

Islamic Feminism in India: Reinterpreting Muslim Personal Law through Faith-Based Gender Justice

Fizza Jafri¹ 

¹Master's in Development Extension from Jamia Millia Islamia

Abstract

This paper examines Islamic feminism as a faith-based paradigm for pursuing gender justice within the framework of Muslim Personal Law (MPL) in India. Situated at the intersection of religious hermeneutics, legal pluralism, and postcolonial feminist theory, the study interrogates how Muslim women scholars and activists deploy concepts such as *ijtihad* (independent juristic reasoning), *tafsir* (Qur'anic exegesis), and *adl* (justice) to challenge patriarchal interpretations embedded in MPL while simultaneously resisting majoritarian demands for a Uniform Civil Code (UCC). Drawing on semi-structured interviews with Muslim women from diverse socio-economic backgrounds across urban India, alongside a systematic analysis of secondary literature spanning Islamic jurisprudence, feminist legal theory, and South Asian studies, the paper argues that Islamic feminism in India constitutes a transformative intellectual and social movement that reclaims interpretive agency, reconstructs religious authority, and reimagines the relationship between faith, law, and gender equality. The findings reveal that Muslim women do not experience religion as a monolithic structure of oppression; rather, they navigate and contest overlapping hierarchies of patriarchal authority, communal identity politics, and state power through a hermeneutics of justice rooted in Islamic ethics. The paper contributes to debates on religious feminism, minority rights, and legal reform in pluralist democracies.

Keywords: Islamic feminism, Muslim Personal Law, *ijtihad*, gender justice, Qur'anic interpretation, legal pluralism, India, women's rights, religious hermeneutics, Uniform Civil Code

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Corresponding Author: Fizza Jafri (ORCID: 0009-0008-5785-1216) | Email: fizzejaff@gmail.com

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I. Introduction

In contemporary India, debates surrounding gender justice within Muslim communities are most frequently structured around entrenched binaries: religion versus modernity, community identity versus individual rights, and tradition versus secular law. These framing devices, reproduced across judicial pronouncements, media discourses, and political rhetoric, have historically positioned Islam as inherently resistant to gender equality. They have also tended to present Muslim women as passive objects of either patriarchal protection or state-led liberation, rather than as agents actively engaged in shaping the terms of their own emancipation. Such representations, however, occlude a significant and growing intellectual and activist movement: Islamic feminism.

Islamic feminism asserts that gender inequality in Muslim societies does not derive from the foundational teachings of Islam but from historically contingent, socially constructed interpretations of those teachings—interpretations produced, codified, and transmitted by institutions dominated by men. By returning to foundational texts, including the Qur'an and Hadith, and applying rigorous methodologies of reinterpretation, Muslim women scholars and activists are recovering egalitarian principles that have long been marginalised by patriarchal jurisprudence. This practice of *ijtihad*—independent reasoning applied to religious texts—has emerged as the central methodological and political tool of Islamic feminist praxis.

In India, this movement carries particular urgency. Muslim Personal Law (MPL), which governs marriage, divorce, maintenance, inheritance, and child custody for India's approximately 200 million Muslims, has long been a site of intense contestation. Defenders of MPL invoke the constitutional guarantee of religious freedom and the political imperative of minority protection in an increasingly hostile majoritarian environment. Critics, conversely, argue that MPL in its current form perpetuates gender disparities that the Indian state is obligated to remedy. Islamic feminists occupy an uncomfortable but analytically rich position between these poles: they reject both the uncritical endorsement of patriarchal MPL in the name of community solidarity and the imposition of a Uniform Civil Code that they view as a vehicle of Hindu nationalist assimilation rather than genuine gender justice.

This paper examines how Islamic feminism functions as a faith-based strategy for pursuing gender justice in India. It explores the movement's theoretical foundations in Islamic hermeneutics and feminist theory, traces its practical manifestations in legal advocacy and community organizing, and situates it within the complex socio-political landscape of Indian pluralism. The paper is structured as follows: Section 2 develops the conceptual framework, situating Islamic feminism within

broader feminist and postcolonial theoretical debates. Section 3 reviews the relevant scholarly literature. Section 4 examines the relationship between Islamic feminism and MPL in the Indian context. Section 5 details the research methodology. Section 6 presents and analyses the empirical findings. Section 7 discusses the broader theoretical and political implications. Section 8 concludes with a reflection on the significance of Islamic feminism for gender justice in pluralist democracies.

