



Ednan Aslan / Marcia Hermansen /
Elif Medeni (eds.)

Muslima Theology

The Voices of Muslim Women Theologians



PETER LANG
EDITION

This pioneering volume defines the contours of the emerging engagements of Muslim women scholars from around the world with the authoritative interpretive traditions of Islam, classical and contemporary. Muslima theology, encompassing a range of perspectives and arising from multiple social locations, now claims a place alongside womanist and mujerista readings that interrogate scripture and other forms of religious discourse to empower women of faith to speak for themselves in the interests of gender justice.

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Muslima Theology

WIENER ISLAMSTUDIEN

Herausgegeben von Ednan Aslan

Band 3

Ednan Aslan / Marcia Hermansen /
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Bibliographic Information published by the Deutsche Nationalbibliothek

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data is available in the internet at <http://dnb.d-nb.de>.

Cover Design: © Olaf Gloeckler, Atelier Platen, Friedberg

Cover illustration: © Anadolu Agency

Library of Congress Cataloging-in-Publication Data

Muslima theology : the voices of Muslim women theologians /
Ednan Aslan, Marcia Hermansen, Elif Medeni (eds.).

pages cm. — (Wiener Islamstudien ; Bd. 3)

Includes bibliographical references.

ISBN 978-3-631-62899-7

1. Women in Islam. 2. Islam—Doctrines. 3. Women theologians—Islamic countries. I. Aslan, Ednan, 1959- II. Hermansen, Marcia K., 1951- III. Medeni, Elif.

BP173.4.M935 2013

297.2082—dc23

2013021602

ISSN 2194-7988

ISBN 978-3-631-62899-7 (Print)

E-ISBN 978-3-653-03238-3 (E-Book)

DOI 10.3726/978-3-653-03238-3

© Peter Lang GmbH

Internationaler Verlag der Wissenschaften

Frankfurt am Main 2013

Peter Lang Edition is an Imprint of Peter Lang GmbH.

Peter Lang – Frankfurt am Main · Bern · Bruxelles · New York ·
Oxford · Warszawa · Wien

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Series editor's foreword

We are pleased to present the third volume of “Wiener Islamstudien”—works in the field of Islamic Studies from the University of Vienna. This series aims to make intellectual contributions to Islamic discourse while providing material that is academically rigorous and accessible to the general public.

The current volume on Muslima Theology highlights an important emergent phenomenon in contemporary debates about the situation of Muslim women. This is the growing role played by female Muslim theologians and academics working in the field of religious studies who are critically reflecting on their position within Islam through making interpretive contributions that challenge the prevalent patriarchal readings of religious tradition.

Numerous books have been published about ‘Women in Islam’ and it remains a popular topic in popular debates. A naive perception is that the position of women has already been defined within the Islamic religion for all eternity and one only needs to open the classical books in order to obtain the answers to today’s questions on gender issues. This overlooks the fact that Islam as it exists today, in all its variety and richness, developed historically. After all, today’s Muslims are not the first generation to be faced with the task of dealing with new social and religious situations and the need to find reasonable ways to resolve the concomitant challenges and crises.

Previous generations of Muslims found their own answers to such questions in various cultural and geographical regions of this world. It is therefore not possible to speak of a single Islam, rather we encounter a multitude of cultural and historical expressions of the religion in the most diverse cultural environments. In its dynamic history throughout the past centuries, Islam has been able to continually adapt and incorporate diverse theological traditions of interpretation and practice.

The work of female Muslim theologians in this volume indicates that Muslim women are increasingly drawing on the dynamic origins of the religion and deriving from them a theology fit for the needs of our time. While rooted in authentic Islamic sources and interpretive methodologies, the contributions from Muslima theologians featured in this collection clearly demonstrate their creative and future-oriented approach.

This volume, initially intended as a project within the Department for Islamic Religious Education at the University of Vienna, would not have come about without the valuable contribution of my colleague Prof. Dr. Marcia Hermansen. In addition to her valuable introduction to the topic, she also took charge of the entire editing and transliteration requirements of the volume. The success of this work is due to her indefatigable commitment.

We would also like to acknowledge the contributions of an international team of graduate student assistants including Elif Medeni, Danny Gibboney, and Jason Renken. Dr. Barbara von Schlegell also provided valuable assistance during the editing process.

Ednan Aslan
Vienna, May 2013

Marcia Hermansen

Introduction.
The New Voices of Muslim
Women Theologians

While it is clear that, historically and doctrinally, there is no barrier to females commenting on and interpreting Islamic sacred texts, after the first generation of Muslims, women primarily functioned as transmitters rather than as interpreters of the tradition.¹ It is only with modernity and the rise of mass literacy that Muslim women, beyond the circle of a few elite scholarly families, began to have access to the education and tools needed to engage in writing interpretive theology. Of course, this could also be said to a greater or lesser extent of all major religious traditions. While much of this new Muslim theology undertaken by female interpreters is explicitly feminist or womanist, the participation of many women in Islamist or socially conservative pietistic movements has also opened up the field of religious discussion and activism to those Muslim women who seek to reaffirm many traditional Islamic tenets while also speaking in a female voice that addresses issues of special relevance to women.

The very concept of Islamic theology requires historical contextualization. Unlike Christianity, and more similarly to Judaism, law, rather than theology, became the privileged intellectual discipline in classical Islamic religious thought. The budding rationalistic theologies of

1 This is not to say that transmission is always devoid of individual input and perspectives. There were exceptions throughout history of Muslim women becoming legal experts, issuing fatwas and making legal decisions as well as, in very limited cases, speaking or writing critically about male interpreters. See, for example, Ruth Roded, *Women in Islamic Biographical Collections: From Ibn Sa'd to Who's Who* (Boulder, CO: Lynne Rienner, 1994).

ninth century Baghdad such as Mu‘tazilism eventually fell into eclipse in the Sunni world. While the Sunni ‘Asharite and Maturidite schools of thought continued to exist, their articulation was generally limited to commentary on existing texts rather than full-scale reinterpretation of revealed sources in order to make them speak to the particular concerns of a changed context. In the Shi‘a world and in some areas of traditional Sufism, elements of philosophical or mystical theologizing continued. However, their main concerns were neither gender nor the challenges of contemporary social and political issues.

Terms for theology in classical Arabic are “*ilm al-kalām*” and “*‘aqīda*”. *‘Ilm* means science or discipline while *kalām* literally means speech or discussion, and the scholastic “question and answer” format of early treatises on issues that impacted the Muslim community initially reflected political and subsequently more theoretical debates about issues such as “who is a Muslim?” or “free will vs. determinism”. A crucial debate that emerged early and continues until the present concerns the scope of applying rational or metaphorical interpretation to the revealed sources, in contrast to restricting readings of their terms and injunctions to the literal meanings, in which only texts could be used to comment on other sacred texts.

‘Aqīda, the second term related to theology in the Islamic tradition, is derived from a root that conveys “binding, commitment, and contract” and suggests the binding nature of religious conviction. While Islam is not creedal in the same way as Christianity, some early Muslim figures drew up lists of basic tenets of faith.

The documents to which the terms *‘aqīda* or *‘aqā‘id* are applied vary in length, and the longer ones cannot be sharply divided from the comprehensive theological treatises (e.g. *al-‘Aqīda al-Niẓāmiyya* by Juwaynī). The terms, however, may usefully be taken to signify compositions where the chief interest is in the formulation of doctrine or dogma, and not in intellectual discussion or argument about it ... Creeds are often built round either the *shahāda* (as al-Ghazālī’s) or the tradition, which elaborates a qur’anic formula, that faith is faith in God, His angels, His books, His prophets, etc. (as Birgawī’s). Sometimes they are included in legal treatises, as introductory statements of what it is obligatory for a Muslim to believe.²

2 W. Montgomery Watt, “Aqīda,” *Encyclopaedia of Islam* I, 2nd ed., eds. P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, and W.P. Heinrichs (Leiden: E. J. Brill, 2011), 332.

Current lively and critical discussions about the interpretation of religion and the role of Islam in all areas of life have provoked a renewal in speculative theology among Muslims which addresses all areas of ethical, interpretive, and constructive engagement with religious teachings. When contemporary Muslim women engage in scriptural interpretation and theology they are breaking new ground in a number of areas, not only as females, but also as interpreters of the religious tradition in the context of significant contemporary challenges. Their sources cannot be limited to pre-modern theologies of *'ilm al-kalām* and *'aqīda*, which tended to be scholastic in argumentation and to address matters that are no longer compelling or relevant to most Muslims. Therefore, the writings of the new cohort of Muslim women theologians draw on a range of initiatives that support their project, including the following.

ISLAMIC LIBERALISM

Islamic modernist or liberal thought emerged in the late nineteenth century, due to rapid social and historical change accompanied an increased acquaintance with Western post-Enlightenment methodologies for reading scripture that applied historical criticism and the analysis of literary tropes and genres.³

Both secularized and explicitly religious writers and activists had an influence on reformist currents in Muslim societies. For example, Qāsim Amīn's *Liberation of Women* was thought to have been influenced by the Egyptian modernist Shaykh al-Azhar, Muḥammad Abduh (d. 1905).⁴ Modernists such as Abduh aimed to liberate society from the effects of medieval interpretations and to ultimately transform family life and the understanding of the husband-wife relationship with its extreme gap between the sexes.

Other male Muslim liberals such as 'Alī Sharī'atī (d. 1977) and Fazlur Rahman (d. 1988) presented Islam in ways that addressed the limitations placed on women by taking historical critical approaches to traditional interpretations. In particular, Rahman's approach of his-

3 Charles Kurzman, *Modernist Islam, 1840–1940: A Sourcebook* (New York: Oxford, 1998) and *Liberal Islam: A Sourcebook* (New York: Oxford, 2002).

4 Leila Ahmed, *A Quiet Revolution* (New Haven: Yale University Press, 2011).

torically contextualizing specific verses of the Qur'an that seem to inscribe female deficiency, in order to offer a more egalitarian reading⁵ influenced the present cohort of Muslim female theologians. His hermeneutic featuring a holistic approach to the message of the Qur'an is acknowledged as a formative influence by pioneering advocates of Qur'anic gender justice such as new readings undertaken by Amina Wadud and Asma Barlas.⁶

Charles Kurzman noted the "social location" of Muslim liberals, observing that they emerged independently and rarely read one another's work. This assertion is challenged by the case of current Muslim women theologians who often draw on international networks of activists and scholars who increasingly cooperate with one another. In fact, activists for women's advancement join with scholars by putting forward the issues that they face in local contexts, thereby encouraging feminist theologians to work on material that may address and ameliorate such concrete issues. Some of these concerns may be legal such as recognizing the need for women's rights to be framed in marriage contracts. Others are addressed by advancing new interpretations of Qur'an 4:34, the "beating" verse, while further initiatives comprise female-empowering exegeses of sacred texts or the recovery of positive gender meanings embedded in traditional writings.

Several contributions to this collection evidence such interactions, and explicitly comment on the leading role of female Muslim scholars living in the West in laying out some of the formative approaches to Qur'anic interpretation. The most often cited works in this vein are the theological papers of Pakistani-American feminist, Riffat Hassan, a contributor to the present collection, as well as the Qur'anic studies of Amina Wadud and Asma Barlas. Notably all three have advanced degrees from the West and have held academic positions at American universities.

5 Fazlur Rahman, "The Status of Women in Islam: A Modernist Interpretation," in *Separate Worlds: Studies of Purdah in South Asia*, eds. Hannah Papanek and Gail Minault, 285–310 (Columbia, SC: South Asia Books, 1982). His hermeneutic is further elaborated in *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: The University of Chicago Press, 1982), 20, and *Major Themes of the Qur'an* (Chicago: Bibliotheca Islamica, 1980).

6 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999).

FEMALE SOCIAL AND POLITICAL ACTIVISM AND THE FEMINIST MOVEMENT

During the earlier decades of the twentieth century Muslim women played new and important public roles in independence struggles and nationalist movements in many parts of the Muslim world. For example, the (1892–1920) women’s press⁷ and early female social movements that emerged in Egypt combined charitable endeavors with a desire to educate the masses and mobilize them toward independence.⁸ Najmabadi presents parallel developments in Iran, emphasizing the participation of women in nation-building through their role in the family and the importance of education.⁹ This was also the period during which a Syrian woman, Nazira Zain ad-Din, wrote her re-interpretation of the Qur’anic verses that specifically concern women.¹⁰ In South Asia, Bengali writer, Rokeya Sakhaat Hussain, published her “Sultana’s Dream”, a work of feminist science fiction, in which women take over the public sphere, in 1905.¹¹

We therefore find evidence for a new involvement of Muslim women as activists and scholars in various women’s movements that emerged in Muslim societies early in the twentieth century, as well as in the documents that were generated within these groups. Ultimately Muslim women, like their Western feminist counterparts, sought to achieve or enhance women’s rights through theoretical reconstruction, as well as undertaking practical initiatives.

In the West and, in fact, globally, the scope and theory of feminism has developed from “first wave” or early feminist concerns such as demanding female suffrage and basic rights, to a “second wave” theoretical critique of patriarchy as embedded, not only in social institutions, but also in the very ordering and construction of categories of knowledge. Women of color further criticized the overwhelmingly white and privileged nature of previous feminist agendas resulting

7 Beth Baron, *The Women’s Awakening in Egypt: Culture, Society, and the Press* (New Haven: Yale, 1997).

8 Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995).

9 Afsaneh Najmabadi, “Crafting an Educated Housewife in Iran,” in Lila Abu-Lughod, ed., *Remaking Women: Feminism and Modernity in the Middle East*, 91–125 (Princeton: Princeton University Press, 1998).

10 Bouthaina Shaaban, “The Muted Voices of Women Interpreters,” in Mahnaz Afkhami, ed., *Faith and Freedom: Women’s Human Rights in the Muslim Middle East*, 61–77 (Syracuse: Syracuse University Press, 1995).

11 Rokeya Sakhaat Hussain, *Sultana’s Dream and Selections from The Secluded Ones* (New York: Feminist Press, 1988).

in “cultural” or “third wave” feminism that recognized the distinctive concerns of non-Western, non-privileged females. Theoretical and theological writings by women of color hence generate their own “womanist” or, in the case of Latinas, *mujerista* approaches, to religion and culture. As part of this third feminist wave, the category of Islamic (as opposed to primarily secular) “Arab” or other feminisms emerged in the 1980s among Muslim women who embraced their religion and did not want to be seen as imposing and adopting Western norms. Islamic feminists seek to combine Islamic understandings with liberatory readings of classical Islamic sources, religious or historical. Some of the contributors to the present volume have suggested the coinage “Muslima” feminism to apply to this form of theologizing, inspiring the title of the volume.

A continued strategy to ameliorate women’s status in Muslim societies involves activism against social injustice through addressing woman-unfriendly readings of religious tradition. Like feminism in the West, Islamic feminism may be said to evolve through waves, beginning with a first impulse toward activism for basic rights such as education and the vote. Early Arab feminists such as the Egyptian, Hoda Sharawi, emerged from seclusion and demanded basic rights while participating in national liberation movements. Female social activism could be exemplified by Egyptian feminist author, Nawal al-Saadawi, who preferred to critique Arab culture rather than directly engaging Islamic religious authorities and discourse. Thus the earlier feminist movements in the Muslim world were primarily oriented toward secular projects and discourse.

Later, the second wave of theoretical feminism would begin to engage Islamic religious texts more directly. This may be due to the realization that religion constituted a major element in the social construction of gender roles in Muslim societies. Greater interest in religious interpretation parallels the Islamic resurgence in most of the Muslim world that marked the later decades of the twentieth century.

Fatima Mernissi, a Moroccan sociologist strongly influenced by Western critical theory, moved from predominantly social critique in her earlier works such as *Beyond the Veil* to considering constructions of women, power and political leadership in the deployment of religious sources. An example is her essay questioning the provenance of the hadith report, “The nation led by a woman will not prosper.”¹²

Her rationale for such an enterprise was that changing mass opinion on such issues would ultimately require engaging the religious sources and their interpretation directly, and that this would require mastery of methodologies of the traditional Islamic sciences, for example, evaluating the reliability of the narrators of a hadith.

Leila Ahmed's work, *Women and Gender in Islam: Historical Roots of a Modern Debate*, represents an important resource for contextualizing the roles of Muslim women in the early and pre-modern periods as well as for understanding their struggle for rights in contemporary Islamic societies. At the same time, this history becomes a resource for contextualizing and contesting misogynistic interpretations and practices embedded in religious interpretation and practices.

The emergence of third wave, womanist, global, or "cultural" feminisms in the 1980s and 1990s represented an area of theorizing that challenged then-prevalent assumptions. Both secular and Islamic feminists became more self-critical regarding the dominance of Western white middle class women's aspirations that had constituted a normative agenda assumed for all women, thereby enabling or perpetuating colonial or imperial projects. This development was especially significant for Muslim women who constituted the "Other" of traditional feminism, and enabled diverse Muslim female voices to emerge as activists and participants who could resist such hegemony.

This also helps explain why the label "feminist" is not universally welcomed or espoused by Muslim activists or Muslima theologians due to a history that was often associated with marginalizing, ignoring, or subverting the goals of Muslim women situated in their own cultural and religious contexts.

At the same time a whole range of trends characterized as "Islamic feminism(s)"¹³ emerged as part of a broader spectrum of movements and thought that shared an interest in the dignity and flourishing of Muslim women. As Sa'diyya Shaikh argues, "Retaining the term 'feminist' enables Muslim women to situate their praxis in a global polit-

12 Fatima Mernissi, *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society* (New York: John Wiley and Sons, 1975). Her chapter on the hadith is reprinted in "A Feminist Interpretation of Women's Rights in Islam," in *Liberal Islam*, ed. Charles Kurzman, 112–126 (New York: Oxford, 1998).

13 The primary scholarly authority on the emergence of Islamic feminisms is Margot Badran: "Feminism" in *The Oxford Encyclopedia of the Modern Islamic World II*, ed. John L. Esposito (New York: Oxford University Press, 2001), 19–23, "Islamic Feminism: What's in a Name?" in *al-Ahram Weekly* #569, Jan. 17–23, 2002 <http://weekly.ahram.org.eg/2002/569/cu1.htm> accessed January 6, 2012, and *Feminism in Islam: Secular and Religious Convergences*. (Oxford: Oneworld, 2009).

ical landscape, thereby creating greater possibilities for alliances, exchanges, and mutually enriching interaction among different groups of women.”¹⁴

*SCRIPTURAL FEMINIST
METHODOLOGIES IN OTHER
RELIGIONS*

Not all contemporary female Muslim theologians overtly espouse feminism, yet the work of Christian and Jewish biblical feminists¹⁵ has no doubt been influential, particularly among pioneering Muslim feminists based in the West such as Riffat Hassan, Azizah al-Hibri, and Asma Barlas. Strategies for recovering the role of women in religious traditions, as in history, value researching “Herstory”—the recovery of important female figures, their activism, and, when available, their literary production.¹⁶ This recovered past is also a more accurate one, according to feminist Buddhist scholar Rita Gross.¹⁷ Sa’diyya Shaikh further comments on how such new readings aim to redress “the androcentric silence and trivializing of women in much of the inherited historical canon.” Such a project is especially important in the present because, “A politics of recovering feminist histories thus is invaluable to those living religious communities that want to create new, bountiful, future visions for their own humanity within their traditions.”¹⁸

The approach of many among the first cohort of Muslim women to reexamine the sources was both theological and—at least implicitly—feminist. Such a tendency could be termed “Qur’anic” or “scriptural” in the same way that some Christian feminists are designated as “biblical” in orientation. Furthermore, the pioneers of Qur’anic feminism overwhelmingly followed the Muslim modernist or liberal strategy of concentrating on the Qur’an and viewing the reliability of the hadith corpus with suspicion. A number of these female Muslim theologians,

14 Sa’diyya Shaikh, *Sufi Narratives of Intimacy: Ibn Arabi, Gender, and Sexuality* (Chapel Hill: University of North Carolina Press, 2012), 23.

15 The term “biblical” feminism is used here to refer to the approach of Christian women who pursue a woman-friendly reading of the Bible and do not reject the tradition wholesale.

16 A pioneering article in this area is Azizah al-Hibri, “A Study of Islamic Herstory: Or How Did We Ever Get into this Mess?” in *Women’s Studies International Forum* 5, no. 1 (1982): 212–215.

17 Rita Gross, *Buddhism after Patriarchy* (Albany: State University of New York Press, 1993), 20.

18 Sa’diyya Shaikh, *Sufi Narratives of Intimacy*, 25, 26.

in particular Amina Wadud and Asma Barlas, cite the work of Muslim liberal thinker, Fazlur Rahman (d. 1988), as an inspiration due to his initiating a hermeneutic of reading the Qur'an holistically in order to determine the spirit behind the literal force of certain injunctions. Early examples of such Muslim scriptural feminist writing include Riffat Hassan's substantial work on clearing the accretions of biblical and non-canonical elements from the figure of Eve. According to Hassan's reading, interpretations that inscribe female deficiency and blame Eve for a Fall of humanity cannot be derived on the basis of the creation narrative as presented in the Qur'an.¹⁹

The methodologies of Muslim scriptural feminists may explicitly draw on feminist hermeneutical approaches that are willing to interrogate the dominant traditional articulations of the "true" meaning of texts. This lays the foundation for a "hermeneutic of suspicion" that can confront the hierarchical and patriarchal biases brought to bear in formulating earlier interpretations. This hermeneutic can be brought to bear on the gendered nature of language itself including the gender of particular vocabulary items and the use of pronouns, and can apply to more explicit and direct embedding of gender disparities within canonical formulations.

Continuing the strategy of re-reading and re-translating existing legal and theological interpretations and resources from a woman's perspective, Amina Wadud's groundbreaking study of the Qur'an²⁰ explores not only gendered language but also the various female characters in the sacred text. These include the figures of Sarah and Mary as depicted in the Qur'an, and even the role of the female houris in the Qur'anic portrayal of the afterlife.

Increasingly, Muslim women theologians engage both the hadith and the later tradition, including both Islamic legal theory and rulings,²¹ and the philosophical and Sufi heritage, in some cases reading against the grain and questioning embedded patriarchal assumptions. Exemplary in this regard would be the work of Sa'diyya Shaikh on

19 Riffat Hassan, "The Issue of Woman-Man Equality in the Islamic Tradition," in *Women's and Men's Liberation: Testimonies of Spirit*, eds. Leonard Grob, Riffat Hassan, and Haim Gordo (New York: Greenwood Press, 1991), 65–82.

20 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999).

21 Kecia Ali's book, *Sexual Ethics and Islam: Feminist Reflections on Qur'an, Hadith and Jurisprudence* (Oxford: OneWorld, 2006), explicitly positions itself as engaging the resources of fiqh and juristic deliberations rather than adopting a "Qur'an only" feminist stance, p. xx.

hadith depicting women in Islamic eschatological imagination,²² and her recent studies of reading Sufi thought, in particular the work of Ibn ‘Arabī, as opening up new understandings of gender dynamics within Islamic thought.²³ Indonesian-American feminist theologian, Etin Anwar, who has also authored a chapter in the current collection, has contributed a monograph, *Gender and Self in Islam*,²⁴ in which she draws on both Islamic scriptures and the philosophical tradition to explore the construction of gender in Muslim sources as based on the hierarchical principles structuring understandings of human reproduction, especially the role of women in conception. Through confronting such embedded inequality, Anwar attempts to redress the alienation of the self as part of recovering the Muslim woman’s sense of individuality, agency, and autonomy.

Muslim feminist legal scholar, Kecia Ali, noted that many of the initial efforts by Muslim scriptural feminists concentrated on Qur’anic texts and did not explicitly engage the intricacies of the legal tradition (*fiqh*).²⁵ This present collection features several articles by Muslim women theologians that directly engage the legal tradition, demonstrating the growth of work in this area and the broadening of scriptural methods beyond the initial “Qur’an only” focus.

