

## The Thoughts and Views of Ja'far Mahmud Adam on Marriage, Family Institution and Women Issues

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### Abstract:

This essay presents and examines the thoughts and ideas of a prominent Nigerian scholar and thinker, Ja'far Mahmud Adam on marriage, family institutions and women issues. Ja'far's expressions on this theme were largely directed at Nigerian Muslim societies whose marital practices, like their counterparts in other climes, are nuanced with customs that may or may not be compatible with Islamic injunctions. It highlights the positions and views of Ja'far on issues associated with marriage including customs and activities that are preceded the actual wedding time like courtship, premedical tests and the supply of clothes and goods which are part of the premarital requirements in Nigerian Muslim wedding culture. The essay further lays bare Ja'far's thought on forced marriage, revealing his arguments about its impermissibility and the safer way to suggest a man for a woman in whom she initially did not have interest. The article further points out Ja'far's views on women, her position of Islam while juxtaposing this with western and secular perspectives of women. The author relies on the recorded tapes of the scholar in which he expressed his thoughts on the theme during his various public platforms of lessons and lectures. It observes and concludes that in the process of forming his thoughts and postulating his views, Ja'far utilized his knowledge of his Islamic law in the light of the prevailing order of his immediate environment, while making a critical and evaluative comparison with what obtains in non-Islamic climes.

### Keywords:

Ja'far Mahmud Adam, Marriage, Family Institution, Women Issues



## **Introduction**

Marriage is the foundation upon which a family institution is erected, and it is one of cogent measures that Islam enjoins in preserving public morality and developing a healthy and sane society. Furthermore, there is virtually a consensus among all cultures that marriage has been over the centuries the most legally acceptable gateway and conventional source of establishing a family institution. Henceforth, marriage assumes a special significance and occupies a pivotal place owing to its crucial role in building a society and ensuring the continuity of human survival. Meanwhile, albeit there are universally shared codes and conventionally accepted norms and values, geographical space, cultures, civilizations, and religious orientations have a great stake in determining ways and lifestyles of people vis-à-vis ways the continuity of human survival is sustained. Marriage and its associated components like the phenomenon of woman represent areas that expose the extent of clash of civilizations. Guided by their religious precepts and legal provisions, Muslim scholars and thinkers tend to situate Islam as the most moderate ideological culture that formulates the most universally suitable and pragmatic systems which deal with marriage, growing a family and general treatment of women.

This essay presents and examines the thoughts and ideas of a prominent Nigerian scholar and thinker, Ja'far Mahmud Adam on marriage, family institutions and women issues. Ja'far's expressions on this theme were largely directed at Nigerian Muslim societies whose marital practices, like their counterparts in other climes, are nuanced with customs that may or may not be compatible with Islamic injunctions. The next section after the introduction dwells on Ja'far's brief profile, chronicling his trajectory of intellectual information and career in Islamic career up to his brutal assassination in 2007. The next section dwells on Ja'far's position and views on issues associated with marriage including customs and activities that are preceded the actual wedding time like courtship, premedical tests and the supply of clothes and goods which are part of the premarital requirements in Nigerian Muslim wedding culture. Ja'far's thought on forced marriage is revealed, highlighting his arguments about its impermissibility and the safer way to suggest a man for a woman in whom she initially did not

have interest. The article further points out Ja'far's views on women, her position of Islam while juxtaposing this with western and secular perspectives of women. The author relies on the recorded tapes of the scholar in which he expressed his thoughts on the theme during his various public platforms of lessons and lectures. It observes and concludes that in the process of forming his thoughts and postulating his views, Ja'far utilized his knowledge of his Islamic law in the light of the prevailing order of his immediate environment, while making a critical and evaluative comparison with what obtains in non-Islamic climes.

### **Brief Biography of Shaykh Ja'far Mahmud Adam**

Ja'far Mahmud Adam was one of the most prominent Muslim scholars in Nigeria. He was born in 1961 or 1962 in Daura, one of the oldest cities of northern Nigeria. He began acquiring his basic education from his extended family, which was a home of knowledge, hosting a local school that produced numerous memorizers of Qur'an. His grandfather, Mallam Adamu was a popular scholar and an expert in Maliki jurisprudence.<sup>1</sup> Ja'far accompanied one of his uncle's Mallam Haruna to migrate to Kano in 1971 where he joined a Qur'anic school situated in Fagge and headed by one Mallam Abdallah Dan Zarmo, Tuareg and a native of Niger Republic. He had several sojourns to places outside Kano including Niger Republic all in his bid to memorize the Qur'an which he accomplished in 1978.<sup>2</sup> In Kano, Ja'far joined some informal religious circles where he studied different fields of Islamic sciences with various scholars. Similarly, on personal initiative, Ja'far enrolled in formal schools; the Masallaci Adult Evening Classes at Shahuci in 1982, the Egyptian Cultural Centre and Government Arabic Teachers College (GATC), Gwale in Kano where he acquired western literacy, Arabic skills, but also diplomas that would enable him to further his studies at tertiary institutions.<sup>3</sup>

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<sup>1</sup> Abdulhadi Nadir Nasidi & Abdulmumin Inda, "A Kaleidoscopic View of Sheikh Ja'afar Mahmud Adam's Contribution to the Development of Islamic Education in Kano", 6, in *Voyages Gombe Journal of Religious Studies*, Vol. 2: 2016. Pp. 91-103.

<sup>2</sup> Jameel Labaran, *Bankwana da Gwani: Sheikh Ja'afar Mahmoud Adam (Rahimahullah)* (Kano: al-Hikma Ventures, 2008), 9-10.

<sup>3</sup> Ousmane Kane, *Muslim Modernity in Postcolonial Nigeria: A Study on the Society for the Removal of Innovation and Reinstatement of Tradition* (Leiden, Boston: Brill, 2003), 109.

Meanwhile, as he grew and began maturing as a promising student, Ja'far participated in the newly formed Jama'atu Izalatil Bid'ah Wa Iqamatus Sunnah (or Izala for short), a religious revivalist movement that is aimed at reforming Islam and eradicating innovations. Ja'far rose from a lowly position to become one of its chief preachers, delivering public talk at religious gathering and conducting Islamic lessons at some circles. Between 1986 and 1988, Ja'far took part in a series of Qur'anic competitions at various levels in Nigeria, and he recorded a resounding success when he represented the country in the international contest that was held in Saudi Arabia. In 1989, Ja'far succeeded in his bid to join the Islamic University of Madina (IUM) after a successful interaction with the recruitment team of the university headed by Dr. Muhammad Ibn Abdallah Zarban al-Gamidi. Ja'far was offered an admission and he joined the College of Qur'an and Islamic Studies of the IUM and graduated in 1993, after he underwent rigorous and intense intellectual and ideological transformations.

