



Research Paper

## "Fatimah al-Samarqandi: Pioneering Female Jurist and Scholar in Medieval Islamic Law"

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### Abstract

*Fatimah al-Samarqandi, a distinguished female Muslim jurist from the medieval Islamic period, represents an extraordinary example of intellectual prowess and scholarly contribution in a male-dominated field. This article delves into the life and legacy of Fatimah al-Samarqandi, examining her role as a prominent legal scholar, teacher, and advisor. Born in the renowned city of Samarqand, she was deeply influenced by her father, a respected jurist, and later collaborated closely with her husband, the eminent jurist Ala al-Din al-Kasani. Fatimah's contributions to Islamic jurisprudence were substantial; she was actively involved in teaching, issuing fatwas, and providing counsel on legal matters. Her expertise in Hanafi jurisprudence and her significant input in her husband's renowned legal compendium, "Bada'i' al-Sana'i," underscore her scholarly impact. This article not only highlights Fatimah al-Samarqandi's intellectual achievements but also explores her enduring influence on Islamic legal tradition and the empowerment of women in scholarly pursuits. Through this exploration, we gain insight into the vital role women have played in the development of Islamic jurisprudence and the importance of recognizing their contributions in historical and contemporary contexts.*

**Keywords:** Fatimah al-Samarqandi, Female Muslim Jurist, Legal Scholarship, Scholarly Contributions

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### Significance of the Study

The study of Fatimah al-Samarqandi holds significant value for several reasons:

**Historical Recognition:** By highlighting the life and contributions of Fatimah al-Samarqandi, this study brings attention to a notable yet often overlooked figure in Islamic legal history. Her recognition underscores the pivotal roles women have played in shaping Islamic jurisprudence, challenging the historical narrative that frequently marginalizes their contributions.

1. **Intellectual Contributions:** Fatimah's involvement in Islamic jurisprudence, particularly within the Hanafi school, illustrates the depth and breadth of female scholarly engagement in Islamic legal thought. Her work not only enriched the legal corpus but also provided essential insights into the application and interpretation of Shariah principles.

2. **Empowerment of Women:** Exploring Fatimah al-Samarqandi's achievements contributes to understanding the historical context of women's intellectual and scholarly participation in Islam. It serves as a testament to the opportunities available to women within Islamic scholarship, offering inspiration and a model for contemporary and future female scholars.

3. **Educational Impact:** Fatimah's role as a teacher and advisor highlights the importance of mentorship and education in the transmission of knowledge. Her contributions to educational practices in Islamic legal studies reflect the significant role that educators play in the development and dissemination of knowledge.

4. **Scholarly Dialogue:** This study fosters a broader dialogue about the inclusion and recognition of female scholars in Islamic history. It encourages a reevaluation of historical narratives and scholarly practices, promoting a more inclusive and comprehensive understanding of Islamic jurisprudence.

5. **Legal and Ethical Insights:** By analyzing Fatimah's contributions, the study offers valuable insights into the ethical and legal discussions of her time, contributing to a richer understanding of the evolution of Islamic legal thought and its application in various contexts.

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Overall, the significance of this study lies in its potential to illuminate the profound impact of Fatimah al-Samarqandi on Islamic jurisprudence, advocate for the recognition of female scholars in Islamic history, and inspire continued research into the diverse contributions of women in Islamic scholarship.

### Introduction

This article delves into Fatimah al-Samarqandi's life and achievements, exploring her contributions to Islamic jurisprudence, her role in legal education, and her influence on the Hanafi school. By examining her scholarly endeavours and impact, the article aims to highlight the significant yet often underrepresented role of women in the development of Islamic legal thought. Through this exploration, we gain a deeper appreciation for the rich legacy of female scholars in Islamic history and their lasting contributions to the field of Islamic law.

### Early Life

Fatimah bint Muhammad ibn Ahmad al-Samarqandi was a Muslim scholar and jurist. She was born in the city of Samarqand, the third-largest city in present-day Uzbekistan. Although the exact date of her birth is unknown, it is thought that she was born in the 12th century.<sup>2</sup> Samarqand is one of the oldest inhabited cities in Central Asia and has always prospered due to being a key city on the Silk Road. Due to this position and the importance the city played throughout history, it is thought that the city was first regularly inhabited from the eighth or seventh century B.C., and Alexander the Great conquered Samarqand in 329 B.C. when the city was known then as Maracanda.<sup>3</sup> Before her birth, Timur conquered the city and made Samarqand his capital in 1370 and it regained its former glory. It was during this century and the following century that the most remarkable developments of the city occurred.<sup>4</sup> Samarqand is renowned for being the home of a number of Islamic scholars and being the cradle of Islamic science, art, and culture. After her birth, the city was under Mongol control – a time when the city had been pillaged and the people were oppressed. But Samarqandi is one of those remarkable women who managed to appear in every era and every region. She is also one of the most remarkable women in the history of Islam who have been lost in the annals of history.<sup>5</sup>

