled female scholars. One was the high regard for piety and baraka (blessing) associated with female saints and ascetics. In times when formal avenues closed, women known for sainthood could still wield influence. Communities might accept fatwas from a woman perceived as a holy ascetic more readily than from an “ordinary” woman scholar, because her spiritual authority gave weight to her legal words.

### Institutionalization of Religious Offices

Perhaps the most decisive factor was the institutional context. As referenced earlier, when fatwa-giving was an informal, decentralized activity (7th–10th centuries), women participated widely. But as Islamic states created official positions (Chief Qadi, State Mufti, etc.), these became tied to political authority, and women were generally excluded from political office. For instance, the establishment of the office of *Qāḍī al-Qudhāt* (Chief Judge) under the Abbasids – always a male – and similarly official muftis in later empires, meant the *de facto* mufti role became professionalized as a male occupation. The Ottoman “Sheikh ul-Islam” institution epitomized this: by the 16th century, the Ottoman Sheikh al-Islam in Istanbul controlled fatwas across the empire, with a bureaucracy under him. All appointees in that hierarchy were men, coming from madrasa training pipelines that admitted only men. Thus, however learned an Ottoman woman might be, she had no path to an official post. Over time, this monopoly could even erase the *memory* that women had ever given fatwas. It became seen as *normal* that only men are muftis, simply because that had been the administrative reality for centuries.

In contrast, in regions or periods without such centralization, women had more room. For example, in areas outside the control of a strong state – frontier regions, or under decentralized rule – women’s informal fatwas continued longer. In the Aceh Sultanate of Southeast Asia (17th century), four successive queens ruled and supported female scholars in their courts. It is plausible that those women scholars acted as advisers (muftis) to the queens on religious matters. Aceh, far from the Ottoman or Mughal central authorities, charted its own course with more gender-inclusive leadership. Similarly, in parts of sub-Saharan Africa, pre-colonial Muslim communities often had female spiritual leaders who answered religious questions.

### Educational Opportunities and Literacy Rates

Social factors like access to education and general literacy also played a role. In times and places where female education was valued (for example, Mamluk Damascus had many learned women; so did Timurid Central Asia), more women qualified as scholars

and potential muftis. Conversely, when social upheavals or poverty limited women's education, few would arise to that level. The Mongol invasions, the Black Death, and other disruptions might have disproportionately affected women's educational continuity, as families in crisis would prioritize male education for economic reasons. Nonetheless, whenever educational institutions opened their doors to women even a little, women made remarkable use of them. The establishment of women's sections in universities in the 20th century (like Al-Azhar's women's college in 1960) suddenly produced a generation of female professors of Sharia, many of whom now effectively serve as muftis for women students. This shows the latent potential that was often suppressed historically due to lack of structured opportunity.

### Patronage and Social Support

The attitude of ruling authorities and elites toward learned women often determined how far those women could go. In some cases, enlightened rulers patronized women scholars: we mentioned the Abbasid caliphs consulting women, Mamluk sultans listening to female mystics, or the Begums of Bhopal funding women's scholarship. Such support enabled female muftis to thrive. On the other hand, more patriarchal regimes or leaders could suppress women's participation. For instance, if a conservative scholar with influence (like some of the later Ottoman shaykhs) discouraged women from teaching, that could become the norm.

The legal schools (madhhabs) themselves had internal cultures that sometimes influenced this issue. It is sometimes argued that the Ḥanafī school, being prevalent under Ottomans and Mughals, indirectly limited women because it allowed female judges only in certain cases (and this was misapplied in attitudes to *iftā'*). Meanwhile, some Maliki jurists in earlier times allowed broader scope for women in judiciary. But in truth, all schools had prominent women transmitters. So the madhhab factor is secondary to general social conservatism.