Back in Nigeria, Ja'far reunited with the Da'wah arena and he focused on disseminating Islamic knowledge both at the level of the general public and for a group of disciples whom he cultivated, while distancing himself from unionism within Izala as he was before his sojourn to Saudi Arabia.<sup>4</sup> Ja'far became a famous Qur'anic interpreter, preacher, jurist, orator but also a thinker and public analyst who offered critique of domestic happenings and international developments both in the religious parlance and mundane life. Ja'far utilized various public platforms and religious centres such as Uthman Bin Affan Mosque, Al-Muntada Mosque at Dorayi (both in Kano), Indimi Mosque, Maiduguri and other places where he conducted Islamic teachings, Qur'anic exegesis, weekly sermons, periodic lectures and occasional seminars. He taught several books covering themes with bias in Qur'an, Hadith, Tawhid, Fiqh, Sirah, Arabic, etc. These activities to which Ja'far was fully committed, in addition to his series of engagements in religious discourses with various groups including Sufi brotherhoods, secular intellectuals, politicians and key actors in

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<sup>4</sup> Muhammad Sani U.M. Rijiyar Lemo, *Ayyami Ma'a Da'iyat al-Jil wa Mufassir al-Tanzil: Shaykh Ja'far Mahmud Adam* (Kano: Al-Imamul Bukhari Centre for Research and Translation, 2011), 34.

Nigeria's public sphere contributed to the rapid fame of Ja'far, becoming one of the most prominent scholars whose words are listened to in the 21<sup>st</sup> century Nigeria and West Africa. Amid his rising popularity in the late 1990s and early 2000s, Ja'far strove to pursue his masters degree and he joined the OIC funded International University of Africa, Khartoum which he finished in 2003.<sup>5</sup> In 2005 also, he secured admission and started his doctoral program at Usmanu Danfodio University, Sokoto and he had already started working on his thesis titled "Comparative Study of the Universality of the Qur'anic Message and the New World Order. But he was murdered before he completed the project.<sup>6</sup>

Although characteristically bold, fearless, intrepid and always wearing a no-nonsense outlook, and was vehemently opposed to the victimization and oppression of (weak) Muslims wherever they are in the world, Ja'far was very critical of acts of terrorism. He was the first person who privately engaged and publicly challenged an extremist movement founded by Muhammad Yusuf, which would be in later years known as Boko Haram and become notorious of unleashing deadly attacks and conducting terrorist activities on Nigerian state and its innocent citizens. Ja'far consistently censured the group and its offshoots and dissected their ideological misconceptions, while raising an alarm on the threats posed by the groups and calling the attention of authorities to monitor the moves of Muhammad Yusuf thoroughly and closely.

Ja'far faced a lot of tribulations from the various groups he disagreed with, and he in turn, received several threats, but he persisted in his mission and cause. Although Ja'far was very bold and at times verbally confrontational especially at parties that he believed were behind the suffering of the masses, there was no single instance when his speech caused any uproar and violent reaction.<sup>7</sup> At the early hours of Friday April 13, 2007, Ja'far was assassinated in cold blood by unknown gunmen while he was leading Muslim faithful a *fajr* (dawn) prayer at his mosque in Dorayi, Kano. Ja'far's mission received a wide

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<sup>5</sup> Labaran, *Bankwana da Gwani*, 37.

<sup>6</sup> Interview with Professor Isa Maishanu (March 24, 2022) who served as Ja'far's supervisor.

<sup>7</sup> Hussain Yusuf Mabera, *The Life and Times of a Hero: A Profile of Sheikh Ja'afar Mahmud Adam* (Lagos: Dan-Kawu Bureau de Change, 2008), 30.

posthumous attraction, with hundreds of thousands of Muslims in northern Nigeria defecting to his camp and embracing his teachings which still massively circulate in audio-visual files among public. Ja'far's views and ideas continue to shape the socio-religious and political worldviews of many Nigerians, and as one American scholar observes, Ja'far became an object of "canonization" in death.<sup>8</sup>

### **Marriage and Family Institution**

Ja'far regarded marriage as the most conventionally acceptable and legitimate means of human procreation, although there exists an illegal way for achieving this, which nonetheless, many societies frown at. Ja'far demonstrated the parallel between marriage and illicit relationship; in the former case, the families of both parties (man and woman) and the broader society join hands and make effort to realize it, and when there is pregnancy and subsequently birth, everyone welcomes the development and rejoices over it. In the latter case however, right from the point of the illicit affair, both man and woman maintain strict secrecy and prefer their relationship to be kept undisclosed. In an event of conception and eventual birth, the man and the woman will be antagonistic toward each other while their families remain in perpetual dismay and frustration.<sup>9</sup>

Ja'far was against a Child Right Act bill which among other things as Ja'far alleged, would outlaw the marriage of a girl below the age of 16 and any father who violated the law would be punished and convicted to serve lengthy jail term or pay a heavy fine. The husband would also be prosecuted and tried as a suspect of rape, which meant he would be punished by law. Ja'far dismissed the bill as outlandish and stressed that it must be resisted at all costs. Ja'far challenged that because the bill was meant to corrupt public morality and weaken the stability of family institution, it neither prohibited unlawful sexual relationships nor attempted to illegalize illicit affairs involving girls of the same age. Therefore, everybody was made to accept that someone having a sexual affair with a girl outside marriage was safe and not

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<sup>8</sup> Alexander Thurston, *Salafism in Nigeria: Islam Preaching and Politics* (Cambridge University Press, 2016), 245.

<sup>9</sup> Ja'far Mahmud Adam, a lecture titled "*Lacca a Kan Aure*", held in Zinder, Niger Republic, 1998.

unfrowned at by the law while the one who did the same thing within the framework of marriage was considered a criminal.<sup>10</sup> Ja'far was taking a swipe at the proposed Child Rights Act because it formed part of the broader schemes that were viewed with much suspicion by Nigerian Muslims who often categorized them as liberal, modern lifestyle imposed condescendingly by western countries. That was why Ja'far advised parents to be meticulous and checkmate their children's contact with satellite stations to avoid falling prey to bad foreign cultures.<sup>11</sup>

### **Courtship and Premarital Customs**

Ja'far upheld that Islam does not recognize the practice of intimate relations between man and woman except through legitimate marriage,<sup>12</sup> but he accepted that a man is entitled to have some premarital awareness and close fondness with the woman he is proposing to marry. Love and affection in Ja'far's thesis are fundamental pillars that sustain life and guarantee peace and stability in general and a determiner for the success of marriage.<sup>13</sup> Ja'far criticized forced marriage – an old predominant culture among some people in Nigerian Muslim society which deprives woman of her right to choose a partner with whom to form and grow a family. Ja'far argued that forced marriage is un-Islamic and parents should fear God, adhere to the law, and desist from infringing upon the rights of their children. If a father has someone in mind whom he wishes to be his daughter's husband, because he is morally upright, the father should devise workable means of persuading the girl to accept his proposal. He may for instance, involve some of her friends and require them to influence her on his choice.<sup>14</sup> Ja'far saw this as a more peaceful and equally effective strategy to marry off a woman to someone on her parents'

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<sup>10</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Anfal", held at Indimi Mosque, Maiduguri on Ramadan 26, 1426 A.H.