PIETISTIC MOVEMENTS: ISLAMIST OR ISLAMIC FEMINISMS?

With the rise of grassroots Islamist movements and the moderation and feminization of membership, the role of such women in gender activism needs to be taken into account. Increasingly, Islamist women or simply “pious” Muslim identified females are significant actors and in some cases writers and theorists of gender issues. Notable in this regard are figures such as Zaynab al-Ghazālī (d. 2005) and Bint al-Shāṭi (d. 1998) in earlier cohorts. Zaynab al-Ghazālī’s Association of

22 For example, Sa’diyya Shaikh’s study of the depiction of women in hadiths on the Last Days, “Knowledge, Women and Gender in the Hadith: A Feminist Interpretation,” *Islam and Christian-Muslim Relations* 15 no. 1 (2004): 99–108.

23 Including the paper reprinted in the current collection and her *Sufi Narratives of Intimacy: Ibn Arabi, Gender, and Sexuality* (Chapel Hill: University of North Carolina Press, 2012).

24 Etin Anwar, *Gender and Self in Islam* (London: Routledge, 2006).

25 Ali, *Sexual Ethics and Islam*, xx.

Muslim Women (1920s) that emerged parallel to the Muslim Brotherhood, but also the women's movement promoting liberal ideas, emphasized the religious dimension in women's education. In some ways, al-Ghazālī helped to provide the impetus for men and women Muslim activists who emerged in the 1980s. Such individuals sought to return liberated, educated women, especially university students, from miniskirts and mores imported from the 'West' to an embrace of personal piety and search for Islamic authenticity. Manifestations of this trend included adopting globalized Islamic dress (hijab) and seeking "traditional" Islamic knowledge.²⁶

Currently we may cite Egyptian political scientist, Heba Raouf Ezzat, as one representative of Islamic intellectual feminism.²⁷ In Pakistan and now Canada, the al-Huda movement inspired by Niqab-wearing Islamic scholar, Farhat Hashmi,²⁸ runs courses enabling Muslim women to acquire fundamental knowledge of Qur'anic and hadith studies. Established in 1994, the al-Huda course is franchised across Pakistan and operated locally by females who have been her students. Scholarly views and public opinion debate whether Hashmi is an empowering innovator for female Muslims or a regressive force. In 2004 Hashmi relocated to Toronto, Canada, where since 2005 she has operated the al-Huda Institute to train diaspora South Asian women in her educational method and interpretations.

Saba Mahmood conducted seminal research on the pious women of Egyptian women's mosque movement who reclaimed public religious spaces as part of pursuing Islamic knowledge and embracing a personally religious lifestyle.²⁹ Mahmood made the critical argument that such women, by mastering the discourse of classical Islamic texts and argumentation and adopting a habitus of modest and compliant behavior, express their agency and autonomy—both "feminist" objectives, within an Islamic framework. An additional example of a grassroots movement based on Muslim females as "pious subjects" would be the Qubaysiyyat in Syria, which is an initiative exclusive to wom-

26 Leila Ahmed's *A Quiet Revolution* (New Haven: Yale University Press, 2011) explores this global return to Islam on the part of Muslim women with specific interest in "reveiling."

27 Some of Raouf's writings in English may be found at <http://www.heba-ezzat.com/category/english/> (accessed November 26, 2011). A parallel Arabic site is also available.

28 Studied by Sadaf Ahmed in *Transforming Faith: The Story of al-Huda and Islamic Revivalism among Urban Pakistani Women* (Syracuse, NY: Syracuse University Press, 2009).

29 Saba Mahmood. "Feminist Theory, Agency, and the Liberatory Subject: Some Reflections on the Islamic Revival in Egypt," *Temenos* 42, no. 1 (2006): 31–71.

en that is highly conservative in maintaining Islamic norms, while providing an independent space for female leadership and interpretation within classical strictures.³⁰ Likewise women in traditional Sufi orders,³¹ or in post-tariqa³² pious movements such as the Turkish Nur and Gulen communities,³³ have been studied for their access to leadership and their participation, which they exercise despite being part of socially conservative and male dominated groups.

MUSLIM WOMEN AS THEOLOGIANS

Most, but not all, current theological interventions on the part of Muslim women are informed by an awareness of gender studies and the broader context of studies of women in religion. Conservative discourses about women in religion, or women in Islam specifically, often present an essential concept of the “muslimwoman,”³⁴ who may be the abstract and idealized “woman” of religious ideology and pious fantasy. This depiction stands in contrast to speaking about “women”, the experiences and agency of actual Muslim females in particular contexts.

Noted scholar of women and religion, Susan Sered, suggests that there are four positions that members of the general public, and to a degree, scholars, are taking today in their discourses and understandings of women and religion. The first position could be termed “patriarchal and proud of it.”³⁵ Here there are no apologies for gender discrimination; patriarchy is the way it is, part of the divine order, and that is good. Secondly, there is the position that the founders of religions or the prophets such as Jesus or Muhammad were the

30 Aurelia Ardito, “Les cercles féminins de la Qubaysiyya à Damas,” in *Les engagements féminins au Moyen-Orient (XXe–XXIe siècles). Le mouvement social 77–88* (Paris: La Découverte, April–June 2010).

31 For an overview of scholarship in this area see Marcia Hermansen, “Women in Sufism: Turkey, South Asia, Central Asia, Afghanistan, Iran, Caucasus and the Middle East,” in *Encyclopedia of Women in Islamic Cultures*, 3rd ed., ed. Suad Joseph, 766–770 (Leiden: Brill, 2005).

32 *Tariqa* is the term for Sufi “order” in the sense of a movement of formally initiated adherents who practice specific spiritual regimens. Post-tariqa movements loosen or eliminate such bonds and rituals.

33 Margaret Rausch, “Gender and Leadership in the Gülen Movement: Women Affiliates’ Contributions to East-West Encounters,” forthcoming in *East-West Encounters: The Gülen Movement*, eds. N. Gallagher and K. Moore (Baton, FL: Brown Walker Press, 2012).

34 Miriam Cooke, “The ‘Muslimwoman,’” *Contemporary Islam* 1 (2007): 139–154. This article develops a critical theory of how post 9/11, the role of being a “Muslim woman” is deployed surrounding topics such as veiling, commodification, and political dimensions to erase the individual identity of Muslim female agents.

35 I owe the broad outlines of this model to a lecture on women and religion given by Susan Sered at Loyola University Chicago in 2006.

first feminists. They initially brought gender egalitarian messages but then something went wrong over time and this aspect was lost or suppressed, so that our task today is to recover the original message of gender justice. The third position is that religion, in general, is not fair to women and therefore activism to effect theological and institutional change is required. The fourth position entails a radical rejection of religious tradition that is perceived as being irreparably patriarchal and oppressive for women. In this case women would have to step outside of the existing religions completely and start all over. Representatives of all four positions can be found to varying extents in all religions today.

Therefore, we observe female Muslim theology in the writings of activists, literary figures, or academics. In fact, the shifting institutional context of women's learning and claiming authority has had a dramatic effect on the expansion and global networking of activists and scholars whose works address such issues from within the tradition. The authority of holding an academic degree and position within a university system has increasingly allowed Muslim women to present ideas that challenge traditional perspectives. For example, several of the Turkish contributors to the present volume were trained in a system that featured traditional Islamic education on the *imamhatip* model³⁶ at the initial stages, followed by university level courses in Islamic methodology that included historical critical methodologies. The very existence of this volume owes itself to new theological initiatives in Europe, specifically Germany and Austria, that support the creation of academic positions on par with those accorded to Christian faculties within the academic system. Even in Muslim majority societies, the emergence of female teachers and preachers, whether with the support of governments or as a social trend,³⁷ has opened up new spaces for issues of women's rights, religious practice, and dignity to be discussed and challenged.³⁸

36 These were secondary schools geared to training imams that replaced the madrasa system in the Turkish republic. Graduates now often go on to university degrees in theology.

37 Margaret Rausch, "Women Mosque Preachers and Spiritual Guides: Publicizing and Negotiating Women's Religious Authority in Morocco," in *Women, Leadership and Mosques*, eds. H. Kalmbach and M. Bano, 59–84 (Leiden: E. J. Brill, 2001); Mona Hassan, "Reshaping Religious Authority in Contemporary Turkey: State-Sponsored Female Preachers," in *Women, Leadership and Mosques*, eds. H. Kalmbach and M. Bano, 85–104 (Leiden: E. J. Brill, 2011).

38 Some of this leadership in the Arab world is depicted in the 2009 documentary film, *Veiled Voices*, directed by Brigid Maher.

The disciplinary location of many other Muslim women writing on religious topics is less easily defined as “theological” since a secular academic formation in religious studies, area studies, or the social sciences implies a constructivist and critical attitude to sources which may either bracket the “faith” question or assume that religion is socially or historically constructed. Liberal and progressive Muslims may not see their work as “theological” in a uniquely privileged or normative sense, and yet may find it engaging and informing issues that are critical to a theological project of gender justice within contemporary Islamic thought.

In summary, the scope and definition of Muslim women writing theology is far from clear and determined. Many respondents to our call for papers offered material that focused on Muslim women in particular national or regional contexts or that addressed issues of cultural oppression and social injustice, without engaging ideas or formulations that could be considered “theological”. Other proposals, remarkably, offered a rehash of basic rule-based manuals for female comportment according to classical norms of Islamic law. What this tells us is that the field of “Muslima” theology is still developing in conversation with global activism for Muslim women’s rights, new academic and institutional contexts for higher-level studies of the Islamic tradition, and to an extent, more traditional institutions and discourses of Islamic learning. It is our hope that this collection of papers will encourage and inspire further work in this developing area, and provide a resource for scholars, activists, and individuals concerned with the question of Muslim women’s flourishing and expression in a whole range of contexts.

THE PAPERS

In this pioneering collection of original articles we have tried to be representative and diverse; still we find a predominance of articles authored by Muslim women living in the West. This is perhaps due to the fact that the academic and institutional contexts in America and Europe are still, up to this point, the most developed in supported women’s studies in religion. This tendency has been observed by several of the contributors to the volume within their chapters. In the

rest of the world the most fertile areas where we see the development of female activism, if not theologizing, are South Africa and Malaysia, both Muslim minority contexts. South Asian and Turkish scholars had previously tended to write in a secular activist vein. More recently, the growth of Muslim women's participation in Islamic higher education in Turkey, in particular in theology departments, has opened up possibilities for female theologians trained in Arabic and the traditional sources, yet having a commitment to a more equitable social and legal system.³⁹ This volume welcomes two writers from Turkey, and in fact two of our editors are also of Turkish background, while now based in the German-speaking academic milieu. This also raises our awareness to the fact that Europe, with its growing Muslim population, is likely to become a fertile ground for a new wave of Muslim women theologians, as governments and local institutions realize the importance of supporting Islamic education and training Muslim teachers and scholars of religious studies and theology.

The volume is divided into four thematic sections.

Part 1:
Muslim Women as Theologians:
Historical and Contemporary Perspectives

In the first section four writers address the development of women's theology and activism within Islam, covering both classical and contemporary periods.

Volume co-editor Ednan Aslan in his essay, "Early Community Politics and the Marginalization of Women in Islamic Intellectual History", supports Muslim women theologians who are attempting to contest and resist centuries of marginalization by misogynistic interpretations of the tradition. Aslan takes a liberal stance in critiquing

39 On the factors behind the rise in Turkish women studying theology and becoming government appointees as academics or preachers see Mona Hassan, "Women Preaching for the Secular State: Official Female Preachers (Bayan Vaizler) in Contemporary Turkey," *International Journal of Middle East Studies* 43 no. 4 (2011): 451–473; "Women at the Intersection of Turkish Politics, Religion, and Education: The Unexpected Path to Becoming a State-Sponsored Female Preacher," *Comparative Islamic Studies* 5 no. 1 (2009): 111–130. These factors include the headscarf ban in Turkey which led women to study theology because there was more tolerance in these faculties and the system of determining university entrance which made it difficult for graduates of religious high schools to enter other fields.

early political developments in the Muslim community that marked certain interpretations as universally applicable while these could legitimately be historically conditioned. While similar arguments about what went wrong in the construction of gender in Islamic theology and law have been advanced by many previous scholars, Muslim and non-Muslim, Aslan offers a more explicit textual background for his evidence based on original Arabic sources. He is unabashed in criticizing excessive devotionism to an idealized past for allowing untenable pronouncements about the Muslim female to remain unchallenged in many quarters.

Zainab Alwani alerts us to the significant role played by the women in the time of the Prophet Muhammad, in particular the role of 'Ā'isha as an early activist for women's rights and interpreter of revealed sources. Alwani assesses this role and the general impact that women had on religious scholarship at the advent of Islam. In particular, women's role in the preservation and transference of knowledge has been crucial in Islamic history, and her chapter traces the genealogy of women's involvement in this essential endeavor. In an effort to reclaim this tradition, Alwani looks at reports concerning 'Ā'isha's role, highlighting her methodological contributions to the interpretive tradition, and the active debates she engaged in with the companions of the Prophet in matters of *ijtihād*. The chapter then calls attention to several of the causes and effects of the waning of women's status within the realm of religious scholarship and points to the binding nature of religious tradition for the majority of the Muslim world. Alwani further argues that women's concerted participation in religious scholarship is essential for enhancing legal justice, promoting women's engagement in socio-economic and political development, and advancing social justice. Alwani suggests that in order for their participation to be perceived as legitimate, Muslim women scholars must retrieve the Prophetic legacy in the context of changed conditions in modern times. Recognition of women engaged in religious scholarship will help efforts for female empowerment and work against the notions of passive Muslim women who must accept patriarchal interpretations of religious texts.

Ndeye Adújar and Aysha Hidayullah each consider trends in contemporary feminist work on the part of Muslim women scholars. Adújar, an activist for Muslim women's rights located in Spain, gives

us particular insights into developments in the European sphere while Hidayatullah primarily analyzes academic work produced in North America or at least heavily influenced by currents in American Muslim women's theologizing.

Ndeye Adújar, who is Vice President of Junta Islamic Catalan, Spain, in her chapter, "Feminist Readings of the Qur'an: Social, Political, and Religious Implications", considers the opportunities that a feminist reading of the Qur'an opens up for a rethinking social and political mores in our contemporary world. Adújar discusses the multiple meanings attached to key concepts in Islam, including the word 'Islam' itself, and then moves on to explore perceptions of "Islamic feminism", discussing the meanings suggested by Ziba Mir Husseini and Margot Badran. Juxtaposing the "masculine" understanding of prophethood and a feminist hermeneutics, the chapter argues for the perception of the Muslim *umma* as an interpretative community. The strategies for feminist readings reviewed in this chapter include critical analysis of the hadith, the centrality of the Qur'an, the principle of *tawhīd*, and treating the Qur'an as a text that redresses patriarchal inequalities. Each local environment reacts differently to the emergence of Muslim feminist theology according to its own social and political circumstances. Adújar argues that in each particular case, a feminist reading of sacred texts can bring about an awareness of difference that can benefit the marginalized in society. After a transnational overview of Muslim feminist interpretations, Adújar discusses movements such as the Egyptian *dā'iyāt*, the Syrian *Qubaysiyyāt*, and the Moroccan *murshidāt* as local examples of women's spiritual leadership and agency.

Aysha Hidayatullah's chapter is an overview and analysis of the contributions of twentieth and twenty-first century Muslim women scholars located in (or directly engaged in conversations in) the United States who are engaged in feminist interpretations of the Qur'an. Hidayatullah argues that their works constitute a cohesive field of Muslim feminist theology in the United States. The works of the following scholars are studied in depth: Riffat Hassan, Azizah al-Hibri, Fatima Mernissi, Amina Wadud, Asma Barlas, Sa'diyya Shaikh, and Kecia Ali. The chapter further identifies and closely examines three major sets of interpretive strategies that collectively emerge from their works: 1) historical contextualization; 2) holistic reading; and 3) the *tawhīdic*

paradigm. Hidayatullah concludes that the methodology of a *tawhīdic* paradigm involves arguing for the ongoing interpretation of Qur'anic verses, based on God's supreme authority in relation to human beings' temporal and flawed understanding, as well as distinguishing between the text of the Qur'an and its human interpretation.

Part 2:
Religious Anthropology
and Muslim Women

One of the most fundamental and central concerns for today's Muslim woman theologian is religious or theological anthropology.

A contribution by the pioneering Pakistani-American scholarly activist and theologian, Riffat Hassan, addresses the concept of whether there is a "Fall" in Islamic theology and questions the specific associations of the female with such a concept. In her chapter, Hassan, whose seminal work has proven influential among many other contributors to this collection, focuses on the story of the "Fall"—the exodus of Adam and Eve from Paradise—as it is recounted in both Genesis 3 and the Qur'an.

The Genesis story has commonly been understood as assigning primary responsibility for humanity's Fall to woman, who is consequently to be regarded with hatred, suspicion and contempt. The Qur'anic texts on the subject of the human pair's transition from heaven to earth, however, do not support the idea of a Fall and hold man and woman equally responsible for an act of disobedience which they acknowledge and for which they are forgiven by God.

Hassan's chapter is therefore an endeavor in comparative theological anthropology that examines the relevant biblical and Qur'anic texts and points out the differences in their context, background and content. Hassan concludes that although Muslims, like Jews and Christians, believe that the woman was the agent of humanity's Fall, this belief is not grounded in an accurate reading of the Qur'an. The chapter displays Hassan's strategy of Qur'anic feminism that recovers more neutral or even gender equitable resources of the Qur'an on its own, unclouded by the patriarchal traditions that pervade hadith reports and later male legal interpretations.

Two other chapters in this section are authored by Muslima theologians from Turkey. Hatice Arpaguş and Hidayet Şefkatli Tuksal have been extensively trained in the classical sources of law, hadith, and *‘ilm al-kalām* (theology) and bring to their papers a new depth of engagement with the classical sources. They are rising lights among Turkish feminist interpreters of Islam and these articles reflect some of their significant and original work in this area.

In her contribution, Hatice Arpaguş, who is currently a researcher in the Faculty of Divinity, Marmara University, Istanbul, provides a detailed analysis of the female’s role in the Creation story, an essential foundation for how Muslim women are framed within Qur’anic theological anthropology.

Starting with Qur’an 4:1, the study considers the general tone and spirit of the Qur’an, especially the verses concerning women’s role in creation. The method involves scrutinizing the vocabulary associated with creation featured in these verses, as well as the interpretations offered in major commentaries (*tafāsīr*). Since the literal wording (*naşş*) does not provide details of any actual physical process of creation, the spiritual and religious implications of the wording of these Qur’anic narratives are explored.

In her contribution to the volume, Hidayet Şefkatli Tuksal, member of the Capital Women’s Platform, Ankara, notes that for the last twenty years, Muslim women have been struggling with prejudices directed at them from the West while at the same time trying to come to terms with negative and misogynistic interpretations derived from their own religious sources. The most important of these resources, the Qur’an and the hadith, are being read anew by Muslim women theologians trying to come to new interpretive conclusions relevant to today’s world. Tuksal presents results of her doctoral research on the hadith published in Turkish, *The Projections of Misogynist Discourse in the Islamic Tradition*.⁴⁰ As a Muslim woman theologian, Tuksal critiques research that fails to engage controversial questions of interpretation and thereby exposes certain tensions that she has experienced as a “female” researcher grappling with her Muslim identity.

Finally in this section of the volume we hear from Muna Tatari, a contributor based in a theological faculty in Paderborn, Germany.

40 Hidayet Şefkatli Tuksal, *Kadın karşıtı söylemin İslam geleneğindeki izdüşümleri* (Ankara: Kitabiyat, 2001).

With the initiatives undertaken by the German and Austrian governments to support the indigenization of Islamic theology as a field in local academic institutions, we may expect increased productivity in this area. Tatarı's paper on the interpretation of the Qur'an and its liberatory possibilities draws on material from Muslima theologians and other academic advocates of Islamic gender justice. Tatarı's perspective primarily draws on the writings of feminist Muslim theologians in Western contexts.

Tatarı argues that within the Islamic tradition, women have experienced marginalizing textual interpretations and practices for centuries. Traditional theological conceptualizations of male and female have led to patriarchal interpretations of religion in the past that still persist. This chapter explores the ways in which female Muslim scholars are now challenging these interpretations. Premised on the idea of a righteous God who desires fair and egalitarian gender justice, Muslima theologians pursue a gender-equitable hermeneutic for reading Islam's foundational texts. Tatarı explores Islamic strategies for deriving meaning and law making such as *qiyās* (analogizing), '*aql* (use of reason) and *ijmā'* (consensus). This chapter aims to formulate an empowering new hermeneutic for theologizing on the part of Muslim women and their supporters.

Part 3:
Muslim Women and Islamic
Religious Law

Two contributors in this section, Celene Ayat Lizzio and Carolyn Baugh, are completing graduate degrees in the academic study of Islamic thought at major research universities in the United States. They represent a new trend among engaged Muslim women scholars from Western backgrounds tackling the classical sources in Arabic and providing detailed, tightly argued new interpretations of Islamic law that both take the tradition seriously and engage with its most important classical interlocutors.

Lizzio's chapter on "Reading of the Laws of Purity and Ritual Preclusion" analyzes contemporary female hygiene manuals and fatwas issued by Sunni and Shi'a authors that treat the subject of female re-

productive-related im/purity. These manuals and *fatwas* are informed by and in turn, entrench, gender difference perceived through somatic indicators. Women's pietistic capacity is regarded as "weak" and deficient through these indicators. The chapter problematizes male epistemological authority over female bodies and argues that normative purity rules are phallogentric. Such a view facilitates the construction of female subjects who remain only partial participants in the most sacred of pietistic rites. Lizzio calls attention to notions of spiritual purity in the Qur'an and aims to give precedence to these notions over concerns of bodily cleanliness. Lizzio proposes alternative theological possibilities in order to enliven critical discussion of the interests of Muslim females as they navigate their religious values, genders, and sexualities vis-à-vis religious law.

Carolyn Baugh offers a new and startling look at "Ibn Taymiyya's Feminism?" in the light of controversial fatwas that Ibn Taymiyya issued on divorce that he maintained even in the face of imprisonment. Ibn Taymiyya (d. 1328) was imprisoned in the Citadel at Damascus for his stance against the validity of the single utterance of a triple repudiation (*ṭalāq*). His controversial position flew in the face of prevailing Ḥanbalī thought and also challenged established juristic consensus. By tracing the contours of Ibn Taymiyya's thought on the Triple *Ṭalāq* form of dissolution of marriage, looking in particular at his *Fatāwā*, which Ibn Taymiyya was banned from giving by the Sultan, the chapter attempts to understand why his positions were deemed to be so dangerous to the state. Baugh explores Ibn Taymiyya's thoughts on intentionality in law, questioning his motivations for such self-sacrificing action on what could be perceived as a topic related mainly to women's rights. Ultimately, the chapter provides insights into how jurists dealt with repudiation as a form of dissolution of marriage and exposes fourteenth century debates regarding Triple *Ṭalāq*, a topic that remains relevant for Muslim family law today. By exploring a Muslim thinker outside the "canon" of female friendly sources, Baugh undertakes an adventurous sort of recovery of a "usable past" for Muslim women.

In the third chapter in this section, Indonesian-American feminist theologian, Etin Anwar, looks at the debates in the Indonesian context that arose in the wake of Amina Wadud's public gesture of leading a mixed gender congregational prayer in New York City in 2005. Anwar

addresses questions of gender in Islamic ritual practice while bringing to light specifically Indonesian debates around woman-led congregational prayer. Anwar's chapter provides original insights into the global reverberations of Amina Wadud's controversial initiative by analyzing diverse reactions on the part of Indonesian female scholars and activists for women's rights. Muslim female scholars in Indonesia recognize that although the state must take a role in regulating equality, without a grassroots movement nothing can be accomplished.