II. Conceptual Framework: Situating Islamic Feminism

2.1 Defining Islamic Feminism

Islamic feminism is not a monolithic ideology but a diverse and internally contested discourse united by the conviction that gender justice is not only compatible with Islam but is demanded by its foundational ethical commitments. Margot Badran (2009), one of the most prominent scholars of the movement, defines it as a feminist discourse and practice articulated within an Islamic paradigm, deriving its understanding of gender equality and social justice from the Qur'an and seeking rights and justice for women and men in the totality of their existence. This definition highlights several features that distinguish Islamic feminism from other feminist traditions: its grounding in religious legitimacy, its textual orientation, and its aspiration toward comprehensive social transformation rather than piecemeal legal reform.

The movement's central methodological claim is that the Qur'an, properly understood, is an egalitarian text. Amina Wadud's (1999) foundational work, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, demonstrates through close textual analysis that the Qur'an's vision of the human being is gender-inclusive and that the hierarchical gender roles attributed to divine command are in fact the product of patriarchal reading practices. Asma Barlas (2002) extends this argument in *Believing Women in Islam*, contending that the androcentric exegetical tradition has systematically misread the Qur'an by treating historically specific social arrangements as timeless divine injunctions. Both scholars deploy what they term a hermeneutics of justice, a reading practice guided by the Qur'an's own stated commitment to *adl* (justice) and its condemnation of *zulm* (oppression).

2.2 Ijtihad as Feminist Method

Central to Islamic feminist praxis is the concept of *ijtihad*—independent juristic reasoning applied to religious texts in order to derive rulings appropriate to contemporary circumstances. In classical Islamic jurisprudence, *ijtihad* was the prerogative of qualified male scholars (*mujtahids*), and its formal exercise was declared ‘closed’ by Sunni orthodoxy around the tenth century CE—a claim that has itself been contested by reformist scholars across subsequent centuries (Hallaq, 1984). Islamic feminists reclaim *ijtihad* as a democratic interpretive practice available to all Muslims, arguing that the monopolization of textual interpretation by male scholars represents a contingent historical arrangement rather than a divinely mandated structure of religious authority.

This feminist deployment of *ijtihad* is theoretically significant in several respects. First, it situates Islamic feminism firmly within the tradition rather than outside it, enabling advocates to challenge patriarchal norms on grounds that are legible and persuasive within Muslim communities. Second, it foregrounds the constructedness of authoritative religious knowledge, revealing that what presents itself as divine law is always already mediated by human interpretation. Third, it opens space for new jurisprudential arguments—what Ziba Mir-Hosseini (1999) calls a ‘new *ijtihad*’—that take seriously both the normative commitments of Islamic theology and the insights of contemporary gender theory.

2.3 Theoretical Intersections: Postcolonial and Legal Feminist Perspectives

Islamic feminism in India cannot be adequately understood without situating it within postcolonial feminist theory. Scholars such as Chandra Talpade Mohanty (1988) have critiqued Western feminist discourses that construct ‘Third World women’ as uniformly oppressed victims lacking political agency. Islamic feminism in India embodies precisely the kind of situated, locally grounded feminist praxis that postcolonial feminism calls for: it does not seek liberation through the wholesale adoption of secular Western liberal frameworks but insists on the right to define gender justice on its own terms, from within its own tradition.

The legal pluralism scholarship of scholars such as Werner Menski (2006) and John Griffiths (1986) provides another important theoretical resource. Legal pluralism recognises that in postcolonial states like India, multiple normative orders—state law, religious law, customary practice, coexist and interact in complex ways. Islamic feminists operate precisely within this pluralist space, engaging not only with state law but with the internal normative resources of Islamic jurisprudence, community norms, and transnational scholarly networks. Their advocacy is thus simultaneously a legal project, a hermeneutical project, and a cultural project.

