

**A Feminist Discourse on *Pardah* in 19th century India:
Translated Excerpt from Maulavī Sayyid Mumtāz
‘Alī’s *Huqūq un-Nisvāñ* (1898)**

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Abstract

For South Asian feminism to achieve enduring and far-reaching influence, it must embrace its cultural heritage. While academia often rely on insights from Western-centric feminist scholars, the rich history of feminism within our own region remains largely unexplored. This translated excerpt from a nineteenth century Indo-Muslim feminist text serves as an effort to shed light on a predominantly overlooked indigenous history of feminism, aiming to elevate it to the forefront of scholarly discourse. The following excerpt is part of a translation of Maulavī Sayyid Mumtāz ‘Alī’s *Huqūq un-Nisvāñ* that is currently in progress. Through this translation we aim to recover the work of early South Asian Muslim reformers like Mumtāz ‘Alī whose work has been missing from modern understanding of the history of women’s rights movement within South Asia.

Keywords:

South Asian feminism, *Pardah*, Gender, Translation, Indo-Muslim Feminism

Introduction:

Gender in South Asia is a contested category. With scholars like Judith Butler and Bell hooks drawing attention to the intersectional nature of feminist movement, the idea of a monolithic feminism is no longer the only route to female emancipation. Many South Asian feminist scholars, such as Chandrapal Mohanty and Spivak, have drawn attention to the need for a feminism that is suited to the local needs and demands of women around us. The call for a particularly South Asian brand of feminism requires us to look for models, both scholarly and cultural, that can be used as building blocks for a movement rooted in indigenous culture.

The beginning of Muslim feminism in India can be traced back to the latter part of the nineteenth century. It was a time when the Muslim woman began to emerge as a political category in reformist and religious discourse. During the latter part of the nineteenth century the printed word had begun to replace the long-held tradition of oral transmission of religious knowledge. A gap had developed between the religious *ulema* (Muslim scholars having specialist knowledge of Islamic sacred law and theology) and the ruling body and the former had to redirect its authority and influence onto the general masses directly in order to preserve their position within the power hierarchy. The *ulema*, made use of the printing press to strike a note of religious commitment and moral regeneration and to instigate people to independent action. Citing the reason for the extensive use of print especially by *ulema*, during the time, Frances Robinson argues that the Muslims felt insecure about their position during colonial rule and felt “there was no legitimate power to put the holy law of Sharī'a into operation. Their answer to this challenge was better religious knowledge. Muslims should know much more clearly and much more certainly than before how to behave as Muslims” (241). There were many religious texts that were translated in vernacular languages and it was made sure that religious knowledge should be easily accessible to all. It was not just government commissioned writers who were taking advantage of the printing press and using it as a tool to reach the common man; religious scholars also used it to instigate people to independent action. In this regard, religious institutions like *Dār-ul-Ulūm Deoband* had by the late nineteenth century, firmly established their reputation for churning out reformers in droves who devoted themselves to disseminating religious knowledge in local languages, with Urdu being the most popular of all. Barbara Metcalf shares an

interesting anecdote in her book, *Islamic Revival in British India*, illustrating this point:

A pious man was blessed by a dream in which he saw Almighty God. Seeing him speak Urdu, he inquired: "O God, how did you happen to pick up that language? You used to speak only in Syriac or Hebrew or Arabic." God replied: "From dealing with Shah Rafi'u'd-Din and Shah 'Abdu'l-Qadir and Thānavī and Deobandi and Mirathi and Mirza Hairat and Deputy Nazir Aḥmad, I learned the language. (198)

The anecdote above highlights Urdu's part in the practice of proselytizing and public debates that were becoming increasingly common, especially among the Deobandi graduates who lost no opportunity in locating worthy opponents-including non-Muslims-for a good round of discussion. Maulāna Ashraf 'Alī Thānavī was amongst the most influential reformists of his times whose work on the whole displayed "a tension between a conservative outlook and substantial receptivity to change." (125) and his book *Bahishtī Zewar* (Heavenly Ornaments) was no exception. Barbra Metcalf in the introduction to *Perfecting Women Maulana Ashraf 'Alī Thānavī's Bihishti Zewar* praises Thānavī for giving evidence "of important roles for women in exercising moral leadership, creating social alliances and managing economic resources" (6). However, she admits to the fact that Maulāna Thānavī did nothing to subvert the status quo of his times as he "did not challenge the basic structure of that society." (24) To Pernau, Thanvi's Behishti Zewar, for the most part struck the note of religious commitment and moral regeneration and was heavily permeated with emotional quality. "By exhorting the readers to imitate the Prophet in every one of his traits, habits, and actions, they provide a pattern of bodily practices which structure the everyday life and transform every mundane movement into a training ground for appropriate and pious feelings (178).