<sup>11</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Tahrim", held at Beirut Road, Kano on Rabi' al-Thani 10, 1426 A.H./May 18, 2005.

<sup>12</sup> Ja'far, a lecture titled "*Lacca a Kan Aure*".

<sup>13</sup> Ja'far, a lecture titled "*Bita Zaizai*".

<sup>14</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'i", held at Indimi Mosque, Maiduguri on Ramadan 25, 1424.A.H/November 19, 2003.

initiative rather than a straitjacketed imposition of a husband on her, in whom she may not essentially have interest.

Slightly resembling the custom of forced marriage is a rather unpopular attitude of allowing a woman to entertain a number of suitors, but none of whom would have an ultimate guarantee of marrying her. Each of the suitors would relate with her and keep on aspiring to emerge as the favourable and chosen candidate, even as this scenario was dragged up to the wedding day. Meanwhile, the parents had someone in mind among the suitors to whom they resolved to marry off their daughter, but they would continue to conceal his identity against everybody including himself until on the wedding spot. All the suitors would assemble at the venue of the wedding, likely accompanied by their relatives, friends and well-wishers, but suddenly, one of them would be called out to present dowry, signifying that he emerged as a successful candidate to the detriment of the remaining suitors.

This attitude might be partly explained away if it were through a competition which was also widespread among a section of Africans including the popular Fulani people who largely married off their female children after a series of wrestling matches among suitors who were expected to display their exceptional bravery. Ja'far refuted this attitude of blank selection of husband and considered it one of the factors would easily fuel enmity among Muslims. Ja'far's conclusion was that when a woman has many suitors, her parents have the duty to at the initial phase, screen and select the most upright among them, and advise the rest to calmly withdraw so that everyone will not feel cheated and deceived.<sup>15</sup> Interestingly, this behaviour, which appears to be less common, had to a large extent, subsided much unlike the custom of forced marriage which hitherto occurs albeit sporadically.

Ja'far accepted that a suitor is allowed to see the beauty of a woman he is courting beyond what is permissible for her to expose in the presence of her non-mahrams. Ja'far took the moderate view which is neither too lax nor highly rigid. Ja'far belonged to the camp of scholars who project that a man can see a woman whom he is proposing

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<sup>15</sup> Ja'far Mahmud Adam, "Surat Ali Imran" held at Indimi Mosque, Maiduguri on Ramadan 13, 1424 A.H./ November 07, 2003.



to marry in her casual dress, which exposes some parts of her body that Shari'ah requests her to cover and conceal against all other men.<sup>16</sup>

Ja'far was not strictly against customs, principles, conditions, and conventions that characterize the conduct of marriage as long as they do not disagree with Islamic regulations, and particularly if they are meant to support and fortify the edifice of marriage. In line with this, Ja'far was in full support of premarital medical tests to avert a marriage that will, in the final analysis, produce unwanted and avoidable health complications. But since the medical test is not one of the fundamental pillars and prerequisites of marriage in Islam, Ja'far clarified that medical test is merely permissible and not obligatory, but it is only binding when one of the intending couples requests that the test must be conducted.

Nevertheless, Ja'far maintained that men and women who take a risk of marrying without having the prior medical test even if there are indications of health issues that warrant it, the couples should have themselves to blame. At this juncture, Ja'far had a cause to remind Muslims of the Christian model which according to him, makes a medical test one of requirements for marriage, which pastors do not compromise when contracting marriage between church congregants.<sup>17</sup> Although medical test can be contextualized and proven from the rich elucidations of classical scholars on the jurisprudence of marriage, it seems to be in its present nature, a modern phenomenon. This underlies that marriage has fixed conditions and prerequisites that validate it, but it also has certain flexible requirements that may be dictated by given situations and circumstances.

Perhaps it was based on this consideration that Ja'far expressed an opinion on *lefe*<sup>18</sup> that slightly differs from the mainstream position of many Nigerian scholars with whom he shared religious views and often operated side by side. Ja'far acknowledged the prophetic guidance that upholds as the most blessed marriage, the one which is

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<sup>16</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Naml" held at Gadon Kaya, Kano on June 25, 2004.

<sup>17</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'i", held at Indimi Mosque, Maiduguri on Ramadan 24, 1424 A.H./November 18, 2003.

<sup>18</sup> It refers to a set of boxes of women goods men have to gather and present to the family of his future groom. It is an age-old custom in Hausaland and it has become a binding condition for marriage.

contracted with cheap dowry and light expenses. However, Ja'far appeared to be somewhat pragmatic and did not allow the Prophet's statement to be a leeway for opportunists to exploit it while essentially not complying with the real objective of the marriage. Ja'far demystified that it is an attitude of unduly extorting the would-be husband that Islam detests, but it does not prohibit the parent of the woman to demand some goods like clothes, shoes, perfumes, cosmetics, etc. which according to Ja'far, may be inclusive in the broader concept of dowry. Ja'far argued that a man may claim that he is Ahlussunnah who strictly sticks to the letter of the law which recognizes dowry alone as the condition for marriage, and a demand for any other material gift should be, in the man's book, condemned as *bid'ah*. But the same man, Ja'far challenged, will neither dismiss as *bid'ah* nor reject the sets of furniture (bed, cushions), kitchen utensils and other goods (including the *gara*<sup>19</sup>) which are supplied by the woman's parents and accompanied her with them to the matrimonial home after the wedding is contracted.<sup>20</sup> No one doubts that providing all these are a responsibility which the Shari'ah places on the shoulders of the husband, but since it is not part of the fixed conditions of marriage, Muslim scholars tend to overlook it and accept it as a harmless customary arrangement.