Fatimah was the daughter of the eminent Hanafi jurist and scholar Muhammad ibn Ahmad al-Samarqandi, the author of the famous Hanafi juristic work *Tuḥfat al-Fuqaha*. She was taught by her father and became a renowned expert in Calligraphy, Islamic Law, Qur'an, and the Hadith. Fatima exceeded a great number of contemporary scholars in knowledge. A legal expert in her own right, she was influential in the discourse of the Hanafi fiqh. As a result of her elite stance, she was able to issue fatwas.<sup>6</sup>

### Marriage

Her reputation spread far and wide and soon suitors from around the Muslim world came to seek her hand in marriage. Many rich and noble men asked for her hand, but her father refused any who were not themselves seekers of knowledge, and he feared for her being taken away from the circle of scholars in Samarqand. She married 'Ala' al-Din al-Kasani, a student of her father and an expert of Islamic Jurisprudence. **'Ala' al-Din al-Kasani**, known as **Al-Kasani** or **al-Kashani**, was a 12th Century Sunni Muslim Jurist who became an influential figure of the Hanafi school of Sunni jurisprudence, which has remained the most widely practiced law school in the Sunni tradition. He was nicknamed Malik al-'Ulama' ("King of the Scholars"). His major work entitled Bada'i' al-Sana'i' fi Tartib al-Shara'i'<sup>7</sup> is one of the most important Islamic legal manuals of the Hanafi tradition.<sup>8</sup>

Fatima's dowry was Al-Kasani's book, Bada'i' al-Sana'i' (*The Most Marvellous of Beneficial Things*), which was a commentary on her father's book, Tuḥfat al-Fuqaha. Her father was so impressed by the book that he

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<sup>2</sup> Abdullah, Umar Farooq. "The Empowering Jurist: Fatima al-Samarqandi". *MSA McGill*. Muslim Students' Association. Archived, 2015.

<sup>3</sup> Kandur, Jane Louise, *Fatima al-Samarqandi: An Influential Female Scholar, Skilled Calligrapher*, Daily Sabah, 2010.

<sup>4</sup> Ibid.

<sup>5</sup> Sabeel, Bints, *Muslim Women Who Thought their Husbands*, nd.

<sup>6</sup> Ibid.

<sup>7</sup> **Bada'i' as-Sana'i' fi Tartib ash-Shara'i'** (*Marvellous artistry in the arrangement of the religious-legal regulations*الشرايع) is a classical manual of fiqh for the Hanafi school of Islamic jurisprudence. The author of the text is 6th century (Hijri) jurist **'Ala' al-Din al-Kasani**. The book was written as an explanation of *Tuḥfat al-Fuqaha*, a work of Al-Kasani's teacher 'Ala' al-Din al-Samarqandi, whose daughter, Fatima Al-Samarqandi, accepted it as a Bridal Gift. The book is taught in Hanafi schools today.

<sup>8</sup> Abdullah, Umar Farooq. "The Empowering Jurist: Fatima al-Samarqandi". *MSA McGill*. Muslim Students' Association.

accepted it as a dowry for her daughter. She benefited from both, her father as well as her husband and took the opportunity to know more and more about Hanafi Fiqh.<sup>9</sup>

### **Juristic Expertise**

Fatimah al-Samarqandi became widely renowned for her knowledge. She mastered Hanafi jurisprudence and the sciences of Hadith; her legal judgments (fatwas) and transmissions of Hadith were held in the highest regard. Fatima also excelled as a teacher of the various Islamic sciences. Fatimah and her husband remained with her father until he passed away, at which point they then moved to Aleppo, Syria, where they together began to teach at an Umayyad Mosque. Their home was attached to the masjid, where her husband would often be teaching inside. She instructed men as well as women, and students in Syria to learn from her and receive their scholarly credentials. Everyone who saw her would call her a great scholar and those who questioned her knowledge, due to her being a woman, would later be caught dumbfounded when they realized that she was more knowledgeable than they.<sup>10</sup>

Fatima's hold in jurisprudence surpassed her husband and she became a mentor for him. Whenever he needed help with his fatwas or any religious advice, he would turn to her. Ibn Al Adim said, "My father narrated that she used to quote the Hanafi madhab (doctrine) very well. Her husband, Al Kassani, sometimes had doubts and erred in the issuing of a fatwa; then she would tell him the correct opinion and explain the reason for his mistake." She would prepare fatwas with great care, writing them herself and would get the signature of her husband and father. She would then deliver the fatwa to the recipient. Thus, these fatwas were not only very reliable and respected but were works of art in their own right.<sup>11</sup> This strong, resilient and intelligent woman who had authority in a number of areas and who was influential in the societies she lived in, died and was buried in Aleppo. However, despite her great skills and abilities, this important person, like so many other women in history, is not sufficiently appreciated. Her legacy has been largely overlooked and she was abandoned to the shadows of oblivion.<sup>12</sup> Who knows where her works on jurisprudence and the hadiths or the fatwas she created are lying; perhaps in some far-flung library covered in dust. Perhaps they have been stored in one of the libraries that are being burned down by the ignorant people in different parts of the Middle East today. There are many women like this in the past; women who had authority, who had skills and who were respected in their societies.<sup>13</sup> It is time we stop reacting to the existence of such women as shocking, unusual or even surprising. Such women were sometimes so much the norm that they were not even written about by their contemporaries, as they were just part of everyday life. People all over the world are working to uncover these women. It is thanks to one such project, the Muslim Women's Historical Heritage, a project sponsored by the Human Development and Social Education Foundation, that women like Samarqandi are coming to light. The miniature included here is part of this project and is intended to help bring these women back into the light.<sup>14</sup>