Since religious and political bodies made use of the printing press to disseminate their ideologies in vernacular language religious treatises, prescriptive novels and reformist periodicals all came up with contesting views on Muslim women's rights and responsibilities. Women were to be reformed, all agreed, but the correct belief system that was to be instilled in them was still a much contested field. To Metcalf, "The new vernacular texts, then, were not untouched receptacles of 'traditions', but were critical in creating and communicating the new." (122) According to Qasim Zaman the Qura'n and the Hādīs were used as theoretical sources at this point

and an "apologetic modernism was produced in the name of Islam, as a new historical entity, designating a moral community transcending the particularity of royal, clerical or mystical authority." (55) This new modern thought did not rest on secular grounds and hence provided an internal criticism on long established authority, opening new spaces in Islamic thought and Muslim public sphere with their resultant tensions and contradictions. Maulvi Mumtaz was one of the more radical voice bent on challenging long held assumptions regarding the rights and responsibilities of Muslim women.

Maulvi Mumtaz Ali (1860-1935) was a staunch feminist who advocated strongly for the rights of Muslim women. He is most famous for publishing the first ever all women periodical titled *Tehzib-e-niswan* for which he appointed his own wife Muhammadi Begum as the editor. She was the first Muslim woman to have edited a periodical. The periodical invited Muslim women to discuss and debate different issues pertaining to women like *pardah*, female education and her duties and responsibilities within marriage.

Mumtaz Ali was always ahead of his times. He had gotten training from both the Deobandi and Aligarh school of thought and was well versed with both the tradition and modern ideas of reformation. He was a staunch condemner of patriarchy and openly condemned it for keeping women outside public and intellectual spheres. Gail Minault has talked about his contributions to female education in great detail in her book "Secluded Scholars". Unlike other reformists who believed in the modernization of women but kept the male/female hierarchy intact, he openly challenged the ideological inequality of men and women.

He opened his own publishing house by the name of Dar ul-Ishat-e-Punjab and published his first book by the title of *Huquq-e-nisvan* in 1898. Maulvi Mumtaz Ali showed it to Sir Syed Ahmed Khan who was so perturbed by its content that he impulsively tore it to pieces. For Minault the book "emerged from Mumtāz 'Alī 's training in Islamic law and his experience of religious debate, his sense of cultural pride when faced with an external challenge, his acute awareness of the need for internal reform, and his personal anguish of bereavement and desire for an educated wife." (150) Mumtaz Ali was both well versed in theory and philosophy of Islamic law and logic and also tutored in English by the more modernized contemporaries of his times. The first edition of the book had only a thousand copies and the book soon got out of print due to

its unorthodox interpretation of women rights in the light of Quran and Hadith.

Planting his argument firmly in logic he goes on to give examples from Quran and Hadith to challenge the accepted assumptions about gender inequality. In many of the places he reinterprets many of the verses and hadiths to argue that they have been misread by local scholars. He specifically draws attention to the subtle difference in meaning of certain words showing how they are meant to mean something else rather than their accepted meaning. In many instances he makes use of anecdotes to make a point about scoail hypocrisy that tehthers on the point of ridiculousness. The whole book is arganized as a series of arguments in support for women, the one hundred and ninety page monogram is divided into five sections: false assumptions regarding men's superiority over women, women's education, pardah, marriage and relationship between men and women within marriage. As it goes into a detailed discussion regarding these topics he tackles many of the taboo subjects like women's inheritance, their testimony in court and prophethood.

Introduction to the section on *Pardah*

The history of feminism within South Asia cannot be complete without the oft debated discourse on pardah. Pardah is a religious and social practice of gender segregation, manifesting in two main aspects: the separation of sexes in social settings and the expectation for women to cover their bodies, concealing their skin and form. Within the Indo-Islamic tradition, it transpired in two ways: the zenana (segregated place for women within the household) and the covering of the body. The critique on pardah first began with the publication and dissemination of missionary texts written by the likes of J.T. Gracey, David Oliver Allen and Edward Jewitt Robinson that portrayed a very dismal and unhygienic state of zenanas—fashioning them as places of confinement and seclusion alone. When the reformists began to write about the state of women, they began to redefine what pardah meant, and a discussion began to develop around what pardah actually is and what the parameters of its practice are.