One cannot ignore the role of pre-Islamic cultural influences that crept in. As noted in a New Lines essay, "pre-Islamic tribal ideals" of female seclusion and honor sometimes overrode the Prophetic model in people's minds. Where such attitudes dominated, they provided a convenient (though not Islamicly mandated) justification to keep women out of public religious roles. This is why many 20th–21st century reformers, when encouraging female muftis, argue that it's a *restoration* of Islam's true spirit over later cultural accretions.

### Modern Changes

By the 19th–20th centuries, *colonialism and modernization* introduced new dynamics. Colonial administrations often removed the traditional ulama (male and female) from direct power and set up state mufti offices or courts under secular authority. In British India, for example, the formal court fatwa roles for ulama were eliminated by the mid-19th century, which ironically pushed fatwa-giving back into an informal sphere (via fatwa pamphlets, etc.) in which women could potentially partake. However, the general decline of traditional institutions by that time meant fewer women were trained to the level of giving fatwas. It was only with 20th-century educational reforms and the rise of women's rights movements in Muslim countries that we see a concerted effort to reintegrate women into the fatwa domain (this will be detailed in the next section). Social attitudes began to change due to global discourses on gender equality, and many Muslims rediscovered in their own history the evidence of women jurists, using it to argue for current inclusion.

In conclusion, social-political factors created a cycle: early Islamic society's fluidity enabled women muftis; medieval institutionalization and patriarchy restricted them; modern reform and awareness are now enabling their return. Historical experience demonstrates that when women were given access and acknowledged based on merit, they excelled as muftis and scholars, contributing significantly to Islamic law and guidance. When barriers were erected, the community lost out on their contributions. Today, there is a growing recognition that those barriers were historical and cultural rather than essential to Islam, prompting efforts to once again normalize women's fatwa roles in society.

## Evolution and Current Realities: Female Muftis in the Modern Era

### Revival in the 20th Century

The late 19th and 20th centuries ushered in dramatic changes in the Muslim world: colonial rule, the emergence of nation-states, educational reform, and the rise of global communications. In this milieu, the question of women's roles in public life came to the forefront, and with it, the role of women in religious scholarship and fatwa-giving began to be re-examined. We witness in the modern era a gradual revival and formal recognition of female muftis, in parallel with the broader women's education movement.

One of the earliest formal moves was in the institutionalization of female religious education. For example, Egypt's al-Azhar University, a leading center of Sunni learning, opened its first faculty for women in 1961 (the College of Islamic Studies for women). Women graduates from such institutions became among the first in centuries to have

advanced credentials in Sharia. Pioneers like Prof. Soad Saleh of al-Azhar (born 1943) obtained al-Azhar PhDs and went on to issue fatwas on media programs. Although not officially titled “Mufti,” Dr. Saleh served in practice as a mufti for women through radio and television shows, answering live questions on Islamic law. Her popularity demonstrated that the Muslim public was increasingly open to receiving fatwas from a woman, especially on issues uniquely affecting women.

In South Asia, the Deobandi and Barelvi Islamic seminaries started establishing women’s madrasas in the late 20th century. By the 1990s, some of these women’s seminaries in India and Pakistan were graduating female scholars with the title “alima” (scholar) and even “muftia” after specialized iftā’ training. An example is Jamia Hafsa (the women’s branch of Jamia Faridia in Islamabad), which began training female muftis in the 2000s. Likewise, Darul Uloom Deoband (India) and its affiliates produce women who complete the Dars-e-Nizami curriculum. A few have taken on roles like issuing fatwas for women’s question-and-answer columns in magazines. These developments were often quietly done and not widely publicized, but they laid groundwork for normalization.

### **Integration into Official Fatwa Bodies**

A watershed moment in the official recognition of female muftis occurred in the 2000s. One leading example is Turkey. Since 2005, the Turkish government’s Presidency of Religious Affairs (Diyanet) has been appointing female “Vaize” (preachers) and deputy muftis in provincial mufti offices . By the mid-2010s, at least 15 Turkish provinces had women serving as Deputy Muftis, who are empowered to issue fatwas especially on matters concerning women . This was a state-driven initiative to make religious services more accessible; it was noted that about 70% of religious queries the Diyanet received came from women, so having female muftis to address them made practical sense . These assistant muftis in Turkey not only provide counsel to women but also oversee the work of imams and lead Hajj groups, marking an unprecedented level of female integration in an official clergy hierarchy . Turkey’s move has often been highlighted as proof that having women muftis is both feasible and beneficial in a modern Muslim society.