The final chapter in this section is the only one in the present volume from the Shi'a context, authored by Rabha Al-Zeera who is a research scholar at the Tawheed Research Institute in Bahrain. The "beating" verse, Qur'an 4:34, has been explored by a number of Muslim feminist scholars and theologians searching for a way to recover a palatable, if not woman-friendly, reading of what is perhaps the most intransigent pronouncement of the sacred scripture for feminist interpretation.⁴¹

Al-Zeera's reading is relatively conservative in that she argues that the scope of this injunction to "beat" an erring wife should be applied only in the extreme case of the wife's infidelity. For al-Zeera the problem is socio-historical, in that the verse has enabled males to practice violence against women. Taking a "traditional" approach to the verse (4:34), al-Zeera, drawing on the resources of classical Qur'anic and legal commentaries, argues that this verse does not encourage violence against women.

Taking a holistic approach, this chapter clarifies the context of the verse to emphasize that the conditions for the "beating" are very specific, and can be implemented only in cases of infidelity of the wife. al-Zeera aims to refute any impression that God has allowed men to beat women because men are superior. She aims to disprove the claim for male superiority that has been used to inculcate further perceptions detrimental to women, such as females lacking agency or the capacity to hold public office.

41 Al-Zeera was informed of such scholarship by the editors but was not interested in engaging it. Examples of Muslima theological work on 4:34 that take such a perspective are the special issue of *Comparative Islamic Studies* 2 no. 2 (2006) that includes several papers on this verse including Ayesha Siddiqua Chaudhry, "The Problems of Conscience and Hermeneutics: A Few Contemporary Approaches," 157–170; Kecia Ali, "The best of you will not strike": Al-Shafi'i on Qur'an, Sunnah, and Wife-Beating," 143–155; Laury Silvers, "In the Book We Have Left Out Nothing": The Ethical Problem of the Existence of Verse 4:34 in the Qur'an," 171–180. See also F.V. Greiffenhagen, "North American Islamic feminist interpretation: The case of sūra 4:34, with a comparison to Christian feminist interpretation," *Studies in Religion/Sciences Religieuses* 33 no. 1 (2004): 51–70.

Part 4:
Muslima Constructive Theology

The final section of the volume exposes trends in new areas of Muslim women's theological writings—religious pluralism, Muslima womanism, and renewed ontological reflections, in this case inspired by Sufi thought.

In her chapter on an approach to religious pluralism, Jerusha Tanner Lamptey uses the term “*Muslima*” theology in a coinage that evokes “womanist” and “mujerista” sub-genres of feminist theorizing and theologizing that emerge as part of the third wave of culturally sensitive feminist theory. Lamptey's chapter is a constructive theological effort toward formulating an Islamic theology of religious pluralism that draws insights from three distinct approaches: contemporary Muslim women's interpretation of the Qur'an, feminist theological approaches to religious pluralism, and Toshihiko Izutsu's semantic analysis of the Qur'an. In brief, it seeks to extend reflections on the concept of sexual difference to the understanding of religious difference.

Lamptey's chapter extends Muslim women interpreters' hermeneutical method and conception of human difference from the topic of sexual difference to that of religious difference. Integrating concepts of universal humanity, divinely intended and teleological diversity, and lateral and hierarchical difference, Lamptey proposes a new theological approach to understanding religious diversity. Beginning with a brief sketch of two dominant trends and the shortcomings of the shared conception of religious difference in contemporary Islamic discourse on religious pluralism, the chapter explores the manner in which Muslim women interpreters of the Qur'an depict human difference. Lamptey then indicates ways in which specific conceptions of difference can guide the articulation of an alternative conception of religious difference, thus forming the basis of the novel approach of a *Muslima* theology of religious pluralism.

Debra Majeed's chapter reflects her pioneering work in the field of “womanist” Muslima theology, bringing her into conversation with feminist theologians of color across religious traditions.

African American Muslim women serve as a point of resistance to monolithic views of black women and religion, yet their experiences have garnered little scholarly attention. Too often, the particular-

ities of African American approaches to Islam are overshadowed by the universality routinely accorded to black Christianity, leaving unaddressed important religious and cultural issues related to black spirituality in the United States. This chapter offers a way to fill that void with a framework that strives to return power to African American Muslim women to name their own reality. Majeed explores Muslim womanist philosophy as an approach that represents the socio-political conditions of African American women whose material reality is confounded by tri-dimensional oppression. Furthermore, Majeed considers the sites of struggle of African American Muslim women and their conscious integration of religion in their daily lives as a lens into three worlds they traverse: the mosque, the black community, and American society. Building upon the religious and intellectual journey of the author, Majeed's chapter challenges the authenticity of conventional portrayals of African American Muslim women, their communities, and their realities.

The final chapter by South African Muslim feminist scholar, Sa'diyya Shaikh, is a constructive exploration of the resources of Sufi thought and practice for creatively rethinking the ontological assumptions about gender embedded in Islamic law and legal reasoning. Sufi readings of gender, in particular those of Ibn 'Arabī, suggest an approach to gender sustained by "a holistic view of community" rather than a simple notion of gender equality. Shaikh concludes that the ultimate goal of human spiritual refinement entails gender equality as part of a larger spiritual and ontological vision.

Ednan Aslan

*Early Community Politics
and the Marginalization
of Women in Islamic Intellectual
History*

Islam's theological history interfaces with political developments in the post-Prophetic era. The roots of many discussions in Islamic theology are found in Islam's political history. Yet a closer analysis of this history reveals that the dynamics of Islamic theology's development do not so much reflect Qur'anic or Prophetic teachings as they mirror the political and economic conditions of the time. At the beginning of the early Islamic era, Muslims were already trying to legitimize their political interests using arguments and symbols drawn from Islamic religious concepts and sources.¹

The first 'aqīda² discussions originated from this aim to legitimize rule. The Companions (*ṣaḥāba*), who, along with the Prophet Muhammad, built up the Islamic community on the ethical foundation of Islam, ultimately destroyed this foundation themselves in the post-Pro-

1 When Mu'āwiyya saw that he would lose the battle of Ṣiffīn, he sent for 'Amr bin al-ʿĀṣ and said to him: "You shall keep 'Alī's followers preoccupied with a matter that will divide them, willingly or unwillingly. You shall call for the Qur'an to judge between us and them." According to 'Amr bin Āṣ, the military superiority of Alī's followers could only be undermined by a ruse (fraud) [Ibrāhīm Muḥammad Abū al-Faḍl al-Ṭabarī, *Ta'rikh al-Ṭabarī: ta'rikh al-rusul wa-l-mulūk* 30, *Dhakhā'ir al-ʿarab* 30 (Cairo: Dār al-Ma'ārif, 1960), 258]. They therefore impaled pages of the Qur'an on their spears and thus induced Alī's soldiers to call for the Qur'an to judge. This is not just an isolated example from Islam's history; there are other examples of even the most highly acclaimed Companions confusing their political/military interests with Islam. Muḥammad Ibn Sa'd, *Kitāb al-ṭabaqāt al-kubrā* IV (Beirut: Dār Bayrūt, 1968), 255.

2 'Aqīda (pl 'aqā'id) is the name for doctrinal principles in Islamic theology.

phetic era. These developments in theology arose in response to the Companions' goal of legitimization so that the first *'aqīda* discussions among Muslims resulted from Muslims attempting to justify their deviation from Prophetic teachings. Thus Muslims' principles of belief (*'aqā'id*) and theological schools³ were not born purely out of theological discourse, but rather emerged from the crisis of legitimacy that arose during the post-Prophetic dynasties.⁴

Even before the death of the Prophet, Muslims preserved deep-seated vestiges and influences of pre-Islamic traditions in their decision-making processes.⁵ The Prophet's closest followers often found their solutions that would shape the future of Islamic thought, not in the Qur'an or Prophetic advice, but rather in familiar cultural traditions, which often contradicted Islamic ideals. This conflict of perspectives was later reflected in the hadith.

Departure from and misinterpretation of Prophetic teachings began immediately following the death of Prophet Muhammad and persist until the present. While such differences are widely apparent, they particularly affect the position of Muslim women in Islamic society. This chapter will briefly consider these developments.

Although there are no completely reliable sources to fall back on, the records that are available from the period before the eighth and ninth centuries make it clear that Muslim women's involvement in decision-making processes was just as intensive then as during the Prophet's lifetime.

No account records the Prophet disadvantaging Muslim women in any way. The first generations of women after the Prophet's death continued to exhibit a consciousness of being empowered by Islamic teachings. Religion (*dīn*) in the presence of a still-living and charismatic leader develops in a very dynamic, spiritual way that impacts both men's and women's consciousness without distinction.

The dispute between Fāṭima, the Prophet's daughter, and Abū Bakr, the first caliph, may be one of the most important theological debates that demonstrates female empowerment in the new religion's teaching. Fāṭima was not afraid to oppose the Caliph's theological

3 There are various schools of theology within classical Islamic thought that differ in certain matters of doctrine. See W. Montgomery Watt, *Islamic Philosophy and Theology* (Edinburgh: Edinburgh University Press, 1962).

4 Ahmet Akbulut, *Sahabe devri siyasi hadiselerinin kelami problemlere etkileri* (Istanbul: Birleşik Yayınları, 1992), 253.

5 For Muslims' post-Prophetic power struggles, see *Ibid.*

arguments and to contradict him using her own rationales. This reflects a strong, and above all, freely displayed self-confidence. For example, Fāṭima laid claim to her father's inheritance, whereupon Abū Bakr cited one of the hadith: "Prophet's do not leave any inheritance. All they leave behind is knowledge", and on that basis he rejected her claim.⁶ Fāṭima tried in vain to persuade him with other logical and theological arguments. When Fāṭima was not granted the right to inherit from her father, she never spoke another word to Abū Bakr until his death. This dispute, which featured both theological and political arguments, finally ended during the reign of the caliph al-Ma'mūn (786–833), who ordered the governor of Medina to return Muhammad's inheritance to the Prophet's family.⁷ Fāṭima also became a central figure in the political opposition to Abū Bakr. Her home was the meeting place of the Companions who organized to oppose the selection of Abū Bakr.⁸

The Prophet's wife, 'Ā'isha, and his daughter, Fāṭima, were certainly not the closest of friends. They held different political and theological positions, but both were actively involved in decision-making processes in the post-Prophetic era. 'Ā'isha was considered an authoritative theologian and legal expert such that no one doubted her theological competence.⁹ According to Ibn Sa'd, 'Ā'isha could pronounce her own opinion without regard for the opinions held by the Prophet's other followers.¹⁰ 'Ā'isha criticized certain Companions' unconsciously misogynistic views and committed herself to the protection of Muslim women, and she was not the only female interlocutor on social issues.

After the events surrounding 'Uthmān's murder, 'Ā'isha played a central role within intra-Muslim conflicts. She was not only a leading theologian, but also a political/military personality. Her actions were not based solely on religious grounds, but also on political ones. Her bitterness against 'Alī since he had recommended that the Prophet Muhammad divorce her after the incident of al-Ifk,¹¹ strength-

6 Ibn Sa'd, *Kitāb al-Ṭabaqāt al-Kubrā* 8, 28.

7 Aḥmad ibn Yahyā Balādhurī, *Kitāb futūḥ al-buldān*, ed. Ṣalāḥ al-Dīn Munajjid (al-Qāhira: Maktabat al-Nahḍa al-Miṣriyya, 1956), 46.

8 Ibn Sa'd, *Kitāb al-Ṭabaqāt al-Kubrā*.

9 al-Zarkashī, Muḥammad ibn 'Abd Allāh Badr al-Dīn. *al-Ijāba li-irād mā istadrakathu 'Ā'isha 'alā al-Ṣaḥāba*. Ed. Sa'id al-Afghānī. (Beirut: al-Maktab al-Islāmī, 1980), 68–69.

10 Ibn Sa'd, *Kitāb al-Ṭabaqāt al-Kubrā* 8, 42A.

11 Qur'an 24:17. The slander by which 'Ā'isha was accused of adultery.

ened her political opposition to his Caliphate. For this reason, ‘Alī and ‘Ā’isha’s relationship was very strained. This may also be the reason that ‘Ā’isha joined in solidarity with ‘Alī’s opponents Ṭalḥa and Zubayr.

Since this chapter is not intended to discuss the political circumstances of this period in greater detail, it will suffice to highlight the fact that women in the early Islamic period were heavily involved in political and theological affairs. When one bears in mind that ‘Ā’isha led troops to Basra alongside Zubayr and Ṭalḥa, it is clear that women’s power similarly encompassed multiple social functions.¹²

The active role of women in early Muslim society was not confined to ‘Ā’isha and Fāṭima. Women lived in the midst of the community, and were therefore a part of society’s religious, political, and economic discourse.

Muslim women then confronted the model of the courtly lady as a paragon of high society through contact with the Byzantine and the Persian Empires. This model tried to exclude women from religious discourse in order to theologically legitimize gender roles that favored men and required woman’s submission, reducing her scope to the domestic sphere.

Suddenly Muslim women, who had led troops and had a say in religious discourse, were robbed of social responsibility. At this juncture, a hadith of the Prophet, passed down by Abū Bakra, surfaced: “A people that lets a woman rule over its affairs can only be destined for destruction.”¹³ Yet when we compare this statement to the spirit of the Qur’an or the life and practice of the Prophet, we find obvious contradictions.¹⁴

Al-Ṣuyūṭī similarly reported that the Prophet said: “Do not let yourselves be advised by women. Do not let them resist you, but you resist them, for opposition to women is God’s grace.”¹⁵

Yet in contrast to these and similar hadiths, the Qur’an describes men and women as friends (*walī/awliyā*) or as guides for each other:

12 al-Ṭabarī, *Tārīkh al-Ṭabarī Tārīkh al-Rusul w-al-Mulūk*, no. 30: V.2, 267.

13 Aḥmad ibn Muḥammad Ibn Ḥanbal, ed. Aḥmad Muḥammad Shākir *Musnad IV* (Miṣr: Dār al-Ma’ārif, 1949), 4, 43, 47, 51. Fatima Mernissi discusses the background of this hadith in *The Veil and the Male Elite: A Feminist Interpretation of Women’s Rights in Islam*, translated by Mary Jo Lakeland (New York: Basic, 1991), p. 49 ff.

14 The time at which this tradition started is noteworthy, as this hadith originated at exactly the same time when ‘Ā’isha assumed a leadership role among the Muslims.

15 al-Suyūṭī, *‘Amal al-Yawm wa-l-Layla II* ed. ‘Ashūr Muṣṭafā (al-Qāhira: Maktabat al-Qur’ān), 147.

The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practise regular charity, and obey Allah and His Messenger. On them will Allah pour His mercy: for Allah is Exalted in power, Wise.¹⁶

Such observations are not intended to find fault with the hadith corpus. Yet when we try to understand these texts in light of the Prophet's behavior and in the context of the Qur'an, it is not easy to explain the contradictions.

According to contemporary Turkish theologian, Süleyman Ateş, the hadith discouraging female leadership was directed at 'Ā'isha's role during the post-Prophetic political conflict. It originated because a group of Muslims felt their own interests in community leadership were in danger. If this had really been a saying of the Prophet, 'Ā'isha's leadership would never have been recognized by Zubayr and Ṭalḥa. Ateş therefore doubts the validity of the hadith, which the Qur'an contradicts.¹⁷

Overall, the question of how women could have been excluded from the formational process of religious tradition even during the golden age of Islamic civilization is troubling. How did a male-dominated theology, wherein women were robbed of their common sense, disenfranchised from their social responsibility, and reduced to a self-denying and masochistic experience of naive religiosity come to dominate?

Contemporary scholars of Islam, concerned with women's education in the post-Prophetic era, may consult Shalaby's academic work,¹⁸ which explores Muslim women's education in the Middle Ages. In order to correctly analyze the discrimination against Muslim women in education today, one must trace and then challenge the theological legitimization of this discrimination.

There were only five women in the early Islamic era who could read and write. One of these was Ḥafṣa, the Prophet's wife, who continued to teach children even after she was married to Muhammad. According to available sources, two other women, 'Ā'isha and Umm Salama, could read, but not write. Considering the proportion of men in this era who could read and write, however, the number of women

16 Qur'an 9:71.

17 Süleyman Ateş, *Kur'an-ı Kerim Tefsiri* VI (Istanbul: Marsan Otomotiv 2005), 399–400.

18 Ahmad Shalaby, *History of Muslim Education* (Karachi: Indus Publications, 1979).

is not remarkably small.¹⁹ Yet this number did not increase in the post-Prophetic era, but unfortunately decreased as a theology that discriminated against women, rather than the true message of Islam, became normative.

There is no place in the Qur'an or reliable sources of the Sunna that supports barriers to women in education. The Prophet himself instructed women exactly as he instructed men. After the Prophet's death, however, we see increasing discrimination against women in education, and this discrimination still characterizes theological and religious norms in the minds of Muslims in many parts of the Islamic world. Despite this discrimination, we find that some Muslim women in the Abbasid era attained higher education.²⁰ At this time girls were usually taught at home, either by their fathers or private tutors.

The theological reasoning that prevented women from participating in education was based on the argument, still influential in Islamic countries, that co-education is undesirable, since scholars saw a danger of men being seduced in a mixed-gender environment.²¹

Scholars al-Jāhīz and al-Qābisī are typical examples of this spirit of their times. They recommended that women not learn to read or write. It sufficed for them to be informed about Islamic worship and service.²² Al Qābisī sensed a danger in women learning to read and write, for those who developed intellectual strength could rebel through critique.

But if one ascribes this misogynistic, religiously-legitimized theological position to the time of the Prophet, when "the seeking of knowledge was a duty of every Muslim," one is perplexed in trying to understand the sources of gender discrimination in Islamic theology.

Women's status worsened in the process of the systematic differentiation of Islamic theology. Woman finally lost her place in religious discourse through the canonization of *sharī'a* as the religion practiced

19 Of seventeen who could read and write, five were women.

20 Al-Balādhurī reported from a school with girls and even adult women that girls and boys were taught together in Kufa. Shalaby cites this from from *Kitāb al-Aghāni* in Ahmad Shalaby, *History of Muslim Education* (Karachi: Indus Publications, 1979), 191. Al-Jāhīz himself witnessed classes in which children were even taught alongside slaves: Abū 'Uthmān 'Amr b. Baḥr al-Jāhīz, *al-Bayān wa-al-tabyīn* II, 2nd ed. (al-Qāhira: Maṭba'a al-Futūḥ al-Adabiyya, 1332/1913), 106.

21 Abū-l-Ḥasan 'Alī bin Muḥammad b. Khalāfa al-Mu'afirī al-Qābisī, "al-Risāla al-Mufaṣṣala li-Aḥwāl-l-Muta'allimīn wa Aḥkām-l-Mu'allimīn wa-l-Muta'allimīn," in *al-Tarbiyya fi-l-Islām*, ed. Aḥmad Fu'ād al-Aḥwānī (Cairo: Dār al-Ma'ārif, 1975), 275.

22 Muḥammad Ibn Sahnūn, *Kitāb Ādāb al-mu'allimīn*, ed. Maḥmūd 'Abd al-Mawlā (Algiers: al-Sarika al-Waṭaniyya, 1969), 316.

by Muslims. In fact, the term “*sharī‘a*”²³ did not exist in the early days of Islam. This term, used to describe an ongoing process of religious development, became cemented as a legal system, prohibiting access to Islam’s sources in many areas of life. Innumerable barriers to the Prophet’s way of living and thinking sprang up, such that those who spoke of him diverged further and further from his manner of thinking. When the Prophet was asked about *sharī‘a*, he listed prayer, zakat, and fasting.²⁴ Islamic theologians on the other hand, constructed a rigid legal system from a humane religion, though Muslims knew that religion (*dīn*) and *sharī‘a* were not to be equated. Early on, Abū Ḥanīfa differentiated between the two terms, emphasizing the malleability of *sharī‘a* and the immutability of the principles of religion (*dīn*).²⁵

Later male interpreters’ misapplication of laws relegated women to a marginal role in society and shut them out of public life. But women were not merely shut out; further theological arguments made women’s return to authoritative knowledge impossible. This theological discrimination was impossible to support on the basis of the Qur’an. Numerous hadiths, however, not only emphasized the danger posed by women, but also disqualified them by attributing to them degrading and inferior characteristics.²⁶

Examples of misogynistic hadith that circulated in this age are the following:

“Do not let your women put on new clothes, that they may not leave your homes. When they put on new clothes, a desire arises in their hearts to leave the home.”²⁷

“If a woman should go out with her husband’s permission, she must be careful to cover herself, to behave modestly in public, to bow her head and look at no one, to avoid crowds, gatherings of men, and busy streets, and to return at once upon completing her tasks.”²⁸

The numerous hadiths that were the basis of such formulations made women insecure in their roles, such that an incapacitated, even self-de-

23 Muḥammad ibn Mukarram or Ibn Manẓūr et al., *Lisān al-‘Arab* (al-Qāhira: Dār al-Ma‘ārif, 1981).

24 See Abū Ḥanīfa, *Imam Abu Hanīfa’s al-Fiqh al-akbar Explained*, eds. Aḥmad ibn Muḥammad Maghnīsawī, Qārī al-Harawī, ‘Alī ibn Sulṭān Muḥammad, *Minaḥ al-rawḍ al-azhar fī sharḥ al-Fiqh al-akbar*, English Selections (Yorba Linda, CA: White Thread Press, 2007).

25 Abū Ḥanīfa, *al-‘Ālim wa-al-muta’allim*, ed. Muḥammad Zāhid ibn al-Ḥasan Kawtharī (al-Qāhira: Maṭba‘a al-Anwār, 1368/1948), 5.

spising femininity arose in Islamic society. The trend in Islamic theology that confined women to this role then attempted to regulate the tasks of women with respect to male prerogatives:

“A woman may not fast voluntarily without the permission of her husband. A woman also may not let any person enter the home without her husband’s permission.”²⁹

“A woman asked the Prophet: ‘By what acts do we deserve Hell?’ ‘Because you are volatile and ungrateful to your husbands.’”³⁰

“Those women who die while their husbands are pleased with them enter paradise.”³¹

“If I were to command you to bow down before any power other than God, I would order you to bow down to your husbands.”³²

“A woman ought to smile when her husband enters the house; when he leaves she should be silent. If she finds sustenance she may eat; if she finds none, she should be silent.”³³

“All eyes commit *zinā*’ (extramarital sexual relations). If a woman puts on perfume and goes to the places visited by men, she commits *zinā*’.”³⁴

“A straw carpet is more useful than a woman who cannot bear children.”³⁵

We can see that such hadiths, attributed to the Prophet, neither correspond to the Prophet’s way of life nor historical accounts, and furthermore they are not compatible with the context of early Islam. They are inventions of the Umayyad period and other post-Prophetic dynasties,

26 “I have not bequeathed to you anything more dangerous than the wives of women,” from al-Bukhārī, *Kitāb al-Djāmī’ al-Ṣaḥīḥ* VI, ed. M. L. Krehl (Leiden: Brill, 1862–1908), 124. “The Devil will undoubtedly come to you in the form of a woman, and in a woman’s form he will leave you. He who desires a woman should go to his own wife. This act relieves the desire.” al-Nawawī et al., *al-Minhāj fī sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj, al-musammā ikhtiṣāran Sharḥ Ṣaḥīḥ Muslim*, 5th ed. (Bayrūt: Dār al-Khayr, 1999), Nikāḥ 2. For further reference: Hidayat Şefkatlı Tuksal, *Kadın karıştı söylemin İslam gelenegindeki izdüşümleri* (Ankara: Kitabiyat, 2001).

27 al-Ghazālī, *Kitābi-i kīmīyā-yi sa’ādat*, 2nd ed. (Tihran: Kitābkhāna va Chāpkhānah-i Markazī, 1333/1954), 178.

28 al-Ghazālī, *Iḥyā’ ulūm al-dīn* II (Cairo: Maṭba’at Lajnat Nashr al-Thaqāfa al-Islāmiyya, 1356/1937), 290.

