



The  
Status of  
**Muslim  
Women**  
in Medieval India

Sudha Sharma

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Sudha Sharma



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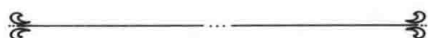
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## Preface

Woman has been considered, through ages, as the prime mover of family and the society alike. The term 'status' refers to the position of woman as a person in the social structure, defined by her designated rights and obligations. Each 'status-position' is explained in terms of a pattern of behaviour expected of the incumbent. The role and status assigned to women in the society have always been a yardstick to assess the level of progress of civilisations. The book traces the status of Muslim women in medieval India in terms of their social, economic, political and cultural roles.

At its inception, the book traces the status of women in pre-Islamic Arabic tribal society during its dark age where women had no recognised place except that they were considered a mere property. Islam improved their position and instituted many reforms, effecting a marked improvement in their status. However, the Islamic religious text, like in other spheres, laid down the minutest code of conduct for women, the slightest deviation from which was considered irreligious. Such rigidity, coupled with the apathy of the *ulemas* (Muslim religious scholars/the Muslim theologians, who were considered competent to interpret the holy Quran and *Sunnah* (traditions of Prophet Mohammad)<sup>1</sup> for any change, made the fort of Islam almost impregnable, resulting in the static status for Muslim women within the Islamic fold. The subsequent historical developments, however, brought different clans within its fold, comprising mainly Arabs, Turks, Mongols, Tartars, Afghans and Persians. Each group had its own clannish traits and norms concerning women. As a result, assimilation of different ethnic groups influenced the Islamic society, even though they retained some of their own customs and traditions. Such group interactions were different in different countries; hence, there also appeared regional diversity within the Islamic fold. Accordingly, the early dicta were now understood in the light of the new experience and, thus, the Quran was subjected to many interpretations, including about the status of women.

Islam came to India loaded with influences of other ideologies and underwent further changes after intermixing with the Hindu way of life at that point of time. Most of the Muslim invaders, who came to India, were not accompanied by women, and hence they took local women for wives. Thus, the forcible conversions by the attackers or the intrusion through marriages with Indian women, combined with intermingling with the local culture and the varying policies of different kings at different points of time, brought about a change in the status of Muslim women from time to time. Women in India in the contemporary period had fallen very low from the exalted position they once enjoyed. It did not take many years for Muslims to adopt new ways for their own women as well.

The literature on women during medieval period is scanty and, therefore, studies on Muslim women are only a few. Some authors deal with individual aspects and problems of Muslim women in contemporary India. However, the study of their status in medieval India had, more or less, remained peripheral in the contemporary chronicles and the modern works. Since Muslim women remained in seclusion, public reference to them was avoided unless someone played a significant role in politics, literature or any other field. We find references in the memoirs of the contemporary Indian kings, diaries and dispatches of Christian missionaries, travel accounts of foreign travellers, contemporary Hindi and Persian writers and Edicts from the harem that throw light on the attitude of that society towards Muslim women. However, whatever references are found, these have to be interpreted and analysed in the light of the background and limitations of the contemporary chroniclers. Modern works primarily focus on the role of women connected with royalty and nobility of that time.

This book is an attempt to analyse the changing socio-economic-politico-cultural status of Muslim women of all classes in medieval India (13th–18th century). It is divided into six chapters, followed by a conclusion and a bibliography.

Each chapter is followed by 'references' in the endnotes that are related with the aspects discussed within the chapter.

Chapter 1 gives the background. It dwells on the status of women in the pre-Islamic Arabic society and then further discusses the tenets of Islam as to how and to what extent did it improve the status of women. The chapter further traces the spread of Islam, different clans joining Islam and the status of women within these respective

clans, which ultimately led to new interpretations about position of women within the Islamic fold.

Chapter 2 deals with the social profile of Muslim women during the period of this study. It discusses at length as to how the degenerating status of women in the contemporary Indian society was also adopted by the Muslims and how, ultimately, Muslim women, in general, became totally subservient to their menfolk and, except an exception here and there, became victim of social apathy and neglect. Due light has also been thrown on the position of special classes of ladies like dancing girls, prostitutes, widows, female relations, slave girls, besides morality of women and general social attitude towards them.

