In what ways has Islamic law discriminated against women and privileged men? What rights and power have been accorded to Muslim women, and how have they used the legal system to enhance their social and economic position? In an analysis of Islamic law through the prism of gender, Judith E. Tucker tackles these complex questions relating to the position of women in Islamic society, and to the ways in which the legal system shaped the family, property rights, space, and sexuality, from classical and medieval times to the present. Hers is a nuanced approach, which negotiates broadly between the history of doctrine and of practice and the interplay between the two. Working with concepts drawn from feminist legal theory and by using particular cases to illustrate her arguments, the author systematically addresses questions of discrimination and expectation – what did men expect of their womenfolk? – and of how the language of the law contributed to that discrimination, infecting the system and all those who participated in it. The author is a fluent communicator, effectively guiding the reader through the historical roots and intellectual contours of the Islamic legal system, and explicating the impact of these traditions on Islamic law as it is practiced in the modern world.

Judith E. Tucker is Professor of History in the Department of History and Center for Contemporary Arab Studies at Georgetown University, Washington, DC. Her previous publications include Women in Nineteenth-Century Egypt (Cambridge, 1985) and In the House of the Law: Gender and Islamic Law in Ottoman Syria and Palestine (1998).
Themes in Islamic Law offers a series of state-of-the-art titles on the history of Islamic law, its application and its place in the modern world. The intention is to provide an analytic overview of the field with an emphasis on how law relates to the society in which it operates. Contributing authors, who all have distinguished reputations in their particular areas of scholarship, have been asked to interpret the complexities of the subject for those entering the field for the first time.

Titles in the series:
1. *The Origins and Evolution of Islamic Law*
   WAEL B. HALLAQ

2. *Crime and Punishment in Islamic Law: Theory and Practice from the Sixteenth to the Twenty-First Century*
   RUDOLPH PETERS
WOMEN, FAMILY, AND GENDER IN ISLAMIC LAW

JUDITH E. TUCKER
Georgetown University
For Sue, Beth, and Prilla
my sisters
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Every effort has been made to secure the necessary permission to reproduce the photograph used on the front cover of the book, however, it has proved impossible to trace the copyright holder. If any omissions are brought to our notice, we will be happy to include appropriate acknowledgements in any subsequent edition.
Map 1: Countries with majority Muslim populations

* Indicates a Muslim population around 50%
Kurds—found in Iraq, Syria, Turkey and Iran—are predominantly Shafi'i. Shi'a include the Ithna 'Ashari (Twelver) who are the most numerous, Jafari, Isma'ili, and Zaydi branches. Yemen is the only country with a majority Zaydi population. Oman is the only country with a majority Ibadi population, a sect that is neither Sunni nor Shi'a and developed out of the seventh-century Khawarij sect. Smaller Ibadi communities can be found in North and East Africa.

Map 2: Areas of predominance of Islamic legal schools (madhhab)

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