### **The Matrimonial Home and its Roles**

Ja'far envisaged that matrimonial home is an environment where peace is supposed to reign, and relations between the spouses are expected to be generally cordial. This, according to Ja'far, can only be achieved when each of the spouses feels a sense of responsibility to discharge his or her duties faithfully. In other words, husband and wife must have their rights fulfilled by each other, and each of them must know his or her roles, responsibilities and limitations in managing the home. Mutual respect, camaraderie, love, and affection must prevail in the daily interactions between the spouses. A good husband in Ja'far's view is he who has an utmost concern for his wife, investigates her

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<sup>19</sup> This refers to sacks of foodstuffs, cans of oil and different types of local cakes and other edible things taken to the husband's house by the wife's family during her conveyance to the matrimonial home or months after.

<sup>20</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'i", held at Indimi Mosque, Maiduguri on Ramadan 21, 1424 A.H./November 15, 2003.

situation, often creates time for her to listen to her problems, advises her and joins her to rub minds and search solution for her predicament. An ideal husband must share a meal with his wife, and in the process of expressing his deep love for her, he may prefer to eat from what she picks with her hand from the bowl and vice versa.

A sign of genuine affection and total submission in this regard, manifests in Ja'far's opinion, when without the slightest inkling of shyness, the husband postprandially licks his wife's fingers while she also does the same. Ja'far was impatient with bad husbands who mistreat their wives; the mistreatment involves wearing gloomy countenance in front of their wives, being too harsh and severe at the slightest provocation, but also failing to cater for them within their financial wherewithal. Ja'far noted that there could be husbands who may spend a whole year without buying new clothes for their wives while some husbands have the habit of eating delicious food outside but they abandon their families with meager diets.<sup>21</sup>

Ja'far observed that besides the dispositions and roles of the spouses in determining the stability of the marital relation, the interplay between wife and her in-laws is also a factor that contributes to feud between husband and wife. Ja'far posited that there should be a balance and understanding between the wife and the relatives of her husband. The mother of the husband is supposed to overlook and avoid trying to know what her son supplies for his wife. She should respect her daughter-in-law and acknowledges her important role as someone who provides moral cover for her son by assisting him to guard his chastity and preventing him from chasing other women. While the wife is required to treat her in-laws with respect, almost like her parents, her in-laws are, out of a sentiment that their son or brother is the one providing and sustaining her, not allowed to maltreat her, try to control her, or even dictate how she is to manage her home. Ja'far did not see total refrainment of interaction between wife and her in-laws as a solution or alternative to misunderstanding that might occur, but a mutual respect that is guided by the Shari'ah. Thus, the mature among the male relatives of the husband should not rampantly enter his brother's house, socialize with his wife, and see her beauty, as when

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<sup>21</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'i", held at Indimi Mosque, Maiduguri on Ramadan 17, 1424 A.H./November 11, 2003.

they do this, they flagrantly breach the Islamic code that enshrines shyness, lowering of gaze, decency, and modesty as guiding principles of communication between unrelated members of the opposite sex. Any communication that might be warranted by a genuine excuse such as request or invitation for meal must be done within and behind a respectful distance and barrier.<sup>22</sup>

It was from the framework of this decency and sense of possessiveness which a husband is expected to show toward his wife that Ja'far argued a husband cannot allow his wife to go for a journey with a driver alone. Ja'far reasoned that a responsible husband will have to ponder over the possibility that his wife may feel pressed on the way and need to relieve herself. A modest woman, Ja'far further rationalized, will find it difficult to communicate her need to the driver, while she may yet feel so constrained to choose between the least of the two humiliating scenarios. If she is accompanied by her husband or anybody among her mahrams, this conundrum will have been adequately avoided.<sup>23</sup> Ja'far philosophized that a husband should also be protective toward his wife against his friends and should not allow her to expose her adornment in front of them. Ja'far noted that some loose friends tend not to be meticulous with their wives and allow their friends to relate and mingle with them unrestrictedly. The peak of this carelessness manifests according to Ja'far in situations when a friend goes to an extent of telling his other friend how gorgeous the latter's wife is, signifying that the former might have seen her broadly and is impressed by her beauty. Ja'far concluded that if care is not taken, this friend can go on to cheat his friend by forging an intimate relationship with the latter's wife.<sup>24</sup>

Ja'far applied greater pressure on men because they are the heads of the family institution in whose hands the control of major aspects of its sustainability rests. Admittedly, and as asseverated by the last sermon of Prophet Muhammad (SAW),<sup>25</sup> women are a trust put under the custody of men and the latter will be held accountable on this special trust. The emphasis on men, therefore, is explainable in the

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<sup>22</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-A'raf", held at Indimi Mosque, Maiduguri on Ramadan 11, 1425 A.H. October 25, 2004.

<sup>23</sup> Ja'far, "Tafsir of Surat al-A'raf".

<sup>24</sup> Ja'far, a lecture titled "Lacca a Kan Aure".

<sup>25</sup> *Sunan Ibn Majah*, Hadith number 1851.

context that as the most authoritative partners in the family institution, chances are that they can always exploit their power to oppress women—the weaker and more vulnerable parties in the union. Nonetheless, Ja'far also preached against many attitudes of married women that contradict the teachings of Islam.

### **Polygamous Family**

As a well-entrenched religious tradition in the sociocultural setting of Ja'far's scholarly career, polygamy represents one of the most prevalent circumstances that necessitate continuous clerical intervention in marital dispute. Like mainstream Muslim scholars, Ja'far believed in polygamy as a valid marital lifestyle which Islam allows. But polygamy represents one of the chief obstacles bedeviling marriage institutions and it leads to the breakage of families. Women, particularly first wives do not virtually have any heartbreaking marital issue that threatens their comfort more than plans by their husbands to add wives. Many a woman will go to an extent of sabotaging her husband's move to marry a second wife or *kishiya* (in Hausa, pl.: *kishiyoyi*) by orchestrating various schemes including conniving with and patronizing the services of sorcerers, magicians, and other cultists. A sizable degree of Ja'far's clerical energy was spent on cautioning women against engaging in this spiritually and morally questionable venture as far as Islam is concerned.<sup>26</sup> Beside the regular counsels given to women to exhibit good characters and imbibe the virtues of an ideal, loyal wife, women are also encouraged to resort to supplication to navigate the daunting development of their husbands' resolve to add wives. It was from this perspective that during the lifetime of Ja'far some women had a cause to inquire from Ja'far whether it is permissible to invoke divine intervention through a supplication that would stop their husbands from marrying second wives. Extraordinarily, Ja'far responded that it is not legally permissible for a woman to prevent their husbands' marriage by way of supplication. He reasoned that marrying a second wife is permissible according to the Shariah, and therefore his first wife or anyone else has no right to

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<sup>26</sup> For more refer to the lecture titled, "*Bita Zaizai*."

reject, reverse or ask God to stop what He has made lawful to His servant.<sup>27</sup>

It seems Ja'far offered his response on an assumption that the women seeking for the fatwa were not only morally upright but would also be convinced with his view and none of them might consider resorting to malevolent options. Judging by the intense animosity of most women toward second wives, there is arguably no border that some women will not cross to realize their ambition. Some women will, and certainly do employ magicians to manufacture juju that will deter their husbands from marrying additional women. Even after the men conquer this stage and marry more women, since they generally do, some women tend to be relentless, and continue to devise varying ways of ensuring their control over their husbands in polygamous families, and this at times leads to physical and psychological oppression of a co-wife. Therefore, giving the fatwa in favour of making a supplication to abort the new marriage, which is the least among the detestable measures a woman can take, and perhaps with an additional advice to request God to choose for the best, may be consequentially safer than a blank and categorical verdict of prohibition.