Chapter 3 discusses the economic rights and privileges of the Muslim ladies of different economic standing—royalty, nobility and common classes. It narrates how the royal and high-strata ladies were very well provided for through different means, varying according to their status within the harem, their importance in the political set-up and the financial resources of their masters. The chapter also narrates the concern of the royalty for female subjects of all classes and they all were given sufficient grants, in different forms, for their maintenance. Their *mahr* (obligatory bridal money/possession paid/promised for marriage contract), ownership and inheritance rights have been discussed. The economic activities of different sections of unprivileged classes have also been elaborated in this section.

Chapter 4 dwells on harem and purdah. It narrates how a large harem had become a status symbol and how Mughals added to the number of harem inmates by following the policy of seeking peace and strengthening relations through matrimonial alliance. The Muslim jealousy about their wives was proverbial. A detailed narration has been made as to how they guarded them, provided for their dwellings and expenses and worked out, during the time of Mughals, an elaborate system of internal management for the security and maintenance of the harem inmates. The chapter gives a detailed account of activities of the ladies of royalty and nobility in harems and also their life of splendour, pomp and luxury, which, in fact, impacted their status negatively. The practice of purdah, which had become common and came to be regarded as symbol of honour, has also been discussed in this section. It has been made clear with examples as to how different stress was laid on observance of purdah during different periods in history. The role of purdah in the lower



strata of the society has been reviewed distinctly. It is interesting to observe how the rigidity with which purdah was adopted reduced the status of Muslim women and had varying adverse impact on ladies of different classes.

Chapter 5 discusses the role of Muslim women on political platform. In this respect, important role played by different ladies of royalty, nobility and high birth or even concubines and dancing girls at different points of time—as active participators or regents of the minor kings or as manipulators behind the scene—has been discussed. The influence of these ladies varied from time to time according to their personality, family connection, political situation and the character of the sultan or the emperor. The chapter contains a detailed description of such participation by different ladies, which depicts how with the weakening of the empire and the royalty falling into debauchery, the ladies of low birth like dancing girls and concubines gained greater sway in court machinations in the later period in contrast to the positive role played by royal ladies like Razia or Nur Jahan in the earlier period.

Chapter 6 focuses on cultural achievements and pursuits of Muslim women during the period under study. In this domain, the common Muslim women had little to contribute because of their educational backwardness and prevalence of early marriage and purdah. The narration brings out that as the kings of the sultanate period were conservative, their ladies did not make a mark, except a few like Razia, who patronised education. However, Mughals made arrangements for education of harem ladies. Instances have been explored wherein Mughal ladies made a mark in different fields like education, writing, fine arts, designing, laying beautiful gardens, architecture, etc. Their acts of charity and religious piety have also been highlighted, which did enhance the social status of the Muslim women.

The last chapter gives, in conclusion, an overview of the status of Muslim women as it changed during the course of history in medieval India. It is further followed by a list of references titled 'Bibliography'.

The literature in this book largely emanates from my Doctoral thesis with the title 'Changing Status of Muslim Women in Medieval India Till 1761', which was accomplished under the guidance of renowned scholar of history, late Dr R.C. Jauhari, then Professor of History, Panjab University, Chandigarh. Additional material and latest references have been induced to make the reading more

contemporary. Thus, this book holds authentic reference for those studying the position of Muslim women from all aspects in medieval India.

A pointed research, an analysis and interpretation of the literature of medieval India could not be accomplished without reference to the archival works, most of which are available in Persian. It warrants assistance from authorities in Islamic Studies, besides experts in Persian language, to read and assimilate. Many learned scholars, especially Dr Madhukar Arya of Persian Department of Panjab University, Chandigarh, and Dr Mohammad Afzal Khan of History Department of Aligarh Muslim University, rendered valuable assistance in my endeavour to understand the subject in its right perspective. I extend my gratitude to all of them.