29 al-Nawawī et al., *Riyāḍ al-ṣāliḥīn* I (al-Riyāḍ: Maktabat Dār al-Salām, 1998), 324.

30 al-Nawawī et al., *al-Minhāj fī sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj, al-musammā ikhtiṣāran Sharḥ Ṣaḥīḥ Muslim*: Iman, 132.

31 al-Nawawī et al., *Riyāḍ al-ṣāliḥīn* I, 326.

32 Ibid., 325.

33 al-Ghazālī, *Kitābi-i kīmīyā-yi sa’ādat*, 195.

34 Ibid., 4, 278.

35 Ibid. ‘A’isha was childless and among the Prophet’s wives only Khadija and Marya the Copt bore children.

when legal regulations and theological doctrine promoted the intellectual and physical enslavement of Muslim women reflecting a culture of harems, where women needed to be controlled.

Now is the time when the Muslim woman can free herself from these limitations and revive a theological history where she can participate equally and fully. The task at hand is therefore that Muslim women recover this history and purge their consciousness of the accretions of past misogynistic theologizing.

It would be an incorrect assumption to view the discrimination against Muslim women in Islamic theology as a problem that only affects Muslim women. An exploration of the history would allow all Muslims, male and female, to rid the Prophetic heritage of the non-authentic burden of past theological authorities and sources while critically examining the entire theological heritage in the light of authentic sources.

The chapters in this volume allow today's Muslima theologians to speak, critically questioning this history and reflecting anew on Islamic theology in its current context.

Zainab Alwani¹

*Muslim Women
as Religious Scholars:
A Historical Survey*

Introduction

Since the beginning of the Islamic community in the earliest decades of the seventh century, women have taken a prominent role in the preservation and cultivation of the main sources of Islamic knowledge, i.e. the Qur'an and Sunna. The legacy of women's scholarly activism was later suppressed and weakened, but never entirely extinguished. Through an analysis of women's contributions to the realm of religious sciences, this paper argues for the need for increased women's engagement with the foundational sources of Islamic scholarship. I argue that just as women's voices and intimate engagement with the religious sciences were vibrant and influential in the nascent Muslim community, women scholars of the present era should follow the footsteps of their foremothers. Women's concerted participation within the realm of religious scholarship is essential for enhancing religious knowledge in general and for advancing the role and status of women in spheres where Islamic knowledge is applied.

My essay begins with a concise overview of the foundational sources of Islamic knowledge, followed by an overview of women's engagement therein. Here, I call attention to the early vigor and subsequent decline of women's contributions to the religious sciences and suggest

1 In the preparation of this essay for publication I am grateful to my research assistant, Celene Ayat Lizzio.

that a strong methodology based on the Qur'an and Sunna is one tool in reasserting women's scholarship and reshaping religious discourse. I then devote special attention to 'Ā'isha's efforts to correct misogynistic attitudes that were propagated by some of her contemporaries on women's roles in the society.² Arguing that 'Ā'isha's methodological contribution is a model for how to engage hadith holistically in the light of the qur'anic message and objectives, I stress the contemporary role and import of women's engagement in the tradition of interpretation with the development of religious fields of knowledge.

The importance of women's engagement with the foundational sources

Religious scholarship in Islam is based on the revealed sources including the Qur'an and the collected Sunna of the Prophet Muhammad that clarifies and explains the qur'anic teachings.³ Muslims regard the Qur'an as the ultimate reference for human affairs and believe it to be safeguarded by God from distortion.⁴ The Qur'an regards the Prophet as a role model for humanity (Qur'an 33:21), and hence, from the perspective of Islamic jurisprudence, the authentic Prophetic Sunna explains, clarifies, and demonstrates how to implement the teachings of the Qur'an. The Sunna has a range of different hermeneutic functions vis-à-vis the Qur'an. For instance, jurists regularly discuss and deliberate how a particular hadith, a reported saying or action attributed to the Prophet, relates to the text of the Qur'an. First, each hadith is evaluated for authenticity on a sliding scale based on the content and the character and reliability of the chain of narrators. Then, if the content

2 'Ā'isha is the daughter of the first Caliph, Abū Bakr 'Abd Allāh bin Abī Quhāfa (573–634 CE). She was characterized by a sharp intelligence and was the source of more than twelve hundred hadith reports. For an account of her life and role in the tradition see Dennis Spellberg, *Politics, Gender, and the Islamic Past: The Legacy of A'isha Bint Abi Bakr* (New York: Columbia University Press, 1994).

3 With occasional adaptation where noted, this study relies primarily on M. A. S. Abdel Haleem, *The Qur'an: A New Translation*, 3rd ed. (Oxford: Oxford University Press, 2010). Hadith are translated by the author from Hadith Encyclopedia CD-ROM (*Muusa'ū al-hadīth al-sharīf*), edition 2.1 (Cairo: Harf Information Technology, 2000).

4 See for instance Qur'an 15:9. While I am addressing here the role of the Qur'an in deriving legal theory and principles, the Qur'an describes itself with at least thirty-four attributes including *hudā* (guidance) and *dhikr* (remembrance); the role that the Qur'an plays in Muslim life and devotion is multi-fold; for a thorough and skillful treatment of this topic see Ingrid Mattson, *The Story of the Qur'an: Its History and Place in Muslim Life* (Malden, MA: Blackwell Publishing Ltd., 2008).

of a reported hadith has no apparent relation to the Qur'an, jurists may accept it as a part of the body of religious law on the condition that it does not directly contradict a more firmly established principle.

Furthermore, the reported action could be general and apply broadly, or it could be a matter that specifically pertained only to the Prophet Muḥammad due to his status as a prophet. Jurists also deliberate whether the action represents simply a custom particular to the time period and geographic locale, in which case it is not necessarily religiously binding on Muslims at large, or whether a given tradition represents a more fundamental religious principle that should be religiously binding. This is merely a simplistic rendering of a complex body of legal theory on the relation between Qur'an and Sunna. A vast array of individual hadith reports comprises the corpus of Sunna, and this corpus differs across sects, schools of thought, and geographic locales.⁵

Across all schools of thought, the underlying esteem for the Prophet is fundamental; he is regarded as model for the conduct aspired to by Muslims. The Prophet was a religious teacher, a moral guide, a statesman, a social reformer, and a committed family member; all of these roles were in the reception and subsequent perception of his prophecy and traditions.⁶ In particular, the role of the women in his household is highly significant, and these women enjoyed exclusive access to intimate knowledge about the Prophet, including information about many of the situations that he faced in his public life as well as in his more private affairs. The critical engagement of these women is exemplary. Upon examination, the Qur'an and Sunna illustrate the enormous role that the female companions and family of the Prophet had on Islamic scholarship by broadening religious knowledge. The Qur'an notes this distinguished place occupied by the women of the Prophet's household and designates the title *Ummahāt al-mu'minīn* (Mothers of the Believers) for the wives of Prophet Muhammad.⁷ Indeed, the Qur'an specifically instructs the women of the household of the Prophet:

5 See Jonathan Brown, *Hadīth: Muhammad's Legacy in the Medieval and Modern World* (Banbury: OneWorld, 2009), 150–183.

6 See Roy Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (London: I. B. Tauris, 2001).

7 The title is evocative of characteristics such as love, care, intuition, and wisdom. For an account of the role and the involvement of the *Ummahāt al-mu'minīn* in the recording and reciting of the Qur'an see 'Ā'isha 'Abd al-Raḥmān, *Tarājīm sayyidāt bayt al-nubhuwa* (Beirut: Dār al-Kitāb al-'Arabī, 1984), 25.

Remember [and proclaim] what is recited in your houses of God's revelations and wisdom (*wadhkurna mā yutlā fi buyūtikunna min ayāt Allāh wa-l-ḥikma*) for God is all subtle, all aware (*inna Allāh kāna laṭīf khabīr*) (33:34).

Here, A. Yusuf Ali, in his translation of this verse, explains that the command “*udhkurna*” takes the wives of the Prophet as its subject and means not only remember, but “recite, read, make known, and publish the message.”⁸ The verse quoted above is directly following a strong confirmation of the equal merit of men and women who are submissive to God (*al-muslimin wa-l-muslimāt*):

Truly, submissive men and submissive women, believing men and believing women, obedient men and obedient women, truthful men and truthful women, steadfast men and steadfast women, humble men and humble women, charitable men and charitable women, fasting men and fasting women, the men who guard their private parts and the women who guard, and the men who remember God often and the women who remember—God has prepared for them forgiveness and a rich reward” (33:35).

The verses mentioned above serve to illustrate the responsibility that God bestowed upon the women of the Prophet's household as well as the equal plane upon which God placed men and women of Muslim character.

The role of women in the preservation of the message of Islam did not merely remain a qur'anic commandment, but according to the earliest Muslim historiography, women had a dynamic role in the initial preservation of the Qur'ān. For instance, an original handwritten copy of the Qur'ān, out of which all subsequent copies were made during the first Caliphate, was said to be under the preservation and trust of Ḥaḥṣa bint 'Umar (d. 656), the daughter of the second Caliph 'Umar ibn al-Khaṭṭāb (d. 644) who married the Prophet shortly after her first husband was killed in the battle of Uḥud (625). According to traditional accounts, women did not simply safeguard the physical copies of the early Qur'an but they also had an active role in its transmission and interpretation, as will be elaborated below. While Sunni authors tend to concentrate on 'Ā'isha and Shi'i literature focuses on Fāṭima (d. 632; the daughter of the Prophet and his first wife Khadīja), the

8 Abdullah Yusuf Ali, *The Meaning of the Holy Qur'an*, 11th ed. (Beltsville, MD: Amana Publications, 2004), 1067.

women in the Prophet's household contributed greatly to the development of Islamic scholarship, alongside the contributions of many other women in the early Muslim community.

Muslim societies throughout history were not monolithic or static with regard to woman's status. The era, location, political climate, economic factors, regional customs, and local traditions contribute greatly to the expectation, roles, and opportunities for women. Each country, region, city, and even village has its own features. Women's status, civic roles, and political engagements vary greatly from one place to another, even within the same time period. Throughout more than fourteen centuries of Islamic history, diversity and plurality have characterized Islamic cultures and societies. Hence, it is difficult to determine exact reasons for overall dearth of women's engagements in religious scholarship within Muslim societies at large. Less than three decades after the Prophet's death, new concepts and ideals detrimental to women's status were introduced into the social fabric of the early Muslim society. Particularly as the empire of the early Muslims grew and became increasingly urban, Islamic values were put to the test by conflicting tribal and authoritarian forces. As the Caliphate took on dynastic tendencies, submission to the ruler was often deliberately equated with submission to God, and as a result, legitimate protest against political oppression was conflated with so-called chaos-inducing rebellion. In theological discourse, concepts of fate were emphasized over those of human freedom. Women, for the most part, lost the esteemed public roles they had gained under the Prophet and his immediate successors, and by and large, an older, deep-rooted ideal of women as inferior gained greater staying-power within religious discourses and society at large.⁹ While women were still able to exert influence, particularly through their male kin, on the whole women's contributions to public life were drastically curbed, and their epistemic authority regularly regarded as secondary to that of men.¹⁰ As discussed below, the derivation of religious law and trends in exegesis often further inscribed women's perceived inferiority.

9 See the arguments of Mona M. Abul-Fadl, "Revisiting the Muslim Woman Question: An Islamic Perspective," adapted from *Muslim Women Scholars on Women in Islam*, symposium hosted by Chicago Theological Seminary, November 7, 1990, <http://muslimwomenstudies.com/WomRevisit.htm> (accessed June 1, 2011).

10 As discussed in detail in Ahmed Ragab, "Epistemic Authority of Women in the Medieval Middle East," *Journal of Women of the Middle East and the Islamic World* 8 no. 2 (2010): 181–216.

In order to illustrate these general dynamics with specific examples, I examine below women's role and contributions to specific fields of Islamic knowledge, namely exegesis (*tafsīr*), hadith scholarship, and jurisprudence (*fiqh*). I then propose means and methodologies relevant to advancing women's contemporary engagement with the tradition by putting forward the example of 'Ā'isha. In my discussion I draw upon early textual sources, including the Qur'ān, hadith collections, biographies of the Prophet (*al-sīra al-nabawīyya*),¹¹ political histories of the early Muslims (*al-ṭabaqāt*),¹² biographies of prominent Muslim scholars,¹³ the tradition of jurisprudence (*fiqh*),¹⁴ and Muslim literary culture more generally.

Women and the tradition of Qur'anic exegesis

Exegesis (*tafsīr*) is a field of Islamic scholarship that is impacted by the pre-conceived societal perceptions of women just as much as it can be seen as impacting women's role and status. Methodological trends in classical exegesis fall into at least two categories. The first trend, known as *tafsīr bi-l-ma'thūr* (lit. exegesis by adage), employs the Prophet's words and actions as the framework for textual engagement. In the second trend, known as *tafsīr bi-l-ra'y* (lit. exegesis by opinion), interpretation is based on rational analysis of a variety of sources. The exegesis of Muḥammad b. Jarīr al-Ṭabarī (d. 310/923) is considered the backbone of the first school.¹⁵ Ṭabarī's exegesis collected many traditions that entered the Islamic textual traditions through biblical or-

11 For a discussion of Muslim sacred texts as a source of the social history of women see Ragab, 182–185.

12 There are a vast number of biographical compendia that document and gather data regarding events, battles, wars, cities, rulers, and influential people. They represent a rich source for discerning women's history for contemporary authors. For example, 'Abd al-Ḥalīm Abū Shuqqa has presented a comprehensive study of the status of women in the early Muslim community in six volumes entitled *Ṭaḥrīr al-mar'a fī 'aṣr al-risāla* (Kuwait: Dār al-Qalam, 1990).

13 Muslim historians began collecting biographies of prominent scholars in the second century of the Islamic era; many collections were limited to a specific school of thought. Overall, entries on women were significantly less compared to those of men and exceedingly rare in the collections limited to particular schools of thought; see Ruth Roded, *Women in Islamic Biographical Collections: From Ibn Sa'd to Who's Who* (Boulder: L. Rienner Publishers, 1994).

14 For an overview of the legal tradition as a source of women's history see Judith E. Tucker, "And God Knows Best": The Fatwa as a Source for the History of Gender in the Arab World," in *Beyond the Exotic: Women's Histories in Islamic Societies*, ed. Amira El Azhary Sonbol, 168–79 (Syracuse, NY: Syracuse University Press, 2005).

15 Muḥammad b. Jarīr al-Ṭabarī, *Jāmi' al-bayān 'an ta'wīl al-Qur'ān* (Reprinted Beirut: Dār al-Fikr, 1985).

igins, including traditions that involved women.¹⁶ Throughout his commentary, Ṭabarī records adages simply to express doubts about the veracity of their origins, yet later generations of scholars would quote and incorporate the particular adage as part of the body of authoritative knowledge. Barbara Freyer Stowassar examines the impact of later commentators imparting their biases by drawing on themes of women's defective nature and inherent threat to the social order, and highlights how pre-Islamic traditions, among other factors, provided a repertoire of adages of women as devious, unchaste, and deceitful.¹⁷ She observes that, "medieval Islamic society was patriarchal to a far higher degree than had been the early Islamic community in Mecca and Medina, first recipient of the Qur'an's revelations."¹⁸

However, beginning in the eighteenth century, a different scriptural canon on women gradually began to emerge, driven by a retrieval of exegesis based on reading the Qur'an intra-textually (*tafsīr al-Qur'ān bi-l-Qur'ān*, lit. interpreting the Qur'an through the Qur'an). This trend in exegesis called for a critical examination of the extra-textual material that had been previously drawn into the fold of qur'anic interpretation. It also emphasized more emphatically the understanding that passages in the Qur'an illuminated other passages, and that this hermeneutical strategy took precedence over all others. Women participated actively in that reform movement; for example, 'Ā'isha 'Abd al-Raḥmān (1913–1998), a professor of Arabic literature at the University College for Women at Ain Shams University in Cairo, wrote a qur'anic exegesis under the alias *Bint al-Shāṭi'* which was based on this concept of holistic, intra-textual interpretation.¹⁹

In the later decades of the twentieth century, Muslim women's religious scholarship began to raise difficult methodological questions in the service of building a critical and insightful hermeneutical repertoire to the foundational sources: Who possesses the authority to interpret the Qur'an? What are the limits of qur'anic interpretation? In cases where multiple interpretations are plausible, how is the best interpretation to be determined? How should changes in social expecta-

16 Barbara Freyer Stowassar, *Women in the Qur'an, Traditions, and Interpretation* (Oxford and New York: Oxford University Press, 1994), 23.

17 Stowassar, 23–5.

18 *Ibid.*, 21.

19 'Ā'isha 'Abd al-Raḥmān *Bint al-Shāṭi'*, *al-Tafsīr al-bayānī li-l-Qur'ān al-karīm*. 3rd ed. (Cairo: Dār al-Ma'ārif, 1968).

tions and mores be taken to bear in interpretative strategies? How can women re-approach the Qur'an with renewed vigor and confidence? Is there a "woman's reading" that might substantively differ from a "man's reading" of a given verse? Engaging with these types of exegetical questions became a foundation for women's religious scholarship. Notably, in the early 1990s Amina Wadud advanced this line of inquiry with the first edition of her book *Qur'an and Woman*.²⁰ Azizah al-Hibri, Mona Abul Fadl, Laleh Bakhtiar, Asma Barlas, Nimat Barazanji, and others have also focused on developing hermeneutical strategies for contemporary exegesis. The work of these scholars continues to influence newer generations of women who are building upon this foundation.

Women and the Transmission of Hadith

Women participated greatly in the establishment of hadith sciences, and women hadith transmitters were noted to be particularly trustworthy. According to the renowned hadith scholar Shams al-Dīn al-Dhahabī (d. 748/1348), there were many men who fabricated hadith; however, no woman was ever accused of fabrication.²¹ Indeed, hadith scholarship was an area of religious knowledge where early Muslim women flourished.²² Fāṭima b. Ibrāhīm Maḥmūd Ibn Jawhar (d. c. 1300) is one illustration; a renowned teacher of some of the most prominent hadith scholars of her time, her reputation was such that when she came to Medina for pilgrimage, local students requested that she teach in the mosque of the Prophet and she signed licenses (*ijāza*) for them to transmit her narrations.²³ Another example is Zaynab bint al-Sha'arī (d. 614/1218) who studied hadith under important scholars and in turn taught many reputable students including

20 Amina Wadud, 1st edition: 1992; subsequent editions include Kuala Lumpur: Penerbit Fajar Bakti, 1994 and Oxford: Oxford University Press, 1999.

21 Abū 'Abd Allāh Shams al-Dīn al-Dhahabī, *Siyar 'A'lam al-nubalā'* 23 (Beirut: Dār al-Risāla, n.d.), 119; see also the full discussion on 119–23.

22 With regard to their role in transmitting hadith, Muhammad Zubayr Siddiqi notes that: "There is simply no parallel to this special and valuable role played by women scholars in the development, preservation and dissemination of Islamic knowledge," in *Hadith Literature: Its Origin, Development, Special Features & Criticism* (Cambridge: The Islamic Texts Society, 1993), 117.

23 *Ibid.*, 127.

Ibn Khallikān (d. 681/1282).²⁴ Despite some notable examples, women in hadith scholarship never reached par with men in terms of their numbers. From its heyday among the early generations of women, the tradition of women's hadith scholarship has dwindled, while hadith literature is frequently invoked in order to suppress the role, rights, and status of women.²⁵ Writing against this trend, for example, 'Abd Ḥalīm Abū Shuqqa sought to present a comprehensive account of the status of women in the early Muslim community in six volumes entitled *Taḥrīr al-mar'a fi 'aṣr al-risāla*.²⁶ He included only the authentic hadiths that were narrated by al-Bukhārī and Muslim. Other themes of the book highlight collaboration, mutual respect, and successful teamwork among men and women as the perfect component of the model Islamic society. In addition, the recent work of Sa'diyya Shaikh has analyzed several prominent hadith from a Muslim feminist lens, therein providing strategies for engaging with the tradition in ways that highlight women's strengths, assets, and potentials.²⁷

Women and the legacy of fiqh

The urbanization and growth of the bureaucratic and intellectual elite from the eighth through twelfth centuries saw the advent of institutionalized schools of legal thought (s. *madhhab*, pl. *madhāhib*). In an effort to systematize religious law, a body of knowledge referred to as *fiqh* (lit. comprehension) developed in cultural centers in response to local cultural, social, political, and judicial needs. *Fiqh* is the effort of humans to understand and interpret the divine scripture, and then to integrate this understanding into the social fabric and civic institutions of daily life. The term *fiqh* also refers to the vast collection of opinions on the law given across centuries and schools of thought.²⁸ As

24 Muḥammad Akram Nadwī, *Al-Muḥaddithāt: The Women Scholars in Islam* (Oxford: Interface Publications, 2007).

25 The reasons for this decline remain an open area for further scholarship. See related discussions in 'Umar Riḍā Kaḥḥāla, *Ālam al-nisā' fi 'ālam al-'Arab wa-l-Islām* 1 (Beirut: Mu'sassat al-Risāla, 1978), 357–358; see also Siddiqi, 122.

26 'Abd al-Ḥalīm Abū Shuqqa, *Taḥrīr at mar'a fi 'aṣr al-risāla* (Kuwait: Dār al-Qalam, 1990).

27 Sa'diyya Shaikh, "Knowledge, Women and Gender in the Hadith: A Feminist Interpretation," *Islam and Christian-Muslim Relations* 15 no. 1 (2004): 99–108.

28 See Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London; Washington: The International Institute of Islamic Thought, 2008), xxvii.

the body of *fiqh* developed in theoretical sophistication, Muslim scholars advanced various frameworks to comprehend the teachings of the Qur'an and Sunna vis-à-vis *al-wāqi'*, a term that in Muslim legal theory refers to the social and material realities of society.²⁹ Thus, the theoretical grounding of religious law was seen to be responsive to social realities. In fact, the law took shape vis-à-vis practical, theoretical, and ideological concerns, and included in its scope factors such as experience, custom, precedent, and public interest.³⁰ The classical method for determining religious law allows for a plurality of opinions among qualified experts.³¹

While their roles may be lesser known and rarely celebrated, women have been legal scholars and have played important roles as legal experts and consultants. For example, a woman mufti is said to have contributed extensively to the establishment of Ḥanbalī legal thought through her documentation of the teachings of Imām Aḥmad Ibn Ḥanbal (d. 241/855).³² In Qayrawan (present day Tunisia), mufti Khadīja bint Saḥnūn (d. 270/883 or 4) taught Mālikī jurisprudence, and she reports that her father, Saḥnūn b. Sa'īd al-Tanūkhī (d. 240/854 or 5), one of the most important jurists of his time, used to regularly consult her for advice on issuing opinions.³³ Faṭīma al-Samarqandiyya (d. 578/1182 or 3) was a renowned Ḥanafī mufti, and before her marriage to 'Alā al-Dīn Abū Bakr Ibn Mas'ūd al-Kasānī (d. 587/1191),³⁴ legal edicts used to be signed jointly with her father 'Alā al-Dīn Muḥammad ibn Aḥmad al-Samarqandī (d. c. 538/1144). Later, legal edicts were signed by all three: Faṭīma, her father, and her husband.³⁵ Al-Imām Abū al-Qāsim 'Abd al-Karīm ibn Muḥammad al-Rāfi'ī (d. 623/1226), a Shāfi'ī scholar,³⁶ is reported to have studied with his grandmother Zulaykha bint Ismā'il b. Yūsuf al-Shāfi'ī, a mufti at the time.³⁷ Despite these examples and other noteworthy individ-

29 For detailed discussions see Taha Jabir al-Alwani, *Source Methodology in Islamic Jurisprudence: Usul al-Fiqh al-Islami*, 3rd ed., trans. Yusuf Talal DeLorenzo and Anas S. Al Shaikh-Ali (Herndon, VA: International Institute of Islamic Thought, 2003).