Pernau argues that Thānavī's book in many ways was based on assumptions rather than logic. "Lacking knowledge and education, women were viewed as the weak element of the community, through whom superstition, and dangerous and un-Islamic innovations

(bid'at), entered the house and the family.” (176) Thānavī viewed women as more prone to talking, anger, envy, greed and stinginess and encouraged them to cultivate the habit of repentance and self-negation in order to make room for virtuous qualities like patience, gratitude, trust, and contentment. A significant part of the book dealt with the issue of *pardah* going into great deal as to where and when should it be observed, who is a mahram and namahram amongst others. In his writings issues related to *pardah* intersected with the role of women in society. He strongly advocated for the segregation of genders and the significance of modesty for women. He emphasized the practice of *pardah* as the means of preserving dignity and honour not just for oneself but also society in general. Hence for him, *pardah* extended beyond physical covering to encompass behavioural and social norm. His exegesis turned it into a means of preserving morality and family values.

The third portion of *Huqūq un-Nisvāñ* that relates to *pardah*, highlights Mumtāz ‘Alī’s erudite and non-complicated use of logic and rhetoric. His training as a religious scholar is fully evident in this portion as he uses techniques employed in Qur’anic exegesis, as well as hermeneutic analysis to stress his point.

The section on *pardah* mainly deals with the absurdity of the *pardah* regimen as observed by Muslim women of the sub-continent. The word *pardah* in 19th century was not used to refer to a particular covering but was used to refer to an elaborate system containing many rituals. It would include for example, a basic segregation of men and women in *zanānah* and *mardānah*. The *zanānah* was used to refer to the circumscribed space that was the domain of the women. Its secluded nature was used to emphasize not only its difference from the *mardāna* but also that all the world outside *zanānah* was not *zanānah* and so required a strict adherence to *pardah*.

The portion we have selected for translation is from the third section of *Huqūq un-Nisvāñ* that emphasizes the absurdity of elaborate rituals associated with *pardah*. According to the author, the *pardah* as advocated by *sharī’a* was something else entirely, and nowhere near as rigid or unyielding as the one observed by Muslim women of the sub-continent. Mumtāz ‘Alī blames it on cultural association with other nations and insists that the modifications in the regimen of *pardah*, introduced due to cultural and in many instances non-Islamic practices, ought to be revoked. He is deeply sensitive to the fact that the ludicrousness of actions such as multiple men escorting women beneath coverings at every juncture of a railway

station, as if the latter are convicts, have prompted European men and women to openly laugh and point fingers at the ridiculous spectacle on display. He then goes on to show through various examples how even the word *biwī* is hostage to the obsession among Muslims of India regarding *pardah*. Indian Muslims insist on camouflaging the identity of the wife within a host of absurd monikers that steadily grow more ridiculous and also fail to provide a mask for the wife's identity. He shares a few interesting anecdotes in this regard and bestows the title of *latīfah* - as a joke is referred to in Urdu - as if to prepare the readers for the sheer preposterousness of the incidents he narrates.

Doubtless, Mumtāz 'Alī's training as a Deoband scholar comes in handy as far as presenting arguments and counter arguments is concerned. He puts his point across in simple, erudite and completely unembellished prose, which may have been deliberately employed to underscore the seriousness of his observations and arguments against a rigid *pardah* regimen. After highlighting all the ramifications of absurd cultural practices associated with *pardah* he turns to instructions regarding the dress code of Muslim women and even suggests certain changes in that regard. He ends his argument citing the list of people in whose presence it is alright not to observe *pardah*. The section on *pardah* gives insight into the light-hearted humor with which Mumtāz 'Alī approaches the controversial subject of *pardah*, bringing examples from everyday life of nineteenth century Indian Muslims. (The following extract is from pages 95-102 of *Huqūq un-Nisvān*).

Anecdote:

When I sat down to contemplate the bizarre regimen of the *pardah* one day, I thought of something at once funny and ridiculous. Now we are aware that in our culture, the wife's face, voice, body, dress etc. are all routinely shrouded in the *pardah*. What's preposterous however, is that the very moniker of wife-"*biwī*" itself is kept deliberately swathed in *pardah* as well. It is not the sort of *pardah* that keeps away prying eyes and ears, but also curious minds of other men. No *bhalā mānas* (gentleman) would ever utter something like: "My wife is of the opinion", or "my wife is in this or that condition". Instead, the words that directly imply one's better half are obliterated and are substituted by nouns or adjectives that imply one's wife.