III. Literature Review

3.1 Global Islamic Feminist Scholarship

The academic literature on Islamic feminism has grown substantially since the 1990s, spanning theology, legal studies, sociology, and gender studies. Margot Badran's (2009) comprehensive survey traces Islamic feminism as a global movement with roots in diverse national and cultural contexts, from Egypt and Iran to Malaysia and the United States. She emphasises the movement's diversity—Islamic feminists include scholars, activists, jurists, and ordinary women—and its shared commitment to textual reinterpretation as the primary vehicle of change.

Amina Wadud's (1999, 2006) contributions remain foundational. In *Qur'an and Woman*, she demonstrates the possibility of a gender-inclusive reading of the Qur'an by attending to the text's own rhetorical structure and ethical logic rather than to the accumulated weight of the classical exegetical tradition. In *Inside the Gender Jihad*, she extends this analysis to consider the role of embodied practice—including her controversial decision to lead mixed-gender Friday prayers in 2005—in the transformation of Muslim religious space. Asma Barlas (2002) complements Wadud's hermeneutical project with a more systematic critique of patriarchal epistemology within Islamic scholarship.

Ziba Mir-Hosseini's (1999, 2006) work focuses on Islamic family law as a site of feminist contestation. She argues that classical fiqh (jurisprudence) on gender and family was not a direct expression of divine will but a human construction shaped by the social conditions of the premodern world. As those conditions have changed, so too must the jurisprudential conclusions derived from them. Her concept of 'neo-ijtihad'—ijtihad informed by contemporary understandings of human rights and gender equality—has been influential among both scholars and activists.

3.2 Islamic Feminism in the Indian Context

Scholarship on Islamic feminism in India has been shaped by the country's distinctive legal, political, and demographic landscape. The legal centrality of MPL, the constitutional framework of minority rights, and the persistent threat of Hindu nationalist majoritarianism create conditions quite different from those prevailing in Muslim-majority societies. Flavia Agnes (2011) provides an indispensable analysis of the intersections between personal law, women's rights, and communal politics in India, arguing that feminist demands for legal reform must reckon seriously with the mi-

nority rights dimensions of MPL rather than treating them as mere obstacles to progress.

The Bharatiya Muslim Mahila Andolan (BMMA), founded in 2007, has emerged as the most prominent organisational expression of Islamic feminist advocacy in India. Zakia Soman and Noor-jehan Safia Niaz, among its founding members, have documented both the movement's theological arguments and its grassroots mobilisation strategies (Niaz & Soman, 2019). The BMMA's drafting of a Model Nikahnama (marriage contract) that incorporates women's rights to divorce, maintenance, and property, and its sustained campaign against triple talaq, demonstrate how Islamic feminist arguments have been translated into concrete legal and political action.

Zarina Bhatti (1998) and Huma Ahmed-Ghosh (2004) have documented the lived experiences of Muslim women negotiating religious, familial, and social constraints in different parts of India. Their work reveals the complexity and heterogeneity of Muslim women's lives, challenging both the victimisation narratives of mainstream feminist discourse and the communitarian narratives of Muslim political leadership. More recent ethnographic work by Nida Kirmani (2013) on Muslim women's activism in Delhi extends this tradition, highlighting the role of everyday forms of negotiation and resistance in constructing alternative forms of Muslim femininity.

3.3 Gaps in the Literature

Despite these contributions, several gaps remain in the existing scholarship. First, there is insufficient integration of theological analysis with empirical investigation of lived experience: scholars of Islamic jurisprudence tend to remain at the level of textual analysis, while sociologists and anthropologists sometimes lack the theological fluency to engage seriously with the religious dimensions of women's advocacy. Second, the literature has tended to focus on urban, educated, middle-class Muslim women, leaving underexplored the experiences of women from lower socio-economic backgrounds and from non-metropolitan contexts. Third, the complex relationship between Islamic feminist advocacy and the broader politics of Hindu nationalism and the UCC debate has not been systematically analysed. This paper seeks to address these gaps by combining theological analysis with empirical research and situating both within a sustained engagement with the Indian socio-political context.