30 For an overview of the development of the law see Bernard G. Weiss, *The Spirit of Islamic Law* (Athens and London: The University of Georgia Press, 1998).

31 John L. Esposito, *Women in Muslim Family Law* (New York: Syracuse University Press, 2001), 51.

32 Kaḥḥāla, vol. 1, 138.

33 *Ibid.*, 332–333.

34 Ibn al-'Adīm, Kamāl al-Dīn, *Bughyat al-ṭalab fi ta'riḥ Ḥalab*, vol. 10 (Beirut: Dār al-Fikr, n. d.), 4346–4347.

35 *Ibid.*

36 Ibn Mulaqqin Sirāj al-Dīn al-Shāfi'ī, 25.

uals, the tradition of legal scholarship as a whole is characterized by a dearth of women's voices. This lack of women's representation has deeply affected women's legal rights in many areas such as marriage, divorce, inheritance and other financial and commercial rights.³⁸ At present, women scholars are gaining modest ground as councils made entirely of male legal scholars are very gradually making moves to include at least one female legal scholar, often to work specifically in the area of "women's issues", i.e. matters of female hygiene and some areas of family law.³⁹

'Ā'isha: Reclaiming a tradition of women's engagement

The legacy of 'Ā'isha is replete with methodological premises for enhancing women's portrayal in the religious tradition and promoting women's engagement with the primary religious sources. Analyses of the critical methodology of 'Ā'isha are not without precedent, and at least three classical Sunni scholars have previously sought to develop this field of study: Abū Maṣṣūr 'Abd al-Muḥṣin bin Muḥammad bin 'Alī al-Baġhdādī (d. 489/1095 or 6) was the first to compile about twenty-five sayings attributed to the Prophet by his Companions which 'Ā'isha had revised in a volume entitled: "*al-Ijāba fi-mā istadrakat 'Ā'isha 'alā al-Ṣaḥāba*" ("*The Answer to What 'Ā'isha Revised from the Companions*"); subsequently, Muḥammad ibn 'Abd Allāh Badr al-Dīn al-Zarkashī (d. 794/1370), a prominent scholar of hadith and qur'anic sciences, composed a commentary on al-Baġhdādī's examples.⁴⁰ Finally, Jalāl al-Dīn al-Suyūṭī (d. 910/1505), composed another commentary on this material which had come to be known as *istidrākāt 'Ā'isha*, ('Ā'isha's revisions).⁴¹ While few in number, these works confirm the

37 Jalāl al-Dīn al-Suyūṭī and Tāj al-Dīn al-Subkī, *Ḥusn al-muḥāḍara fi tārikh Miṣr wa-l-Qāhira* 1 (Cairo: Dār al-Fikr al-'Arabi, 1998), 343. For a mention of subsequent women muftis in Egypt see Amira El Azhary Sonbol, ed., *Women, the Family, and Divorce Laws in Islamic History* (Syracuse: Syracuse University Press, 1996) 7–8; see also Afaf Lutfi al-Sayid Marsot, *Egypt's Liberal Experiment, 1922–1936* (Berkeley: University of California Press, 1977), 39–51.

38 For a thorough discussion of this topic see Shaymā' al-Sarrāf, *Aḥkām al-mar'a bayna al-ijtihād wa-al-taqlīd: dirāsa muqārana fi-l-sharī'a wa-l-fiqh wa-l-qānūn wa-l-ijtimā'* (Beirut: Mu'assasat al-Intishār al-'Arabi, 2008).

39 E.g. "Women Welcome Female Muftis in Syria," *Middle East Online*, March 7, 2008, <http://www.middle-east-online.com/english/?id=26721> (accessed June 1, 2011).

40 Muḥammad ibn 'Abd Allāh Badr al-Dīn al-Zarkashī, *al-Ijāba lil-irād mā istadrakathu 'Ā'isha 'alā al-Ṣaḥāba*, ed. Sa'īd al-Afġhānī (Beirut: al-Maktab al-Islāmī, 1980).

points made by contemporary Muslim feminist authors,⁴² namely that ‘Ā’isha had a clear conception of how to derive understandings from the Qur’an and Sunna of the Prophet. Her strategies for laying claim to religious authority and firmly refuting misogyny serve as examples of how women can and should bring their critical perspectives to the constitution of religious knowledge.

‘Ā’isha’s used the Prophet’s sayings and the qur’anic teachings as the solid basis from which she launched her dissenting opinions. For instance, Aḥmad ibn Ḥanbal (d. 855) narrated the following in his *Musnad*:

Two men entered ‘Ā’isha’s house and said: “We heard Abū Hurayra saying that the Prophet used to say, ‘affliction resides in women, donkeys and homes.’ ‘Ā’isha was markedly disturbed by that and said: “I swear by He who revealed the Qur’an upon *Abū-Al-Qāsim* [Muhammad] that he did not speak like this. Rather the Prophet of God said, ‘The people used to say during the *Jāhiliyya* [pre-Islamic era] women, animals used for transportation, and home bring bad omen.”⁴³

To this, ‘Ā’isha recited the verse:

No calamity befalls on earth or in yourselves but it is inscribed in the Book of Decrees before we bring it into existence. Verily, that is easy for Allah. In order that you may not grieve at the things that you fail to get nor rejoice over that which has been given to you. And Allah likes not prideful boaster (57:22–23).

In this example, it was clear for ‘Ā’isha that the qur’anic worldview denounced superstition (e.g. 27:45–47, 36:18, and 7:131), and therefore, a genuine hadith could not contradict the qur’anic worldview. In commenting on this exchange, al-Zarkashī highlights the subsequent wide acceptance of ‘Ā’isha’s reasoning among scholars.

In another example, ‘Ā’isha refuted a misogynistic hadith by evoking the Sunna of the Prophet. In this hadith, narrated by Abū Hurayra, the Prophet is said to have reportedly cautioned against three mishaps, the occurrence of which could invalidate a person’s prayer. These included the passing by of a woman, a beast of burden, or a black dog. To this, ‘Ā’isha exclaimed:

41 Jalāl al-Dīn al-Suyūṭī, *Ayn al-iṣāba fī istidrāk ‘Ā’isha ‘alā al-ṣāḥāba*, ed. ‘Abd Allāh Muḥammad al-Darwish (Maktaba al-‘Ālim al-Qāhira, 1409/1988).

42 On ‘Ā’isha’s skill in refuting misogynistic hadith see Shaikh, 105–106 and Naguib, 42.

Would you equate us with beasts and hounds! By God, the Messenger of Allah used to go about his *ṣalāt* [prayer] as I was stretched on the bed between him and the *qibla* [the direction of prayer]. I felt I needed to go to the restroom and did not want to stay there and cause distraction to the Messenger of God, so I quietly sneaked between his feet.⁴⁴

In forcefully refuting the implicit misogyny of such hadith and in putting its perpetrator to shame, ‘Ā’isha was defending the integrity of the teachings of the Prophet.

‘Ā’isha spent over three decades after the Prophet’s death honoring his legacy by transmitting knowledge, explaining and interpreting, and correcting misperceptions. She was the source of one thousand two hundred and ten hadith narrations of the Prophet, one hundred and seventy four of which were authenticated in two of the most prominent hadith collections: *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ al-Muslim*.⁴⁵ Her traditions were transmitted by a great number of the Prophet’s companions and followers.⁴⁶ In her analyses and criticisms of the various hadith narrations, and in her debates with a number of the Prophet’s companions, ‘Ā’isha countered claims insinuating that women were inferior in either religion or intellect. She stressed the importance of narrating hadith in their entirety, highlighting the context in which they were uttered, and verbatim. In her opinion, it was unacceptable to only convey the gist of the hadith, as the meaning was a matter of interpretation and could be modified as a result of the narrator’s limited memory or level of understanding. For instance, it is commonly explained that some Companions of the Prophet used to attend the initial part of the Prophet’s meetings and would miss the latter part, while others came late, hearing only the last of what the Prophet was saying.⁴⁷ Hence, ‘Ā’isha commented on the reports of many who misunderstood the narrative due to tardiness or premature departure.⁴⁸ With a distinctive rhetorical skill, she would tactfully analyze, criticize, correct, and debate in order to expose the weak points in any report she found offensive or otherwise incorrect.

43 Aḥmad ibn Ḥanbal, *Musnad*, in Ḥadīth Encyclopedia CD-ROM, ḥadīth #24894.

44 Ḥadīth Encyclopedia CD-ROM, *Bukhārī* #481 and *Muslim* #795.

45 al-Zarkashī, 30–36.

46 *Ibid.*, 34–33.

47 *Ibid.*, 103.

48 *Ibid.*

Conclusion

The Islamic tradition places a high priority on piety and the acquisition of knowledge for all Muslims. While men predominate as religious authorities, this has not altogether precluded women from gaining scholarly credentials and expertise. Women scholars have been involved in key areas of religious knowledge, including in exegesis, hadith transmission, and the interpretation of religious law. Especially in contemporary times, women scholars are researching and interpreting the Qur'an and Sunna *and* elevating the quality of the discourse, in particular by bringing to attention issues that previous scholars have not satisfactorily addressed. Many of these women scholars are also involved in building Muslim communities and striving to establish balanced and peaceful societies that live up to the Qur'anic expectation of a community that strives for justice and "the middle way" (2:143).

Inspired by the teachings of the Qur'an, and with determination to understand and preserve the guidance of the Prophet, contemporary Muslim women scholars are mitigating gender bias by providing a more holistic and accurate rendition of Islamic knowledge which has its foundations in the Qur'an, in the authentic Sunna, and in the unity of man and woman (e.g. 4:1 and 49:13). The field of Muslim theology offers new possibilities for women to advance in religious scholarship across domains of expertise. The voices of emerging Muslim theologians are more often than not geared to contemporary realities and seek to articulate ways in which Islam provides resources for addressing social challenges and individual needs. Epitomized by this volume, the field of Muslim women's scholarship draws upon tradition with a critical eye for elevating the status of women and the socially marginalized. Here I have argued that, in particular, 'A'isha's legacy and strategies for engagement provide inspiration for women scholars as they seek to contend with problematic aspects of their religious heritage. For contemporary Muslim women scholars, a foundational understanding of her methodology is vital to a reinvigoration and reformation of tradition.

Ndeye Adújar

*Feminist Readings
of the Qur'an: Social,
Political, and
Religious Implications*

Islamic feminism is an intellectually rigorous and socially transformative global movement that, through a variety of projects and initiatives, is advancing gender equality and empowering Muslim women in a range of contexts.

*QUESTIONS
OF TERMINOLOGY*

As we confront the unfamiliarity and surprise provoked by the association of the terms “feminism” and “Islam,” it is necessary to begin with the clarification that ideological assumptions can lie hidden behind one definition or another. From the start, we can affirm that words are used within a historical context, and terms are continuously evolving. Hence, any definition is subject to constant revision.

On the one hand, there are three main theories of the difference between the sexes: universalism (all human beings are equals), differentiation (there are two sexes, and equality does not presuppose following the model of masculinity), and postmodern/queer theory (transcending the duality of sex and gender). This chapter will not advocate a particular theory, nor is there enough space to elaborate and thema-

tize each one of them, but it is obvious that these theories have certain political implications: Are we dealing with incorporating women into the same social structures, or reformulating these structures in regards to the two (or more) sexes?¹

On the other hand, the term “Islam” is not unambiguous either. Are we alluding to its social, political, or spiritual dimensions? Where? We often pass over these questions, tending to identify “Islam” ahistorically and monolithically. Hence there cannot be a definite and final answer on “the place of women in Islam.” At the same time, one can try to analyze the role of women in foundational texts, their interpretations, and the implications that these readings have for actual practice.

As the Iranian intellectual Abdelkarim Soroush affirms:

Believers generally conceive of religion as something holy or sacred, something constant. You cannot talk about the change or evolution of religious knowledge. They stick to the idea of fixity. But as I have demonstrated in my work, we have to make the distinction between religion on one side and religious interpretation on the other. By religion here I mean not faith which is the subjective part of religion but the objective side which is the revealed text. This is constant, whereas our interpretations of that text are subject to evolution. The idea is not that the religious text can be changed but rather that over time interpretations will change ...

Those who hold to the idea of fixity in religion are not fully aware of the history of Islam, or other religions for that matter. Islam is a series of interpretations of Islam. Christianity is a series of interpretations of Christianity. And since these interpretations are historical, the element of historicity is there. Because of this you have to have a good knowledge of the history of Islam. Going directly to the Quran and hadith will not give you much. You have to go to history and from there back to the Quran and hadith in order to put historical context to interpretation.²

In this way, when questions are posed such as, “Is Islam compatible with feminism?” or “Is Islam compatible with democracy or human

1 Here we are following the approach of the *AAVV Dictionnaire critique du féminisme* (Paris: PUF, 2000), 26–35, concerning the three theories of difference between the sexes.

2 “A Conversation with Abdelkarim Soroush,” *Q-News International* (British Muslim weekly), no. 220–221, 14–27 June 1996, http://www.dr.soroush.com/English/Interviews/E-INT-19960614-A_conversation_with_Abdolkarim_Soroush.html (accessed May 17, 2011).

rights?" one senses automatically that both terms have a single fixed meaning, and that in the latter instance, that that which has to demonstrate its compatibility with another paradigm presupposed to be contrary to it is "Islam" (and by extension, Muslims).

There is still much debate on the accuracy of using such terms as "Islamic feminism." Some Muslim feminists are reluctant to present themselves as "Islamic feminists" because of the negative connotations that the term bears in countries where the majority of the population is Muslim, since feminism is associated with colonialism and strident atheism.³ Others, however, defend their adherence to the broader category of feminism, but in order to work within a religious framework, they must qualify their efforts with the adjective "Islamic."⁴ Beyond these differences in labeling (which are, in fact, strategic), such Muslim women scholars are unified by their conviction that the Qur'an does not defend patriarchy, as well as that discriminatory laws against women must be changed (as laws created by men, not being of divine inspiration). As Ziba Mir Husseini has put it, "I shall argue that the composite term Islamic feminism has become so loaded with disputed meanings and implications, so enmeshed in local and global political struggles, that it is no longer useful in any kind of descriptive or analytical sense."⁵

Therefore, instead of providing fixed definitions that make it impossible to grasp the dynamism of the social and ideological changes that are being produced within the movement or movements, perhaps it is more useful to present the theological debates as well as their coa-

3 See for example, the position of Nadia Yassine, for whom "Islamic feminism" is "an oxymoron par excellence": <http://www.nadiayassine.net/fr/#article,13,133,146> (accessed May 11, 2011). However, in the opinion of Raja Rhouni: "Yassine's position appears dogmatic and manipulative, since she opposes the term 'feminism' and prefers 'revendication feminine au sein de l'Islam' (feminine advocacy inside Islam and Islamism) which amounts to the same thing, but is only a play on words. The last lines of her rather long article make more sense and express a more comprehensible position. She suggests that she would avoid the term 'feminism' to avoid provoking 'resistances inutiles' (useless resistance). She would not refuse to use 'feminism' in the sense of a struggle for women's rights, which 'il conviendrait parfaitement à notre vision des choses' (perfectly suits our vision of things), but would demarcate herself from a term that refers to 'des incendies postcoloniaux pas encore éteints, revivifiés par un context international qui, s'il favorise d'une part l'ouverture, crée aussi du repli identitaire' (postcolonial fires not yet extinguished and revived by an international context which, though favors openness, on the one hand, is creating identity retreats)." *Secular and Islamic Feminist Critiques in the Work of Fatima Mernissi* (Leiden: Brill, 2010), 27.

4 See our debate with Wassyla Tamzali in *Desvelant secrets. Les dones de l'Islam* (Valencia: Tres i quatre, 2010), 139–148.

5 From the paper read by Ziba Mir Husseini at the IV Congreso Internacional de Feminismo Islámico in Madrid in 2010, <http://www.awid.org/Library/Islamic-Legal-Tradition-and-Feminism-Opening-a-New-Dialogue> (accessed May 17, 2011).

lescence and interaction with various social movements. Hence, I prefer to use the term “Islamic feminisms,” in the plural, although I am partially in agreement with Margot Badran over the risk this carries of dispersing and undermining the movement’s objectives.⁶

Another terminological problem encountered in this project is the reference to the *sharī’a*. Etymologically this means “path that leads to water.” According to the Qur’an, each religion has its own *sharī’a*, its own path which leads to a common origin. However, Muslim authors as well as non-Muslims tend to confuse the *sharī’a* (which implies or deals with a divine law, sacred and immutable) with *fiqh* (jurisprudence) that consists of human laws, and is thus modifiable within a given context.⁷

This question is crucial because it appeals to religious legitimacy to defend the “sacrality” of current family laws in Muslim majority countries, i.e. in the name of supposed *sharī’a*. These are laws that are extremely discriminatory to women, for which the man is the head of the family whose authority and privileges are not open to appeal (with the exception of the *Mudawwana*, adopted in Morocco in 2004).⁸ Although all Muslim feminists, Islamic and non-Islamic, have concentrated their efforts on demanding the modification of these laws, as we will see below, their strategies have been diverse.

6 Margot Badran: “The pluralizing of Islamic feminism can be read either as announcing or suggesting the need to consider the notion of multiple Islamic feminisms. I continue to prefer to retain the singular to keep the focus on Islamic feminism’s core message. [...] Now that there is an accelerated move in the trajectory of Islamic feminism from theory building to social movement building clearly there will be, and are, different local movements, responding to the diversity of local imperatives, but the driving core principles and core ideas remain the same. [...] I think we have to be wary of the possibility of fragmentation and circulation of multiple meanings that can cunningly undercut or dilute the basic tenets of Islamic feminism which pluralizing the term might unwittingly promote”: “An Historical Overview of Conferences on Islamic Feminism: Circulations and New Challenges,” in *Féminismes islamiques 13, Revue des Mondes musulmans et de la Méditerranée* (PUP, 2010), 34.

7 These are the two positions defended by, among others, Seyyed Hossein Nasr and Riffat Hassan respectively. See “Equal before Allah? Woman-man equality in the Islamic tradition,” *Harvard Divinity Bulletin* XVII (2/ January–May 1987), <http://www.wluml.org/sites/wluml.org/files/import/english/pubs/rtrf/dossiers/dossier5-6/D5-6-01-equal-allah.rtf> (accessed February 20, 2011).

8 Souad Eddouada and Renata Pepicelli assert that although the reform of 2004–2006 opened up very positive prospects for women, it likewise represents an appropriation of power from voices of feminist and Muslim grievance, in the form of a “state feminism,” the objectives of which are not necessarily those of feminists nor Muslims. Eddouada furthermore denounces the lack of practical application because of resistance to these new directives: see “Maroc: vers un ‘féminisme islamique d’Etat,” *Critique Internationale* 46 (January–March 2010): 87–100, and “Empowerment between the Global and the Local, the case of Moroccan Feminists,” a conference led by Souad Eddouada at the *II Congreso Internacional de feminismo islámico* (2008).

*FOUNDING MYTHS,
PATRIARCHAL READINGS*

*The use of historical
myths⁹ in classical texts*

In the Qur'an, there appears to be an opposition between two types of myths, "a written account (*uṣṭūra*) which breaks with the past of the tribe and its foreseeable future," and another, "more beautiful and true account (*aḥsan al-qaṣaṣ*)."¹⁰ The latter does not have any negative connotation; to the contrary, it serves to record and reformulate the "true religion"¹¹ from the Qur'anic perspective. For example, Chapter Joseph says that, "In the measure that We reveal this Qur'an unto thee, [O Prophet,] We explain it to thee in the best way possible [lit. "with the best explanation" (*aḥsan al-qaṣaṣ*)]" (Q 12:3).¹²

The Qur'an deals with the stories of the prophets in a different way than the Bible, since the characters in the latter were considered primarily in their historical dimension. On its part, the Qur'an does not give attention to the historical aspect (i.e. precise names, genealogies, etc.) but rather seeks to transmit an ethic and teachings actualized by constant reading/recitation on the part of the believers.

Now, in order to discern how the founding myths of Islam have served to validate the patriarchal social order, it is not as important to know precisely what the classical texts say as it is to recognize how historical (collective) memory has been constructed from the different interpretations and opinions based on them. It should be noted that throughout Islamic history there have been few female exegetes. It was not until the twentieth and twenty-first centuries that the first systematic writings by women were produced.¹³ This lack of written record does not imply a complete absence of Qur'anic interpretation on

9 In this contribution we follow the reasoning of Mohamed Arkoun for whom "projections to the foundational period which norms are determined for what is truth and falsehood, licit and illicit, good and bad, just and unjust, legitimate and illegitimate are the essence of mythohistoric views and practices. None of this comes from Islam, the same constructions for the same purposes can be shown in the founding narratives of all collective memories"; see "La construcción de los mitos fundadores: el ejemplo del pensamiento islámico," *Quaderns de la Mediterrània* 6 (2006): 53–56, <http://www.iedm.org/publicacions/quaderns/6/Arkoun.pdf> (accessed May 10, 2011).

10 Ibid.

11 This should not be understood as excluding previous revelations, but rather integrating them.

12 All translated verses of the Qur'an in this chapter are taken from Muhammad Asad.

13 Among others, the Egyptian Bint al-Shāṭi and the American Amina Wadud.

the part of women. In fact, in the earliest period of Islam, the *ummahāt al-mu'minīn* (“mothers of the believers,” a title of the Prophet’s wives) not only contributed in decisive ways to the exegesis of numerous passages of the Qur’an,¹⁴ but also were furthermore, great *muḥaddithāt* (transmitters of hadith) and teachers of men as well as women. Here we cannot touch upon all the possible reasons for the silence of the past although this is a theme that ought to be investigated in future works.

The creation myth

The myth of human creation in the Qur’an is different from its biblical counterpart.¹⁵ Man and woman are both described as companions (*azwāj*) of each other. Both were created from a single source (*nafs wāḥida*), on the merit of which they are ontologically related.

O mankind! Be conscious of your Sustainer, who has created you out of one living entity, and out of it created its mate, and out of the two spread abroad a multitude of men and women. And remain conscious of God, in whose name you demand [your rights] from one another, and of these ties of kinship. Verily, God is ever watchful over you! (Q 4:1).

And that it is He who creates the two kinds—the male and the female—out of a [mere] drop of sperm as it is poured forth” (Q 53:45–46).

Does Man, then, think that he is to be left to himself to go about at will? Was he not once a [mere] drop of sperm that had been spilt, and thereafter became a germ-cell—whereupon He created and formed [it] in accordance with what [it] was meant to be, and fashioned out of it the two sexes, the male and the female? (Q 75:36–39).¹⁶

However, readings of the myth of creation throughout the history of the Islamic tradition have largely been patriarchal. The name *Ḥawāʾ*

14 Many books of *tafsīr* (exegesis) contain passages of exegesis by ‘Ā’isha. These include the works of Ibn Jaʿir al-Ṭabarī, al-Qurṭubī, Ibn Kathīr and al-Suyūṭī, among others. The exegesis of Umm Salama was also very important.

15 Differences should be pointed out between the narratives of Genesis 1:26–31, Genesis 2:18–25, and 3:1–16, 20). For a feminist analysis of the biblical narrative on Eve, see the article by Marlene E. Mondriaan, “Mythological Eve: Progenitor of Mankind and Prototype of Women,” *Old Testament Essays* 20 no. 1 (2007): 170–184, http://www.up.ac.za/dspace/bitstream/2263/4060/1/Mondriaan_Mythological%282007%29.pdf (accessed February 20, 2011).

