



The Historical Development of Women's Law-abiding Behaviour in Traditional Islamic Law - Two Portraits of Hind bint Utbah

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ABSTRACT: Hind bint Utbah, as the mother of the first Umayyad ruler, Mu'awiya, embodies the ideal of a Muslim woman in Islamic law. Yet her person hides contradictions, as in legal sources, such as the hadiths, she appears not only with this face, but also as her own legal counterpoint as a jāhiliyyah woman. The two figures always appear separated from each other, in different stories, not compared to each other, symbolizing the distance between pre-Islamic barbarism and the social relations regulated by Islam. This is of paramount importance in the field of law-abiding, as the constant presence and separation of the contrast places worlds that are historically distant into the present, since far from the rule of Islamic law, the world of Jāhiliyyah still exist - according to Islamic principles. This serves as a guide for Muslim women in the individual's internal struggle, in the true, voluntary and internal realization of following the law, so that they can integrate their entire personality into the social and moral order regulated by Islamic law through the archetype of the Muslim woman in accordance with the teachings of the Quran.

Keywords: Islam, Sharia, Hind bint Utbah, hadith, law-abiding

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Motto: *"And righteous women are devoutly obedient and, when alone, protective of what Allah has entrusted them with."*¹

1. Introduction

When Hungarian composer *Béla Bartók* completed his orchestral work *Two Portraits* in 1911, he created a unique, still emblematic case of the transformation of a musical theme. The two-movement work presents two portraits of Bartók's love for *Stefi Geyer*. The first movement, *One Ideal*, presents the listener with the image of a woman idealized by love. The second, *One Grotesque*, presents the disappointment of unrequited love in a distorted mirror of the same musical theme². The composer appears here as the Creator, who presents the two profoundly different aspects of the created being as an ancient bipolar opposition that inspires sympathy and understanding in the listener.

Islam creates the portraits of *Hind bint Utbah* in the same way. One about the "jāhiliyyah" woman, who as the prototype of the Age of Barbarism, carries within herself all the negativity of the age; and one about the Muslim woman who can be perfectly matched to the ideal female archetype of Islamic law³. The two

¹ Quran 4:34.

² Kroó György, *Bartók kalauz* (Budapest, Zeneműkiadó, 1971) 21.

³ El Cheikh, Nadia Maria: *Women, Islam and Abbasid Identity* (Boston, Harvard University Press, 2015) 15.

opposing constructs always appear separately from each other, in different stories, thus providing the believer with the opportunity to understand, follow, and feel: Islamic law creates the order, separates from the barbarity from which, by adhering to the rules of Islam, anyone can step into the morally clean and ordered world of the Ummah⁴.

Through these two portraits, using traditional hadith materials, the study presents the traditional Islamic legal role of Hind bint Utbah, who, as a unique female figure, leads Muslim women from two separate worlds to the pure source of Sharia through observance of the law.

2. Methodology

The basic idea of the study was to organize, collect and comparatively analyse fragmented source material from different fields. The processed sources include both original Arabic sources, such as hadiths, and the results of modern Islamic jurisprudence - and related disciplines, such as sociology, religious studies, and history - from both the East and the West. However, in the comparison, the author did not strive to create true unity, as that would be far from the true role of Hind bint Utbah in Islam and Islamic law. That is why the title was chosen from Hungarian composer Béla Bartók's *Two Portraits*, through which the author pays tribute to both Hungarian culture and Islam; as well as to the "*common thought*" that transcends humanity.

3. Hind bint Utbah, the woman of *Jāhiliyyah*

3.1. One Grotesque

Hind bint Utbah was the wife of *Abu Sufyan*, son of Harb, of the Umayyad branch of the Quraysh tribe. This branch of the tribe was noble and very wealthy. They held the key to the Kaaba, through whose administration they were leader figures of the cult, and thus enjoyed high prestige in addition to their considerable wealth⁵. Hind was an active public figure who, with her tough and determined character, exerted influence on the political life of Mecca⁶. Under pressure from Hind's family and the people of Mecca, the Prophet and his followers left the city and emigrated to the safe oasis of Yathrib⁷. However, Muhammad's goal was still to conquer Mecca, so they first boycotted the caravans leaving Mecca, and then clashed with the Meccan armies at Badr in 624. The battle ended in a triumphant victory for the Muslim army⁹.

