The study of gender in Islam underwent a reformation in the last quarter-century largely due to the emergence of post-colonial theory and its formidable works such as Edward Said’s *Orientalism*. Scholars were tasked with (re)examining the distorted histories seeped in Western predispositions. As empire unraveled, so did the traditional narratives to which it catered and a defined body of scholarship tailored to reassessing these narratives emerged. Leila Ahmed wrote that in Islamic history, “the constructs, institutions and modes of thought devised by early Muslim societies that form the core discourses of Islam have played a central role in defining women’s place(s) in Muslim societies.”\(^1\) Nonetheless, it was Western discourses reared by colonial domination that determined our perception of women in Islamic societies. Imperial powers used the position of women as a point of departure for a broad attack on Islamic cultures. Often opponents of female liberation in their respective countries, colonialists used feminism as a tool to denigrate “Other” men and to justify the policies of “actively trying to subvert the cultures and religions of the colonized.”\(^2\) This rhetoric was an emblem of European chauvinism and orientalist literature. For a while Western feminists would also employ this framework in their analysis of Muslim women. The presumption was that Islam fundamentally constricted women’s status and identity in a way that Western women did not experience. While in the West, women could criticize, challenge, and redefine their culture, women in the “Islamic world” had to part with their culture and beliefs when pursuing self-determination.\(^3\) It was this perspective vended in Western academies that engendered relevance to contemporary counter-discourses.
Muslims south of the Sahara make up almost a quarter of adherents in the world. When contrasted with the existing literature on Muslim women in Asia, however, historical studies of African women in Islamic cultures rank quantitatively dismal. This may be because in the field of Islamic studies, Islam as practiced in Africa is perceived as less authentic. Nonetheless, the work that does exist is informative and essential. A significant amount of work has focused on the experiences of a select few who symbolize female authority. Roberta Dunbar asserts that women were “teachers, spiritual leaders, political actors and agents of change” in her historical overview of Muslim women in Africa. Dunbar uses the life of Nana Asma’u, a religious scholar and princess of the Sokoto Caliphate, and Dada Masiti, a member of the Benadir ‘ulama, to serve as archetypes of powerful women in Islam. Similarly, Susan Kenyon and Mary Smith navigate Muslim female identity and evolving gender norms in the Sudan through biographical narratives that illustrate subversion to marital and household obligations.

Several studies argue that Islamic tradition and ideas of piety have indeed left women immobile and assess how they piloted their limited terrain. Since women in black Africa were “on the periphery of the periphery,” Christian Coulon explores how “recluse” women of Kano succeeded in gaining autonomy contrary to the “Islamic rules that kep[pt] them in an inferior position.” Adeline Masquelier highlights “women’s strategic efforts to defend their interests and agenda when these are threatened by emergent ideologies and conventions,” including Islamic orthodoxy. In Dogondoutchi, Niger, such efforts were viewed as “an agentive capacity” where women affirmed their involvement in society. Allan Christelow’s study of judicial rulings in early twentieth-century Kano reviews two hundred legal suits in which the dominant themes were slavery, inheritance, and acts of violence, *inter alia*. He argues that the courts were inherently patriarchal and that cases which did favor female plaintiffs were likely done to uphold household gender norms. In a more nuanced study, Margaret Strobel’s monograph on gender relations in twentieth-century Mombasa offers readers insight into how Muslim women in the region were affected by the events of the century, including colonialism, the abolition of slavery, and the post-colonial state. She argues that women were excluded from formal Islam and suffered legal injustices but that
sexual segregation allowed women to interact across class lines to create a “female sub-culture.”

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The literature also analyzes events of the past century for impediments to female agency. Kelly Askew reviews five centuries of gender relations on the Swahili Coast and finds pre-colonial women had greater opportunities and agency than their counterparts in the contemporary world—a symptom of twentieth-century events. Only in the past few decades has this narrative shifted. Finally, in a complex reading of gender decisions in the Kenyan Islamic judiciary, Susan Hirsch claims that legal transcripts “confirm[ed] oppression, but in part to deny subservience....” The records showed that gender norms were often reproduced but constantly negotiated.

In general, the scholarship features a preponderant examination of the colonial and post-colonial period with little written on early or pre-colonial practices. Some have focused on a fringe of women with wealth, status, and opportunities or relied on the interviews of only a handful of women. Studies based on these narrow experiences offer little to those interested in an exemplum of gender norms. They fail overall to reflect the lives of ordinary women. Others present mere “thick descriptions” of the patriarchal Islamic societies. Most apparent is the common thread of contemporary cultural anthropologies that leave historical analysis weak and underdeveloped.