(Eve) does not appear in the Qur'an, neither does the account that Adam's wife was created from his rib. We have to turn to the hadith to find an explicit mention of this, or the *tafāsīr* (books of exegesis) that echo pre-Islamic traditions (Jewish and Christian)¹⁷ but contradict the Qur'an. For example, the *tafāsīr* of Ṭabarī takes up the biblical tradition, obscuring the Qur'anic version. He also uses *qiṣaṣ* (stories) as a technique to call the attention of the readership. According to Ṭabarī, Eve insisted that Adam eat from the forbidden tree but he resists. She blackmails him until he finally achieves her goal by getting him to drink. In the Qur'an the two are expelled from Paradise as a punishment. In another instance, Ṭabarī adopts the biblical version according to which Eve is the primary culprit. Iblīs had been expelled before the episode of the forbidden fruit when he refused to prostrate before Adam. How did he return to Paradise then? According to Ṭabarī, Iblīs went up to Paradise in the form of a snake with four legs like a camel (this detail was necessary to maintain the coherence of the biblical narration). His punishment consisted in his losing his four legs and thus having to crawl on his belly.

As Riffat Hassan has indicated, on the bases of these interpretations passed on through the hadith, two teleological premises are established:

First, the primary creation by God was man and not woman, since the manner in which it is believed that woman was created was from one of Adam's ribs; thus she is derivative and secondary;

Secondly, that woman, and not man, is guilty for the expulsion of human beings from Paradise.

In her article entitled "Equal before Allah? Woman-man equality in the Islamic tradition,"¹⁸ Riffat Hassan comments on the central importance of the issue of woman's creation because it is more important than any other element on the level of theological anthropology. If man and woman were created equally by God, who is considered the ultimate arbiter of justice, then how could they become unequal at a later time? Hence, females' clear inequality in the world of patriarchy is an affront to the divine plan. On the other hand, if man and

16 Translations from Muhammad Asad.

17 It would be almost a century for the first exegesis of the Qur'an to emerge after that of Ibn 'Abbās (the Prophet's cousin): the *Tafāsīr* of Ṭabarī (of Baghdad) that contains clear biblical influences.

18 Riffat Hassan, "Equal before Allah? Woman-man equality in the Islamic tradition," *Harvard Divinity Bulletin* XVII (January–May 1987), (February 10, 2011).

woman were created unequal by God, then they could not become equal in a subsequent time. In this case any intention to make them equal would go against the Divine Will.

MASCULINE PROPHETHOOD

For the majority of exegetes, only men can act as prophets on the basis of the following verse:

And [even] before thy time, We never sent [as Our apostles] any but [mortal] men, whom We inspired, [and whom We always chose] from among the people of the [very] communities [to whom the message was to be brought] (Q 12:109).

According to the majority view, the word “men” solely refers here to the masculine gender. As we can see, this interpretation was in perfect accordance with the patriarchal conceptions of medieval Islam.

Nevertheless, the theme was much debated. A number of exegetes of great significance defended female prophethood,¹⁹ among which were Ibn Ḥazm, Ibn ‘Arabī, al-Ash‘arī, Ibn Ḥajar, and al-Qurṭubī. They supported this with an inclusive understanding of the term “*rijāl*” (men) as the human race. Al-Ash‘arī affirmed that there had been up to six female prophets: Ḥawā’ (Eve), Sara (the mother of Isaac and Abraham’s wife), Umm Mūsā (Moses’ mother), Hagar (the mother of Ishmael and Abraham’s wife), Āsiya (Pharaoh’s wife), and Maryam (Mary, the mother of Jesus).²⁰

These dissident voices have been obscured and marginalized, and apparent consensus has formed in turn on the impossibility of women attaining prophethood. From this the following conclusion may be drawn: women have an inferior status to men, and thus cannot serve an ideal model for all human beings.

19 Although they were in favor of female prophethood, they established a distinction between *nubuwwa* (prophethood) and *risāla* (messaging); the latter was considered exclusive to men.

20 Barbara Freyer Stowasser, *Women in the Qur’an: Traditions, and Interpretation* (Oxford: Oxford University Press, 1994).

Feminist Hermeneutics: New Readings

As we have seen, Muslims have inherited patriarchal readings that are a testimony to the mentality of the epoch in which they were produced. But subjectivity is not only a question of the past; human society is destined to interpret, debate and look for consensus across different subjectivities. This is why certain sectors must advocate for an *umma* that is understood as an interpretive community.

Feminist hermeneutics is a hermeneutic of suspicion demonstrating that those interpretations which pretend to be neutral (mere transposition of the Qur'anic message) are actually conditioned by the previous ideology of its interpreters. Every interpreter enters the interpretive process with their own subjectivity and baggage, i.e. with previous understandings on the questions treated by the text, conceptions and prejudices.

A majority of the discriminatory dispositions are based on the hadith. In Islamic feminist debates, there are two stances: one opts to reject all those hadith which contradict the Qur'an (Fatima Mernissi), and another accepts that some hadith may be authentic, but insists that these must be placed within a historical context, reflecting of a patriarchal mentality (Sa'diyya Shaikh, Leila Ahmed). In this way, an essentialistic vision of religion may be deconstructed.

In Turkey, an important revisionist project to filter the hadith is about to be completed. This reformist trend insists that a decision on these texts can only be taken after understanding the cultural past and not on the basis of the later commentaries. In this camp can be named, among others, the works of Hidayet Tuksal.²¹ Although not all Muslims support these reformist measures, there is certainly an ongoing internal debate over these issues.²²

21 Hidayet Tuksal, *Kadin Karşıtı Söylemin İslam Gelenegindeki İzdüsumleri (Traces of misogynist discourse in the Islamic tradition)*, 1st ed. (Istanbul: Kitâbiyât, 2001).

22 See "Turquía emprende la reforma del islam del siglo XXI," an article by Juan Carlos Sanz, published March 8, 2008 in *El País*, http://www.elpais.com/articulo/internacional/Turquia/emprende/reforma/islam/siglo/XXI/elpepuint/20080308elpepint_8/Tes?TB_iframe=true&height=500&width=940 (accessed January 18, 2011).

*Fatima Mernissi:
Critical Analysis of the Hadith*

The work accomplished by Fatima Mernissi in *Women and Islam* was very important because it invalidated certain hadith based on the classical sources themselves since these did not respect the established conditions for hadith to be accepted.²³ The book thus is constructed on the initial question: “May a woman lead the Muslims?” which is answered by the famous hadith, “The nation led by a woman will not prosper.” From here, Mernissi carries out a profound study of the classical texts of Islam as a tool to analyze (and ultimately, invalidate) this and other discriminatory hadith against women.

However, discarding certain hadith via the traditional methods inevitably ends up reinscribing this discourse of authenticity by following its own logic. The goal ought to center on showing the problematic nature of the authentication methodology developed by the compilers of hadith rather than simply showing that one hadith or another was fabricated. The goal then, is not to demonstrate the inauthenticity of such hadith, but rather to assure that they not be taken as the basis for legislation since they are texts that reflect the mentality of a certain age on which basis they should not be taken as normative.

Other Muslim feminists have preferred to concentrate on studying the Qur’an. Among them are Amina Wadud and Asma Barlas.

*Amina Wadud:
The Centrality of the Qur’an and
the Principle of Tawhīd*

In her now classic *Qur’an and Woman: Re-Reading the Sacred Text from a Woman’s Perspective*, Amina Wadud criticizes the exegetical methods, verse by verse, which impede the universality of the text.²⁴ She adopts here the critiques of the Pakistani American scholar, Fazlur Rahman. On the basis of the Qur’anic emphasis of Rahman, Wadud expressed

23 Probity of the narrator, continuity in the narrative chain of transmission. Fatima Mernissi, *Women and Islam. An Historical and Theological Enquiry* (New Delhi: Women Unlimited, 2004).

24 Amina Wadud, *Qur’an and Woman: Re-Reading the Sacred Text From a Woman’s Perspective* (Oxford: Oxford University Press, 1999), 2.

the necessity to distinguish in the Qur'an between universal principles, and those which have to do with the particular circumstances in which they were revealed. In this way, taking into account the intentions of revelation and the principles of the Qur'anic message with regard to a given issue, Wadud returns to the present to unpack the text's actual significance.

From her point of view, a holistic exegesis of the Qur'an must be carried out which treats its ideas, syntactic structures and principles, all the while taking into account social realities and concerns, morals, economics, and contemporary politics—above all else the relations between men and women. Wadud argues that the Qur'an establishes ontological equality of the sexes and appeals to recovering the (ethical and cosmological) principles which ought to frame Qur'anic exegesis: *tawhīd* (divine unity), *'adl* (justice), and *taqwā* (consciousness of God). These principles constitute the foundation of Islamic feminism. The Qur'an reminds human beings that they come from *nafs wāhida* (a single being), that the only thing which differentiates among humans is their level of *taqwa*, and that God is *al-'Adl* (The Just).

Wadud ultimately invites all Muslims to reform their societies so as to achieve the inherent equality in the *tawhīdic* Islamic paradigm, reflecting in human relations that unity which transcends any duality.

Asma Barlas: The Qur'an as an Anti-Patriarchal Text

The book most referenced for deconstructing Islamic patriarchy is *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'ān*, by Asma Barlas.²⁵ She defends the following thesis:

The hermeneutical aspect of my argument seeks to recover the Qur'ān's egalitarian and antipatriarchal epistemology in a series of steps. The first is to challenge interpretive reductionism—i.e., the idea that the Qur'ān has only one set of patriarchal meanings—by emphasizing the principle of textual polysemy. The second is to argue against interpretive relativism—i.e., the opposite idea that all readings are equally correct and that, therefore a patriarchal read

25 Asma Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'ān* (Austin: University of Texas Press, 2002).

ing of the text is as appropriate as an antipatriarchal reading on the grounds that some readings are in fact neither contextually legitimate nor theologically sound.²⁶

We may summarize the main conclusions that Asma Barlas derives from her study of the Qur'an and the names of Allah:

- › The Qur'an does not justify patriarchy.
- › In the Qur'an, God is not masculine.
- › God is not a father.
- › The Qur'an establishes ontological equality between men and women.
- › The Qur'an addresses men and women without differentiation.
- › The Qur'an does not establish paternal authority.

ADVANCES IN HERMENEUTICS

The various critiques that these feminist readings of the Qur'an have received, as well as the maturation process that scholars have undergone, have resulted in important advances in hermeneutics.²⁷ According to Margot Badran, there will be a qualitative leap forward on the basis of Amina Wadud's second book, *Inside the Gender Jihad*, published in 2005, since as Wadud herself says, she intended to go beyond previous apologetic positions.²⁸ She says that the important thing is not to consider the Qur'an as a fixed text, but rather as "a word or text in process [...]. One important aspect of this challenge confronts the possibility of refuting the text, to talk back, to even say 'no'."²⁹ Wadud asserts, for example, that certain practices which prevailed at the time of the revelation and which were not prohibited explicitly by the Qur'an are intolerable today (such as slavery or conjugal violence).

26 Asma Barlas, "Text, Tradition, and Reason: Qur'anic Hermeneutics and Sexual Politics," http://www.asma-barlas.com/PAPERS/20041011_cardozo.pdf (accessed February 20, 2011).

27 The development of Fatima Mernissi's work partly has to do with the contributions of ulema such as Ahmed Khamlichi and Moulay Rachid (she moved from a secular feminist position to an Islamic one). Amina Wadud on her part has acknowledged in her recent works the contributions of thinkers such as Abdullah An-Na'im, Khaled Abou el Fadl and Nasr Hamid Abu Zayd.

28 Margot Badran, "Où en est le féminisme islamique?" in *Le féminisme islamique aujourd'hui. Critique internationale* 46 (Paris: Sciences Po Les Presses, 2010), 25–44.

29 Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld, 2006), 191.

SOCIAL-SPIRITUAL WOMEN'S MOVEMENTS

1. Transnational Movements

Equality in all aspects

As we said at the beginning, it is difficult to assess certain movements that are still in a process of development. Their priorities differ given the contexts in which they are developed. Nevertheless, we can say that there is an important nucleus of women within this diversity, who demand complete equality in all aspects: political, economic, social and religious. The last of these has not been treated by secular feminists who mostly intended to minimize the role of religions in the public sphere and identified them as a source of discrimination.

The access of Muslim women to education and new forms of social organization brings with it the question of women's religious leadership. Allowing females to lead mixed-gender congregations will be one of the most controversial points but at the same time, one of the most productive within the different feminist Islamic movements. The main catalyst was the announcement by the press of the celebration of a mixed prayer service led by African American Amina Wadud in 2005. Reactions were diverse, and the question was settled by various fatwas (legal pronouncements) condemning the act, in a way that was more or less exhaustive.³⁰

Some Muslim activists critiqued the initiative, saying that it could be counter-productive; certain objectives that had been attained by it could have been achieved in a way that was less incendiary; some said simply that the issue had not been a priority.³¹ However, the question posed by Amina Wadud³² has permitted the debate on the feminine *imamate* to be expanded more amply, and to address inequalities that have been codified by the tradition. As she says herself, she was not intending to change Muslim mosques; rather she wanted to motivate

30 See "A Collection of Fatwas and Legal Opinion on the Issue of Women Leading Islam," *Living Islam*, April 2005, http://mac.abc.se/~onest/d/fwlp_e.pdf (accessed February 2, 2011). Note that none of the contributing scholars are women.

31 These are the positions of Asma Lamrabet, Yaratullah Monturiol and Houria Bouteldja, among others.

32 The mixed prayer led by Amina Wadud in New York in 2005 was not the first, nor the only time (there are records that this has been celebrated and continued to be celebrated in South Africa, Canada, Bahrain, Mexico, Spain, Italy, Germany and the UK).

Muslims to believe that “we are all one and equal” in all spheres of life, whether in public, private or ritual. It is clear that the proliferation of women leading prayer in different parts of the world (whether in mixed congregations or solely among women) has to do with such calls for reform. At the same time, the attention which this event has created produced another positive effect: it has obligated some of the more conservative Muslim organizations to publicly recognize the unfair and precarious situation which women have experienced (and experience) in mosques, and to demand changes.³³

However, this transnational movement has not focused solely on spiritual leadership, but has likewise advanced various campaigns internationally which show the efficacy of such lobbies. One such example is the “Stop Stoning and Killing Women!” campaign, the objective of which is to eliminate such practices and denounce the way religion has been manipulated to incorporate cultural components that are not truly Islamic through the elaboration of unjust and aberrant *ḥudūd* (corporal punishments).

Another interesting initiative is the creation of the first International Council of Muslim Women (*Shura Council*)³⁴ in New York in 2007. This council intends to promote women’s leadership and train *muftiyāt* (experts in jurisprudence). In 2009 the second international meeting of the *Shura Council* took place in Kuala Lumpur where it presented its first campaign, called “Jihad Against Violence: Muslim Women’s Struggle for Peace.”³⁵ Its mission statement reads:

All over the world, violence destroys Muslim women’s capacity to develop themselves in their families, communities, and nations. Violent extremism and domestic violence in particular continue to devastate the lives of individuals, families, and societies. This represents clear injustice for those who suffer such indignities, as well as a violation of the teachings of Islam, in the name of which this violence is falsely justified.

33 Scholars such as Zayd Shakir and Dr. M. Louay Safi have been critiquing the situation and working to change the conditions of mosques in the United States for years. See, for example, the following essays by Zaid, “Flight from the Masjid,” <http://www.newislamicdirections.com/articles/Flight%20From%20the%20Masjid.pdf> and Safi, “Women and the Masjid between Two Extremes,” <http://aninsight.org/2005/03/woman-and-masjid-between-two-extremes.html> and “Towards Women Friendly Mosques,” <http://aninsight.org/2005/06/towards-women-friendly-mosques.html> (accessed January 18, 2011). Likewise, the NGO, Faith Matters, has put together a report presenting a list of mosques that are “friendly” to women in the United Kingdom.

34 Of which the author is an active member. See “Creación del primer consejo internacional de mujeres musulmanas,” <http://www.webislam.com/?id=6324> (accessed January 18, 2011).

This first campaign is based on an affirmation of women's authority as well as that of Muslim scholars, thus contributing to religious awareness while developing holistic strategies to create positive social change.

We may also include the four international Congresses on Islamic Feminism³⁶ hosted in Spain since 2005 which are visible manifestations of the movement. The different congresses have focused on analyzing the current situation of this movement and its future prospects. Once the debate has started and the main arguments have been made, the goal is to let them be known and to attain the biggest possible number of supporters. In order to do this it is necessary to find the main sources of resistance and different Islamic-Feminist projects among Muslims and non-Muslims, and in turn think of ways to confront challenges. What real chances do Muslim feminists have in changing Muslim women's current situation in the contexts where they face discrimination? How can pretensions of authority (authoritarianism) be confronted in conservative religious structures? How can an impression be made in the framework of ideas, customs and traditions through which patriarchy has been sustained? These are some of the questions that have been addressed through these congresses.

2. *Local Movements*

On the local level, we can mention the growing rise of different movements which are led by women: the *dā'iyāt* of Egypt, the *muballighāt* of Indonesia, the *murshidāt* of Morocco, the *Qubaysiyyāt* of Syria, the *otin shalar* of Uzbekistan, the *nu ahong* of China, and others. These are female religious leaders, teachers, preachers and female imams³⁷ for women, who, while not openly questioning traditional roles, present a form of passive resistance to male omnipresence in the public sphere; they also inconvenience the state because they are beyond its control (except, as we will see, in the case of Morocco) and demonstrate the almost complete absence of social policies on the part of the state.

35 http://www.wisemuslimwomen.org/images/uploads/Jihad_against_Violence_Digest%28color%29.pdf (accessed January 18, 2011).

*A Piety Movement in Egypt:
the dā'iyāt*

This movement within the mosques appeared about thirty years ago. Activities were organized near neighborhood mosques for providing religious instruction and social services, as well as for distributing medication to the poor. This movement is so popular that almost every neighborhood in Cairo offers religious classes for women. In order to understand this agreement, one must bear in mind the critique which participants are making against the predominant form of religion in Egypt (labeled with the terms “secularization” or “westernization”):

Islam is reduced to a system of abstract beliefs [which are still observed, but] which have no immediate impact on the concrete organization of daily life ... the *dā'iyāt* [female religious teachers] and the women who attend their classes want to change this situation—concerning themselves with bodily attitudes, virtues, customs, and desires open to engraining Islamic principles in the practices of daily life.³⁶

To Saba Mahmood, “the capacity to act is found not just in acts of resistance to the norms but also in the multiple ways by which we live out norms.”³⁹ Although the author shows how norms and traditions can aid self-actualization, she does not deny that the “capacity to act” for these women is limited by the same norms.

*A Sufi Movement in Syria:
the Qubaysiyyāt*

The Sufi association called the *Qubaysiyya* is an important movement in Syria, with over 100,000 female participants. They are distinguished by their religious rigor and for creating specifically feminine spaces. The movement was founded by Munira al-Qubaysi whose activity began to be known in the 1980s.

These women’s circles form an alternative life of compromise: feminine and limited to the religious and educational sphere. They offer an Islamic alternative that fills the vacuum in Syrian society between

36 See <http://www.feminismeislamic.org>.

37 If we may use this neologism.

38 Saba Mahmood. *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2005), 74–75.

39 *Ibid.*, 32.

different trends (from political Islam to laicism), proposing a concrete model to which young women can adhere. Its discourse is spiritual yet subject to the society in which it exists.⁴⁰

*The Preachers of Morocco:
the murshidāt*

In 2005, the *murshidāt* (female preachers) were first promoted by the Moroccan state. Beyond the novel recognition of a religious role as educators for women in the public sphere, the emergence of the *murshidāt* responds primarily to a double-sided sociopolitical context: on one side the need to promote an official “Moroccan Islam” to counteract fundamentalist trends, and on the other, to continue to promote women’s rights in accordance with the family law (Mudawana) reform of 2004.

The *murshidāt* represent the feminization of clerical staff and to a large degree, a growing space for women to maneuver in the political and religious sphere.

Through these three examples (the *dā‘iyāt*, the *qubaysiyāt*, the *murshidāt*), we can see that—contrary to what one might expect—Muslim women are not being submissive or passive, but are deployed in vigorous activism both social as well as spiritual, albeit in a different form than what Westerners might hope for.

*ACTIVITY IN MUSLIM WOMEN’S NETWORKS:
BEYOND BORDERS*

Activists today who defend gender equality in Islam recognize the need to unite efforts beyond differences in religion and nationality. Transnational cooperation is very active in particular for family law, which is practically the last bastion of patriarchy still intact. For example, the transnational *Musawah* movement offers a packet of sources⁴¹ on Muslim women’s rights in the family setting; the *Karamah* organization⁴² offers legal counseling for family issues; and the Canadian Council of Muslim Women has edited some informative guides on

40 Aurelia Ardito, “Les cercles féminins de la Qubaysiyya à Damas,” in *Les engagements féminins au Moyen-Orient (XXe–XXIe siècles). Le mouvement social*, 77–88 (Paris: La Découverte, April–June 2010).

41 http://www.musawah.org/resource_kit.asp.

family law in Ontario.⁴³ The *II Congreso Internacional de Feminismo Islámico*, hosted in Barcelona in 2006, focused on reforming family law.⁴⁴ Over the last thirty years, different networks have been created, locally and transnationally,⁴⁵ whose impact is still being evaluated.

In the European context, there are still no studies of such Muslim networks, so we cannot draw definite conclusions although there have been some reservations about the extent of activity for some of them (GIERFI and ZIF).⁴⁶ These reservations are only focused on the influences that these networks can have within the Muslim collective, affirming merely that they are minorities; they do not discuss to what extent they can change stereotypical images of Muslim women nor how they oblige people, even indirectly, to rethink feminism and open it up to new sensitivities—in short, to make it more inclusive.⁴⁷

Resistance to Islamic Feminisms

Ziba Mir Husseini, an Iranian historian and Muslim feminist, sums up the opposition which “the feminist project in Islam” faces:

I saw three broad categories of opponents of what I defined as “the feminist project in Islam”: Muslim traditionalists, Islamic fundamentalists, and secular fundamentalists. Muslim traditionalists are those who resist any changes in what they hold to be eternally valid ways, sanctioned by an unchanging Shari‘a. Islamic fundamentalists—or Islamists—are those who advocate political Islam, seeking to change current practices by a return to what they claim to be a “purer” version of the Shari‘a, which they hope to implement through the machinery of the modern nation-state. Secular fundamentalists deny that any religion-based law or social practice can be just or equal, or relevant to modern times; in my encounters with them in meetings and seminars, I found them as dogmatic and ideological as religious fundamentalists.⁴⁸

42 <http://www.karamah.org/>.

43 <http://www.onefamilylaw.ca/fr/muslimwomen/>.

44 <http://feminismeislamic.org/es/2congres/actescongres2/>.

45 See the appendix.

46 The international network GIERFI (International Group of Study and Reflection about Women within Islam) came to life in 2007. It assembles intellectuals and activists principally in the francophone world (France/Canada/Belgium) but also in the Muslim world (Maghreb and Middle East). ZIF is *Zentrum für Islamische Frauenforschung*: <http://www.zif-koeln.de>.

Thus, many Muslims restrict themselves to asserting that feminism has nothing to do with Islam and that the only thing it aims at is destroying the traditional family unit, the undoubted basis of every ideal Muslim society “from within.” But to present Islamic feminism (or Islamic feminisms) as a simple imitation of more old-fashioned secular feminism overlooks the differences that exist between the two, invalidates its indigenous origins and negates the great differences in interests that exist within secular feminism itself. For example, we might mention the multi-faceted critique (neither ethnocentric nor nativist) against colonization made by Fatima Mernissi, against discourses of women’s liberation within nationalist movements, against the postcolonial state for its opportunistic use of Islam as a unifying discourse, its adoption of capitalism, and its androcentric ideals of development.⁴⁹ In fact one of the things that incited Mernissi to reproach Moroccan nationalists was that they would call for more political rights but they did not attempt to reform family law, because according to them, Islam was genuinely patriarchal. In sum, secularists as well as traditionalists have had (and have) an essentialist view of Islam.