Hind suffered great losses because of the battle, as he lost his father *Utbah ibn Rabi'ah*, his paternal uncle *Shaybah ibn Rabi'ah*, his brother *Al-Walid ibn Utbah ibn Rabi'a*, and his son *Hanzala*¹⁰. In deep pain, Hind swore revenge¹¹. However, the story gets blurry at this point. According to some records, such as Al-Waqidi's account, after *Abu Sufyan* returned to Mecca, he instructed the Quraysh tribe not to mourn their slain relatives, not to ask for a *na'ihah*¹² in mourning, and not to apply a poet, lest their anger be unleashed.

⁴ El Cheikh, 19.

⁵ Goldziher Ignác, *Az Iszlám* (Budapest, Magvető Könyvkiadó, 1980) 13.

⁶ Toral-Niehoff, Isabel, „Paradise is at the Feet of the Mothers.” Soma preliminary remarks concerning the figuration of motherhood in Mediavel Arab literature. *Imago Temporis Medium Aevum*, Freie Universität Berlin. (2013) 7.

https://www.academia.edu/3122803/Paradise_is_at_the_Feet_of_the_Mothers_Some_preliminary_remarks_concerning_the_figuration_of_motherhood_in_Medieval_Arab_literature

⁷ The present-day city of Medina.

⁸ El Cheikh, 15.

⁹ Goldziher (1980) 21.

¹⁰ Teipen, Alfons, “Jāhilitic and Muslim women: Questions of continuity and communal identity”, *The Muslim World*, 92. (2002) 446.

https://www.academia.edu/68195947/J%C4%81hilitic_and_Muslim_women_Questions_of_continuity_and_communal_identity

¹¹ Gabbay, Alyssa, “Mothers, Liver-Eaters and Matrilineal Descent: Hind bint ‘Utba, Mu‘a-wiya and Nasab (Filiation) in Early Islam” In.: [Emma O. Bérat](#) - [Mercedes Perez Vidal](#) - [Karen Dempsey](#): *Relations of Power – Women’s Networks in the Middle Ages*. (Göttingen, Bonn University Press, 2021) 157.

<https://d-nb.info/1326502662/34#page=156>

¹² A professional mourner.

Hind, agreeing with her husband, declared that she would not cry until she avenged her dead family members. However, the 7th-century poet *Ayman bin Huraym* evokes the portrait of weeping women and Hind, broken in grief. According to the poet, anyone who saw Hind crying also cried like a mother who lost her only son. And in the works of the female poet *Al-Khansā*, elegies composed with Hind appear in memory of the dead¹³.

After the defeat at Badr, the Meccan army clashed with the Muslim army at Uhud. The Meccans took their women with them to encourage the warriors and to shamefully turn back those who fled from the battlefield. The women were led by Hind, who together encouraged the men with songs, poems, dances, and drumming¹⁴. *Abu Dujana's* story clearly shows that Hind encouraged the Meccan warriors on the battlefield with such fervour that she herself narrowly escaped death¹⁵. Hind placed her hopes in an Abyssinian slave named *Wahshī*, who had been promised by Abu Sufyan that if he killed *Hamza*, the murderer of Hind's father, he would be freed. His calculations proved correct, as *Wahshī* did indeed kill *Hamza* with his spear¹⁶.

After the Meccans' victory, Hind marched with the women to the battlefield to mutilate the bodies of the fallen Muslims. They made necklaces and anklets from the severed ears and noses. Sealing all this, Hind cut out *Hamza's* liver, which she tried to eat¹⁷, but she couldn't swallow it, so she spat it out¹⁸. Hind then climbed a cliff, where she expressed her pain in mournful yet triumphant verses and acknowledged her deed, affirming her accomplished revenge¹⁹. As a result, her name was added to the list of those condemned by Muhammad, and she could not hope for mercy even through the possibility of converting to Islam²⁰.