IV. Muslim Personal Law in India and the Challenge of Islamic Feminism

4.1 The Structure and History of Muslim Personal Law

Muslim Personal Law in India is governed primarily by the Muslim Personal Law (Shariat) Application Act of 1937, which mandates the application of Islamic law to Muslims in matters of personal status. The law was enacted during the colonial period in response to Muslim political demands for the recognition of religious law as governing Muslim family life; it thus carries a history deeply entwined with colonial governance, minority politics, and the negotiation of communal identity. Subsequent legislation—including the Dissolution of Muslim Marriages Act (1939) and the Muslim Women (Protection of Rights on Divorce) Act (1986)—has modified specific provisions, typically in response to political pressures rather than systematic jurisprudential reform.

MPL as applied in India draws primarily on the Hanafi school of Islamic jurisprudence, though it incorporates elements from other schools in specific contexts. Its administration involves a complex interplay between codified statute, judicial interpretation, the opinions of religious scholars ('ulama), and community practice. This complexity means that what counts as 'Muslim Personal Law' at any given moment is itself a contested terrain—a point that Islamic feminists have been quick to exploit, arguing that the law as currently practiced represents particular interpretive choices that can and should be revisited.

4.2 Gender Disparities within MPL

Islamic feminist critiques of MPL centre on several specific areas of gender disparity. The practice of triple talaq (talaq-i-bid'ah)—by which a husband could dissolve a marriage by pronouncing 'talaq' three times in a single session—represented the most visible and widely contested example. While classical Hanafi jurisprudence considered this form of divorce valid though sinful, Islamic feminists and reformist scholars argued that it had no clear Qur'anic basis and that the Qur'an mandates a deliberate, graduated process of divorce (talaq-i-ahsan) designed to allow for reconciliation. The Supreme Court's 2017 ruling in *Shayara Bano v. Union of India*, which declared instant triple talaq unconstitutional, and the subsequent Criminal Law Amendment Act (2019) criminalising the practice, represent significant—if partial—victories for this feminist jurisprudential argument.

Inheritance law presents a more complex challenge. Classical fiqh prescribes that daughters inherit half the share of sons (Qur'an 4:11). Islamic feminists have offered several responses to this provision. Some argue that the Qur'anic prescription was contextually appropriate for seventh-century Arabia, where men bore all financial obligations of the family, and that contemporary conditions of financial equality between men and women require a reinterpretation of the underlying principle

(maslaha, or public interest). Others contend that the Qur'an's overall ethical framework—its condemnation of the pre-Islamic practice of depriving women of inheritance altogether, its insistence on women's independent financial personhood—provides grounds for a more egalitarian reading. Both arguments illustrate the characteristic Islamic feminist move: working from within the tradition rather than against it.

The right to divorce (khul'), guardianship (wilayah) in marriage, and custody (hadanah) of children after divorce represent further sites of contestation. Islamic feminist advocates have argued that the classical conditions for khul'—typically requiring the wife to return her mahr (dower) and obtain the husband's consent or a judge's decree—place women at a significant disadvantage relative to men, who may exercise talaq unilaterally. The demand for an equitable right to divorce, grounded in Qur'anic principles of fairness (qist) and the avoidance of harm (darar), has been central to the legal advocacy of organisations such as the BMMA.

Islamic feminists thus navigate a profound strategic dilemma. They must advocate for gender justice within MPL without lending support to the majoritarian project of erasing Muslim legal distinctiveness. This has led to the development of what might be called a 'third path': the argument for internal reform of MPL grounded in Islamic jurisprudence, as opposed to either the status quo defence of patriarchal MPL or the imposition of a UCC. This position requires Islamic feminists to engage simultaneously with the internal debates of Islamic jurisprudence and with the external debates of Indian constitutional law, making theirs a uniquely demanding form of advocacy.

V. Research Methodology

5.1 Research Design

This study adopts a qualitative research design grounded in interpretive sociology and feminist epistemology. The choice of qualitative methods reflects the study's focus on meaning-making, lived experience, and the subjective dimensions of religious and legal practice. Quantitative approaches, while valuable for establishing the prevalence of particular practices or attitudes, are ill-suited to capturing the hermeneutical complexity of Islamic feminist discourse or the nuanced ways in which women navigate religious authority in everyday life.

The study draws on two primary sources of data: semi-structured interviews with Muslim women from diverse socio-economic backgrounds, and a systematic analysis of secondary literature spanning Islamic jurisprudence, feminist legal theory, and South Asian studies. The combination of primary and secondary data allows for a form of triangulation: the theoretical arguments developed through textual analysis are tested against and enriched by the empirical realities of women's experience, while the empirical data is interpreted through conceptual frameworks developed through theoretical engagement.