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Sudha Sharma

## Note

1. Sultans in medieval India often allowed the *ulemas* to act as religious and legal arbiters.

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# 1

## Islamic Heritage: A Background

### Islam—The Religion

The changing status of Muslim women in India cannot be discussed without considering the tenets of the Muslim religion and also the Middle Eastern ethos that existed during the contemporary period. In Islam, the Quran is a perennial source of reference for interpretation and validity of almost every conceivable human act and situation. It is the code that contains all procedures and practices, be they religious, political, civil, commercial, military or judicial—all of which are of importance to a Muslim. It regulates everything: from the elaborate ceremonies of religion to mundane activities of daily life, from the salvation of the soul to the health of the body, from the rights of the community to those of each individual, from morality to crime and from punishment here to that in the life to come.<sup>1</sup>

As Islam moved out beyond the borders of Arabia, the people of varied cultures joined its fold. This brought new ideas and also new problems in its trail. Consequently, to meet the demands of the changing times, the simple early dicta of the Quran were subjected to new interpretations and additions. The new issues were solved with the help of the 'traditions' of the Prophet, known as *hadith*, rules of law deduced from the *hadith* called *sunna*, the consensus of the scholars called the *ijma* and the analogical deductions known as the *qiyas*. Prophet Mohammad was realistic enough to foresee that Islam and its followers must keep pace with the changing times if Islam had to continue till eternity. According to a *hadith*, Muadh, on being appointed ruler of Yemen, was questioned by Mohammad as to how would he deliver justice. 'I will judge matters according to the Book of God', replied Muadh. 'But if the Book of God contains nothing to guide you?' asked Mohammad. 'Then', replied Muadh, 'I will act on the precedent of the Messenger of God.' 'But', persisted

Mohammad, 'if the precedents fail?' 'Then I will endeavour to form my own judgement', replied Muadh. On hearing this, Mohammad is reported to have expressed the greatest satisfaction.<sup>2</sup> In the *fatihah*, the very opening chapter of the Quran, Muslims pray to the Almighty to 'guide us on the right path', indicating concern for the future eventualities. Had it not been so, Muslims would not pray for future guidance but would offer thanks for guidance already received. Some of the laws made by the Prophet were later on annulled or modified according to the needs of the time. Inter-marriages with non-Muslims, for example, were first permitted but as the war tension increased, such marriages were prohibited.<sup>3</sup> Prophet Mohammad's vision of future is best reflected by Ameer Ali:

The great Teacher, who was fully conscious of the exigencies of his own time, and the requirements of the people ... foretold that a time would come when the accidental and temporary regulations would have to be different from the permanent and general. Ye are in an age, he declared, in which, if ye abandon one-tenths of what is ordered ye shall be ruined. After this, time will come when he who shall observe one-tenth of what is now ordered will be redeemed.<sup>4</sup>

## Status of Women in Pre-Islamic Arabic Society

In pre-Islamic Arabia, women had an exalted position. They enjoyed great freedom and exercised much influence over the fortune of their tribes. They were not the symbol of weakness, but the embodiment of strength and action. It was the young bride of Haris bin Auf, the powerful chief of the Banu Murra, who brought about the settlement of a long-standing feud between the two rival tribes of Abs and Zubjan.<sup>5</sup> The women accompanied the warriors to battle and inspired them to heroism. The cavaliers fought singing the praises of sisters, wives or lady loves. The chastity of women was honoured the most. An insult inflicted on a woman of a tribe set in flame the desert tribes from one end to the other of the peninsula. The 'Sacrilegious Wars', which continued for 40 years before Mohammad brought them to an end, had the root cause in an insult to a young girl at one of the fairs of Okaz.<sup>6</sup>

Such chivalrous customs continued for quite some time among some of the nomads of Arabia. The condition of women among the Arabs settled in the cities and villages, who had adopted the loose notions of morality prevalent among the Syrians, Persians and Romans, gradually deteriorated to an abysmal level with the contemporaneous political degeneration. Ultimately, the portrait of free, courageous woman, with an independent will of her own, vanished and in its place, the image of women as captives of the harem, immersed in toilet, trifles, sensual pleasures and short of all dignified pride, emerged.<sup>7</sup>