3.2. *Jāhiliyyah* values

No unified state emerged in pre-Islamic Arabia, so the historicity that characterized it was also absent. Because of this, the Age of Ignorance is best known from stories preserved through oral tradition and from the records of other peoples²¹. In the absence of real institutions at the level of tribal organization, traditions connected the individual to the group on the axis of duty and loyalty, both in the past and in the present²². Maintaining the customs of the ancestors strengthened the tribes and created the historical "We" also assuming loyal cooperation between the families that made up the tribe. Along these paradigms, it can be understood that violating customary law - which *Goldziher* aptly calls the code of loyalty - was considered the greatest ignominy²³.

So, when Muhammad rejected the animistic, idolatrous religion of his ancestors, he trampled on the common past and customary law. Mecca, as the centre of ancient worship, where idols stood in every house at that time, was sacred and inviolable²⁴. The rejection of the old religious and moral order thus also meant the rejection of those traditions and customary law, the absence of which broke tribal ties and plunged Meccan families into an identity crisis. However, the Battle of Badr went beyond breaking the ancient cult. Fighting against Meccans of common bloodline, killing relatives and family members, was a betrayal that,

¹³ El Cheikh, 16.

¹⁴ El Cheikh, 16.

¹⁵ El Cheikh, 17.

¹⁶ Gabbay, 157.

¹⁷ Ali ibn al-Athir, *Usd al-ghābah fi ma'rifat al-Saḥabah*. Vol. 7. (Beirut, Dar al-Kutub al-Ilmiyyah, 1994) 7:7350.

<https://archive.org/details/AssadGhaba/asdghsh7/page/282/mode/2up>

¹⁸ Gabbay, 157.

¹⁹ El Cheikh, 17.

²⁰ Gabbay, 158.

²¹ Goldziher Ignác, *Az iszlám története* (Budapest, Anno Kiadó, 2000) 3.

²² Goldziher (2000) 9.

²³ Goldziher (2000) 9-12.

²⁴ Malghani, I. N. – Rehman, S., "Hazrat Khadija's Foundational Contributions to Early Islam in Makkah: A Historical Analysis", *Al-Anfal Education & Research*, 3(1) (2025) 99.

<https://al-anfaljournal.com/index.php/15/article/view/46/60>

Prophet replied: *"May Allah bless your goats and increase their offspring!"*. The maidservant, upon returning home, told Hind the supplication of the Prophet. They then experienced an abundance in their goats like never before. Hind then said: *"This is the supplication and blessing of the Messenger of Allah."* Then she told her dream in which she stood in the sun with her father, and although there was shade nearby, she could not reach it. She continued: *"Then when the Messenger of God came near, I saw her casting a shadow over us."*³⁶.

Bukhari records that one day Hind said to the Prophet: *"O Messenger of Allah! (Before I embraced Islam) there was no family on the face of the earth that I would have loved to humiliate more than your family, but today there is no family on the face of the earth that I would love more."* Muhammad replied, *"I think similarly of Him in Whose Hand is my soul."* Thus, the Messenger confirmed Hind and her family in Islam. Later in the story, Hind complains about her husband, Abu Sufyan. Hind calls him a miser who does not provide enough financial support for their children. Hind asks the Prophet if it is considered sinful to take some of Abu Sufyan's money to feed their children. The Prophet replies: *"No, if you take what is reasonable for your needs."*³⁷.

As a brave and intelligent woman, Hind bint Utbah strengthened Islam in battles against the infidels, and serving the Ummah with her oratory skills. She witnessed the Battle of Yarmouk, where she and her husband encouraged people against the armies of the Byzantine emperor. Hind died in the year of the battle, 636, during the reign of Umar³⁸.