Women are rendered even more marginal in historical accounts of Indian Ocean economic activity. Existing studies provide an important and unique perspective on trade and Indian Ocean cultures; however, gender as a distinct category of analysis remains an insignificant and underexplored topic. Michael Pearson asserts that Asian trading vessels, unlike their European counterparts, frequently carried women as wives and concubines, which affected sailing cultures and gender dynamics. In the modern Arabian Peninsula, some women played a subversive role as the “Caryatids of Empire” by acting as financial and cultural intermediaries to foreign traders alongside their husbands. Scholars have unearthed the commercial activities of various women as independent actors, particularly in the Southeast Asian littoral. Anthony Reid writes that European and Chinese traders were constantly surprised to encounter female merchants during their trade ventures. In East Africa, the most prominent trade activity vis-à-vis the
Indian Ocean was slavery. Whether as victims or actors, women found ways to negotiate their position on the economic gradient. Richard Allen and Gwyn Campbell illustrate how women in nineteenth-century Mauritius and Madagascar defied socioeconomic marginalization in a planation economy and were vital to agriculture, manufacturing, and maritime trade.21

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In contrast, the experiences of women in continental East Africa have been presented as the antithesis of agency. Although an extensive body of literature exists, the “histories of pre-colonial East Africa have not as a rule been able to include women in their narratives beyond bland structural descriptions of what women represented or how they were exchanged, rather than what they actually did at specific times.”22 While women were an essential element of the spiritual and private realm, their commercial position was highly provincial. Strobel has written on the marginalization of Muslim women’s work in Mombasa. As agricultural and handicraft producers, their role manifested as manual labor. Regarding trade, women primarily engage in retail by selling “food products from their gardens and kitchens.”23 The overall depiction of pre-colonial Muslim women on the Swahili Coast can best be summed up with the following statement by Elizabeth Hecht:

The official position of women was a poor one. Their social and economic security depended on marriage only. Divorce was easy (from the men’s side), often only on the grounds of the fading beauty of the wife; men had the sole right over the children; women were not entitled to learn or to practice a trade to make a living; the only way to gain economic and social security was a second marriage, and of course to extract from their husband(s) as much jewelry as possible, since her personal jewelry was the only property a woman had claim to in case of divorce.24

A gendered reading of nineteenth-century Benadir history contests these notions. The civil register of Brava affords a number of significant contributions. First, it recovers the often ignored experiences of women in early colonial Somalia.25 It offers further insight into discourses on gender in Islam through the experiences of Muslim women in Africa. Finally, it contests notions of female marginalization on the pre-colonial East African littoral and in the Indian Ocean trade. While these women were not entirely at the behest of patriarchy, they were
not full-fledged equal members of society either. Rather, their position may be described as elastic. This article avoids presenting a singular and narrow gendered interpretation of the East African coast. Instead, it favors problematizing the existing literature while beseeching others to create room for the subjectivities of these formerly overlooked agents.

The spread of Islam in sub-Saharan Africa was often structured in distinct stages. Initially, the religion was brought either through coastal or trans-Saharan trade. Merchants and their families would settle in minority quarters while slowly forging relationships with local populations. It was the head of state and the elite class that initially adopted the religion. Islam would eventually spread beyond the aristocracy and into communities inland. In most instances they exist in minority clusters in majority heterogeneous, non-Muslim territories with exceptions in the east. Briefly after the *hijra*, Indian Ocean trade with Arab and Persian colonies produced strong Islamic influences in the East African coast. Local inscriptions from 720 C.E. suggest that Mogadishu, Merka, and Brava (dubbed the “Benadir” by Arab migrants), already had flourishing Muslim communities. Both merchants and proselytizers quickly blended with inhabitants by marrying local women, learning local languages, and adopting local customs to form newly constructed coastal cultures.

Brava, a small port city south of Mogadishu, was significant to the Benadir. Prior to Italian occupation, the coast operated as a financial locus under the administration of Sultan Ali bin Said of Zanzibar, while the Somali Geledi Sultanate maintained district control of the coastal towns in the region. Economically, nineteenth-century East Africa experienced an upsurge in international commercial ventures. Trade had always been prominent, but the rise of the Omanis produced a critical shift in the region’s history. The Benadir towns attracted traders from Europe, America, and Asia to supply ivory, aromatic woods, animal skins, cloth, and agricultural commodities. Brava was filled with merchants and agents supplying these foreign trading houses with locally produced commodities and goods originating in the Somali interior.

