INTRODUCTION

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The study entitled "Muslim Women in Malabar-Study in Social and Cultural Change", is an attempt to analyse the changing perspectives on Muslim women in Malabar in the context of socio-historical perspectives, covering a period of fifty years after independence.

The focus is on this area because none of the earlier studies have touched on the status of Muslim women in Malabar where as there are publications on the general conditions of the Muslims in Malabar and also works by sociologists discussing the status of Muslim women at the national level.

In the backdrop of the marginalisation of women in general, a study of this kind assumes great significance. When the Holy scriptures and nature provide much importance to women, she has been treated as an inferior being compared to men. The modern man calls her his better half, but he is hardly prepared to concede her those rights which he himself enjoys. A woman is stigmatized as a curse or calamity to the family. It is the man who is behind the curtain. If this is the condition of women in general, the condition of Muslim women is crucial.

There are many issues like 'Shah Bano case,' 'triple talaq,' maintenance rights, veiling, polygamy etc. All these social issues have been
brought to the fore. These issues are debated at the national level and there are controversies, revolving round the lot of the Muslim women. These debates have created repercussions in Malabar also. In this crucial situation we have to define our space which is exclusively understood by women. It is in this space that we have to establish our identity. In this context the study of Muslim women in Malabar is relevant.

This study is a part of my research and scholarly activities. The conclusions of this work are drawn from my readings of primary sources like Kerala Gazetteers, Legal orders, Government orders survey reports and personal interviews. Of the works in English, William Logan's *Malabar Manual* in three volumes (1887) is a monumental work. *Madras District Gazetteer, Malabar* by C.A. Innes and F.B. Evans (1951) supplements information regarding Malabar.

Anantha Krishna Iyyer's, *The Cochin Tribes And Castes*, Vol.11, (U.S.A., 1969). They contain ethnographic data on Mappilas of Malabar (8) and Asghar Ali Enginer's *Kerala Muslims - A Historical Perspective* (ed) (New Delhi, 1995). I also consulted the general works on Muslims in India which throw light on social aspects of Muslim Women. They are (9) M. Indu Menon's *Status Of Women in India* (Delhi, 1981). (10) and M.A. Wani's *Maintenance Rights of Muslim Women* (Delhi, 1987). Besides that, the general books on Kerala History, and books on Islamic studies and History Research thesis are also consulted for preparing this thesis.

As regards methodology, a random survey was conducted on women with reference to fifty Mappila families, the Daudi Bohra Community in Calicut, the Rawther and Dhakni Communities. This survey was conducted in Calicut, Malappuram and Palghat. With regard to foot note system, I have followed the old method of citing sources, using the terms *Ibid* and *op.cit.* A glossary and a select bibliography are given at the end of the thesis.

As personal observation, it is noted that general progress found in the case of Mappila women is not reflected in the case of non Mappila sections like Rawthers and Dhaknis. Among the Shia Muslims, Dawudi Bohras, seen in the urban centres of Malabar like Calicut and Tirur, a few of them are working as teachers in exceptional cases. The general social status of these sections is less comparable to that of the Mappila women.
By the word Malabar, I mean the territory from the present Kasargod district (the part of old south Canara district of the former Madras state) to Palghat district and parts of the old Malabar province in the present Thrissur district, ie., the area comprising Nattika, Valappad, Engadiyoor, Chavakkad - Guruvayoor etc.

Prior to 20th Century Muslim women in Malabar lacked behind the Hindu women at all level of their activities. They were under segregation and were controlled by the Orthodox segments of the society. Thus this study reveals that they have emerged successfully from the conflicts between the forces of tradition and modernity. Many socio-cultural changes have been noticed in them in the fifty years of independence. Here education especially, the western education under the impetus provided by the socio-religious reformers among the Muslim community have been recognised as a key factor for their change.

This study is divided into four chapters. The first chapter throws light on the advent of Islam and the factors that helped the growth of the Muslim society in Malabar. The origin of Islam in Malabar is a disputed question and will perhaps remain debatable. This is mainly due to the confused nature of written records and the lack of contemporary evidence. The conventions views are represented by K.P. Padmanabha Menon, Sheik Zeinuddin and the
Logan are based on the legendary traditions contained in *Keralolpati*, they have placed the origin in the 9th century AD.

But the modern historians, especially Prof Elamkulam Kunjan Pillai and Dr. M.G.S. Narayanan have made an elaborate study on it and contradicted the earlier view. Their findings have ascribed the event of the conversion of Ceraman Perumal, the last ruler of II Chera dynasty, into Islam to 12th century A.D. in the light of their miscriptional evidences.