5.2 Sampling and Data Collection

Participants were selected through purposive sampling, a technique appropriate when the researcher seeks to identify individuals with particular experiences or perspectives relevant to the research question (Patton, 2002). Selection criteria included: self-identification as Muslim; some degree of engagement with questions of gender and religious practice, whether through formal activism, professional life, or personal reflection; and diversity across dimensions of age, education, occupation, and socio-economic status. Participants were recruited through established networks with organisations working on Muslim women's rights, including the BMMA and affiliated legal aid centres, as well as through snowball sampling initiated through these contacts.

Twenty-two semi-structured interviews were conducted in total. Participants ranged in age from 23 to 67 years. Occupations included lawyer, teacher, domestic worker, NGO worker, student, business owner, and homemaker. Interviews were conducted in Hindi, Urdu, and English, according to participants' preferences, and subsequently translated and transcribed. Interview questions explored themes including: participants' understanding of Islamic principles and their relationship to gender equality; experiences of marriage, divorce, and family law; views on MPL and the UCC; and engagement with Islamic feminist arguments and organisations.

5.3 Analytical Approach

Interview data was analysed using thematic analysis, following the framework developed by Braun and Clarke (2006). Thematic analysis involves the systematic identification, coding, and interpretation of patterns of meaning across a dataset. Initial codes were generated inductively from the data; these were subsequently organised into broader themes through a process of iterative refinement guided by the study's theoretical framework. The analytical process was attentive to both

explicit statements and implicit assumptions, and to the ways in which participants' accounts were shaped by their particular social positions and political contexts.

The study was conducted in accordance with ethical principles appropriate to qualitative research with potentially vulnerable populations. Participants were fully informed of the nature and purpose of the research and provided written consent. Names and identifying details have been changed or omitted to protect anonymity. The researcher maintained reflexive awareness of her own social position and its potential influence on the research process.

VI. Findings and Analysis

6.1 Religion as Resource: Reclaiming Interpretive Authority

The most consistent and striking finding across the interview data was participants' active engagement with Islam as a resource for, rather than obstacle to, gender justice. Far from experiencing their faith as a constraint imposed from without, participants described Islam as a source of ethical principles above all, justice and equality, through which they evaluated and contested the social arrangements presented to them as Islamic. This orientation was particularly pronounced among participants who had undertaken formal or informal religious education, but was by no means limited to them.

Farida, a 38-year-old legal aid lawyer from Lucknow, articulated this perspective with particular clarity: "I have read the Qur'an carefully, in Arabic and in translation, many times. The Qur'an is not the problem. The problem is that men who have had no competition in interpreting it have used it to justify arrangements that serve their interests. When I argue against talaq-ul-bid'ah in court, I am not arguing against the Qur'an, I am arguing that the Qur'an has been misread." This claim, that patriarchal practice represents misinterpretation rather than authentic Islam was reproduced in different registers across the interviews, from the highly theorised arguments of activist lawyers to the more intuitive faith convictions of women with little formal education.

Significantly, participants who engaged in what might be termed everyday *ijtihad*—questioning received interpretations of Islamic norms through personal reasoning and reflection—did not generally conceptualise this practice in academic or activist terms. Several participants described arriving at critical perspectives on patriarchal religious authority through personal experience of

injustice rather than through engagement with Islamic feminist scholarship. Nasreen, a 54-year-old homemaker from Hyderabad whose husband had divorced her through triple talaq, described her conclusion that “God cannot have wanted this” as a form of conviction reached through prayer and reflection rather than through textual study. This suggests that Islamic feminist reinterpretation is not limited to a scholarly elite but is a practice with deeper roots in ordinary Muslim women’s religious lives.

6.2 Distinguishing Faith from Patriarchal Interpretation

A second prominent theme was participants’ insistence on distinguishing between Islam as a faith tradition—with its own ethical commitments and spiritual dimensions and the patriarchal social arrangements that have been legitimised in Islam’s name. This distinction maps onto the Islamic feminist theoretical argument that gender inequality in Muslim societies is a product of historically contingent interpretation rather than of divine command, but participants articulated it in terms drawn from their own experience rather than from academic discourse.