Muslim feminists face multiple challenges: breaking the interpretive monopoly, disassociating the notion of feminism from the Western imperialist project, expanding the concept of feminism to be more inclusive, fighting against ignorance and prejudice, and elaborating a consistent program for emancipation which translates into tangible improvements.

CONCLUSION

Far from the questions posed above having been resolved, the debates on these topics are ongoing. These debates (together with all of their contradictions) should not be understood as a lack of consensus or a

47 Lydie Fournier, “Le ‘féminisme musulman’ en Europe de l’Ouest: le cas du réseau féminin de Présence Musulmane,” *Ammis, Revue de Civilisation Contemporaine de l’Université de Bretagne Occidentale* 8 (2008), <http://ammis.revues.org/593> (accessed February 20, 2011), and Jeanette Jouili and Nikola Tietze Jouili, “L’émergence de discours intellectuels islamiques en Allemagne: entre stratégie politique et herméneutique féministe,” in *Intellectuels de l’Islam contemporain. Nouvelles générations, nouveaux débats*, 77–92 (REMMM, 123, 2008).

48 Ziba Mir Husseini, “Islamic Legal Tradition and Feminism: Opening a New Dialogue,” paper presented at the *Fourth International Conference on Islamic Feminism*, Madrid, 2010, <http://www.awid.org/Library/Islamic-Legal-Tradition-and-Feminism-Opening-a-New-Dialogue> (accessed January 19, 2011).

49 Raja Rhouni, *Secular and Islamic Feminist Critiques in the Work of Fatima Mernissi* (Leiden: Brill, 2010).

difficulty in establishing a common agenda, but rather as a type of dynamic and emergent social force, both in its theoretical dimension as well as in its construction of social movements that aim at responding to diverse imperatives at the local level. Most issues are common to global feminism (Should feminists participate in offices of state? Can we add a dimension of gender to different models of exercising power rather than proposing new models of gender?). Other issues are distinctly Islamic (What role does Islam play? How can family law be changed? Who has authority to interpret religious texts?). Others make us reflect on the relation of Islamic feminisms to global feminism as a whole (Is feminism against religion? Is it at the service of imperialistic projects? How can we advocate an inclusive perspective?).

As we have seen, women's participation in offices of state does not always mean a change of the system from within. It remains to be seen if such women officials have any room for maneuvering and negotiation. The state co-opts movements and women in order to block their calls for reform and to "buy" their silence so as to evade criticisms on politics in general, and gender issues in particular.⁵⁰

Indeed, although the relationship of Islamic feminisms to hierarchical power will serve in assessing the reality of its break with said power and the ideology that supports it, we cannot underestimate the role which Muslim women have played (and are playing) in the articulation and application of new concepts and paradigms in national and international politics. At the same time these developments belie any fixed vision derived on the basis of Western social theory, which on its part does not seem to be disposed to go beyond the "Westphalian order."⁵¹

However, Islamic feminists should not remain mired in ideological debate. We have tried to show that Islamic feminisms are much more than a corpus of texts and ideological principles. Their project is much broader and ambitious, aiming to address social dynamics that exceed the strict limits of intellectual production and rather require concrete action and initiatives in order to effect actual changes that will ameliorate Muslim women's status in a range of spheres and contexts.

50 See "Ni Putas Ni Sumisas y la instrumentalización política de la batalla contra el velo" by Ndeye Adújar, <http://www.rebellion.org/noticia.php?id=47147> accessed January 17, 2011).

51 That is, viewing the modern nation state as a unitary actor according to a Western originated, international system of states, multinational corporations and organizations, as having begun at the Peace of Westphalia in 1648.

APPENDIX⁵²

Transnational Islamic Feminist Networks

Women Living under Muslim Laws (WLUML)

<http://www.wluml.org>

Sisterhood Is Global Institute (SIGI)

<http://sigi.org/>

Musawah (Igualdad)

<http://www.musawah.org>

Women's Islamic Initiative in Spirituality and Equality (WISE)

<http://www.wisemuslimwomen.org>

Women's Empowerment in Muslim Contexts (WEMC)

<http://www.wemc.com.hk>

European Muslim Women of Influence (Cedar-EMWI)

<http://www.cedar-emwi.com>

Groupe International d'Etude et de Réflexion sur la Femme en Islam (GIERFI)

<http://www.gierfi.com>

European Forum Of Muslim Women (EFOMW)

<http://www.efomw.eu>

National Organizations

Zentrum für Islamische Frauenforschung (ZIF)

<http://www.zifkoeln.de>

Shirkat Gah Centro de Recursos de Mujeres

<http://www.shirkatgah.org>

Muslim Women Network UK

<http://www.mwnuk.co.uk/>

Muslim Women's National Network Australia

<http://www.mwnna.org.au/>

Canadian Council of Muslim Women

<http://www.ccmw.com/>

52 What follows is a brief list of the main women's networks discussed, which, without being exhaustive, clearly represents both their geographic and strategic diversity.

Unión de Mujeres Musulmanas de España
<http://www.umme.es/>

Collaboration in International Networks

Women Without Borders

<http://www.women-without-borders.org>

Sisters In Islam (SIS) and collaboration with the Association For Women's Rights in Development (AWID)

<http://www.sistersinislam.org.my>

<http://www.awid.org>

Aysha Hidayatullah

Muslim Feminist Theology in the United States

1. Introduction

This article¹ discusses contemporary feminist exegesis of the Qur'an by Muslim women scholars located in the United States,² arguing that, studied as a whole, their works constitute an emergent field of Muslim feminist theology in the United States. All of these works, authored beginning in the 1980s, criticize sexism and male normativity in the exegesis of the Qur'an and advocate the full personhood and moral agency of Muslim women *within* the parameters of the Qur'an, understood as the Divine Word of God. The field's leading works are authored by Riffat Hassan, Azizah al-Hibri, Amina Wadud, and Asma Barlas. Other key scholars in the field are Fatima Mernissi and Sa'diyya Shaikh (who, though not located in the United States, have published works in English that are vitally and directly related to the work of the aforementioned scholars), as well as Kecia Ali (who, although primarily concerned with classical jurisprudence, has responded to the discussions of all these scholars in crucial ways). I argue that the works authored by these scholars form a cohesive field of scholarship warranting collective study based upon the observation of three common textual strategies they employ to interpret the Qur'an: 1) historical contextualization; 2) holistic/intra-textual reading; and 3) the *tawhīdic* paradigm.³

1 This article is based on lengthier discussions from my doctoral dissertation: "Women Trustees of Allah: Methods, Limits, and Possibilities of 'Feminist Theology' in Islam," (Ph.D. dissertation: University of California, Santa Barbara, 2009).

2 Or directly engaged in conversations in the United States.

3 I borrow this phrasing from Amina Wadud, who coins the term "the *tawhīdic* paradigm" in her *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld, 2006), 24.

It has been argued that a great deal of feminist scholarship on Islam has been “spearheaded” by Muslim women in the United States.⁴ Indeed, the location of Muslim feminist theology in the American academy has significantly impacted its emergence as a field. All of the scholars whose works are examined here hold advanced degrees from the United States (with the exception of Riffat Hassan, whose early scholarly development took place in the American academy), and their work is linked to the academic study of women and religion in the United States. Some speculate that “American soil has proven fertile for nurturing a more critical view of the Islamic past” because of the relative academic freedom from which United States scholars may benefit, especially as it concerns scholarship on religion.⁵ The vast array of educational resources and programs open to women in the United States has likely also facilitated the field’s development.

In addition, the influence of American Jewish and Christian feminist theologies has also impacted the field uniquely. For example, Riffat Hassan’s works are influenced by her experiences in dialogue with Jewish and Christian women in the United States beginning in 1979; she has explicitly called for the development of a parallel “feminist theology” in Islam. Azizah al-Hibri references African American Christian feminist theology by adopting the term “womanism” in describing her re-readings of the Qur’an. Like Jewish and Christian feminists, Muslim feminists have been interested in recovering the stories of female figures in early religious history, as observed in references to Hagar in the works of al-Hibri, Hassan, and Amina Wadud. Also like Jewish and Christian feminists, Muslim feminists (especially Wadud and Shaikh) call for the interpretation of the Qur’an in light of women’s life experiences, criticizing the treatment of men’s experience as normative. Shaikh in particular draws upon the terminology of feminist hermeneutics developed in the foundational works of Christian feminist theology, such as the “hermeneutics of suspicion” in reading religious texts for sexism. Finally, Asma Barlas is influenced by Jewish and Christian feminist paradigms in her criticism of the use of exclusively male imagery to refer to God in Qur’anic interpretation.

4 Hibba Abugideiri, “The Renewed Woman of American Islam: Shifting Lenses toward ‘Gender Jihad?’” *The Muslim World* 91 no. 1/2 (2001): 15.

5 Ibid.

2. *Biographical Profiles*

As a way to locate the scholars whose works are examined here, the following discussion briefly introduces each one. Riffat Hassan is a professor of Religious Studies at the University of Louisville, Kentucky. Born in Pakistan, she attended Durham University in England in the 1960s, earning a doctorate in the philosophy of Iqbal.⁶ She emigrated to the United States in the early 1970s and taught at Oklahoma State University, where, in her own words, she “began [her] career as a ‘feminist theologian’ in 1974.”⁷ Her involvement in “an ongoing ‘dialogue’ of Jewish, Christian, and Muslim scholars” to investigate “women-related issues in the three ‘Abrahamic’ faith traditions” was formative to her work as a self-proclaimed feminist theologian.⁸ In 1999, she founded the International Network for the Rights of Female Victims of Violence in Pakistan (INRFVVP).

Azizah al-Hibri is a professor of Law at University of Richmond, Virginia. She received her B.A. in philosophy at the American University of Beirut.⁹ She emigrated to the United States in 1966; at the University of Pennsylvania, she earned a doctorate in philosophy in 1975 and a law degree in 1985.¹⁰ Al-Hibri was initially inspired by feminist movements in the United States in the 1970s, as well as Marxist and feminist philosophy. In 1993 she founded the Washington, DC-based organization KARAMAH: Muslim Women Lawyers for Human Rights, with the aim of creating a new generation of women interpreters of Islamic law.¹¹

Fatima Mernissi, who writes in French and is not located in the United States, teaches at Mohammed V University in Morocco, where she was also a student in the 1960s. There and at the Sorbonne in Paris, she was trained in political science. She earned her doctorate in sociology at Brandeis University in Massachusetts in 1974. Though her first

6 Riffat Hassan, “Jihād fī Sabīl Allāh: A Woman’s Faith Journey from Struggle to Struggle to Struggle,” in *Women’s and Men’s Liberation: Testimonies of Spirit*, eds. Leonard Gobb, Riffat Hassan, and Haim Gordon, 11–30 (New York: Greenwood Press, 1991).

7 Ann Braude, “Riffat Hassan,” in *Transforming the Faiths of Our Fathers: Women Who Changed American Religion*, ed. Ann Braude (New York: Palgrave Macmillan, 2004), 181.

8 *Ibid.*, 183.

9 Azizah Y. al-Hibri, “Hagar on My Mind,” in *Philosophy, Feminism, and Faith*, eds. Ruth E. Groenhout and Marya Bower (Bloomington: Indiana University Press, 2003), 203.

10 *Ibid.*

11 Braude, “Azizah al-Hibri,” 53.

book, *Beyond the Veil*, about women's struggles in Morocco, was published in the United States in 1975, her more relevant work is *Women and Islam: An Historical and Theological Enquiry*, published in English in 1991. This work, often viewed as a "pioneering text of Islamic feminism," along with her *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam* (1992), are regularly cited by all of the other Muslim feminist theologians studied here.¹²

Like Fatima Mernissi, Sa'diyya Shaikh, while not living in the United States, completed her doctoral studies there, and her work is inextricably related to the works of American Muslim feminist scholars. She teaches at the University of Cape Town in South Africa. Born and raised in South Africa, Shaikh witnessed first-hand the anti-apartheid movement, which has shaped her interests in reading the Qur'an for its liberatory possibilities, especially in relationship to Sufism.¹³ Shaikh received her doctoral training in religion at Temple University in Philadelphia in the 1990s, and her book, *Sufi Narratives of Intimacy: Ibn 'Arabi, Gender, and Sexuality*, was published in 2011.

Amina Wadud is a visiting scholar at the Starr King School for the Ministry in Berkeley, California and retired professor of Islamic Studies at Virginia Commonwealth University. She received her B. S. in Education from the University of Pennsylvania and earned her doctorate in Arabic and Islamic Studies from the University of Michigan in 1988. Wadud's life was powerfully marked by racism against African Americans in the United States, which has been formative to her scholarship as an African American Muslim woman.¹⁴ She published her landmark book, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, a work of *tafsir* now considered a classic of feminist Qur'anic interpretation, in Malaysia in 1992, where she became an active member of the non-profit research collective, Sisters in Islam. The book was later published in the United States in 1999.¹⁵ In 2005 she famously led a mixed-sex congregational Friday prayer in New York City, and in 2006 she published her book *Inside the Gender Jihad*.

12 Margot Badran, *Feminism in Islam: Secular and Religious Convergences* (Oxford: Oneworld Press, 2009), 314.

13 Sa'diyya Shaikh, "Transforming Feminisms: Islam, Women, and Gender Justice," in *Progressive Muslims: On Justice, Gender, and Pluralism* (Oxford: Oneworld, 2003), 147.

14 Amina Wadud-Muhsin, "On Belonging as a Muslim Woman," in *My Soul is a Witness: African-American Women's Spirituality*, ed. Gloria Wade-Gayles, 253–265 (Boston: Beacon Press, 1995).

15 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999).

Asma Barlas is a professor of Political Science at Ithaca College in New York. In the late 1970s and early 1980s, she worked in the Ministry of Foreign Affairs of Pakistan.¹⁶ She received her university education in journalism and literature in Pakistan and received her doctorate in International Studies from the University of Denver in 1990. Though her primary field is politics, her “*Believing Women*” in *Islam: Unreading Patriarchal Interpretations of the Qur’ān* was published in 2002.¹⁷

Finally, Kecia Ali is a professor of Religion at Boston University and a specialist in early Sunnī jurisprudence on marriage. She earned her doctorate in Religion from Duke University in 2002. Her *Sexual Ethics and Islam: Feminist Reflections on Qur’an, Hadith, and Jurisprudence* was published in 2006, and *Marriage and Slavery in Early Islam* in 2010.

3. *Historical Contextualization*

The first interpretive method observed across the works of these scholars is that involving historical contextualization: researching the occasion of a verse’s revelation (*sabab al-nuzūl*); distinguishing between universal and particular verses (i.e., differentiating between verses that apply to specific historical situations and those that apply to human beings generally); and distinguishing between descriptive and prescriptive verses of the Quran (i.e., differentiating between verses that are describing the practices of the seventh-century Arabian audience to which it was directly addressed, and verses that are prescribing practices). Muslim feminist scholars argue that a historically-contextualized reading of the Qur’an helps produce more precise readings by aiding readers in determining whether the Qur’an is making particular or universal evaluations. They argue that when Qur’anic exegetes have ignored verses’ historical contexts, they have often failed to distinguish between ‘*āmm* (general) and *khāṣṣ* (specific) verses. By ignoring the role of a verse’s historical context in constructing its meaning, conservative male exegetes have tended to attribute general or universal

16 Yvonne Yazbeck Haddad, Jane I. Smith, and Kathleen M. Moore, *Muslim Women in America: The Challenge of Islamic Identity Today* (New York: Oxford University Press, 2006), 157.

17 Asma Barlas, “*Believing Women*” in *Islam: Unreading Patriarchal Interpretations of the Qur’ān* (Austin: University of Texas Press, 2002).

meanings to verses that address only particular, limited, or conditional circumstances.

Wadud asserts that the historical contexts of *khāṣṣ* Qur'anic pronouncements must be understood in order to deduce their intents and thereby derive their universal meanings in a sound manner. Wadud argues that particular practices referred to in the Qur'an are often "restricted to that society which practised them ... Therefore, each new Islamic society must understand the principles intended by the particulars. Those principles are eternal and can be applied in various social contexts."¹⁸ Highly influenced by the work of Muslim modernist scholar Fazlur Rahman (d. 1988), Wadud insists that the Qur'an be read with the understanding that its pronouncements are framed by the context of the seventh-century Arabian audience to which it is immediately addressed; in order for the text to have broader meaning outside of that immediate context, the particular historical circumstances must be acknowledged, taken into account, and examined.

This interpretive strategy—of understanding verses within their historical context and distinguishing between particular and general statements of the Qur'an—is especially useful with regard to Qur'anic passages that address women and gender, since, as Wadud points out, "[s]ome of the greatest restrictions on women, causing them much harm, have resulted from interpreting Qur'anic solutions for particular problems as if they were universal principles."¹⁹ The universalizing of the particular in the Qur'an has also led to the related problem of confusing the Qur'an's descriptive statements with its prescriptive statements. Wadud argues that though the immediate context of the Qur'an's revelation was a patriarchal and sexist society, the Qur'an does not impose the characteristics of such a society upon future readers. The Qur'an may refer to situations that are degrading to women, but that does *not* mean it is *prescribing* those circumstances for its readers.

For instance, Muslim feminist scholars have used historical contextualization to take on the controversial sanctioning of polygyny in the Qur'an. The relevant verse, 4:3, reads: "*wa-'in khiftum 'allā tuqṣitū fī-l-yatāmā fankihū mā ṭāba la-kum min al-nisā' mathnā wa-thulāth wa-rubā' fa-'in khiftum 'allā ta'dilū fa-wāḥidat aw mā malakat aymānukum.*" The verse is commonly translated as: "If you fear that you will not deal just-

18 Wadud, *Qur'an and Woman*, 9.

19 *Ibid.*, 99.

ly with the orphans, marry women of your choice, two, three, or four. But if you fear that you will not be able to do justly (with them), then only one, or what your right hands possess.” This verse is often used to justify the taking of multiple wives by men to satiate men’s sexual desire for more than one partner. However, Muslim feminist scholars argue that the verse cannot possibly sanction multiple marriages for this purpose; its historical context makes it clear that the verse is concerned with just treatment of orphans under a particular set of conditions.

Wadud points out that the verse is speaking to an immediate seventh-century audience with a particular understanding of marriage: “marriage of subjugation at the time of revelation was premised on the need for females to be materially provided for by some male.”²⁰ She also observes that the verse is specifically addressing a historical situation in which warfare had resulted in the orphaning of many children in the Muslim community. The immediately preceding verse provides the context that “[s]ome male guardians, responsible for managing the wealth of orphaned female children, were unable to refrain from unjust management of that wealth.”²¹ In response, verse 4:3 allows these male guardians to marry up to four female orphans under their care for the express purpose of protecting the orphans’ wealth within the legal structure of marriage.

Wadud, among others, argues that the historical context of the verse makes it clear that the limited allowance for polygyny pronounced here (limiting the number of wives to four) is concerned with the equitable treatment of orphans. Azizah Al-Hibri echoes Wadud’s arguments, pointing out that the first part of the *āya* “conditions the permission [for multiple wives] upon a certain context ... at the time of its revelation, namely, one of justice and fairness concerning the treatment of orphaned wives.”²² Like Wadud, al-Hibri concludes that this verse is “highly conditional and fact-specific” and thus should not be taken as a general rule.²³

Wadud also observes that the verse stipulates that if a man is incapable of using this allowance to treat the orphans under his care justly, that this allowance is nullified. According to Wadud, this condition it-

20 Ibid., 82–3.

21 Ibid., 83.

22 Azizah al-Hibri, “An Introduction to Muslim Women’s Rights,” in *Windows of Faith: Muslim Women Scholar-Activists in North America*, ed. Gisela Webb (Syracuse: Syracuse University Press, 2000), 66.

23 Ibid.

self signals that the Qu'rān is speaking to "the archaic idea of marriages of subjugation" in which the measure of equitable treatment was solely financial; many would argue that this understanding of marriage has subsequently been superseded by a form of marriage which understands the just treatment of a wife to cover a territory broader than financial treatment alone.²⁴ In addition, Wadud argues that the verse is clearly speaking to a historically specific context since it is addressing a situation in which women exist only as financial burdens to their families; it does not address modern situations in which women have the capacity to themselves be financial providers.²⁵ For example, many women today "neither have nor need male supporters."²⁶ Thus, the verse does not supply a rationale for taking multiple wives in a situation in which women can indeed provide for themselves. Thus, Wadud demonstrates how an understanding of the historical context of revelation can drastically limit the liberties that men have taken and justified using the Qur'an to generalize from specific conditions and situations. As many of these particularities do not exist in the present, these verses must be reevaluated for their meaning under circumstances in which these conditions do not exist.

Several feminist scholars have also used historical contextualization as a method to examine issues of veiling and seclusion in the Qur'an, in particular in their readings of verses 33:53 and 33:59. These verses are often translated as:

O ye who believe! Enter not the Prophet's houses, until leave is given you ... and when ye have taken your meal, disperse, without seeking familiar talk ... And when ye ask (his wives) for anything ye want, ask them from before a screen [*fa-is'aluhunna min warā'i ḥijābin*]: that makes for greater purity for your hearts and for theirs ... (33:53)

O Prophet! Tell thy wives and daughters, and the believing women, that they should cast their cloaks [*jalābīb*] over their persons (when abroad): That is most convenient, that they should be known (as such) and not molested (33:59).²⁷

24 Wadud, *Qur'an and Woman*, 83.

25 Ibid., 84.

26 Ibid.

27 Based upon the translation of 'Abdullah Yūsuf 'Alī, *The Holy Qur'ān: Text, Translation, and Commentary*, 4th ed. (Brentwood, MD: Amana Corporation, 1989).

Asma Barlas and Fatima Mernissi note that 33:53 is specifically concerned with the modesty practices of the Prophet's wives, while 33:59 addresses both the Prophet's wives and Muslim women in general. Next, both identify the occasion of the passages' revelation—a time of turmoil in the Prophet Muhammad's life.²⁸ Mernissi points out that readers must understand the verses in light of an uncertain and vulnerable time for the Muslim community, which had become weakened by the enmity of non-Muslim opponents in Medina. These opponents, as well as dissenting members of the Muslim community (commonly referred to as “the Hypocrites”) constantly sought ways to injure and undermine the Prophet; among their strategies was the targeting of the Prophet's family, in particular his female family members. They not only spread sexually offensive rumors about the Prophet's wives in order to insult him, but also attempted to harass his wives physically in public.

In this hostile environment, one incident annoyed the Prophet perhaps more than it would have otherwise: one or a few impolite men had lingered too long at the celebration of the wedding of the Prophet to Zaynab, and perhaps a man had touched her hand.²⁹ According to Mernissi, the instructions of verse 33:53 to men to approach the wives of the Prophet from behind a *ḥijāb* (“screen” or “partition”) were swift and drastic because of the threat to the Prophet's reputation and community at the time of the revelation.³⁰ These verses were not a general pronouncement for all interactions between Muslims, but rather a solution to a specific problem for the Prophet's wives arising from a specific moment in the Prophet's life.

As for verse 33:59, Barlas argues that the instruction to all Muslim women to cover their bodies using their *jalābīb* (sing. *jilbāb*), or “cloaks” (which, as will be discussed later, is itself an ambiguous directive since it does not clarify which parts of the body should be covered or what type of cloak should be used), is specific to the social norms prevalent during the time of revelation. Barlas reads this passage in light of the historical context in which the verse was revealed: “the social structure of a slave-owning society in which sexual abuse, espe-

28 Barlas, 56; Fatima Mernissi, *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland (Cambridge, MA: Perseus Books, 1991), 89, 92.