In the tribal society, loyalties were totally for the interests of the kinship groups, tribes and classes. Theirs was the patriarchal society. As such, in the social set-up, as it developed with the passage of time, women came to have no recognised place.<sup>8</sup> The birth of a daughter came to be regarded as a matter of shame. The custom of female infanticide crept in. This gets revealed from *ayats* (verse of the Quran) 16:58–59 of the Quran, which read as follows:

When if one of them receiveth tidings of the birth of a female, his face remaineth darkened, and he is wroth inwardly. He hideth himself from the folk because of the evil of that whereof he hath had tidings, (asking himself): Shall he keep it in contempt, or bury it beneath the dust! Verily evil is their judgement.<sup>9</sup>

As per the acknowledged authorities on the social order of Islam, the root cause of female infanticide was the poverty of the parents. There was also fear of the possibility of disgrace and loss of prestige in having one of their flesh and blood married to a stranger. The prevalence of female infanticide among the Arabs seemed to be guided more by the latter factor than by economic considerations. The rough geographical conditions forced them to become nomadic and to indulge in constant fight for survival. Under such life of perpetual struggle, these Bedouins desired sons, especially when the size and strength of the male members of a tribe determined its status and well-being. In their social order, marriage by capture was common and it was considered honourable to take away the wives and concubines of the enemies. Contrarily, seduction of their women was considered a great disgrace. Their intense feeling in this regard can be gathered from the prevalent sayings like the ones which said that 'the grave is the best bridegroom' and that 'burial of daughters is demanded by honour'.<sup>10</sup>

Even when a girl was allowed to live, she was forced to get married at an early age of 7 or 8. A form of endogamy, expressed in the marriage of cousins, prevailed amongst a majority of Arabian tribes. A man's father's brother's daughter was, as a rule, his first wife who remained mistress of the household, even when other women, who might be greater favourites, were introduced into it. Such a marriage within the tribe was preferred probably to keep control over the bridegroom, to prevent the loss of any property of the tribe and to keep their children within its fold.<sup>11</sup>

In pre-Islamic Arabia, a variety of different marriage practices were prevalent; the more common were: marriage by agreement, marriage by capture, marriage by purchase, *beena* marriage, *baal* marriage and *Muta* marriage. The marriage by agreement consisted of an agreement between a man and his future wife's family. The marriage could be within the tribe or between two families of different tribes. Marriage by capture most often took place during times of war, whereby women were taken captive by men from other tribes.<sup>12</sup> In marriage by purchase, a sum of money (known as *mahr*) was paid by a man to the father or nearest kinsman of the woman whom he wished to marry and the other sum (the *sadaq*) to the girl herself.<sup>13</sup> In *beena* marriage, a number of men, 10 or less, would be invited by a woman in her tent to have intercourse with her. If she conceived and delivered a child, she had the right to summon all the men and they were bound to come. She would then say, 'O, so and so, this is your son'. This established paternity conclusively and the man had no choice to disclaim it. The children were brought up by the clan of the wife.<sup>14</sup> In *baal* marriage, the wife used to come to husband's house and her children were given the name of father's clan. The Hebrew word *baal* denoted 'lord', 'master' or 'possessor' and the term was used in the Old Testament for 'husband'. It, thus, substituted *beena* marriage by which women lost their independence and the supremacy of man was established.<sup>15</sup> As for *muta* marriage, it was a totally personal arrangement for temporary fixed period between the two parties, without any intervention from woman's kin. At the end of the period, both the parties were free to depart, without any further ceremony, provided that the woman had received the dower or the fee due to her.<sup>16</sup> Another type of marriage that was prevalent was one in which a man desiring noble offspring would ask his wife to send for a great chief and have intercourse with him. During the period of such intercourse, the husband would stay away and return