Mehrunnisa, a 29-year-old NGO worker from Mumbai, described the hijab as an example of this distinction: “When I wear the hijab, it is because I have thought about what modesty means to me as a Muslim woman and made my own decision. It is not because my husband or my father told me to. And when women are told they must wear the burqa or else they are bad Muslims—that is not Islam, that is men controlling women through Islam.” This formulation—the hijab as personal expression of faith; the enforced burqa as patriarchal imposition—illustrates how participants drew a conceptual line between religious practice that they appropriated as their own and religious authority that they experienced as external coercion.

This distinction also animated participants’ responses to the UCC debate. Several participants expressed sympathy with the goals of gender equality while rejecting the political vehicle through which those goals were being advanced. Tabassum, a 45-year-old schoolteacher from Delhi, articulated a position representative of many: “If the government were genuinely concerned about Muslim women, it would consult us and help us reform our own law from within. Instead, it uses our situation as an excuse to push a political agenda against Muslims. We can see that.” The capacity to distinguish between genuine advocacy for gender justice and the instrumentalisation of feminist concerns for majoritarian political purposes was widespread among participants and reflects a sophisticated political literacy that is often absent from mainstream representations of Muslim women.

6.3 Marriage as Site of Negotiation

Marriage emerged across the interview data as a central site of negotiation over gender roles, religious authority, and women's autonomy. Participants described a spectrum of experiences ranging from highly constrained arrangements in which they had little or no say in the choice of spouse or the terms of the marriage contract, to more egalitarian partnerships in which religious principles of mutual respect and consultation (*shura*) were substantively practised.

Several participants had sought to incorporate specific rights into their marriage contracts—the right to initiate divorce (*khul'*), to continue employment, to maintain custody of children in the event of divorce—and described this as consistent with Islamic legal tradition, which has always allowed for the specification of conditions in the *nikah*. Zuleikha, a 33-year-old business owner from Pune, described negotiating her *nikah* contract as “simply asking for what Islam already gives me, but making sure it is written down so that no one can take it away later.” This practice of using the existing legal instruments of Islamic law to secure women's rights—rather than seeking their abolition—exemplifies the characteristically Islamic feminist approach of working from within the tradition.

Other participants described more difficult experiences of marital control and the limited recourse available to them. Salma, a 41-year-old domestic worker from a working-class neighbourhood in Kolkata, had been denied maintenance after her husband pronounced triple *talaq* and had received little support from the local *qazi* (Islamic jurist). Her account illustrated both the material consequences of gender disparities in MPL and the inadequacy of existing religious and legal institutions in addressing them. She had eventually received support from a legal aid centre affiliated with a Muslim women's organisation, an encounter that had introduced her to the argument that what had happened to her was not “proper Islam.” “They told me,” she said, “that the Prophet himself said a woman cannot be thrown out of her marriage like garbage. That gave me strength.”

6.4 Political Agency and Collective Action

The interviews also revealed significant levels of political agency and collective action among participants, particularly those with connections to Muslim women's organisations. Participants involved with the BMMA and similar organisations described participating in campaigns against triple *talaq*, attending consultations on MPL reform, and engaging in community education activities. Several described the experience of collective action as transformative—not only in terms of its practical outcomes but in terms of their own sense of religious and civic agency.

Importantly, this political engagement was consistently articulated in Islamic terms. Participants did not frame their activism as a departure from religion but as an expression of Islamic values. Rehana, a 36-year-old activist from Ahmedabad, described the BMMA's campaign against triple talaq as "a movement to restore the dignity that Islam gives women"—a formulation that positions Islamic feminism not as critique of Islam but as its proper realisation. This suggests that the Islamic feminist framing is not merely a strategic device adopted to placate religious authority, but reflects a genuine integration of feminist and religious commitments.

VII. Discussion

7.1 Transformative Discourse: Beyond Reactive Reform

The findings of this study support and extend the argument that Islamic feminism in India is a transformative discourse rather than merely a reactive reform movement. Participants do not simply respond to patriarchal structures by seeking their modification; they challenge the epistemological foundations of those structures by contesting the authority of patriarchal interpretation itself. In doing so, they are engaged in a deeper form of political and cultural work: the reconstruction of the category of 'authentic Islam' to include gender justice as a constitutive element rather than an external imposition.