Every gentleman is afraid of using a word that may alert anyone to the existence of his wife and will resort to vocabulary that will help envelop the very existence of his wife in *pardah*. For this purpose, usually the word *biwī* is replaced by ‘from my family’ or ‘among my household’. For example, instead of a simple statement like “my wife is ill”, something like “someone from my family is ill” would be used. Similarly, the question, “Is your wife here?” would be posed as “Is someone from your family here?” The reason statements like “from my family” or “among my household” are used is because the listeners would not immediately associate a vague and elusive arrangement of words with any particular individual in the household, and so the sanctity of the *pardah* can be upheld. Hence the existence of the wife is sufficiently camouflaged without any danger of exposure whatsoever, as there is after all, always the danger of one man’s mind being alerted to the physical entity of another man’s wife!

Many of our *Hindustani* brothers however are not as sophisticated as to use the sufficiently elusive yet refined terms as ‘from my family’. Instead, they resort to particularly coarse and vulgar terminology as *savārī* that is the ‘mount’. When the wife comes from somewhere, the statement is often phrased as ‘the mount has arrived’. Certain people especially the Punjabis use the word ‘*qabīla*’ – tribe – for the wife. The word is used to befuddle the minds of fellow men and ensure they are not alerted to the presence of an entity such as the wife. However these purveyors of *pardah* have their work cut out for them. After a while, due to widespread use, words like *qabīla* that were initially meant to veil the wife’s identity, actually come to imply the same thing. Therefore, *qabīla* actually becomes merely another synonym for the dreaded *biwī*. In many ways structural or linguistic differences do not ensure sufficient *pardah*. In such an instance *pardah-dārī* or observance of *pardah* swiftly becomes *pardah-darī*, a dissolving of the *pardah*. Therefore, the word tribe would ultimately come to mean the wife. In such an instance there is a desperate effort to preserve the sanctity of the *pardah* using more complicated plural nouns, such as *qaba’il* for *qabīla*. However, it soon suffers the same fate as *qabīla*. Thus, the idea that plural nouns would lead to complication of the meaning and therefore stall the inevitable face-off between the figure of *biwī* and a stranger’s mind, proves to be a fallacy after all! The poor men keep enveloping the *biwī* in layer after layer of plural and compound nouns only to see all layers being ultimately absorbed in the all-enveloping

essence of *biwī*. However, the effort continues and *qaba'il* soon turns into *qaba'ilān* and eventually *qaba'ilān -hai* to prevent the *biwī* from being shamelessly unveiled. The definitive goal of encompassing the *biwī*-literally and metaphorically- in veil after veil, so as to ensure no one can guess if the entity beneath all those veils is human or beast, is as tiring as it's ridiculous.

I want to ensure that my writing in this regard does not suffer the same fate as numerous other essays in newspapers and periodicals that are published by the bulk and ultimately discarded, and therefore devoid of any influence whatsoever on the readers. I want to make sure that all facets and intricacies of my writing are read and understood. I also want to address people's apprehensions in this regard and present a workable way out in accordance with *sharī'a* (Islamic canonical law). A midway solution that would eventually lead on to a *sharī'a* -friendly solution in this regard will ensure that this extreme and torturous definition of the *pardah* can be rephrased. Thus, we acknowledge people's fears and taking into consideration the bad manners of the age along with opportune time consider it necessary that the excessiveness of current *pardah* be broken, and we invent a regularity of rule and find a middle way that neither leads to that freedom resembling western culture nor does it have that restrictiveness and difficulty due to which sharia, which is meant to ensure preservation of modesty, reach an unjustifiable extreme.

Despite the fact that Muslims in India have painstakingly muddled the definition and concept of *pardah* to torturous extremes, it is ironic that they have no particular set of rules for doing so. The common understanding of *pardah* here seems to be an over-complication of the definition of *pardah* according to *sharī'a*, that requires veiling from *na mahram* (In Islamic jurisprudence, any relation with whom marriage and sexual relations are forbidden due to blood/marital ties is considered a mahram. On the contrary, anyone with whom marriage is permissible is a na-mahram. Here Mumtāz 'Ali ridicules the practice of excessive observance of *pardah* that has led to certain mahram relations being categorized as na-mahram.) relatives and strangers; it is now stretched to include the face and hands among the body parts that must be covered. However, these rules do not seem to be definite and in many families do not force *pardah* among cousins. There is a particularly illogical practice in certain families, and it is also a misinterpretation of what *sharī'a* has to say in this regard. A case in point as far as these modifications in Islamic jurisprudence are concerned, is that women are told to veil

themselves in the presence of the elder brothers of their husband but not in the company of his younger brothers.