4.2. Islamic values

*"Surely 'for' Muslim men and women, believing men and women,¹ devout men and women, truthful men and women, patient men and women, humble men and women, charitable men and women, fasting men and women, men and women who guard their chastity, and men and women who remember Allah often—for 'all of' them Allah has prepared forgiveness and a great reward."*³⁹

The words of the Quran establish the equality of women and men on a spiritual level, but at the same time they suggest that in the physical world, women need the guidance of men. Hillenbrand explains this by saying that early social relations simply required that men be placed in a more advantageous position than women⁴⁰. It should also be mentioned that Muslim religious and legal scholars were mostly men who served their own gender and their patriarchal society in deriving legal principles and laws⁴¹.

However, to shape the obedient and pious character of women, it was not only necessary to have new law based on Islamic moral, but also to ensure that compliance with the law was voluntary and stemmed from one's own decision. To do this, early Islam had to create a new world within the boundaries of the ummah, thus necessarily defining Muslim, and in this case Muslim female, identity. In addition to the guidance of the Quran, the best means for this is personal embedding in the created *jāhiliyyah*-Islamic narrative, which created an opportunity for the individual to learn the appropriate behaviour⁴². Therefore, following the law is not created as a designation of the path, but as a free choice, showing a wide range of possible behaviours, but still with a strong religious-moral influence, it leads the individual to the ideal society of the Ummah. The differences between the old and new order are reflected in the extreme contrasts of female archetypes in the stories of *jāhiliyyah* and Islam, which capture the pious figure of the ideal Muslim woman as a frozen moment of solidity and steadfastness, along the virtues of Islam, in the face of the ever-threatening barbaric human nature.

³⁶ Ibn Asakir *Tārīkh Dimashq*, Vol. 70. (Beirut, Dar al-Fikr, 1995) 184.

<https://archive.org/details/Tarikh-e-damishqIbnEAsakararabic/00/>

³⁷ Sahih al-Bukhari, Vol. 2:3825, 567.

<https://sunnah.com/bukhari:3825>

³⁸ al-Athir 7:7350, 281-282.

³⁹ Quran 33:35.

⁴⁰ Hillenbrand, Carole, *Az iszlám – Új történeti bevezetés*. (Budapest, Kossuth Kiadó, 2016) 257.

⁴¹ Hillenbrand, 249-252.

⁴² El-Cheikh, 93.

4.3. Creating the Muslim portrait of Hind

When Muhammad took Mecca in 630 and thus acquired the Kaaba, he became the custodian of power. Although Hind's name is on the list of those sentenced to death by Muhammad, she escaped through her conversion⁴³. However, the reason for the conversion is not clear. Although religious fervour appears in some stories - such as the Bukhari hadith in which Hind speaks of her love for the Prophet's house⁴⁴ - the real reason for it does not really matter. That is, if Hind did not accept Islam out of sincere faith, then she did so out of loyalty to her family, which makes her an exceptionally good wife and mother. To confirm this, the emphasis on the timeline appears repeatedly in the stories, according to which her husband, Abu Sufyan, recited the Shahada first, and only then did Hind follow him⁴⁵.

Her passionate nature remained even as a Muslim woman, but now she was serving Islam. According to the polytheistic religion, it was customary to place idols of the most beloved gods in homes at that time. After Hind's conversion, he zealously smashed these statues that had led him astray⁴⁶. Her fierce, emotional nature was also evident in the scenes of the Battle of Yarmouk, when she encouraged the Muslim warriors with songs and poems against the infidel Byzantines, where although she sang the same song as at Uhud, its melody was now in the service of Islam⁴⁷.