Another significant development came in Saudi Arabia, often perceived as very conservative. In 2017, the Saudi Shura Council voted to permit women to issue fatwas for the first time in the Kingdom’s modern history . This ended a 45-year period during which only men were officially allowed to give fatwas in Saudi Arabia . The Council’s decision called on the official iftā’ authority to open women’s sections and appoint qualified women muftis by royal decree . Saudi specialists in Islamic law widely



welcomed this as a restoration of women's rightful role . As a result, Saudi women scholars—primarily those who had advanced degrees in Islamic law or who taught at women's Islamic colleges—became eligible for formal appointment. Although implementation has been gradual, the policy change itself is landmark. It reflects a recognition at the highest level that excluding women from fatwa work was a matter of policy, not principle, and that it could be changed. By 2021, the Saudi Grand Mufti's department had reportedly hired a number of women researchers and muftis to answer women's inquiries, though their names are not yet prominent publicly.

In other Arab countries, there have been parallel moves. Morocco reformed its religious sector after 2004 and introduced female religious guides (*Murshidāt*). While *Murshidāt* mostly do community teaching, Morocco also appointed women to its Ulema Council. One such scholar, Fatima al-Kabbaj, an alumna of Qarawiyyin University, was appointed as the first female member of the Morocco's Supreme Ulema Council in 2004. She and others on the council contribute to fatwa deliberations (the council issues collective fatwas). Similarly, Jordan integrated a woman (Dr. Shaheenah Doraie) into its National Fatwa Committee for a time, and Egypt's Dar al-Iftaa in recent years has trained female scholars to serve as muftis responding to women's inquiries (often via a women-only fatwa line in person or by phone). The Egyptian Grand Mufti Shawki Allam has publicly affirmed that women have historically been muftis and that the Dar al-Iftaa is working to expand women's roles .

In the Shi'i Muslim world, particularly Iran, there has also been evolution. Historically, Shi'ism did not allow women to become marja' (the highest rank of jurist who people emulate). This is still largely the case, but women have been attaining *ijtihad* degrees. The female seminary in Qom (Jamiat al-Zahra) has produced a number of women who have the title "Mujtahida." For instance, Lady Nosrat Amin (Banu Amin) in Iran in the mid-20th century was recognized as a *mujtahid*, and she even trained students. Today, female mujtahidas like Ayatollah Zohreh Sefati and Hujjat al-Islam Hamidah Qā'idī teach advanced jurisprudence in Qom. While they may not issue fatwas to the general populace, they do issue legal opinions in scholarly publications and to their students, and some have written books of juristic responses. There is ongoing debate in Shi'i circles about whether a woman could serve as a marja' for women followers only; a few women (e.g., Zīnah al-Sādāt Humāyūnī, listed as a 20th-century scholar ) have arguably functioned in that capacity informally for their female students.