Women have to suffer a lot due to the *pardah* if they happen to fall ill. In many circumstances, succumbing to a fatal illness is actually considered as something deserving a certificate of honor. Whenever a *hakīm* (A *hakīm* is a practitioner of *Unani tibb*, a Greco-Arabic medical tradition practiced by South Asian Muslims. Francis Robinson in his review *Refiguring Unani Tibb: Plural Healing in Late Colonial India* by Guy Attewell for *Journal of the Royal Asiatic Society* discusses this. Mumtāz ‘Ali alternates between the terms ‘doctor’ and *hakīm* here, not because the two are synonymous but because the 19th century Muslim household welcomed both) is called to check the pulse of a female patient, the latter is swaddled up in layers of thick mattress and often there is an additional veil hanging to separate the *hakīm* from being too close to the bed of the patient. The *hakīm* has to feel his way in through his hand and check the pulse.

Anecdote:

The wife of one of my friends was considered particularly beautiful. It so happened that a lump started growing on the back of hand and as a result it became necessary to consult the doctor. The friend in question was distraught with worry, not because of the swelling on her hand but at the prospect of having a doctor in close proximity with his wife and having him take a look at her hand. When I saw him in a flustered state imagining the less than appealing scenario, I suggested that he dye her entire hand and arm in blue or black ink leaving the swelling bare so as to ensure proper *pardah*! The friend thought (rightly) I was making fun of him and was livid at me.

In many cases, conditions of the breast in women that require immediate medical attention often go untreated and indeed undiagnosed as very few *ashrāf* (respectable, middle class families) can bear the thought of a thorough medical checkup as far as the women of their household are concerned.

As far as the Islamic dress code is concerned, there is little observance of the *pardah* these days, as advocated by *sharī’a*. In many instances, the dresses in vogue these days are often short, tightly fitted, and of a fabric that leaves little to the imagination. The fabric in question can be as transparent as a tracing paper used in sketching is. Therefore there is a need to reform both the dress code

and by extension the practice of *pardah* itself. Following are some of the suggestions I have in this regard.

Women fond of wearing wide bottomed trousers should also wear knee length socks.

The shirt should be of a respectable length with no danger of the midriff being exposed.

The fabric for the shirt should be thick on its own. In case of silk or other gauzy fabrics, a camisole should be worn.

The sleeves of the shirt should not call attention to the shape of the arms.

Women fond of wearing half sleeved shirts should wear a longer sleeved tunic beneath.

The necklines of the shirts and tunic should be kept high and modest, thereby hiding the neck completely.

The cummerbund drawstring should never be left visibly hanging beneath the shirt, as it comes across as extremely immodest and crude.

The practice of hanging a bunch of keys with the cummerbund is extremely crude.

Sandals should be replaced by the *Salīmshāhi* shoe (Also known as khussās or mojaris, the *Salīmshāhi* shoes were an integral part of the 19th century wardrobe for both men and women. They were highly embellished shoes, often made of tanned leather) or English style *Gurgābi* shoes worn with socks.

I would urge all gentlemen who agree with me in this regard, to organize consortiums in their respective cities for the benefit and reform of Indian Muslim women that deal with issues related to dress code and *pardah*. The men are encouraged to ensure that their wives are a part of such gatherings-in proper *pardah* of course.

If this is not feasible for whatever reasons, men should routinely take their wives out for walks, draped in proper *pardah*. This should be turned into a habit for purposes of reform and instruction of the women. Similarly such chores that require the discretion of women should be allocated to them and not to the domestic helpers. There should be no restriction on women going out to meet their relatives, while properly veiled, and even trips to the bazar shouldn't be unnecessarily prohibited. In many instances this will turn out to be a practical solution as many household chores grocery shopping require the participation of women.

If a woman is in need of medical assistance and the doctor has to perform check up on certain body parts for diagnosis, only the bare

minimum of *pardah* should be observed, so as not to impede the check-up.

Women shouldn't be forbidden from conversing with shopkeepers and domestic helpers. According to *sharī'a*, women are not required to cover their faces, but keeping in mind our cultural conventions which do not tolerate such a bold move on part of the women, I would advocate a less rigid regimen for *pardah* and a relaxation in strict observance of *pardah* as currently recommended for women. In addition I am going to provide a list of relatives from whom women need not veil their presence.

A woman need not observe *pardah* from her paternal or maternal first cousins.

A woman doesn't need to veil up in presence of her father in law, or any of her husband's uncles.

A woman doesn't need *pardah* in the presence of her husband's real brothers or his maternal and paternal first cousins.

A woman or her sisters do not need to observe veil in presence of her son in law.

A woman doesn't need to cover up in presence of her sister's husband.

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