After accepting Islam, the Prophet confirmed Hind in Islam on several occasions. One of the most profound moments of this is when the Prophet casts a shadow over Hind in her dream. Shade is essential in the hot desert, so it appears as a powerful symbol in both the Quran and the hadith literature⁴⁸. The Prophet's accepting love for Hind and her family is also evident in the hadith about Abu Sufyan's stinginess, for when Muhammad authorizes her to take money from her husband⁴⁹, he puts the moral order of Islam into practice in the life of Hind's family.⁵⁰

5. Al-Uzza

Charles M. Doughty, an English traveller⁵¹, discovered a rock near Taif, not far from Mecca, in Arabia, which, in addition to its ancient name, also retained its religious authority. In trouble and doubt, the locals continued to make pilgrimages to the rock to ask for help. *Goldziher* identifies the rock with the idol of *Al-Uzza*⁵². *Al-Uzza*, along with *Manāt* and *al-Lāt*, is one of the goddesses revered as daughters of Allah in pre-Islamic times and is also mentioned in the Quran in Surah An-Najm⁵³. *Al-Uzza* was the goddess of disorder and fury, who was also highly revered by the Quraysh tribe. *Ibn al-Kalbī* narrates that the Prophet sent a warrior to the Nakhlah Valley to destroy *Al-Uzza*. The undertaking was successful; the goddess was reduced to ashes⁵⁴.

With her power, the female demon posed a serious threat to the Islamic social order, which necessarily had to be destroyed as soon as possible. Similarly with Hind, who, as a raging and vengeful nature, was the

⁴³ Shahid, 142.

⁴⁴ Bukhari 2:3825, 567.

⁴⁵ Ibn Kathīr, *Al-Bidāya wa l-Nihāya*. Translated by Yoosuf Al-Hajj Ahma. (Damascus, Darussalam Publishers, 2007) 19.

<https://www.emaanlibrary.com/wp-content/uploads/2024/04/7.-The-Caliphate-of-Banu-Ummayah.pdf>

⁴⁶ Malghani, – Rehman, 99.

⁴⁷ Gabbay, 158.

⁴⁸ Quran 25:45.

⁴⁹ Ibn Kathīr, 102.

⁵⁰ Otherwise, the story is particularly important for understanding the role of Islamic community customary law practice, the 'Urf, as the reasonable expression suggests a general practice that was presumably uniformly recognized within Islam, and thus was not precisely elaborated upon in the hadith. (Rostami - Hafidi – Roustaie 2019, 498.)

⁵¹ Pletcher, Kenneth, "Charles Montagu Doughty – British traveller" In.: *Encyclopædia Britannica* (2016) <https://www.britannica.com/biography/Charles-Montagu-Doughty>

⁵² Goldziher (1980), 11.

⁵³ Quran 53:19-20.

⁵⁴ Gabbay, 165.

embodiment of the worst qualities in women⁵⁵. Due to the status of her family, Hind achieved a politically prominent role. However, in addition to power, her open, often passionate self-expression, which often took an artistic, poetic form, can be attributed, on the one hand, to pre-Islamic *jāhiliyyah* customs, which granted women freedom of speech⁵⁶, and, on the other hand, to the demonic figure of Hind. Because a woman who embodies violence and self-interest instead of maternal tenderness carries chaos and death within herself. And dangerous femininity is clear in the actions of the *jāhiliyyah* Hind⁵⁷.

During the Age of Ignorance, women from politically prominent families or from the warrior class were allowed to speak publicly and sometimes were even explicitly expected to. Such occasions included the *niyaha*, the mourning of adult men, and the *tahrid*, the call to battle⁵⁸. So customary law was on Hind's side, but her behaviour no longer fit into the moral and legal order of Islam. In the order regulated by Islamic religious law, women's emotional reactions, especially impulsive, passionate artistic expressions such as weeping on public mourning, were considered dangerous and deeply unfaithful behaviour. The reason for this is that the fear of death cannot burden a believing Muslim. In Islam, the power of shared rituals, faith, and the ummah overwhelms the unique, personal emotions of grief and fear. A believer does not lose self-control. Hind's passionate expressions connect her to death and destruction, which reinforces the connection between her and Al-Uzza⁵⁹.