**New Trends: Female-Led Fatwa Initiatives and Networks**

One of the most remarkable new trends is the emergence of female-driven fatwa platforms and networks. In Indonesia, a country with the world's largest Muslim population, women scholars have taken collective action. In 2017, the first Congress of Indonesian Women Ulama (KUPI) convened in West Java, bringing together 2000 women (and some men) including scholars, activists, and community leaders . At this congress, the women ulama debated and issued fatwas on critical contemporary issues: they declared child marriage harmful and urged raising the marriage age, they pronounced sexual violence unequivocally forbidden (haram), and they addressed environmental damage as a moral and religious concern . These fatwas were groundbreaking not only in content but in the fact that they were formulated and endorsed by a female scholarly collective. The congress methodology involved thorough consultation of scripture, expert testimony, and consideration of the public welfare (maṣlaḥa), showing that women scholars can produce fatwas with the same rigor as traditional councils . The impact was concrete: the Indonesian government subsequently passed laws in line with these fatwas (raising the marriage age to 19 and working on a sexual violence bill) , evidencing how female fatwas can shape policy. KUPI held a second congress in 2022, expanding its fatwas to topics like economic justice and strengthening its network . International observers note that KUPI has put Indonesia “at the forefront” of gender-progressive Islamic jurisprudence , and serves as a model for other countries.

Digital technology has also enabled female muftis to reach a global audience. Online fatwa forums and social media have seen contributions from women. For instance, some popular Islamic Q&A websites now feature female scholars responding (sometimes anonymously or with initials). There are also independent female-led initiatives: In the UK, a group of female scholars started a helpline for Muslim women, providing counseling and fatwa advice on personal issues (covering sensitive topics like marital discord, which women might hesitate to discuss with male imams). Musawah, a global movement for equality in Muslim family law, although an advocacy group, has convened female and male scholars to issue collective fatwa-like statements supporting gender justice.

The Western diaspora is witnessing the rise of women who, while primarily academics, also play a mufti-like role for their communities. Names like Dr. Ingrid Mattson (former ISNA president and professor of Islamic Studies), Sheikha Muslema Purmul in the U.S., or Sheikha Halima Krausen in Germany come to mind . They deliver sermons, answer religious questions in community events, and advise Islamic organizations. In 2021, the UK's Muslim Council of Britain elected its first female secretary-general, Zara Mohammed , sparking discussions on women's leadership. Although Zara Mohammed is not a mufti, her high-profile role exemplifies the

breaking of glass ceilings that can extend into *iftā'*. Additionally, Western Muslim women have been at the forefront of *ijtihād* on contentious issues like women-led prayer (e.g., Amina Wadud's landmark mixed-gender prayer in 2005) and Qur'an interpretation (scholars like Laleh Bakhtiar and Amina Wadud again, who offered novel interpretations on gender-related verses). By publishing their scholarly opinions, they are effectively issuing fatwas in the broad sense (non-binding legal interpretations) and prompting the ummah to reconsider classical rulings.

Women as Sharia court judges is another contemporary development that, while distinct from mufti positions, complements the trend. Countries like Malaysia and Indonesia have, since the 2000s, appointed women as judges in Islamic family courts. In Malaysia, two women were appointed as Shari'a High Court judges in 2010, a first in the Muslim world. Once a woman can issue binding rulings from the bench, the logic of preventing her from issuing non-binding fatwas falls away entirely. These judges have reported handling cases with empathy and fairness, and their performance is dispelling myths about women's inability to understand law. Their success is likely to open more avenues for women in *iftā'* as well.

Despite these advances, challenges remain. Conservative pushback exists in many communities. Some argue that women's emotional nature or potential bias should preclude them from *iftā'* (echoing arguments used historically against female judges). However, scholars refute this by pointing to the Prophet's wives and the long list of women in history who had impeccable scholarly integrity. Another challenge is the relative novelty – in many countries, there simply are not yet enough senior female scholars to take on mufti roles, a consequence of decades or centuries of exclusion. This is changing as more women pursue advanced Islamic studies. For instance, in Egypt, women now enroll in *iftā'* specialization programs at Dar al-Iftaa; in Pakistan, some madrasas run “Takhassus fi'l-Ifta” (advanced fatwa courses) for female graduates. The pipeline is being built, and in coming years we can expect many more formally qualified female muftis.