Islam binds the legislation of polygamy with systematic conditions to checkmate its abuse by insincere men. Central of these conditions is the limitation of the number of women to four, which a man is allowed to marry. Capability in terms of health and wealth is another major condition without which polygamy is not permissible. Focusing on the condition of wherewithal, Ja'far was very critical of men who take a risk of marrying additional wives while they are incapable of sustaining them financially. Ja'far found unfathomable the mentality of some men who live with one wife according to their small income, but at the slightest increase in their economic capital, instead of them to standardize and improve the welfare of their small family, they rush to marry additional wives. Ja'far rationalized that the coming of the second wife entails incurring additional expenses that may compound things and suffocate the economic viability of the man and

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<sup>27</sup> Ja'far Mahmud Adam, "Tafsir of Surat Ali Imran", held at Indimi Mosque, Maiduguri on Ramadan 12, 1424 A.H./November 18, 2003.

his family.<sup>28</sup> Ja'far was very critical of one widespread assertion, which was even buttressed with a fabricated narration, that when one is suffering from severe poverty, he should add more wives as a solution. Describing this tendency as the highest risk (*ganganci*) someone will take,<sup>29</sup> Ja'far concluded that a man is not legally permissible to marry another woman if he is not financially capable.<sup>30</sup>

There is in Nigerian Muslim society, like in other climes, an absence of institutional regulation on polygamy and marriage at large, and because Islam permits polygamy albeit with conditions, people abuse it disproportionately by marrying multiply and divorcing rampantly, which end up bringing drastic consequences to the society. Ja'far lamented that it is too worrisome to see men marrying frequently and divorcing recklessly without recourse to the moral, social and economic repercussions. If a man has a habit of marrying women loosely and divorcing them frequently known commonly in Hausaland as *auri saki* (marry and divorce), his integrity will be at stake as people will begin to have a negative view of his uprightness, morality and ability to withstand marital pressure and effectively manage spousal altercations. Moreover, Ja'far warned, his children will appear divided, socially isolated and will remain a source of nuisance, posing a threat to the peace in the family and the wider society.<sup>31</sup> That is why Islam stresses strict compliance with laid down rules and regulations governing marriage especially in a polygamous family in which Islam makes equal treatment and justice as obligatory condition that must not be tempered with.

Equality and justice are so important that the author of *al-Muqaddimat al-Izziyyah* concluded that a man who fails to treat his wives equally is not eligible to lead people in prayer.<sup>32</sup> This Maliki jurist might be exaggerating but it suffices to make a case for the

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<sup>28</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa", held at Indimi Mosque, Maiduguri on Ramadan 17, 1424 A.H./November 11, 2003.

<sup>29</sup> Ja'far Mahmud Adam, "Surat al-Nur", held at Gadon Kaya, Kano on Rajab 22, 1424A.H./September 09, 2003.

<sup>30</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa", held at Indimi Mosque, Maiduguri on Ramadan 15, 1424 A.H./November 09, 2003.

<sup>31</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa", held at Indimi Mosque, Maiduguri on Ramadan 19, 1424 A.H./November 13, 2003.

<sup>32</sup> Yasir Anjola Quadri & Ishaq O. Oloyode, *al-Izziyyah for the English Audience* (Ogun State, Nigeria: Shebiotimo Publications, 1990), 138-9.

indispensableness of impartiality in a polygamous family with the Prophetic Hadith threatening that a husband who treats his wives preferentially and unjustly will be raised on the Day of Judgment in a state of paralysis.<sup>33</sup> The equality and justice that are required, according to Ja'far revolve around four issues. There must be equal allocation or division of days on which the husband will sleep in their rooms, and even in situation one of them cannot respond to the husband's demand for intimate affair, he is not permitted to shift her days to another woman's room except with her permission or consent. Secondly, it is incumbent upon the husband to give shelter for his wives without favoritism such that none of them will have more rooms than others. Here Ja'far did not make much a clear distinction as to if a woman with more children will yet have the same number of rooms with the one having lesser children. But this may be found inclusive in Ja'far's emphasis that equal treatment of wives takes cognizance of their peculiar needs and respective differences. Equality according to Ja'far, must also manifest in feeding so that he will not make a preferential treatment between them in terms of quantity and quality of the food he provides for them. The husband must apply justice when supplying clothes for his wives. Therefore, the clothes must be of the same quality and value, although they may differ in design, colour and to some extent, size.

Ja'far disagreed with the opinions of some Maliki jurists who insist that in terms of feeding and clothing, each woman must be treated according to the status of her family. In other words, if she comes from a noble family, the husband must supply food and clothing similar to the feeding and clothing she receives from her parents. But if the wife is from a humble background, she is to be provided with simple feeding and clothing since that is what she is used to. Arguing that this does not make sense at all, Ja'far clarified that it is the financial status of the husband that is considered as a determiner of what he provides for his wives and not the family background of his wives.<sup>34</sup>

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<sup>33</sup> See Musnad Imam Ahmad, Hadith number 7936.

<sup>34</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'", held at Indimi Mosque, Maiduguri on Ramadan 14, 1424 A.H./November 8, 2003.