Another particularly important moment of crossing the boundaries is when, after the Battle of Uhud, Hind and the women of Mecca, according to established custom, mutilate the bodies of the Muslims who fell in the battle. These actions are clear references to the *jāhiliyyah* custom that eating corpses and remains was also considered an acceptable, even spiritual, behaviour in the Age of Barbarism. However, Hind fails, unable to eat Hamza's liver, which is interpreted as a kind of *deus ex machina* by later Islamic religious and legal scholarship⁶⁰.

Hind, as Al-Uzza, thus represents a person in the cycle of continuous destruction and self-destruction who, according to the values of the *jāhiliyyah*, inspires admiration in the observer with her courageous and loyal behaviour, but according to the standards of Islam, she inspires terror and contempt. One of the best examples of this double standard is the scene of Hind singing the same song during the battles of Uhud and Yarmouk⁶¹. The only difference between the two events is in terms of religious and political views. Yet, the behaviour of Uhud, deeply despised by Islam, appears in the Battle of Yarmouk as a religious ecstasy, a moral and courageous act driven by pure love of Islam.

Driven by unbridled emotions, the *Liver-Eater* Hind is tied to the era of *jāhiliyyah*. Hind is remembered as a fallen heroine who escaped the Prophet's death sentence only by converting to Islam and pledging allegiance to Muhammad⁶². However, Hind bint Utbah not only receives Muhammad's mercy after her conversion, but as a Muslim woman, she also enjoys the love and respect of the Ummah. The hadith material discussed earlier serves as evidence for this.

The portrait of the Muslim Hind appears primarily as an image of a mother. In early Islam, in families with great authority, mothers had a great responsibility, as their behaviour was evaluated from a religious and moral perspective, which made them the custodians of their sons' political authority⁶³. Hind's self-sacrifice, conversion to Islam, and subsequent exemplary behaviour not only earned her the Prophet's approval and blessing but also earned her a reputation that was of great help in the political rise of her son, *Mu'awiya*. Of course, *Mu'awiya*'s political opponents sought to portray Hind as a woman of *jāhiliyyah*. Hind's two portraits thus became political tools that were definitively separated from each other in the narrative of the Umayyad and then the Abbasid Caliphates.

⁵⁵ Gabbay, 164.

⁵⁶ Shahid, 142.

⁵⁷ Gabbay, 164.

⁵⁸ El Cheikh, 16.

⁵⁹ El Cheikh, 38.

⁶⁰ Teipen, 446.

⁶¹ Gabbay, 158.

⁶² El Cheikh, 17.

⁶³ Toral-Niehoff, 9.

6. Political portraits about Hind

After the conquest of Mecca the fame of Hind, who converted at the last minute, began to improve continuously. As an exemplary Muslim woman, she supported the Prophet's religious and political aspirations⁶⁴. However, her spiritual purification can only be discovered in a succession of separate episodes. There is no single integrated story that narrates Hind's transformation from a jāhiliyyah woman to a devout Muslim. The main reason for this is that early Muslim historiography does not cooperate with process descriptions but uses accounts of the past as parables in the contemporary present to consolidate the religious, moral, legal and political foundations of Islam⁶⁵. Along these lines, commentaries on the narratives shaping society do not necessarily have to tell large, unified stories and provide evaluations. It is much more desirable that the individual parables themselves be usable as a kind of moral and religious law lexicon for members of society, thus receiving help in following the law in the everyday life.

The depiction of Hind is primarily an invention of the Abbasid period. However, this could not be otherwise, since the development of Islamic moral and law emerged as the greatest need in the still malleable Abbasid era, which was forced to reinterpret Muslim identity. The definition and evaluation of ideal Muslim behaviours, as well as religious and political opposition to the Umayyad dynasty, played a key role in establishing the Abbasid legitimacy. Hind's person proved to be a good tool in achieving both goals, as her historical material provides a good example of extremist behaviour⁶⁶, and as the mother of Mu'awiya, the founder of the Umayyad dynasty, she herself could not avoid anti-Umayyad propaganda. Hind thus became part of the *official past*, in which her shattered double portrait served legal and political purposes, reinforcing Abbasid legitimacy and legal policy.