She became so famous that even the ruler, Nur al-Din Zangi, asked Fatimah to be one of his counsellors so that he can consult her and her husband on a regular basis. This position allowed her to know the problems in the community, as well as the regional and national politics. This only increased her understanding and gave her a larger arena to participate in. And though she was a great scholar, even a *mujtahid*, she still remained an excellent wife to her husband. Samarqandi was respected by the rulers of the era. And herein is an excellent point to be made: though she was dedicated to the community it did not detract from her family life. Some might even say that because she had a good family life, she had time to direct towards helping the community.

Samarqandi was not only a great scholar, but was also a charitable woman. During the month of Ramadan in Aleppo, she sold her bracelets to pay for a meal to give to the jurisprudential scholars in Aleppo, thus acting as a pioneer in a tradition that would continue for centuries. Samarqandi was also a great calligrapher.<sup>15</sup>

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<sup>9</sup> Ibid.

<sup>10</sup> <https://www.tiktok.com/@yaqeeninstitute/video/7330400639840816426>, Video Viewed, 30/09/2024.

<sup>11</sup> Jan, Iemon, Role of Muslim Women Scholars in the Dissemination of Islamic Knowledge {661-1258 CE}: An Analytical Study, Ph.D. Dissertation, University of Kashmir, India, p.98, 2021.

<sup>12</sup> Ibid.

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[https://en.wikipedia.org/wiki/Fatima\\_al-Samarqandi#:~:text=Fatima%20bint%20Muhammad%20ibn%20Ahmad,century%20Muslim%20scholar%20and%20jurist.&text=581%20A.H.%20%3D%201185%20A.D.,20/09/2024](https://en.wikipedia.org/wiki/Fatima_al-Samarqandi#:~:text=Fatima%20bint%20Muhammad%20ibn%20Ahmad,century%20Muslim%20scholar%20and%20jurist.&text=581%20A.H.%20%3D%201185%20A.D.,20/09/2024)

<sup>14</sup> Alotaibi, Hessa, Women and Community Services in Islamic History, *Journal of Tamaddun*, 16 {2}, 2021, p.53.

<sup>15</sup> Khan, Muadh, *Fatima {Al-Faqiha} and her interaction with Nur-ud-Din Zangi*, 2013.

### **Fatima al-Samarqandi as the Nur al-Din al-Zengi's personal consultant**

During this time, Nur al-Din al-Zengi, the illustrious ruler recognized for his resistance against the Christian Crusaders in the 12th century, was in the power of Aleppo. He appointed Fatima and al-Kasani as his personal consultants, counseling Fatima on numerous occasions on state affairs and fiqh. Fatima not only participated in religious jurisprudence but was instrumental in societal affairs, that were operating under her guidance and admonition.

Nur al-Din encompassed a deep reverence towards Fatima. Ensuing after her father's death, Fatimah wished to move back to her birthplace, Samarqand, but Nur al-Din begged Fatimah to stay, so she remained in Aleppo—this proves how important her role was.<sup>16</sup>

### **Death**

She died in the year 581 AH and is buried in Masjid Ibrahim-Khalil, Aleppo. After her death, Al-Kasani visited her grave every Friday until his own death in 587 AH. Before passing away, he succeeded in his final wish to be buried beside her grave in Masjid Ibrahim-Khalil, reflecting their deep personal and scholarly connection. His dedication to her memory and the honor of being interred next to her symbolizes their enduring legacy in Islamic jurisprudence. Their shared resting place continues to be a site of reverence and reflection for scholars and visitors.<sup>17</sup>

### **Conclusion**

Fatimah al-Samarqandi's contributions to Islamic jurisprudence exemplify the crucial role of women in shaping legal scholarship. Her significant influence within the Hanafi tradition and the deep respect shown by her contemporaries, including her husband, highlight her enduring legacy. Her resting place in Masjid Ibrahim-Khalil symbolizes her lasting impact and the ongoing recognition of her scholarly achievements.

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<sup>16</sup> Ibid.

<sup>17</sup> Abdullah, Umar Farooq. "The Empowering Jurist: Fatima al-Samarqandi". *MSA McGill*. Muslim Students' Association.