And interestingly, this view can be contextualized within the general injunctions of Qur'anic verses.<sup>35</sup>

As Ja'far explained the basic aspects and areas where justice and equality are fundamentally required, he also briefly dissected issues that do not fall within the category of conditional justice and equality. Therefore, it is not binding upon the husband in a polygamous family to have an equal and exact volume of discussion, smile, laughter and other intimate and social relations over which the husband has no control.<sup>36</sup> But yet, a wise husband, according to Ja'far, is the one who avoids any move and behaviour that may be interpreted as favoritism and leaning toward one of his wives to the detriment of the other(s). It is not, for instance, proper for the husband to favour one of his wives in relations to his properties and daily management of the home affairs. Thus, Ja'far counseled, a man should not entrust his entire wealth under the care of one of them while ignoring the others. Ja'far admitted that it is possible one of the wives may be more honest and reliable, hence more deserving to be entrusted with the husband's belongings. But he argued that it is also not impossible that there are areas where the other wives excel. Therefore, it is safer and more peaceful to divide roles and responsibilities between the wives so that each one feels involved and carried along rather than feels excluded and sidelined.<sup>37</sup>

Just as justice and equal treatment are required between wives in a polygamous family, so also, Ja'far upheld, they are needed between children. It is incumbent upon parents to fend for their children without favoritism and partiality, though this does not rule that their peculiarities and differences in ages and gender may not be considered. Meanwhile, when it comes to normal gifts especially of big and highly valuable assets like houses, plots of land and cars, a father should not favour some of his children to the detriment of the others, and in this case if there are female among them, the principle of males take a double share of the females (*li al-dhakar mithl hazz al-unthayayn*) as in inheritance does not apply. In a situation where some of the children are too young to for instance drive a car or live in separate houses, while

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<sup>35</sup> Surat al-Talaq, verse 7.

<sup>36</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'", held at Indimi Mosque, Maiduguri on Ramadan 14, 1424 A.H./November 8, 2003.

<sup>37</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'", held at Indimi Mosque, Maiduguri on Ramadan 16, 1424 A.H./November 10, 2003.

their elderly ones among the children are big enough to drive cars and or are even married, it will still amount to injustice if the father gives a gift of cars or houses to the elderly ones and ignores the young ones. In Ja'far's view, the father can give the elderly one's cars or houses according to their need but with a condition that this must not be based on permanent ownership. All the documents of the assets should bear his name so that when he dies these properties will be reunited with the main estates that will be wholly distributed among his entire heirs.<sup>38</sup>

Ja'far firmly believed that a family institution will only prosper when each of its components plays its role and discharges its responsibility according to the prescription of Shari'ah. In this regard, Ja'far rejected all new and alien policies that were being imported and attempt being made to institutionalize them through an instrument of law by the legislative arm of Nigeria's government. Ja'far was extremely critical of a bill that sought the national assembly in 2005 to enact Child Right Act, which according to Ja'far was riddled with clauses that were an aberration from customary and religiously sanctioned position of a child in a family institution. The bill, for instance, sought to equalize between a legitimate child and a child born out of wedlock in parental treatment and entitlement to inheritance, thus frustrating the sense of belonging between children in family institutions and street children. The bill also demanded that children be accorded full rights so that a father would have no right to discipline his child, train it and bring it up according to his faith but the faith which the child chooses for itself.

### **Ja'far's Views on Women Issues**

Ja'far had distinct and unique views on women that may at times radically differ from the conventional portrayal of women especially in the context where liberalism, modernity, secularism, and globalization tend to have huge influence on not only non-Muslim but Muslim societies as well. Although he did not categorically regard women as inferior human species, Ja'far did not primarily accept the common and blanket assertion that men and women are equal because this is not factually existent. Ja'far argued that differences between men and women are obvious; each has biological and psychological

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<sup>38</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa".

peculiarities that strikingly distinguish him or her from the other. A man is in terms of creative feature, expected to in natural circumstances, be giant, strong, and muscular while a woman is supposed to be delicate, lenient, relaxed, and emotional. But if the reverse is true, it would be awkwardly unnatural.<sup>39</sup> Ja'far acknowledged that notwithstanding that man is placed above woman as he is the head of the family, this does not suggest that a man is superior to her in terms of piety, uprightness, virtue, and spirituality which in Islam are the yardstick of merit and honour and not accidental biological classification. From this viewpoint, Ja'far urged women not to be deceived by the campaigns of gender equality gaining currency across the globe.<sup>40</sup>

Despite this however, one can easily trace a strong acknowledgement of women's role and importance in human society in Ja'far's discourses, but also a fierce and uncompromising advocacy for the defence of women's rights and consideration of their plight, albeit understandably, reflecting Islamic values on one hand, and on the other hand, evaluating and critiquing secular perspectives of what constitutes women's rights. A woman according to Ja'far occupies a pivotal position so much so that she represents more than half of a human society, or as he further struggled to argue, she is almost the entire human society.<sup>41</sup> That was why Ja'far paid great attention to issues that involved women and contributed tremendously toward their moral and intellectual development. Ja'far preferred that women should be carried along in not only the process of acquiring Islamic and modern education, by attending schools and preaching circles, he also encouraged that they should be mobilized to participate in disseminating and imparting knowledge as well as extending Islamic mission to others. Ja'far enjoined that a Muslim woman needs to be fully educated in the Islamic sciences first, and then the western education, particularly in fields that are more beneficial to the womenfolk. Although Ja'far opined that woman must put emphasis on

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<sup>39</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'", held at Indimi Mosque, Maiduguri on Ramadan 19, 1424 A.H./November 13, 2003.

<sup>40</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nisa'", held at Indimi Mosque, Maiduguri on Ramadan 19, 1424 A.H./November 13, 2003.

<sup>41</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-A'raf", held at Indimi Mosque, Maiduguri on Ramadan 14, 1425 A.H./October 28, 2004.

medical and health courses, given the crucial need of Muslim women in the health sector, he did not categorically prohibit them to engage in non-health related courses whose benefits may hardly transcend the women personally.<sup>42</sup> Interestingly, Ja'far agreed that a woman can serve in other sectors but also play roles as preachers and teachers, arguing that there was no era in Muslim history when there were no female scholars since the first generation of Islam.<sup>43</sup>

Ja'far had shifted a bit away from the position of a leading contemporary scholar and one of his role models, Nasiruddin Albani who established that a woman is initially supposed to stay at home and not allowed to go out except for a certain need. Thus, according to Albani, it is not lawful for a woman to go for work if this will, even in the slightest sense, affect her marital duties and domestic chores like taking care of her children. Albani argued that she is not allowed to leave the responsibility of training and taking care of her children to nannies, housemaids or any other person since that is her most primary obligation in favour of a subsidiary task that may be carried out by someone else in place of her.<sup>44</sup> If Ja'far's view conflicts with that of Albani, it is compatible with the position of another leading cleric, Uthaimin who advanced that it is permissible for a woman to work particularly to teach at females' schools and other sectors but on condition that she will not mingle with men.<sup>45</sup> Ibn Baz however made it clearer that a woman is permitted to work mainly in sectors that distinctively involve women such that she can in the majority of instances avoid mingling with men.<sup>46</sup> In Ja'far's case, although rigidly maintaining that a loose mingling between males and females is not allowed, but which is almost inevitable in most Nigerian workplaces,

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<sup>42</sup> Ja'far, "Muhimmancin Ilimin Mata".