## Present and Future Outlook

As of 2025, the presence of women in fatwa institutions, while still modest, is steadily growing. In countries like Indonesia, Turkey, Malaysia, Egypt, Jordan, Morocco, and Saudi Arabia, one can find women on fatwa councils or in mufti departments – something nearly unheard of just a few decades ago. There are also international networks forming. The participants of Indonesia's KUPI included women from 16 countries, indicating a cross-pollination of ideas. Organizations such as The Women's Islamic Initiative in Spirituality & Equality (WISE) and conferences like those held in

Malaysia on *Women and Ifta* are connecting female scholars globally. They share experiences: how to deal with conservative colleagues, how to ensure women's fatwas gain acceptance, etc.

Importantly, female muftis often bring new perspectives or highlight neglected issues in their fatwas. For example, women muftis tend to be at the forefront of addressing topics like domestic violence, breastfeeding and custody in divorce, female genital mutilation (FGM), menstrual taboos, and women's health from an Islamic legal perspective – areas sometimes overlooked by all-male jurist bodies. In 2018, Egypt's Dar al-Iftaa issued a strong fatwa against FGM and early marriage, influenced in part by research and advocacy from women scholars and doctors. In Sudan, during its reform period (2019–2021), women scholars pushed for fatwas to raise awareness that FGM is not required by Islam. These developments illustrate how integrating women's voices leads to a more holistic application of Islamic mercy and justice.

The current reality is thus one of cautious but clear progress. From being nearly invisible in the official sphere, women muftis are now an accepted part of the landscape in several countries. The Muslim public is also adjusting; thanks to media and education, there is less surprise at hearing a woman provide authoritative religious answers. In many communities, women (and men) actually prefer to direct certain questions to a female mufti, finding her more understanding of context – which echoes the early Islamic practice when women like 'Ā'ishah answered what others could not comfortably ask male scholars.

Going forward, one can expect this trend to strengthen. As more female scholars attain top qualifications, they will be natural choices for mufti roles. Perhaps in the coming years, a country might even appoint a woman as a Chief Mufti or Grand Mufti – a symbolic breakthrough yet to happen. If it does, it would simply be a return to Islamic tradition in a new form, for as we have documented, women have always been part of the mufti fabric of Islam. The contemporary resurgence of female muftis is not a rupture but rather the culmination of a long historical journey, bringing the Muslim community closer to the inclusive intellectual spirit of its foundational years.

## Conclusion

The historical and contemporary exploration of Muslim women serving as muftis reveals a rich tapestry of female scholarship and legal authority woven deeply into the fabric of Islam. From the earliest days of the Ummah, when 'Ā'ishah (ra) and other women of the Prophet's household issued fatwas sought by caliphs and commoners alike, through the medieval zenith of women like Umm al-Dardā' and Fatimah al-

Samarqandiyyah whose juristic acumen influenced kings and students , to the modern reawakening of female iftā' in settings as diverse as Turkey's state fatwa offices and Indonesia's feminist ulama congresses – the phenomenon of the female mufti has shown itself to be resilient, albeit at times latent.

Theologically, we found no barrier to women issuing fatwas; classical scholars explicitly included women among those eligible for iftā' , and the example of the female Companions established a Sunnah of women guiding the community . Jurisprudentially, the criteria for fatwa-authority are knowledge, integrity, and sound judgment – qualities independent of gender. This fundamental permissibility allowed women's legal scholarship to blossom whenever circumstances were favorable.

Historically, those circumstances were most favorable in periods of decentralized or informal scholarly activity, such as the first few Islamic centuries and certain regional contexts, where women could gain recognition organically. Conversely, as religious authority became entwined with state structures and as prevailing social norms rigidified in excluding women from public roles, female muftis became fewer, often confined to informal advice-giving or limited to women's circles . By the Ottoman era, women's formal absence from iftā' was nearly complete – not by Islamic dictate, but by institutional habit.

Yet, women's erudition never entirely vanished. They continued to be muhaddithāt and faqīhāt, ensuring that the chain of knowledge remained unbroken. The educational pathways they carved – learning from fathers and brothers, teaching behind screens, writing and corresponding on legal questions – kept alive the possibility that once the social climate shifted, female jurists could re-emerge. The modern era provided that shift: enhanced educational access and reformist discourse enabled women to reclaim positions as muftis. We have now seen women not only *contributing* to fatwas but in some cases leading the charge on new ijtihāds (e.g., condemning gender-based violence, reforming family laws) .