This transformative dimension has been underappreciated in much of the existing literature, which has tended to assess Islamic feminism primarily in terms of its legal reform outcomes—the ban on triple talaq, the reform of maintenance provisions, and so forth. While these outcomes are significant, focusing exclusively on them risks missing the more profound cultural transformation that Islamic feminism is effecting: the emergence of a generation of Muslim women who understand their faith as a resource for, rather than constraint on, their aspiration for gender justice. This cultural transformation may ultimately prove more significant than any specific legal reform.

7.2 Navigating Multiple Hierarchies

The findings also illuminate the complexity of the structural position occupied by Islamic feminist activists in India. They navigate simultaneously at least three overlapping hierarchies of power: patriarchal authority within Muslim communities; the authority of the Indian state and its le-

gal institutions; and the majoritarian political culture of Hindu nationalism. The distinctive character of Islamic feminist advocacy derives in significant part from this multiple navigation: it cannot simply align with the state against patriarchal community authority, because the state's concern for Muslim women's rights is often instrumental and politically compromised; nor can it simply defend community autonomy against the state, because that autonomy has historically been defined in terms that exclude women's voices and interests.

The concept of intersectionality, developed by Kimberlé Crenshaw (1989) in the context of African American women's experience, is valuable here. Islamic feminists in India experience the compounding of multiple axes of marginalisation—gender, religion, class, and, in some cases, caste and ethnicity—and their advocacy must navigate all of these simultaneously. This intersectional complexity both enriches and complicates their politics, requiring forms of analysis and strategy that go beyond the frameworks developed in either mainstream feminist theory or mainstream Muslim political thought.

7.3 Religion as Interpretive Resource

The findings challenge a common assumption in liberal feminist theory: that religion is necessarily a conservative force in the politics of gender. The accounts offered by participants suggest that religion can function as an interpretive resource—a set of concepts, narratives, and ethical commitments—that women deploy to make sense of and contest their social circumstances. The concept of *adl* (justice), the prophetic injunctions against the abuse of women, the Qur'anic condemnation of oppression (*zulm*): these are not merely abstract theological principles but active elements of participants' moral vocabularies, available for deployment in the practical reasoning through which they evaluate their own experiences and those of others.

This finding has implications beyond the specific context of Islamic feminism in India. It suggests that the relationship between religion and gender justice is not determined by the content of religious texts or traditions but by the social conditions under which those traditions are interpreted and practised. Where interpretive authority is monopolised by patriarchal institutions, religion will tend to function as a mechanism of gender subordination. Where that monopoly is challenged—as it is being challenged by Islamic feminists—religion can become a vehicle of emancipation. The key variable is not religion *per se* but the politics of interpretation.

VIII. Conclusion

Islamic feminism in India represents a form of gender justice advocacy that is both theoretically sophisticated and politically consequential. By grounding its claims in the resources of the Islamic tradition itself—in the Qur'an's ethical commitments to justice and equality, in the jurisprudential tool of *ijtihad*, in the historical record of women's agency within Islamic legal culture—it has developed a form of advocacy that is capable of engaging with Muslim communities in terms they recognise as their own. This is not a minor strategic achievement in a context where accusations of cultural betrayal or external influence can effectively delegitimise feminist claims.

The empirical findings of this study reveal that Islamic feminist reinterpretation is not confined to a scholarly elite but has significant resonance among ordinary Muslim women from diverse socio-economic backgrounds. Participants consistently distinguished between Islam as a faith tradition—to which they retained profound attachment—and the patriarchal interpretive practices that have been institutionalised in its name. This distinction, which is the core argumentative move of Islamic feminist theory, appears to have deep roots in the intuitive religious reasoning of Muslim women who have encountered injustice in the name of religion.

At the same time, the study reveals the formidable challenges facing Islamic feminist advocacy in India. The instrumentalisation of Muslim women's rights by Hindu nationalist politics has made it structurally difficult to articulate demands for MPL reform without appearing to provide ammunition to forces whose ultimate agenda is not gender justice but Muslim subordination. The resistance of established religious authorities to women's interpretive agency remains powerful. And the material conditions of many Muslim women—marked by poverty, limited education, and constrained access to legal resources—mean that theological reinterpretation, however transformative in principle, must be accompanied by concrete improvements in legal institutions and enforcement mechanisms.