In course of time, many places in the Malabar coast like Ponnani, Madayi, Calicut and Kodungallur became important Muslim centres. Along with it, the missionary activities, traders, Arab sailors, matrilineal social set up of Malabar, and the visit of the Tangals, accelerated the growth of the Muslim community in Malabar. The local castes welcomed Islam as a chance to obtain a degree of social freedom. By conversion, a lower caste in the social hierarchy, got a distinct rise. So in the wake of these conversions, they retained many of their customs and rituals.

The Arab merchants were in India for about four months in one year, so it is reasonably supposed that they had not brought their women with them. It might also be due to the hazardous nature of voyage. All these caused them to marry native women which, in course of time became an accepted custom. The social set up of Malabar also made conducive to engage in the
matrimonial relations which had the resemblances of 'Muta' marriages. It was a kind of temporary marriage that existed in the early Arab society.

The majority of the people in the Muslim population of Malabar coast are 'Sunnis', 'Shias' are also found among them but they are a microscopic minority. Calicut, being an important centre of trade flourished under the patronages given by the Zamorins of Calicut to the Arab traders. In this connection the positive attitudes of the rulers paved the way for the growth of Muslims and this is also an undeniable factor. That is why, many of the fisherman along the sea coast are Muslims today.

The Muslims of Malabar followed the matrilineal system of inheritance which was against the Islamic law of inheritance. This was a distinctive feature of Muslim society. Thus, in many areas of social life, they have adopted the elements of Kerala culture ranging from dress habits to marriage practices like tying of 'tali' around the neck of the bride, dowry system, matrilocal residence etc. In the marriage ceremony, 'Nikah' is a very important aspect of the marriage custom. Before marriage, the girls were never allowed to see the bridegroom, 'oppana' is a colourful function connected with marriage. This is performed on the previous day of the marriage.

The customary law of inheritance was abolished when in 1937 the Muslim personal Law or 'Shariat' was, made applicable to all Muslims by the
Central Assembly. Thus, the Malabar Muslims are also governed by the patrilineal law.

Thus the Muslims of Malabar emerged as a product of these circumstances and a large scale absorption of the Hindus into the fold of Islam had the effect of changing the character of Kerala society and in this process of change some of the irrational beliefs not sanctioned by Islam came into the vogue. Along with that, conservative concepts began to overshadow their lives. Also the Muslim women as such became marginalised under the male domination.

The second chapter presents the historical back-drop of the status of 'Women in Islam'. It highlights the concepts of women as reflected by Islam and tries to remove certain misconceptions expressed by the scholars on the Muslim women. It also adds how gender equality is accorded by Prophet Mohammed and the rights and duties performed by both the parties equally. As Islam, had its origin in the tribal society of Arabia, it is necessary to have a clear picture of the position of women who had virtually, no place in preIslamic society. The birth of daughter was considered by Arabs as a calamity or disgrace to the family. So the status of women was much inferior. The Quran has greatly improved the social status of women and laid down definite norms as against mere customs and usages.
In the then Arabian society women were not expected or required to earn and look after the family. This was exclusively a man's obligation. Since he was charged with the obligation of looking after the sustenance of the family, he was also accorded a degree of superiority over woman. This sociological context is traced here. If the social context changes and if women began to earn there is nothing in the Holy scripture, preventing women from earning their livelihood or for that family. There are many references in the 'Hadith' indicating women of those time engaging in business circles. The Quran has certainly uphold the doctrine of equality of sexes.

In the case of polygamy also, it is permitted in the sociological context, in order to do justice to the weak and orphans subject to the condition that equality of treatment would be ensured. The second point is that it is not compulsory but optional. The Quran makes it clear in certain verses that it is almost an impossible factor to meet that condition.

In Islam, marriage is a civil contract entered into by mutual consent of the bride and groom and a highly sacred bond to which a great religious and social importance is attached. Detailed injunctions have been prescribed to maintain its stability and to promote its betterment. The Quran states that there should be conciliation before divorce. Divorce is permissible in Islam in case of extreme emergency, when all efforts and reconciliation have failed.
'Triple talaq' cannot be pronounced in one breath. But there should be an interval in between the first, the second and the third 'talaq'. This gap is given for reconciliation.

There are many criticisms against the property rights, veiling, polygamy and 'triple talaq'. Regarding property rights, a son gets 2/3 share and a daughter gets only 1/3 share in the property. The Quran proclaims that a son is given the sole right of taking care of their aged parents and also to provide sustenance to them. 'Mahr' is also an obligatory right on him. He has to forgo a sum or gold to the bride as a bride's gift. So he has all the claims for a double share.

Maintenance should be given to the divorced wife, till the period of 'Iddat'. The lawful 'Hijab' or veiling appears to be a symbol of oppression and suppression. In Islamic life a woman covers herself for fear of any potential danger to her honour and dignity. Any way, it does not permit ultra modern dresses which are more to reveal the charm of the women. The Quran or any other Holy scriptures would recommend chastity as an everlasting social value. Neither ultra modern dresses nor free or unnecessary mingling of male and female genders are allowed. This is a kind of life which Islam wanted to replace by a life of decency and responsibility.