By 1890, Italy had completed its unification process and sought to construct an imperial image—one of equivalent prowess to their European counterparts. As the Scramble for Africa unfolded, Zanzibar and its operations would fall under British rule. The Italians first penetrated the East African coast in 1882 and would eventually gain
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The Sultan leased the Benadir cities for fifty years to his Italian ambassador, Vincenzo Filondari. Filondari established company rule between 1893–96 with the intention of attracting trade and maintaining civil relations with the population. This was short-lived. Colonial officials became consumed by insurgencies in Merka and its neighboring towns. In April 1896, a government convention created the Benadir Company to administer commercial development. The contract was similar to the Filondari company but with “sounder” management. They managed to avoid such tribulations in Brava. The city was peaceful and ethnically diverse, with no signs of clan-based segregation. The population ranged between 4,000 and 5,300 inhabitants—the majority of whom were Somalis of the Tunni clan. Others included the Bida and Ashraf people, who traced their origins to Arabia, and the Hatimis who claimed Yemeni heritage. The latter residents spoke Chimini, a Swahili dialect that most Somalis in the region could comprehend. Meanwhile, Arabic remained the language of administration. The majority of Islamic cultures in East Africa were orthodox Sunni Muslims who practiced the Shafi School of legal thought.

Upon survey, the Qadi court system was heavily ridiculed by early colonists and would undergo minor regulations, which included mandatory record keeping, Qadi appointments made by the consul, and appeals made to the colonial administration. Despite such measures, the Italian presence and interference in the affairs of the coast were limited; thus, it was not likely to disturb pre-colonial practices and norms at this time.

Contrary to the women’s absence thesis, the register reveals that women were indeed a force in the coastal economy. They made more than four hundred appearances in the seven-year period under review and came before the Qadis’ to claim property, debt, inheritance, and voice a number of other grievances. In several cases we see women in positions of power, which demonstrates pronounced female agency in the public and private sphere. For instance, various cases made it apparent that women owned property. The court record highlights more than sixty cases of women owning stone homes, nineteen cases in which they owned arish (huts), and eleven cases of owning vacant lots for building. This is marked when women sought property, sold property, inherited, left their estate, or used their property as collateral when acquiring other goods or paying off loans. Frequently, these assets would grow. One record shows a woman’s wealth reach-
ing astronomical levels. Asha bint Haji Awis bin Hassan Osman left her mother, husband, and six children a house worth five-hundred quirsh, two-hundred and seven quirsh in cash, and commercial goods including gold, clothing, silver, and household items valued at three-hundred and thirty quirsh. Many owned an array of capital including livestock and slaves, which held significant worth. Cattle as an export commodity amounted to almost 14,000 thalers in annual commercial profits. Several records exhibit women donating these possessions as a sacrifice to Allah (nadhiri), as part of their will, or to pay debts. In other cases they would use their capital for trade. Over sixty-three cases cite women acknowledging debt, likely from trade or the acquisition of property. Some actively purchased and sold foreign goods in central markets or used them as currency for interior trade. Others participated in far-reaching trade, such as Sudo bint Haji Omar al-Barawiyya, who operated through a Zanzibari client.

Possessing businesses was not uncommon as evidenced in the cases of Amina bint Mohamed Said, who owned a sesame oil mill which she forfeited to her brother as a nadhiri, and Amina bint Shego, who also owned a mill which was recorded as security in making other transactions. Sesame was the main agricultural product exported into the global market, valued at over 1,000 thalers in annual profits. Dowries and inheritances often acted as a point of departure to build said businesses. Asha bint Adaw initially appeared before the Qadis to collect her late husband’s estate. The record explains he bequeathed upon his children an Orchella house—a popular textile dying agent used in Europe and the United States—which Asha operated and rented to various clients. Thereafter, she made repeated use of the court, collecting rent and using her husband’s credit to purchase more slaves and property. In several cases, women worked in business partnerships with their husbands and even with other men. One record shows Kadi-sha bint Shego being sued for unpaid debt in conjunction with her two male partners, Mohamed bin Omar Awo and Abayo bint Nurow.

Lastly, the women of Brava were acutely aware of their rights and had no qualms about collecting what was due. Thirty-three cases show women vocalizing grievances over unpaid money or material goods. In many instances, women filed claims against their own husbands. Amina bint Bana Bakar Karani al-Hatimyya sued her husband for one-hundred silver quirsh as part of her dowry, ultimately losing her case due to four opposing witnesses, while Fatima bint Mohamed bin Muhyiddin successfully litigated her claim to gold and owed money
against her ex-husband.59 Either as plaintiffs or defendants, the Qadis continuously favored female litigants.

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Although it is necessary to examine gender inclusivity in historical narratives, scholars must be mindful of traps. Since feminist and post-colonial deconstruction paradigms have governed the literature on women and Islam, there has been a concentration on the supposed invisibility of women or other misrepresented depictions of women. We have seen a dichotomy emerge between images of patriarchal docility and “romantic” portrayals of “exceptional, heroic women.”60 Meanwhile, the discourse on subordination “continues to account for much of the scholarly production on gender studies in the...Muslim world.”61 It is wrapped in a framework of proving women were active agents rather than passive victims. At this juncture, orientalist literature and Western feminist myopia have been rebuffed, which may allow future studies to move beyond the subordination paradigm.