These challenges notwithstanding, Islamic feminism in India represents a significant and underappreciated force in the politics of gender and religion. It demonstrates that the aspiration for gender justice need not entail the abandonment of religious identity, and that religious traditions—far from being monolithic structures of oppression—are contested terrains in which alternative visions of human flourishing can be articulated and fought for. In a world in which the relationship between religion, law, and gender continues to generate political conflict across many contexts, the experience of Islamic feminism in India offers both theoretical insights and practical lessons that deserve sustained scholarly attention.

Future research should extend the empirical scope of this study by attending more systematically to the experiences of Muslim women from rural and non-metropolitan contexts, from lower socio-economic backgrounds, and from communities following jurisprudential traditions other than the Hanafi school. Comparative analysis with Islamic feminist movements in other national contexts—Malaysia, Iran, Morocco, Turkey—would also illuminate how the specific conditions of Indian pluralism shape the distinctive form that Islamic feminism has taken in this context. Finally, more sustained engagement with the internal debates within the ‘ulama regarding gender and jurisprudence would help to map more precisely the terrain of religious authority that Islamic feminists are contesting.

References

1. Agnes, F. (2011). *Family law volume 1: Family laws and constitutional claims*. Oxford University Press.
2. Ahmed-Ghosh, H. (2004). Voices of Muslim women: A community participatory inquiry. *Journal of International Women’s Studies*, 6(1), 1–17.
3. Badran, M. (2009). *Feminism in Islam: Secular and religious convergences*. Oneworld Publications.
4. Barlas, A. (2002). *Believing women in Islam: Unreading patriarchal interpretations of the Qur’an*. University of Texas Press.
5. Bhatti, Z. (1998). Social stratification among Muslims in India. In M. N. Srinivas (Ed.), *Caste: Its twentieth century avatar* (pp. 249–253). Viking.
6. Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3(2), 77–101. <https://doi.org/10.1191/1478088706qp063oa>
7. Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *University of Chicago Legal Forum*, 1989(1), 139–167.
8. Griffiths, J. (1986). What is legal pluralism? *Journal of Legal Pluralism and Unofficial Law*, 18(24), 1–55. <https://doi.org/10.1080/07329113.1986.10756387>
9. Hallaq, W. (1984). Was the gate of ijtihad closed? *International Journal of Middle East Studies*, 16(1), 3–41. <https://doi.org/10.1017/S0020743800027598>
10. Kirmani, N. (2013). *Questioning the ‘Muslim woman’: Identity and insecurity in an urban Indian locality*. Routledge.

11. Menon, N. (2014). Is feminism about women? A critical view on intersections of identity. *Economic and Political Weekly*, 49(22), 37–44.
12. Menski, W. (2006). *Comparative law in a global context: The legal systems of Asia and Africa* (2nd ed.). Cambridge University Press.
13. Mir-Hosseini, Z. (1999). *Islam and gender: The religious debate in contemporary Iran*. Princeton University Press.
14. Mir-Hosseini, Z. (2006). Muslim women's quest for equality: Between Islamic law and feminism. *Critical Inquiry*, 32(4), 629–645. <https://doi.org/10.1086/508085>
15. Mohanty, C. T. (1988). Under Western eyes: Feminist scholarship and colonial discourses. *Feminist Review*, 30(1), 61–88. <https://doi.org/10.1057/fr.1988.42>
16. Niaz, N. S., & Soman, Z. (2019). *Seeking justice within the faith: The journey of Bharatiya Muslim Mahila Andolan*. BMMA Publications.
17. Patton, M. Q. (2002). *Qualitative research and evaluation methods* (3rd ed.). SAGE Publications.
18. Shayara Bano v. Union of India & Ors., (2017) 9 SCC 1 (Supreme Court of India).
19. Wadud, A. (1999). *Qur'an and woman: Rereading the sacred text from a woman's perspective* (2nd ed.). Oxford University Press.
20. Wadud, A. (2006). *Inside the gender jihad: Women's reform in Islam*. Oneworld Publications.