In addition to the fact of conversion and the Prophet's subsequent confirmation, supporters of the Umayyad dynasty could rely on the simple fact that Hind bint Utbah was primarily a mother who, like a caring and mindful mother, guided Mu'awiya on the path to the caliphate. One of the most beautiful stories of this appears in *Ibn 'Abd Rabbih's* work in *Al-'Iqd al-Farīd*. In this parable, he tells how Hind was accused of adultery by her then-husband, *Fākih ibn al-Mughīra*. So, after that Hind and her father turned to a fortune teller for divine help. The fortune teller saw Hind's innocence and prophesied that Hind would become the mother of a ruler named *Mu'awiya*. Although her husband wanted to reconcile after that, Hind divorced him. She then became the wife of Abu Sufyan, and from their marriage was born *Caliph Mu'awiya*⁶⁷.

The true power of the story lies in Hind's own choice of the right husband to fulfil her destiny. On the one hand, this confirms the later conversion, because although the prophecy comes from a pagan ritual, it nevertheless shows the path designated by Allah. And Hind follows this path by taking the necessary measures based on her own decision. This further strengthens the sincerity of Hind's conversion and elevates her to a true Muslim mother⁶⁸. It is also worth highlighting the parallel between Hind and *Aisha's* false accusation. The connection is that the accusations of *Aisha's* adultery, which posed a serious threat to the Prophet's credibility, were also averted thanks to divine intervention. Several verses of the Quran were revealed that exonerated *Aisha*, who thus came under the protection of Allah and the Prophet. Thus, her story could become a powerful symbol⁶⁹.

Hind's maternal role could thus easily be intertwined with her own salvation story, which, when combined with the hadith material presented in the Ideal Portrait, not only enabled the moral reinforcement of the Umayyad dynasty, but - in sharp contrast to the jāhiliyyah portrait - opened the way for women to create their own faithful and devoted Muslim portraits along the lines of behaviour and female roles prescribed by Islamic law.

7. The historical foundation of law-abiding behaviour

⁶⁴ Gabbay, 158.

⁶⁵ El Cheikh, 14.

⁶⁶ El Cheikh, 15.

⁶⁷ Toral-Niehoff, 8.

⁶⁸ Toral-Niehoff, 8.

⁶⁹ Toral-Niehoff, 8-9.

The need to develop a common historical thinking was created by the pressing problem of becoming a people, that is, a true ummah, that arose in the Abbasid era. The basis for this is the fact that the empire had already reached a huge size in the 8th century and consequently encompassed so many ethnicities and languages. In the interest of forging together the empire with a mixed society, Islam, which originally had Arab roots, had to be made universal in all its aspects, including religious, political, and legal⁷⁰. The unfolding of Islam and the creation of the ummah required a common past that could give identity to the fundamentally mixed society. In this process, it became necessary for Islam to designate its own genesis, which was of course the Prophet's action and mission. Thus, the era of Muhammad became the standard for all eras, which, as a single point of reference, divides time in such a way that it only considers true continuity within itself. Because the initial Ummah, which was realized through the presence of the Prophet and the teachings of the Quran, created a perfect model. Thus, it can be interpreted as an unattainable ideal that serves as a designated point for comparison with all other moments⁷¹. The differences resulting from the comparison create common rules and values, which, through religious law, substantiate a kind of common space for action. Meanwhile, it presents possible behaviours in such a way that the possibility of comparison plants the seed of self-evaluation in the interpreter. The self-reflections of individual individuals then create norms based on social consensus that, as pillars of law, establish voluntary compliance with the law, affecting the entire ummah⁷².