<sup>43</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-An'am", held at Indimi Mosque, Maiduguri on Ramadan 21, 1425 A.H./November 03, 2004.

<sup>44</sup> See a clip titled "As'ilah Haul 'Amal al-Mar'ah: al-Shaykh al-Albani Rahimahullah 084.", available on <https://www.youtube.com/watch?v=stVRzkevoIq>; last checked May 20, 2022.

<sup>45</sup> See a clip titled "Hukm Khuruj al-Mar'at Ila al-'Amal - al-Shaykh Ibn Uthaimin Rahimahullah", available on <https://www.youtube.com/watch?v=-8t2V6SaXN0>; last checked May 20, 2022.

<sup>46</sup> See a clip titled "Hukm 'Amal al-Mar'ah fi Ikhtilat Ma' al-Rijal | al-Shaykh Abdulaziz bin Baz", available on <https://www.youtube.com/watch?v=bufGvuVcL3U>; last checked May 20, 2022.

Ja'far yet did not offer a strict view to prohibit women from working in other non-women sectors, albeit of course on condition that decency and modesty must not be compromised.

It is discernible that the above fatwas were guided and informed by a concern toward preserving societal morality which is threatened by the loose mingling of men and women. Disagreeing with Saudi clerics in a different context, Ja'far issued a fatwa that it is not forbidden for a woman to drive a car since she will not flout any established Islamic injunction including the principle of modesty and decency. However, Ja'far maintained that this permission is confined to domestic shuttles while if she is to embark on a journey, she is required by the Shari'ah to be accompanied by a mahram, irrespective of whether she is the driver or not.<sup>47</sup> The requirement of a company of a mahram during travel stems from an explicit articulation of the Shari'ah and albeit some later interpretations were made on the issue, scholars such as Ja'far have opted for the sticking to the letter of the text which to them guarantees compliance with the spirit of the law. In line with this, Ja'far ruled that it is not lawful in Islam for a woman to travel abroad for study without her mahram. At this juncture, Ja'far pilloried the scholarship grants awarded by some countries and institutions to Muslim young girls, which in most instances end up subjecting the girls to moral jeopardy since they are vulnerably alone in their host countries. Ja'far called on scholarship awarding bodies to review their scheme and incorporate mahrams or spouses of women so that they will be prevented from getting trapped in this moral conundrum. Otherwise, Ja'far concluded that Nigeria has enough resources to cater for the educational needs of its womenfolk in all areas and should exploit these resources instead of sending women abroad where their dignity will be at stake.<sup>48</sup>

If Ja'far would detest women's travel to study abroad without a mahram because she may lose moral control of herself, it is more fathomable that he would repudiate women's journeys that are purposely meant to venture into affairs that are riddled with morally

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<sup>47</sup> Ja'far Mahmud Adam, "Tafsir of Surat Ghafir" held at Gadon Kaya, Kano on Rabi' al-Awwal 1427 A.H./April 14, 2006.

<sup>48</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-A'raf", held at Indimi Mosque, Maiduguri on Ramadan 12, 1425 A.H./October 26, 2004.

suspicious circumstances. Ja'far upbraided the habit of trafficking Nigerian Muslim women to Saudi Arabia through the agency of opportunists in the name of getting employed to serve as domestic servants and housemaids of Arab families. As Nigerians found it difficult to grapple with poverty, necessitating some of them to look for greener pastures outside their country, the attitude of traveling to Saudi Arabia to work has been a growing trend among northern Nigerian Muslim women including married ones. While some women are genuinely employed to work and they use that to support their families and relatives back home, some of them are lured to engage in illicit affairs with either their Arab masters or other people in the country. Some workers have in fact become prostitutes, much in the same way southern Nigerian women travel to Europe for commercial sex work. But some of Nigerian Muslim women including the married ones even go to an extent of marrying Saudi Arabians but in the end mischievously breaking the marriage when they already accumulate the wealth they desire. This same trend has now started gaining ground in other Arab countries particularly Dubai which is a business destination for many Nigerians. Ja'far described this attitude as a brazen disgrace which does not conform to the honour and dignity of a woman that must be ideally protected.<sup>49</sup>

Ja'far was equally against street hawking (*talla* in Hausa) by a girl-child which is a rampant enterprise, especially in northern Nigeria, and it deprives girls from acquiring basic (Islamic and modern) education. Many parents resort to forcing their children into street hawking due to economic hardship, but it has also been the source of moral degeneration of many girls who in many cases are preyed upon by the men of low moral standards they regularly meet on the street.<sup>50</sup> Interestingly, several campaigns have been launched by many organizations and numerous programs have been designed by various governments to counter this culture, but the menace does still exist.

As Ja'far presented the picture of an ideal Muslim woman, he also reviewed and critiqued the portrayal of woman in western

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<sup>49</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Hajj", held at Gadon Kaya, Kano on Safar 30, 1424 A.H./May 02, 2003.

<sup>50</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Nur", held at Gadon Kaya, Kano on Rajab 22, 1424 A.H./September 19, 2003

perspective, while clearing misconceptions promoted in the global media about the position of woman in Islam, particularly the amplified theme of equality between man and woman. In the case of sharing an estate bequeathed by a deceased person for instance, males among his children are entitled to a double share of females, but in the final analysis according to Ja'far, females are put under the custody of men such that in all the different stages of their life, they are wholly supported by men who take care of their needs. Ja'far argued that when for example, a man intends to marry, it is he and not the woman, who is required to supply the dowry and he is required to sustain the family after the marriage, while the woman keeps her money all along and spends it as she wishes. A woman, Ja'far stressed, is always under the care of man as her father, husband, brother, son or any other male relative to fend for her economically. Therefore, the share of a female in inheritance is not ideally meant to be her source of sustenance and it is not legally binding upon her to spend it on any other person, unlike her male counterparts.

As highlighted previously, Ja'far believed that woman can serve in some capacities and hold (professional) responsibilities in education, health and other sectors. However, he opined that it is not permissible for a woman to take up political appointment as low as advisory capacity which is a mere appendage to an executive office. Ja'far argued that if a woman is appointed as an advisor to a state governor, which means he can invite her any time for consultative meeting, at times between the two of them alone, it will amount to the flouting of an Islamic principle that prohibits man to seclude with a woman who is not his mahram.<sup>51</sup> Meanwhile, Ja'far agreed and even preferred that a leader make consultation with his wife on state matters, especially if she is wise and educated. Thus, if Ja'far saw that a woman cannot be appointed as advisor, it is understandable if he also rejected the sentiment demanding the assumption of women to political leadership with authoritative power such as governorship and presidential post.