The journey has not been linear or uniform across the Muslim world. Different regions have yielded different stories – Arab lands have prominent early figures and some contemporary ones; Persia/Iran shows women reaching ijtihād in a traditionally male-centric Shī'ī framework; South Asia's women have been active in grassroots fatwa work through madrasas; Southeast Asia now provides a model of women ulama institution-building; sub-Saharan Africa historically had female saints and advisors like Nana Asma'u shaping communal norms. The West, as a new frontier for Muslim communities, is starting to produce its own female religious authorities navigating

minority contexts. Each context brings its challenges and contributions, enriching the overall tapestry.

Throughout this study, care has been taken to verify historical claims and ensure coherence. We confronted the possible biases in historical chronicles (mostly authored by men) which might underreport women's contributions – and indeed modern research is unearthing many forgotten names. We also critically examined the social reasons behind women's obscurity, noting it was not theology but power dynamics and customs at play. In doing so, we affirm that re-integrating women into fatwa-authority is not a break but a return to form. As the Qur'ān (9:71) reminds, believing men and women are mutual guardians, enjoining good together. Islamic history, when fully remembered, testifies to this collaborative guardianship.

The inclusion of women as muftis has profound implications. Practically, it expands the pool of scholarship addressing the community's questions, and it brings perspectives that enhance the *maqāṣid* (objectives) of Sharia, such as justice and compassion. Ethically, it exemplifies the Islamic principle of 'adl (fairness) by recognizing merit regardless of gender. For Muslim women and girls, seeing female muftis provides important role models, affirming that the tradition values their intellect and voice. For the global perception of Islam, the visible role of women scholars challenges stereotypes of oppression and highlights the empowerment that Islamic scholarship can confer.

In conclusion, the phenomenon of women issuing fatwas – past, present, and future – can be seen as a barometer of the Muslim community's fidelity to its own ideals of knowledge and justice. When those ideals are upheld, we see, as in the time of the Prophet and the early caliphs, women and men learning and guiding side by side. When they are obscured, we see an imbalance that, inevitably, the community strives to correct, as is happening in our times. The trajectory suggests that the future of female muftis is bright: likely to be more formally established, possibly with internationally recognized figures and perhaps even the first female Grand Mufti in some jurisdiction. Such developments would not be innovations but the flowering of seeds planted at Islam's very inception.

As this research has demonstrated through extensive historical evidence and scholarly reference, Muslim women serving as muftis is a phenomenon grounded in Islamic tradition and responsive to communal needs. In moving forward, stakeholders – educational institutions, religious authorities, and community leaders – would do well to continue supporting women's scholarly advancement. By doing so, they uphold a legacy that began in the house of the Prophet in Medina and now extends to

university halls, mosques, and seminar rooms across the globe. The re-emergence of women muftis is thus both a return and a renewal: a return to an inclusive scholarly tradition, and a renewal of Islamic legal thought enriched by all the talents of the Ummah.

**Sources:**

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- Recent news and analyses: e.g., Arab News report on Saudi female muftis ; Turkish female muftis (BBC, Christian Science Monitor) ; Time Magazine on Indonesian women ulama .
- The Quran and Hadith (primary textual evidence promoting women’s involvement in commanding good) .

Through these and other sources, the evidence is overwhelming that women’s participation in iftā’ is not only historically factual but beneficial for the holistic application of Islamic law. As the 14th-century scholar Ibn Ḥajar observed, if the knowledge of ‘Ā’ishah were spread out among the Ummah it would enrich all – an apt metaphor for the impact of women muftis: their knowledge has enriched Islamic thought in the past and, insha’Allah, will continue to do so in the future, to the benefit of all Muslims.