BOOK REVIEW

The Family Structure in Islam by Hammudah 'Abd al-'Ati'

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Hammudah 'Abd al-'Ati's ***The Family Structure in Islam*** is a classic literature on Islamic social systems, formulating a link between traditional Islamic jurisprudence and modern social sciences. This study is designed to amalgamate the "normative-moralistic" approach adopted by Muslim scholars and "non-normative-anthropological" approach offered by western scholars in a complementary manner. The ideological standpoint (what ought to be-realm) is differentiated from social-behavioral reality (what is-realm) on the strength of an exploratory analysis. As the title suggests, essence of the book is sociological and historical analysis of the family as an institution within the Islamic social system.

Methodological Approach

The late Dr. Abd al Ati, the author of this book, was a graduate of al Azhar, Cairo besides educated from Canada in Oriental Studies and holding a doctorate degree in sociology from Princeton. He worked as director of the Islamic center of Edmonton, Canada and served as a consultant for many organizations in North America. This book is originally his doctoral dissertation.

Having a traditional and western background, 'Abd al-'Ati adopts the perspective of **"cultural relativism**," (as the Muslims would themselves see it) aiming to assess the Muslim psyche and its implicit values objectively, as against polemics or apologetics. His primary focus is the formative period of Islamic law (the first four centuries), as the most significant era in the development of the Islamic outlook.

Core Themes and Insights/Summary

The text begins with an overview of Islamic Family system. The book elucidates conceptual framework of the components of family by giving introductory backgrounds and sketchy reviews followed by general interpretation of Islamic perspective. The book is divided into eight chapters.

Ati explains that Islam regulated tribal family dynamics through abolition of tabniyat (adoption with full biological rights) and retention of the legitimate lineage (as "brothers in faith"), to form a society based on religion instead of blood relationship, individual family replacing the tribe as the basic social unit and freeing of slaves. Marriage in Islam is conceptualized, in contrast to customary marriage *by capture,* as a legal contract based on mutual consent. Dower is regarded as an emblem of fiscal autonomy of wife rather than a *purchase price.* The text highlights distinct

roles of men and women in the domestic sphere despite being spiritually equal. Under Islamic system, men are regarded as *Qiwamah* "protector" over women but this status is accorded to them not as a sign of superiority but as a responsibility subject to mutual obligations. Parent-child and kinship relationships are based on religious master concept of *Ihsan*. Marriage dissolution is considered as undesirable and repugnant though simple and lawful. Islam prohibits concentration of wealth which is to be distributed according to shares prescribed through inheritance laws. Islamic system guarantees protection to a child's identity and preservation of lineage through the *principle of legitimacy*. The writer analyzes that Islam stands for moderation and harmony between the ideal and the real, secular and a sacramental nature of marriage contract, sanctified yet pragmatic family structure, individual and kinship rights, family as a *religious-normative* and *social-behavioral* entity and testamentary limitations to one third to balance individual and probable heirs' rights. The book eventually postulates the Islamic family unit as a comprehensive model.

Critical Appraisal

The book is celebrated for its austerity but it is also confronted from many angles.

Ati's thesis underscores that religion and ethics provide the basis for Islamic family entity, as verbatim excerpt from the book "*divested of its religious and moral basis",* it appears *"meaningless, incomprehensible, inconsistent, and altogether impracticable".* Morroe Berger in his foreword applauds the book in the words, *"it clears away a lot of dead wood"* the result of ignorance and prejudice that hindered a clear perception of Islamic institutions.

The footnotes and bibliography of the book are exhaustive consisting of Arabic transcripts and western sources. The text is logical and arguments are described clearly. Title of the book is simple and catchy. The text convincingly defends the intrinsic rational of Islamic law by treating the ideal in consonance with the real. It critiques Muslim scholars for adopting an idealistic approach oblivious of reality and Western writers for speculating Islamic practice with Western ideals, in an objective and fair manner.

Islam's position on basic laws and dimensions of marriage, marital roles, maintenance and its elements like residence, sickness, poverty, *recalcitrance (Nushuz)*, legitimacy, dower and dissolution, kinship and inheritance are canvassed in the book in a beautiful manner. It stands out among other works on the subject due to its comparative approach. Islamic perspective is clarified by gauging Islamic statutes against pre-Islamic customs and diverse perspectives from western or religious legal regimes. It confronts the most intricate issues such as plural marriages, modes of divorce in an analytical and expository rather than a sermonic way. The writer in the gist of the book's conclusion acclaims strong bonding of the extended family as a support against the social pressures of the modern world. The text proves to be significant as it considers Islamic model as an intermediary between the western individualism and the pre-Islamic tribalism.

I recently had a chance to read another book on the subject "The Family System in Islam" by Syed Jalaluddin Umari. Both the scholars have defended the Islamic family unit against modern criticism but from different intellectual perspectives. Umari focuses on roles and responsibilities within an ideal family by adopting a conventional approach. Abd al-Ati on the other side, following a progressive approach analyzes the social and legal aspects of family structure.

I think Umari's scheme provides a roadmap for Muslims. But what is striking is that the author unequivocally acknowledges a gap between Islamic ideals and practice in society where women are deprived of many rights granted by Islam. On the other hand, Ati's offers a scholarly defense, addressing difficult contemporary questions like polygyny, divorce and inheritance by interrelating the theory and practice. It is persuasive and thought provoking. This is the reason of my preference for Ati's work over Umari's.

As viewed from contrary perspective, language of the book is couched in academic style because of its genesis as a doctoral thesis. The text is detailed and complex. Being an ancient document, contemporary challenges as digital technology or the niceties of the modern nuclear family are not addressed in the book. The author could not take into account the issues associated with extended family like difference of opinion, conflicts and disagreements.

Latest economic dynamics and feminist perspectives thwart the complimentary gender roles attributed by the writer. Abd al-Ati's conclusion that differentiation of roles does not mean inequality, does not reconcile with the *mantra* of the modern progressive society. This component is highly debatable in contemporary gender studies. Financial independence of women, patriarchy in gender roles and domestic influences are not covered in the discussion of the book.

Finally, despite downsides, the book is the hallmark in articulating the significance and role of family in Islamic society underpinning future research and exploration by the academia and researchers.

Personal Insights

This book accentuates the notion that Islamic family structure is holistic integrating "*religious spirit, moral fabric and mundane practicality*" into one unit. The book enunciates a complete code of Islamic family life with a focus on individual liberties and communal responsibilities. I find this book worth reading as the blueprint for navigating a nuanced comprehension of Islamic family system. I think this book will be really helpful for me in dealing with real-life scenarios, especially when it comes to solving problems and rendering decisions on matrimonial and family disputes and inheritance related issues.

Reviewed by Beenish Ismail Syed SCJ