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<sup>51</sup> This is contained in the Hadith in which the Prophet said, "no man shall seclude with a woman, nor shall a woman travel except that she is together with a mahram", reported in Sahih Bukhari Hadith number 3006.

Ja'far argued that the view that a woman can serve in political responsibility cannot be substantiated either from textual injunction or an authentic historical precedent as far as Islam is concerned.<sup>52</sup> Although he might be fully aware of the report in Islamic history indicating that Caliph Umar bin al-Khattab had appointed a woman called Shifa' bint Abdallah as a supervisor and head of police task charged with regulating market affairs, Ja'far likely belonged to the camp of scholars who did not accept it as a sound proof. Ibn Hajar al-Asqalani in his *al-Isabah fi Tamyiz al-Sahabah* has cited Shifa' and the alleged role she was assigned by Caliph Umar, using expression (*rubbama wallaha shai'an min amr al-suq*: he might have appointed her something concerning market affair) weakens the veracity of the report.<sup>53</sup> Some sources go on to suggest that the woman's children used to deny and get angry at the claim that their mother served as a market inspector.<sup>54</sup> It must therefore be acknowledged as hinted by the remark of the woman's children, that even if the claim can be henceforth adjudged as a rumour, it is as old as the first Islamic century. And the acceptability or otherwise of this claim seems to be reflected in the controversies and divergent views on the question of women leadership among contemporary Muslim scholars, thinkers and political scientists.

Ja'far was conscious that agitations for women's participation in politics and recognition of their eligibility to contest for elective offices or serve in political leadership capacities were informed by the growth and maturity of democracy in developed nations especially the western world which aspires democracy to become the model of an enlightened political system worthy of emulation by developing nations. Ja'far argued that the western world did not in full practical terms believe in its theory of women participation in politics beyond the right to exercise their franchise. As of 2005, Ja'far challenged that George W. Bush was the 43<sup>rd</sup> among the presidents who ruled America

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<sup>52</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Mumtahanah", held at Beirut Road, Kano on Muharram 15, 1426 A.H./February 23, 2005.

<sup>53</sup> Ahmad Ibn Ali Ibn Hajar al-Asqalani, *al-Isabah fi Tamyiz al-Sahabah* (Beirut: Dar al-Kutub al-Ilmiyyah, 1995), 8: 202.

<sup>54</sup> Karim Hani', "Hal Walla Umar bin al-Khattab al-Shifa' Qadiyat li al-Hisbah", *Mazayana*, October 6, 2021. Available on <https://marayana.com/laune/2021/10/06/9204/>; last checked May 21, 2022.



but none of whom was female, while only a handful of women have served as governors in the whole fifty states of America. Ja'far gave a blank and unspecified statistics of number of women ministers in Nigeria whom he said was higher than that of ministers in the United State.

Ja'far moved further to discuss the concept of women's rights in the West, positing that the West merely hoodwinks women such that pressure is mounted on campaigns for women to have freedom to pursue lewd tasks but which in the name of liberation, would deprive them of their shyness and morality. The white man has, in the opinion of Ja'far, tricked, deceived, and oppressed women more than any other person as he disgraced and downplayed her status by turning her to a tool for advertisement to attract customers and business partners. The beauty of woman according to Ja'far is exploited in the West by entrepreneurs to market their commodities, with the photo of her elegant face and parts of her body always appearing on as lowly products as tyres, detergents, soaps, etc.

A woman employed as a secretary of a company is required to always make her adornment, always wear smiley face at work so that she pleases partners, entertains visitors, and attracts customers. But as she ages and begins to lose her youth, she is replaced by a younger girl while she (the old woman) must look for another meaner job like cleaning toilet at kindergarten, nursery, or primary schools. Ja'far added that since marriage institution is losing its prestige in the West, a young woman who works and earns salary, living in a rented apartment, must enlist the service of a strong young man who shall protect her against harms. The young man accompanies her to bars and clubs and guards her against the attacks of thieves and potential rapists.<sup>55</sup> When a company plans to recruit twenty labourers, it has to, in Ja'far's observation, employ twenty women in situations where it requests only ten men labourers because men's muscular power of productivity doubles that of women. And even if women are employed, they shall be periodically relieved for a leave to take care of

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<sup>55</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Mumtahanah", held at Beirut Road, Kano on Muharram 15, 1426 A.H./February 23, 2005.

their pregnancies if they have spouses or have relations with men.<sup>56</sup> Ja'far enjoined Muslim women to generally ignore propaganda in the global media promoted in the name of freedom, rights, and liberation of female.

### **Conclusion**

Ja'far has offered an exposition of what he believed is the representation of an ideal Islamic prescription of how a family institution which is distinctively established through marriage. In Ja'far's thought, Islam provides a healthier, more veritable, and universally compatible arrangement for the continuity of human survival. Premarital activities, spousal relations, administration of both monogamous and polygamous homes, treatment of family members and interaction with external factors connected to the matrimonial home are in Ja'far's philosophy guided by distinct and specific Islamic principles whose flouting has corrosive effects and drastic consequence on marriage and family institutions. Equality, justice, piety, uprightness, and other virtues are what Ja'far upheld as determiners for healthy navigation of issues associated with marriage and family institution. And it is from the framework of these moral qualities which Ja'far expected every Muslim to imbibe that as can be discerned from the previous pages, that Ja'far did not give much weight on the intervention of legal muscle in cases rules related to marriage and family institutions are violated while the rights of the componential members are trampled over.

Ja'far painted an ugly picture of woman in western sociocultural setting after he had already established that it is Islam that has literally and in the realest sense accorded her full rights and liberated her from shackles of oppression that is prevalent in other non-Islamic climes. Some of Ja'far's arguments appear to be more generalized, particularly when juxtaposed against cogent initiatives that evince an institutional concern toward women in the West such as sounder health care provisions, access to education and to some extent economic stability. It can be further argued that all these have nothing to do with culture and civilization but stems from workable

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<sup>56</sup> Ja'far Mahmud Adam, "Tafsir of Surat al-Baqarah", held at Indimi Mosque, Maiduguri on Ramadan 20, 1423 A.H./November 20, 2002.

administrative measures and state policies warranted by prosperous economic atmosphere, uncompromised judicial system and effective political system which can be mainstreamed in every society. Nevertheless, since the same basic amenities are almost absent with equal degree of efficacy in most Muslim countries, a development whose failure has nothing to do with Islam but yet tend to conflate issues regarding the plight of Muslim women. Be that as it may, it is easily admissible that some of Ja'far's logics, philosophies and arguments on marriage, family and women issues will remain ambiguous, hence contestable by future studies.

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### **Interview**

Professor Isa Muhammad Maishanu, March 24, 2022.