to her after pregnancy was well advanced.<sup>17</sup> Above all, common prostitutes were well known. If a prostitute conceived, the men who frequented her house were assembled and the physiognomists decided as to whom the child belonged.<sup>18</sup> Most of these conjugal relations, however, could hardly be termed as marriages. They are aptly been termed as 'legalized prostitution or common sexual behaviour recognized by custom'.<sup>19</sup> Even polyandry was practised by some of the tribes.<sup>20</sup> In all such arrangements, woman was never a free agent to make a choice. It was the *wali*, the father or the male guardian, who gave her in marriage and her consent for the same was of no importance. There was no limit to the number of wives a man could have, besides having a number of concubines.<sup>21</sup> In fact, wife was looked upon as a kind of chattel. She could even be lent to a guest as a mark of hospitality for which the Arabs were well known.

The powers of divorce possessed by the husband were also unlimited.<sup>22</sup> Hence, divorces were common. A man, having purchased his wife, could be discharged of his total obligation to her by payment of a portion of the *mahr* that might remain due to her father or *wali* and be rid of her by pronouncement of the formula of dismissal. This required him to repeat his intention of divorcing his wife three times at one go or at intervals.<sup>23</sup> A woman did not have corresponding right of divorce except in case of marriage by purchase where she could buy her freedom from the husband by relinquishing her *mahr* to him. This kind of divorce was known as *khul*.<sup>24</sup>

Closely linked with the subject of marriage is the veiling and seclusion of women. Regarding veiling, customs appear to have varied between the Arab nomads and the city dwellers. While women of desert dwellers went unveiled, associating themselves freely with men, women in cities were veiled. Amongst Prophet's own tribe of the Quraish, veiling was the rule, in general. It is reported that in ancient Mecca, citizens used to dress their daughters and female slaves beautifully and parade them unveiled around Kaba with a hope of attracting some suitors or buyers. If they succeeded in their mission, then the women used to resume their veil again.<sup>25</sup> Possibly, a reference of this also appears in a passage of the Quran where Mohammad exhorted his wives to remain in their houses and not to go out decked in public as in the 'time of barbarism'.<sup>26</sup>

In the Arabian Law of Inheritance, a female could not inherit; the usage was that only he could inherit who could ride on the back of the horse and take the field against the enemy and guard the tribal



property. Even among males, only agnates could inherit while the cognates (males through females) were debarred from succession.<sup>27</sup> A woman formed an integral part of the estate of her husband or her father, and the widows of a man descended to his eldest son by right of inheritance, like any other portion of his patrimony. There are references of matrimonial unions between stepsons and stepmothers.<sup>28</sup> Some of the old Arabian proverbs like 'women are the whips of Satan' or 'trust neither a king, horse nor a woman' or 'our mother forbids us to err and runs into error' or 'what has a woman to do with the councils of a nation' or 'obedience to a woman will have to be repented of' speak eloquently as to how the Arabian women were regarded as malign beings and greatly inferior to men.<sup>29</sup>

## Islam and Women

With the advent of Islam in Arabian Peninsula, the social institution of the *Jahiliya* (the age of ignorance) underwent significant changes. For restoring the dignity of women, one of the laudable acts of the Prophet was to denounce the practice of female infanticide and to forbid it strictly through the authority of Quranic injunctions; some of these injunctions are quoted as followed:

6:140: They are losers who besottedly have slain their children without knowledge.... They indeed have gone astray and are not guided.

6:151: ... ye slay not your children because of penury—We provide for you and for them....

17:31: Slay not your children, fearing a fall to poverty. We shall provide for them and for you.

81:8-9: And when the girl-child that was buried alive is asked. For what sin she was slain.<sup>30</sup>

He went a step further and succeeded partly in removing poverty within a short time, which was one of the main causes of such practice, by making *zakat* (almsgiving) compulsory and worthy of praise. Such collections were to be used for specific purposes, including the use for the poor and the needy.<sup>31</sup> The birth of a daughter was not to be regarded as unwelcome. It was ordained that for a man who brought up daughters, the latter would become a covering against Hell.<sup>32</sup>