Despite such pronounced activity, women in Brava often found themselves under the command of patriarchy. Masquerading as an emblem of social equality, women filed almost half of the divorce cases in the register, but for reasons different from those of men. In almost all cases they appeared before the Qadi after “suffering hardships due to lack of maintenance” from their husbands despite being “obedient to his marital authority.”62 Many women were not self-sufficient and required male providers, without whom they would be destitute. Moreover, men would often evade responsibilities issued in lawsuits. Only twenty-five cases were recorded of women receiving their dowry, despite wifely demands, while eighty-one unpaid dowry suits were filed, including eleven outstanding claims upon a husband’s death. In some cases, the husband would ignore legal grievances altogether, leaving the wife insolvent.63 Although women were active in presenting grievances, the majority of lawsuits were made on their behalf. Women made claims autonomously in only sixteen of the fifty-one suits. The rest were filed either through an agent or conferred powers of attorney—all of whom were men. Regarding inheritance, women (either as siblings, wives, or mothers) received substantially less shares than their male counterparts. A brother would receive twice the share of his sister while sons received over twice the amount of their moth-
ers. One case failed to mention a widow’s inheritance while her sons had 1,400 quirsh bestowed onto them from her late husband.64

Scholars have stressed that the experiences of women in Islamic cultures are not monolithic, nor is identifying “Muslim women” a simple task, due to an array of ethnic and class diversities. Even considering these stipulations, our perspective on gender relations may be limited. As previously mentioned, contemporary studies on gender and Islam derive from post-colonial interpretive frameworks. The subaltern as an ignored, voiceless entity is comparable to the treatment of gender. Fernando Coronil’s analysis of the subaltern contends that “subalternality is a relational and relative concept—at times in a subordinate position and dominant in others.”65 The experiences of women in Brava demonstrate that this lens may work when reconstructing the lives of Muslim women.

Women are not a “sovereign-subject that actively occupies a bounded place nor as a vassal-subject that results from the dispersed effects of multiple external determinations,” rather they are “an agent of identity construction that participates...in the organization of its multiple positionality and subjectivity.”66 While women in Brava were subordinate to men in many instances, they were dominant in others, such as in relation to their slaves or even men to whom they loaned money or capital. Gender is not an inherent characteristic but “relational characterizations.”67 Although we cannot judge women’s experiences as a whole, we also cannot judge them through static classifications. Their positionality is fluid. Together with shifting beyond the subordination paradigm and the tired dichotomy of whether Islamic cultures command subservience or empower women, those studying gender in Islam should make these considerations while scholarship on Muslim women in sub-Saharan Africa grows both in depth and diversity.68

Notes
2. Ibid, 243.
3. Ibid, 245.
5. For an extensive although not comprehensive review of multidisciplinary publications, see: “Sub-Saharan Africa: 15th to Early 18th Century,” “Sub-Saharan Africa: Mid-18th to Early 20th Century” and “Sub-Saharan Africa: Early 20th Century to Present,” in Encyclopedia of Women in Islamic Cultures, eds. Suad Joseph and Afsaneh Najmabadi (Leiden: Brill Academic Publisher, 2007).
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11. Ibid, 278.


15. Beverly Brown, “Islamic Law, Qadi’s Courts and Muslim Women’s Legal Status: The Case of Kenya,” Journal of Muslim Minority Affairs 14 (1993): 94. Unfortunately, the author does not provide enough insight into the Qadis’ relationship with women in the early colonial period. The reader is left to wonder if the low number of female plaintiffs prior to the 1950s was due to changes under colonial rule or if this issue was extant prior to imperialism.


versity Press, 1994). The latter two represent modern ethnographic and anthropological accounts.


34. Ibid., 60.


36. Ibid., 27.

37. Ibid., 30.


40. Ibid, 15.
41. Qadi Record (QR) 36.1.
42. QR 55.1.
43. QR 107.1.
44. QR 186.1.
45. QR 26.1.
46. QR 186.1.
47. QR 490.1, 221.1, 559.1, 628.3.
49. QR 221.1, 629.1, 711.1, 628.2, 261.1.
50. QR 771.1. These include Marekani cloths, vinegar, oil, maize and honey.
51. Vianello and Kassim 2006: 2111. Marekani cloths were often used for internal trade as people of the interior did not yet transact with minted coins.
52. QR 31.1.
53. QR 40.2.
54. QR 836.2.
56. QR 58.1, 212.1, 214.1 and 235.1.
57. QR 867.1.
58. QR 228.2.
59. QR 289.2.
63. QR 8.2.
64. QR 521.1, 391.1, 253.1.
66. Ibid.
67. Ibid, 649.
68. There is beginning to be a steady emergence of new analytical frameworks. See the anthology Gender and Islam in Africa, ed. Margot Badran (Stanford: Stanford University Press, 2011).
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