This methodology is reinforced by the fact that Islam has a kind of dual past. Alongside the era of Muhammad, there exists as a shadow the Age of Ignorance that preceded it, the *Jāhiliyyah*, which constitutes a transitionless contrast that further strengthens the process-free thinking of Islamic historiography. *Jāhiliyyah* thus remains present in a status that aids Muslim self-definition as an absolute moral distance. It is no coincidence that the concept of jāhiliyyah itself is difficult to define. It can also be interpreted as the opposite of knowledge (*'ilm*) or gentleness (*hilm*), or, as most Quranic commentators believe, as the opposite of *'alim*, the one who knows God⁷³. This is why Goldziher's name, the Age of Barbarism, is one of the most appropriate names for the Jahiliyyah, as it encompasses all the conceptual contradictions with the moral order of Islam⁷⁴. When divine law and order were revealed through the Quran by Muhammad, the possibility of perfect order was immediately created in the face of *jāhiliyyah*, which saved society and marked the possible path to Islam through the Sharia. However, according to this, it becomes clear that jāhiliyyah does not actually refer to a past period, but rather to a perpetual force that is constantly present in the world and in the human soul. The presence of *jāhiliyyah* thus poses a constant threat to Islamic society and the individual⁷⁵.

The main message of the Quran echoes this. It divides the world into two parts based on fear of Allah and denial of Allah: the infidel Dar al-Harb and the house of Islam, Dar al-Islam⁷⁶. Belonging to one thus becomes a moral decision that, avoiding any transition, enters into a perpetual relationship with the past. Historicity therefore plays a role in the practical realization of the Islamic moral order, the all-encompassing structure of Sharia⁷⁷. The Past cannot disappear and not only does the preservation of its parables and memories become desirable to establish legal compliance, but evidence must be provided for the superiority and

⁷⁰ Kanyar Adrienn, "The role of prophetic tradition as a source of law in the political legitimacy of the Abbasids" *Contemporary Readings in Law and Social Justice*, 17(1) (2025) 942. <https://crlsj.com/index.php/journal/article/view/615/380>

⁷¹ Simon Róbert, *Történetírás az iszlámban*. (Budapest, Corvina Kiadó, 2019) 92.

⁷² Assmann, Jan, *A kulturális emlékezet – Írás, emlékezés és politikai identitás a korai magaskultúrákban*. (Budapest, Atlantisz Könyvkiadó, 2018) 16-17.

⁷³ El Cheikh, 18.

⁷⁴ Goldziher (2000), 23.

⁷⁵ El Cheikh, 19.

⁷⁶ Simon, 106.

⁷⁷ Falus Orsolya, "Zsidó-keresztény jogfilozófiai elemek a szufizmusban", *Díké - A Márkus Dezső Összehasonlító Jogtörténeti Kutatócsoport folyóirata* 9(2). (2025) 245. <https://journals.lib.pte.hu/index.php/dike/article/view/8521/7947>

purity of Dar al-Islam through the demonstration of characteristic differences⁷⁸.

8. Conclusion

The double portrait of Hind bint Utbah, and its emergence without a continuous process, stems from the peculiarity of Islamic historiography. The moral difference between the Jāhiliyyah and the Islamic world is revealed through Hind's own person. The distance between each chapter is well illustrated by the fact that while the *jāhiliyyah* Hind cannot escape from the hell, the ideal appearance of the Muslim Hind, strengthened in her faith by Muhammad, opens the gate to the *Jannah* through the world of *Dar al-Islam*⁷⁹.

Fragments of Hind's history can be embedded in the soul of every believer, and in this way can help the individual choose appropriate behaviours through legal observance as well as in answering deep religious and moral questions. Hind's character is initially as far removed from Islam as jāhiliyyah itself, so she merges with the era in its entirety, displaying all her negative feminine aspects. However, her salvation, her purification through Islam, does not only serve as an example, but also, through the image of a woman starting from the farthest moral perspective, shows that Islam can give any believer the opportunity to achieve spiritual salvation in Islam through the path of Sharia.⁸⁰

However, the parables of the figure of Hind are primarily addressed to women. Her submissive behaviour, complete devotion to Islam, and entire surrender of her personality on the altar of motherhood serve as an example for Muslim women, which, as the ideal female archetype of Islam, becomes testimony of the legal framework applicable to women.

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⁷⁸ Assmann, 32.

⁷⁹ Gabbay, 165.

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