This chapter also explains why men and women are treated differently in some cases and does not affect the equality in terms of humanity, dignity
and merit, rather it is a divine wisdom which provides that their very different nature requires different functions. Differences are only on their biological constitutions and complementary functions in a society. Women are liberated from the injustice and oppression by the prophet through the social revolution. Though Islam has provided many theoretical rights, practically, they are denied of these rights. So, the theoretical understanding of the Quarnic injunctions is inevitably required for the Muslim women for the eradication of their social oppressions.

The third chapter focuses on the key factors which accelerated the pace for the socio-cultural change of Muslim women in Malabar. Here, the western education is recognized as the potent factor for their change. Like all other conservative societies, the Muslim society was not free from these concepts. It was based on superstitions and irrational beliefs which is purely against the principles of the Quran. This was the condition, till the beginning of the 20th century.

While the Hindu women of those times were educationally progressed with the help of the English education, the Muslim women lagged behind them. They were in the shells sticking on to these taboos under the pressure of some of the compelling factors of orthodox factions. They were relegated to the background and marginalised in the society.
The study relates this isolation to the anathema shown by them towards the western language on one side and the lack of proper understanding of Quranic viewpoints in different aspects of women on the other. In the light of these two factors, the Muslim women could not achieve their own space in the society.

The people of the society viewed the colonial language as the language of the 'devil' and Malayalam as the language of the 'idolators'. This type of education did more harm than good in those days. This is due to the rigid type of training given in the 'Madrasas'. As a result, it stunted the potentialities of the students.

In this context social and educational service organizations were evolved around these institutions. The Muslims who used only Arabic education began to concentrate on English education also. The pioneering works had been undertaken by those great socio-religious reformers like Wakkom Abdul Quadir Maulavi and Sanaulla Makti Tangal, the products of the first half of the twentieth century. They exhorted the people to accept the western education from the schools and colleges opened by the private and the Government initiative. Reformers boosted up in the female education by sending their own female children to the schools.

Islahi movement in Malabar has been a source of inspiration for raising the educational consciousness among the Muslims especially, the female
children. All these reform movements stood for the eradication of unIslamic practices and led them to follow the true injunctions of Islam. After the Mappila Rebellion of 1921, many schools and colleges were started in the Mappila pockets. The British themselves found that the economic reasons were attributed to be the main causes of the Rebellion. Hence, they thought that the need of the hour was to provide educational training to the Muslim students. Under their initiative, Muslim training schools and high schools were started.

Today, there are innumerable primary schools, high schools and Arts and Science colleges and professional colleges in the Muslim areas. As a result, the female education has gone a further step Farook College, at Feroke in Calicut district is a college of repute, where many Muslim female students are receiving their education and coming out with the distinction. MES (Muslim Educational Society) under Dr. Gafoor and his associates and the ladies wing have been working for many decades for the upliftment of this community with their emphasis on educational and social empowerment of Muslim women. The term 'Empowerment', the term differs from person to person. Here it means the power to set their own agendas to change themselves through education and to develop the inner strength for acquiring self image and respect.
There are also many prominent women activists in this society. V. Zuhra, President of the organization called NISA, is actively working for raising the status of the Muslim women and trying to solve their issues through this association.

Mrs. Fathima Ghafoor, and Mrs. Khamerunnisa Anwar are also brains behind the upliftment of the Muslim women. Through their organization they are lending financial support to the poor families and female students to promote educational cause.

P.K. Haleema and Amina, were the literary figures who adorned the literary field by their master pieces in Arabic Malayalam which cherished even today. Dr. Rahmat, the first woman graduate from Malabar indicates that the Muslim women have started challenging the odds and reactionary forces that have been suppressing them. The number of lady doctors, nurses, engineers, and technicians is steadily increasing. The educational growth is a matter of pride for this community.

The academic result published by the Calicut University in 2001-2006, shows that some of the Muslim female students have placed in the first, second and third ranks in their respective subjects. Besides, many of them have first classes. The credit goes to themselves and to Farook College. Some of them are married but it did not disturb their academic results. They are role model to the younger generations. Now a days, it is a common sight
that Muslim female students and housewives are driving the vehicles, carrying their mobile phones in their hands. The purdha wearers are also in the list. These women do not consider 'purdha' as an impediment to their social change taking place among them. Along with it, traditional dresses are replaced by new-fashioned dresses. The Muslim women are also not prevented from attending the mosques as they were in the past.

There is no doubt, that there has been a social change in the traditional status of Muslim women in the Malabar region. They have challenged some of the old values of conservatism and have come out of their shells. The courage and confidence, of course, have led them to empowerment. It is a fact that, the impact of modern education, the economic independence, socio-religious reforms and expansion of trade caused a tremendous improvement in their lives. So the general trend among Muslim women is towards getting educated.

