

Al-Haydari's Alternative Ijtihadi Approaches to Women's Jurisprudential Challenges; Preparation for A Methodological Criticism

*Mohsen Badreh**

*Fadiya Mahani***

DOI: 10.22096/rc.2025.2017049.1162

Received Date: 02/08/2024 - Accepted Date: 21/12/2024

Abstract

Some of Sayyed Kamal Heidari's *fiqhi* viewpoints have recently become controversial in muslim Shiite societies. His concentration on *Fiq al-Mara* or Jurisprudence of women's life issues in family and society is known as a dynamic approach in the field of Shiite Islamic Ijtihad. This paper analyses his alternative methodological approaches to four sources of Quran, Sunnah, consensus (*Ijma'*) and reason and also his linguistic theory by which he reflects on women's issues in Islam, and pursues his different ideas through some key examples including the creation of woman in Quran, Polygamy and man's *Qavama* in family. Using a deduction throughout his writings and speeches, our study tries to analytically describe his *Ijtihadi* methodology as applied on Muslim women's issues. As a conclusion, his jurisprudence as an example of *Shiite* answering *Ijtihad* which enters into dialogue with questions of contemporary man, builds epistemically on Quran and Hadith while rationally considering the social and historical reality and without "saying no to the Scripture". Finally, this paper prepares a basis to a consistent critic of Al-Heidari's literature on women's dignity and rights in Islam.

Key words: Jurisprudence of women; Sayyed Kamal Haydari; Islam and women; Shiite Ijtihad; Muslim women.

* Assistant Professor, Department of Family and Women's Studies, Faculty of Social Sciences and Economic, Alzahra University, Tehran, Iran. (Corresponding Author)
Email: m.badreh@alzahra.ac.ir

** PhD. Student of Women's Studies, Department of Women's Studies, Islamic Azad University Science and Research Branch, Tehran, Iran.
Email: fadiyamahani@gmail.com



Bibliography

Holy Quran

- Haydari, Sayyed Kamal. *A-Delala Al-Qoraniyyah fi Fekre Sayyed Kamal Al-Haydari*. Edited by Ammar Ghali Solayman Samiri, Qom: Daro Faraqed, 2015. [In Persian]
- Haydari, Sayyed Kamal. *Al-Ensaan Bayn-al-Elam va-Ddin*. Qom: Daro Javaadol-Aemma, 2010. [In Persian]
- Haydari, Sayyed Kamal. *Al-Fatawi Al-Fiqhiyyah*. Qom: Daro Faraqed, 2016. [In Persian]
- Haydari, Sayyed Kamal. *Al-Mousooa Al-Qoraniyyah*. Qom: Imam Javad Institution, 2010. [In Persian]
- Haydari, Sayyed Kamal. *A-Ssolta va Sinaatol-Waze va-Tawil*. Qom: Daro Faraqed, 2016. [In Persian]
- Haydari, Sayyed Kamal. *Erfane Shie*. Tehran: Imam Sadiq University, 2013. [In Persian]
- Haydari, Sayyed Kamal. *Eslamol Qoran va Eslamol Hadith*. Edited by Talal Hasan, Qom: WajePardaze Andishe, 2019. [In Persian]
- Haydari, Sayyed Kamal. *Falsafato Sadril-Motaallehin; Qiraa fi Mortakazatel-Hikma Al-Motaaliyyah*. Qom: Daro Faraqed, 2009. [In Persian]
- Haydari, Sayyed Kamal. *Fiqhol Aqida*. Talal Hasan, Qom: Daro Faraqed, 2014. [In Persian]
- Haydari, Sayyed Kamal. *Maâalemo-Tajdid al-Fiqhi; Moaalejato Eshkaliyyate-Sabet wal-Mofaghayyer fil-Fiqhel-Islami*. Edited by Khalil Raziq, Qom: Setareh, 2008. [In Persian]
- Haydari, Sayyed Kamal. *Mafaatiho Fahmel-Qoran*. Tehran: Imam Sadiq University, 2012. [In Persian]
- Haydari, Sayyed Kamal. *Mafaseol Eslahel-Fikre-Shiie*. Qom: Imam Javaad Institution for Thought and Culture, 2016. [In Persian]
- Haydari, Sayyed Kamal. *Mantiqo Fahmel-Qoraan*. Edited by Talal Hasan, Qom: Al-Hoda Institution, 2014. [In Persian]
- Haydari, Sayyed Kamal. *Minhajo-Salehin*. Qom: Imam Javaad Institution for Thought and Culture, 2015. [In Persian]
- Haydari, Sayyed Kamal. *Mizno Tashihel-Maorootho-Revae*. Edited by Talal Hasan, Qom: Imam Javaad Institution for Thought and Culture, 2016. [In Persian]

- Haydari, Sayyed Kamal. *Mokhtaraat Men AhkameNnisa*. Qom: Imam Javaad Institution for Thought and Culture, 2016. [In Persian]
- Haydari, Sayyed Kamal. *Moqaddama fi Fiqhol Akhlaq*. Qom: Daro Faraqed, 2004. [In Persian]
- Haydari, Sayyed Kamal. *Nazariyye Naql Be Mana Dar Revayat*. Edited by Ali Shafa Bakhsh, Tehran: Avaye Ali, 2019. [In Persian]
- Haydari, Sayyed Kamal. *Philosophical Psychology of Molla Hadi Sabzevari*, Translated By Abdollatif Rashedi, Tehran: Ravan Sanji, 2018. [In Persian]
- Haydari, Sayyed Kamal. *Qiraat fi Al-Manzooma Al-Fikriyyah Li-Sayyed Kamal Al-Haydari*. Edited by Asaad Ashari. Qom: Daro Faraqed, 2016. [In Persian]
- Haydari, Sayyed Kamal. *Siyantol-Qoran Mina-Tahrif*. Qom: Imam Javaad Institution for Thought and Culture, 2015. [In Persian]
- Haydari, Sayyed Kamal. *Taqrirato Dorooso Kharej-al-Fiqh*, accessed at: <https://alhaydari.com>, accessed 5 December 2023. [In Persian]
- Haydari, Sayyed Kamal. *Tawil ol-Qoran; Nazariyyah wal-Motayat*. Qom: Daro Faraqed, 2006. [In Persian]
- Haydari, Sayyed Kamal. *Usule Tafsir wa Tawil*. Tehran: Imam Sadiq University, 2013. [In Persian]
- Jannati, Mohammad Ebrahim. *Ijtihad Sources from the viewpoint of Islamic Schools*. Tehran: Keihan, 1991. [In Persian]