The fourth chapter analyses the various reasons for the social issues of the Muslim women in the society. The solutions are also suggested for the redressal of their grievances. Theoretically, they have immense rights as enjoyed by the male persons. Practically they are denied those rights. Many of the provisions of 'Shariat', the Islamic law have been misused by the people either it is, with the view to safeguarding the vested interests of the male gender in the Muslim society or lack of proper understanding of rationale of
the Quranic injunctions or lack of the inclusion of women jury in the interpretation of 'Shariat'.

Now, the sufferings of Muslim women in Kerala society or Indian society as a whole are increasing. They are directly affected by different legal and constitutional controversies. Their problems are not yet redressed.

Marriage is a civil contract in Islam but 'Mahr' is a fundamental obligation. But, actually it is not paid in cash or kind. The controversy over 'Mahr' gets more complicated in the case of divorcee in the practical life of the Muslim women in Malabar and other regions. Much more than that, the divorce question of women is the question of conflicting views and interpretations which has led to present controversy (Shah Bano Case) involving judiciary vs the legislature on one hand and the fundamentalists on the other.

In this scenario divorce cases filed by the Muslim women outnumber divorce cases filed by the men. When there were attempts to revise criminal procedure code in 1973 for the protection of women's rights it was opposed severely by the Muslim ulema and they were consistently against extending the maintenance of the divorcees till she remarries or dies. They contend that they are eligible for it only till the period of 'Iddat'. It is in this contest in 1985, Shah Bano controversy came to the surface. It had its repercussions in Malabar when Muslim women of Malabar were also seen struggling for social
justice in the law courts. It is a usual sight that the poor Muslim women carrying their infants on their shoulders in the verandhas of the courts for the settling their maintenance question.

Besides, there are some other issues like, wife beating, mental harassment, domestic violence, rape, murders and atrocities on the women. Day by day, it is going on increasing. Muslim women of Malabar are no exception to it. It is very unfortunate and pathetic that the poor women are becoming victims to such injustice. This situation is due to fact that they are uneducated and unaware of the laws. So, she is always cheated and exploited by men.

If women's issues are studied theoretically, a psychological factor is also behind the above mentioned issues. So, firstly, men's conscience should change. A balance of the attitude is also necessary for a happy marriage in the society.

Regarding the Muslim women of Malabar, the amount of dowry is also increasing. Gold ornament which is to be given as a part of dowry is also on the increase. Here, the poor Muslim women suffer on account of it. Though law is there, it is not implemented strictly.

Finally, the method adopted for the dissolution of marriage is very pathetic. It is usually found in the poor families. The misuse of the 'Shariat' is very pathetic. No doubt, the provisions of unmodified Muslim Law
regarding 'talaq' are discriminatory and against the true Quranic principles. In a multi religious country like India which has opted for a secular state, it is the right of every citizen to be governed by secular laws in personal matters. All legal enactments are man made, so changes can be made in the Muslim personal law too, provided the fundamental aspects are retained. It could be hoped that the Muslim women would welcome change in the status concerning marriage and divorce. It is concluded that at least some provisions of the Muslim personal Law would be re-examined to the benefit of Muslim women or the Supreme Court directive to introduce compulsory registration of marriages must be welcomed across the entire social spectrum in the country as it fulfills a longstanding need to bring reforms in an area of crucial concern. Marriage being the key instrument of union between two individuals, maintenance of family, legitimacy of children from such union, ownership of property raised collectively or inherited upon death by one among them, settlement of insurance claims, retirement and post-death benefits for spouse, all essentially, beg for an official seal of authentication.

The circumspection expressed by the All India Muslim Personal Law Board is unnecessary in this regard. Registration should not be construed as an intervention into the Muslim personal law. Needless to say that it would infringe upon 'Nikah'. Several Muslim countries have incorporated such legislation on their statutes. Egypt requires registration of marriages within ten days of solemnization of Nikah'. There is absolutely no scope for fear for
those who harbour fears of interference into the 'Shariat' and personal affairs of Muslims.

The compulsory registration of marriages would make it difficult for men of vested interests to arrange unscrupulous marriages. It will also discourage underage matrimony and all such alliances that ignore social realities or age disparities. Most Arab marriages that often embarrass the community for their total lack of compatibility owe themselves to a thriving market of brokers who carry on their nefarious trade without any compunction. Thus Registration of marriage will help to solve the social issues of Muslim Women.

I have visited Tamil Nadu Archives Connemara library, Madras University Library, Islamic study centre - all located in Chennai, Department Library, Calicut University Library, Calicut Regional Archives, Farook College Library, Mathrubhumi Newspaper office, Calicut and the District court, Palghat and I have drawn materials from these libraries and repositories for preparing this thesis.