29 Mernissi, *The Veil and the Male Elite I*, 86.

30 Ibid.

cially of slaves, was rampant ... at a time when women had no legal recourse against such abuse.”³¹ In the context of a slave-owning society governed by pre-Islamic sexual norms, the Qur’an’s directive constructs *jilbāb* as a marker of Muslim women’s sexual nonavailability to men, as distinct from non-Muslim slave women who were considered sexually available to men according to *Jāhili* (pre-Islamic) custom. In this sexually charged environment, the *jilbāb* of verse 33:59 is meant to “render [Muslim women] *visible*” to and “recognizable” by “*Jāhili* men, as a way to protect the women.”³² However, as Barlas suggests, only in a slave-owning, sexually corrupt *Jāhili* society would *jilbāb* protect and signal the sexual nonavailability of women.³³ Barlas’s implication is that outside of these specific social conditions, the instructions of verse 33:59 would no longer serve the purpose of protecting women. Thus, the meaning of the passage is specific and relevant only to its context, and should be applied only under similar social conditions.

4. *Holistic/Intra-textual Reading*

The second interpretive method involves reading the Qur’an holistically and intra-textually (i.e., comparing verses to one another instead of reading them in isolation). Muslim feminist theologians argue that atomistic treatments of the Qur’an have resulted in misleading, distorted understandings of the Qur’an, especially in relation to verses about women. Barlas observes, for instance, that “patriarchal or oppressive” readings of the Qur’an often “result from reading the text in a piecemeal and decontextualized way, for instance, by privileging one word, or phrase, or line, or āyah, over its teachings as a whole.”³⁴ For Muslim feminist theologians, holistic readings of the Qur’an are essential to developing feminist interpretations of the Qur’an. Wadud, in particular, calls for Muslims to re-establish the exegetical premise of the Qur’an as a unified whole, proposing a holistic method of interpretation based on the principle of *tawhīd*, or unity, in the Qur’an. Wadud calls for the development of an organized exegetical system for how

31 Barlas, “*Believing Women*,” 55–56.

32 *Ibid.*, 55.

33 *Ibid.*, 56.

34 *Ibid.*, 168–169.

to compare different parts of the Qur'an with each other: studying recurring terms, linguistic structures, and themes in tandem to derive a broader and more unified picture of Qur'anic meaning and intent.³⁵

A central component of holistic feminist readings is reading the creation story in the Qur'an as evidence for its overarching, guiding message of human equality regardless of gender. This understanding of human creation, then, serves as a central reference point when performing holistic readings of the Qur'an: if the Qur'an is read as a unified whole, any of its verses must then be read in comparison to, and in light of, its creation story. Riffat Hassan's work on human creation in the Qur'an is the most extensive and referenced of Muslim feminist works on the subject. Hassan's signature thesis is that according to the Qur'an, woman and man are created in egalitarian terms, from a single *nafs*, or soul unit, at the same time. The first woman is neither created from nor for man; nor does she cause man's "fall" from grace. Collectively reading portions of the story of Adam and Eve found in various chapters of the Qur'an, Hassan finds that the Qur'an does not narrate any sort of "fall" of humankind: both Adam and Eve commit the sin of eating from the Tree of Knowledge; both are tempted by Satan, equally responsible for committing this sin, and there is no reference to Eve causing Adam's temptation.³⁶ Though God banishes them from the Garden, both Adam and Eve are forgiven by God, and the rest of humankind does not bear responsibility for any sort of unforgivable sin.³⁷

After comprehensively comparing the Qur'an's verses on creation, Hassan concludes: "In none of the thirty or so passages that describe the creation of humanity . . . is there any statement that could be interpreted as asserting or suggesting that man was created prior to woman or that woman was created from man."³⁸ In particular, Hassan focuses on verse 4:1, which reads: "Oh humankind! Reverence your Lord, who created you from [*min*] a single soul [*nafsīn wāḥidatin*], created from it [*min-hā*] its mate [*zawjahā*], and from the two [*min-humā*] scattered (like seeds) countless men and women."³⁹ Hassan and Wadud both

35 Wadud, *Qur'an and Woman*, 3, 62.

36 Riffat Hassan, "Muslim Women and Post-Patriarchal Islam," in *After Patriarchy: Feminist Transformations of the World Religions*, eds. Paula M. Cooney, William R. Eakin, and Jay B. McDaniel (Maryknoll, NY: Orbis Books, 1991), 47, 49.

37 *Ibid.*, 49–50.

38 *Ibid.*, 44.

find that there is no textual or linguistic justification for attributing maleness to the *nafs* from which all of humankind originates, or, for that matter, for assuming that this original *nafs* is Adam.⁴⁰ Likewise, the *zawj* (translated as “mate”) partnered with the *nafs* is conceptually neither male nor female, though grammatically it is masculine, which also belies any assumption that the *zawj* of the *nafs* is female, or “Eve” for that matter.⁴¹ Using this verse, Hassan asserts that according to the Qur’an, “Allah’s original creation was undifferentiated humanity and not either man or woman”; in addition, “both man and woman were made in the same manner, of the same substance, at the same time.”⁴² They “share a single point of origin” and thus are equal partners with-in creation.⁴³

In conjunction with this Qur’anic evidence for the equality of the sexes in creation, feminist theologians also emphasize the Qur’an’s explicit statements concerning the equality of the sexes in their potential for independent moral virtue and righteous action in the world. Citing key verses, they assert that in the Qur’an, “both women and men have the same capacity for moral agency, choice, and individuality.”⁴⁴ A unanimously cited verse is 33:35, which features a nine-time repetition of the phrase “men and women,” indicating the partnership of both women and men in engaging in several examples of righteous deeds.⁴⁵ As Barlas argues, this verse, by leaving no doubt as to women’s inclusion in this statement of human beings’ capacity for moral virtue, clearly indicates that “women and men are able equally to acquire *taqwá* (moral personality)” and moral capacity.⁴⁶ In addition to this partnership in moral action, men and women also share in the partnership of mutually encouraging morality among themselves. Feminist theologians frequently point out that according to verse 9:71, the Qur’an designates men and women each other’s mutual *awliyā*’, or “protectors,” indicating a “shared moral discourse and mutual care be-

39 Riffat Hassan, “The Issue of Woman-Man Equality in the Islamic Tradition,” in *Women’s and Men’s Liberation: Testimonies of Spirit*, eds. Leonard Grob, Riffat Hassan, and Haim Gordon (New York: Greenwood Press, 1991), 74.

40 Hassan, “The Issue,” 74; Wadud, *Qur’an and Woman*, 19–20.

41 Hassan, “The Issue,” 72; Wadud, *Qur’an and Woman*, 20.

42 Hassan, “The Issue,” 74, 77.

43 Wadud, *Qur’an and Woman*, 26.

44 Barlas, “*Believing Women*,” 140.

45 Hassan, “Muslim Women,” 52–53.

46 Barlas, “*Believing Women*,” 143.

tween the sexes.²⁴⁷ According to feminist scholars, by describing men and women as each other's moral guides, the Qur'an emphasizes the equality of their moral potentials.

Altogether, by reading Qur'anic verses on human creation and moral capacity, feminist theologians establish a substantial body of evidence in support of the Qur'an's overall position on the moral and spiritual equality of men and women. The importance of this interpretive maneuver—of establishing the moral equality of the sexes as an overarching, guiding principle of the Qur'an as a whole—cannot be understated in its value to the Muslim feminist project. It is this holistic understanding of the Qur'an's egalitarian ethic that allows Muslim feminist theologians to argue that in order to be valid according to the Qur'an own principles, any interpretive statement about the Qur'an must cohere with its core principles concerning the moral equality and equity of men and women; by the same token, any interpretive statement that does not cohere with these core principles is invalid. By elucidating the Qur'an's treatment of the *nafs*, feminist theologians are able to establish that any readings of the Qur'an that devalue or denigrate women must categorically be deemed incorrect on the grounds that they contradict a foundational premise of the Qur'an and are “contrary to the letter and spirit of the Qur'an.”²⁴⁸ The impact of such statements is far-reaching; they establish that the moral equality of men and women is a core moral objective of the Qur'an with which all understandings of the Qur'an must contend.

This strategy is useful, for example, in reading verse 2:228, which is often translated: “Women have rights similar to the rights that are claimed of them, but men possess a degree more than them.” This verse has been used to claim that men are given moral and/physical advantage over women by God. In addition to pointing out that the verse is referring only to specific rights granted to men but not women in the context of divorce (using the historical contextualization method), Wadud writes: “To attribute an unrestricted value to one gender over another contradicts the equity established throughout the Qur'an with regard to the individual: each *nafs* shall have in accordance to what it earns.”²⁴⁹ Thus Wadud uses an intra-textual strategy to point

47 Ibid., 147–148.

48 Hassan, “The Issue,” 80.

49 Wadud, *Qur'an and Woman*, 68–69.

out that common interpretations of the verse clearly contradict the Qur'an's other statements about moral equity and justice for all human beings.

5. *Tawhīdic Paradigm*

The third interpretive method, the *tawhīdic* paradigm, engages the Islamic concept of *tawhīd*, that is, God's unity, indivisibility, incomparability, and justness. In this scheme of God's oneness and omniscience, the understanding of human beings is as fallible creatures, who attempt to fulfill their role as God's trustees using only the imperfect capacities, knowledge, and means that are endowed to them; as such they are subject to their own flawed understandings of the Qur'an in a particular time and space. Thus, they can only *attempt* to understand God's mandates and engage in an open-ended *process* of searching for understanding. They can never pronounce a final interpretation of the Qur'an, since to do so would be to claim to have God's knowledge and to place themselves in the role of God. Thus, the Qur'an must be open to continual, dynamic interpretation as the contexts for interpretation evolve; likewise, clear distinctions must be made between the text of the Qur'an and its interpretation.

According to the principle of *tawhīd*, all human beings are united under one Creator, and no one may share in the Creator's authority. Muslim feminist theologians have argued that the Qur'an supports "the fundamental metaphysical sameness of all humans as creatures of God," treating them as equally capable moral agents, all created from the same *nafs*.⁵⁰ Differences between human beings are based solely on their achievement of *taqwā*, their devotion to God and "moral consciousness."⁵¹ Thus, the only distinction between human beings exists on the basis of one's piety, not on the basis of superficial characteristics such as race, sex, or class. Furthermore, the sole distinguishing characteristic of *taqwā* may be judged only by God; it is "not an external matter accessible for human-to-human judgment."⁵² Thus, the right to evaluate differences between human beings belongs to God and God alone.

50 Al-Hibri, "An Introduction," 52.

51 Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld Press, 2006), 185.

Therefore, to construct hierarchies between human beings—to attempt to evaluate the superiority of one group or individual over another—is to assume a role that belongs exclusively to God. Such an act amounts to putting oneself in the position of God and assuming God’s authority; as such, Muslim feminist theologians argue, it is an act of *shirk* (associating something else with God’s power). Wadud points out that the same principle applies to personal relationships: “When a person seeks to place him or her self ‘above’ another, it either means the divine presence is removed or ignored, or that the person who imagines his or her self above others suffers from the egoism of *shirk*.”⁵³ Thus, using the doctrine of *tawhīd*, Muslim feminist theologians define acts of discrimination, including sexism, as a violation of God’s supreme authority and uniqueness.

Feminist scholars employ the *tawhīdic* paradigm to a portion of verse 4:34 which reads, “*fa-l-ṣāliḥāt qānītāt ḥāfiẓāt li-l-ghayb bi-mā ḥafiẓa Allāh.*” Most commentators have rendered this verse as: “Therefore the righteous women are obedient and guard in their husbands’ absence what Allah would have them guard.” Feminist scholars take issue with readings of the term *qānītāt* to mean women who are obedient to their husbands. They argue that interpretations of this verse that claim women must be obedient to their husbands (rather than solely to God) are erroneous on the grounds that they are based upon *shirk*. Medieval and modern interpreters have used the term *qānītāt* to suggest that the righteousness of women is conditional upon obedience to their husbands. Al-Hibri notes that in any such reading, “disobedience to the husband is subsumed under obedience to God”; by this measure such a reading “borders on *shirk*.”⁵⁴ Barlas notes that any notion of men’s divinely ordained authority over women “violates the concept of *tawhīd* that places God above such correspondences and also establishes the principle of the indivisibility of God’s Sovereignty.”⁵⁵

Sa’diyya Shaikh asserts that the problem with such a reading is that “sacralized male authority and marital hierarchy become foreground-

52 Ibid.

53 Wadud, *Inside the Gender Jihad*, 32.

54 Al-Hibri, “An Islamic Perspective on Domestic Violence,” *Fordham International Law Journal* 27 no. 1 (2003):11.

55 Barlas, “Believing Women,” 108.

56 Sa’diyya Shaikh, “Exegetical Violence: *Nushuz* in Quranic Gender Ideology,” *Journal for Islamic Studies* 17 no. 1 (1997): 10.

ed in the relationship between female-believer and God.”⁵⁶ In other words, the submissive relationship of woman to God is replicated in the relationship between woman and husband; in this scheme, obedience to one’s husband is not only parallel to one’s obedience to God but also becomes a requirement of one’s obedience to God. Implicit is an “assumption, no matter how indirect, that God’s Sovereignty and man’s are coextensive.”⁵⁷ Shaikh notes that such an understanding produces a “spiritual hierarchy” in which “God occupies the pinnacle, men the centre, as mediators, and women ... the bottom echelon.”⁵⁸ Furthermore, “the God-believer relationship [for women] becomes secondary and only accessible via a ‘correct’ man-woman relationship.”⁵⁹ Because the husband figures as the mediator between the female believer and God, men effectively become “divine intermediaries if not demi-gods.”⁶⁰ This arrangement disallows a direct relationship between woman and God and gives men God-like authority.⁶¹ Thus, Shaikh argues, interpretations of 4:34 based on this scheme subvert the notion of God’s uniqueness and absolute sovereignty and are thus “idolatrous.”⁶²

Using similar arguments, Muslim feminist scholars also point out that treating the *tafsīr* of early scholars as incontestable contradicts the *tawhīdic* notion of human beings’ fallibility in understanding the divine text. Wadud asserts: “*Tafsīr* is (hu)man-made and, therefore, subject to human nuances, peculiarities, and limitations. This natural limitation is unlike the divine will, which cannot be contained, explained, or even maintained by any one such limited being or community.”⁶³ Barlas concurs: “a reading of the Qur’an is just a reading of the Qur’an, no matter how good; it does not approximate the Qur’an itself.”⁶⁴ She adds: “the Qur’an is inimitable, inviolate, inerrant, and incontestable; however, our understanding of it is not.”⁶⁵ Thus Wadud and Barlas criticize the supreme authority given to any interpreta-

57 Barlas, “*Believing Women*,” 106.

58 Shaikh, “*Exegetical Violence*,” 10.

59 *Ibid.*

60 *Ibid.*

61 *Ibid.*, 16.

62 *Ibid.*, 10.

63 Amina Wadud, “Alternative Qur’anic Interpretation and the Status of Muslim Women,” in *Windows of Faith: Muslim Women Scholar-Activists in North America*, ed. Gisela Webb (Syracuse: Syracuse University Press, 2000), 11.

64 Barlas, “*Believing Women*,” 17.

65 *Ibid.*, 33.

tion of the Qur'an, claiming that all interpretations are subject to the limitations of human error. This critical attitude allows feminist theologians to counter "the claim ... that only males, and conservative males at that, know what God *really* means."⁶⁶ Feminist theologians fortify these arguments by establishing that the treatment of classical exegeses as if they are unassailable is a violation of *tawhīd*, since this treatment amounts to "equating their ... authority with that of revelation."⁶⁷ Assigning them this level of authority effectively "collapses divine discourse with its human interpretations" and confuses human interpretation with divine will.⁶⁸ As such, it is implied that classical interpreters share in the knowledge and sovereignty of God. In declaring such attitudes as contradictory to *tawhīd*, Muslim feminist theologians are able to distinguish between the Qur'an and its exegeses, and to approach those exegeses as open to criticism and revision.

Just as Muslim feminist theologians argue that in accordance with the doctrine of *tawhīd*, no one may pronounce a perfect interpretation of the Qur'an, they also argue that no one may produce a final interpretation of the Qur'an. This concept is helpful in Muslim feminists' approach in questioning classical Qur'anic interpretations as immutable and in calling for revised interpretations. They argue that human beings can do no more than *attempt* to understand God's mandates and engage in a *continual* process of searching for understanding. Since complete understanding of the Qur'an belongs solely to God, human beings are never able to produce a final, perfect interpretation of the Quran; all they can do is engage in an ongoing process of trying to understand the text, however imperfectly. Thus, the Qur'an must always remain open to continual, dynamic interpretation.

6. *Future Directions*

In relying exclusively on the techniques of historical contextualization, holistic reading, and the *tawhīdic* paradigm, Muslim feminist theologians have remained unable to account for the existence of certain

66 Ibid., 19.

67 Asma Barlas, "Amina Wadud's Hermeneutics of the Qur'an: Women Rereading Sacred Texts," *Modern Muslim Intellectuals and the Qur'an* (London: Oxford, 2006), 106.

68 Barlas, "Amina Wadud's Hermeneutics," 106.

Qur'anic statements that appear to be irreparably neglectful and/or harmful to women despite the application of these approaches. In effect, they have not addressed the limitations of attributing anti-woman readings of the Qur'an exclusively to human interpretation but never to the Qur'an itself. It was not until the publications of Kecia Ali's *Sexual Ethics and Islam* and Amina Wadud's *Inside the Gender Jihad* in 2006 that any of the Muslim feminist scholars studied here began to openly discuss such admissions about the Qur'anic text. Ali and Wadud are the first and (to date) the only Muslim feminist theologians to admit that in some cases, the interpretive approaches studied here fall short in "rescuing" the Qur'anic text from sexist and male-centered meanings.

For Wadud, such limitations arise in readings of verse 4:34 that have sanctioned domestic violence. The portion of the verse of most concern reads, "*wallatī takhāfūn nushūzahunna fa 'izūhunna wahjurūhunna fī-l-maḍāji' waḍribūhunna,*" often translated to the effect of: "As for those women whose disobedience you fear, admonish them, abandon their beds, and beat them." In *Inside the Gender Jihad*, Wadud examines how the text of the verse may be "inadequate or unacceptable, however much interpretation is enacted upon it."⁶⁹ Here, she openly confronts the possibility that the Qur'an *itself* may serve violent ends, describing the process of revisiting verse 4:34 as "grappling with textual inadequacies" in it.⁷⁰ For her, the existence of *iḍribūhunna* (the term often translated as "beat them") cannot be fully explained using any textual strategy or by pointing out the flaws of the medium of human language. Wadud therefore calls for saying "no" to 4:34 in its literal form while maintaining the full divinity of the text.⁷¹ She argues that it is *the Qur'an itself* that allows for human beings to say "no" to its literal pronouncements in limited cases.⁷² In providing "eternal" and "universal" guidance for future contexts and civilizations, the text outlines what she calls a "Qur'anic trajectory" that guides human beings "to higher moral practices even if not fully articulating these" in literal form in the context of its seventh-century revelation.⁷³ Thus, she

69 Wadud, *Inside the Gender Jihad*, 192.

70 *Ibid.*, 199.

71 *Ibid.*, 200, 192.

72 Ali makes a similar claim in noting that in reconciling Qur'anic verses about slavery with the belief that slavery is unjust, "the only possible response is to suggest that the Qur'anic text itself requires Muslims to sometimes depart from its literal provisions in order to establish justice," Ali, *Sexual Ethics*, 55.

claims that Muslims “can promote the idea of saying ‘no’ to the text” while “still pointing to the text to support this . . . It is therefore neither un-Islamic nor heretical” to do so.⁷⁴

For Ali, textual limitations arise in Qur’anic verses about sex that grant men control over women’s bodies. Of verses 2:187 and 2:222–223 (which respectively declare lawful men’s sexual approach of their wives on the nights of fasting days, and instruct men to approach their wives sexually as their “tilth”), she observes that both undeniably “pre-suppose male agency and female passivity with regard to the initiation of sex.”⁷⁵ Ali argues that in these cases, “women are spoken about and men are spoken to in a way that presumes male control” over women’s bodies, a presumption for which no amount of historical contextualization can fully account.⁷⁶ For her, feminist interpretations of these verses cannot “explain away the male-centeredness of the Qur’anic text.”⁷⁷ Ali concludes that while such “androcentrism is not equivalent to misogyny,” “neither is it unproblematic for interpreters concerned with matters of gender and justice,” since they cannot remove this tendency from the existing text of these verses through any act of interpretation.⁷⁸ Looking to the future, Ali calls for a turn to feminist interventions in Islamic jurisprudence, an area of interpretation that lends itself to greater flexibility than Qur’anic exegesis.⁷⁹ At the time of writing, Wadud and Ali’s calls for these interventions in treating the Qur’anic text await further development by Muslim feminist scholars.

73 Wadud, *Inside the Gender Jihad*, 212–213.

74 *Ibid.*, 192.

75 Ali, *Sexual Ethics*, 129.

76 *Ibid.*, 128.

77 Kecia Ali, “Timeless Texts and Modern Morals: Challenges in Islamic Sexual Ethics,” in *New Directions in Islamic Thought: Exploring Reform and Muslim Tradition*, eds. Kari Vogt, Lena Larsen, and Christian Moe (New York: I.B. Tauris, 2009), 96.

78 Ali, *Sexual Ethics and Islam*, 112.

79 *Ibid.*, xx–xxi.

Riffat Hassan

Woman and Man's "fall": A Qur'anic Theological Perspective

Muslims generally—like Christians and Jews—believe that Eve was responsible for Adam's "Fall". This belief is not grounded in the Qur'anic text which neither upholds the idea of the "Fall" nor the idea that woman was responsible for man's exodus from *al-janna* (Paradise) as an analysis of relevant passages would demonstrate. Here one may note that the Qur'an is not chronologically structured like Genesis in the Bible. Just as it does not refer to the subject of human creation in Sūra 1, or in one place, it also does not refer to the subject of the departure of the human pair from *al-janna* in one place. There are three references to this incident in the Qur'an and these are given below:

First Reference: Sūra 2: *Al-Baqara*: 35–39

And We said: "O Adam, dwell thou and thy zawj (mate) in the garden, and eat freely thereof, both of you, whatever you may wish; but do not approach this one tree, lest you become wrongdoers."

But Satan caused them both to stumble therein, and thus brought about the loss of their erstwhile state.¹ And so We said: "Down with you (and be henceforth) enemies unto one another; and on earth you shall have your abode and your livelihood for a while!"²

1 *The Jerusalem Bible*, 8–9.

2 Muhammad Asad, *The Message of the Qur'an* (Gibraltar: Dar al-Andalus, 1980). Asad has stated that the literal meaning of the expression which he has translated as "brought about the loss of their erstwhile state" is "brought them out of what they had been, i.e., by inducing them to eat the fruit of the forbidden tree,"¹⁰ footnote 29.

Thereupon Adam received words (of guidance) from his Sustainer, and He accepted his repentance: for, verily, He alone is the Acceptor of Repentance, the Dispenser of Grace. (For although) We did say, “Down with you all from this (state)”, there shall, none the less, most certainly come unto you guidance from Me: and those who follow My guidance need have no fear, and neither shall they grieve; but those who are bent on denying the truth and giving the lie to Our messages—they are destined for the fire, and therein shall they abide.³

Second Reference: Sūra 7: *Al-A‘rāf*: 19–25

And (as for thee), O Adam, dwell thou and thy *zawj* (mate) in this garden, and eat, both of you, whatever you may wish: but do not approach this one tree, lest you become evildoers (*ẓālimīn*).

Thereupon Satan whispered unto the two with a view to making them conscious of their nakedness, of which (hitherto) they had been unaware;⁴ and he said: “Your Sustainer has but forbidden you this tree lest you two become (as) angels, or lest you live forever.”⁵

And he swore unto them, “Verily, I am of those who wish you well indeed!”—and thus he led them with deluding thoughts.

But as soon as the two had tasted (the fruit) of the tree, they became conscious of their nakedness; and they began to cover themselves with pieced-together leaves from the garden. And their Sustainer called unto them: “Did I not forbid that tree unto you and tell you, ‘Verily, Satan is your open foe?’”

The two replied: “O our Sustainer! We have sinned against ourselves—and unless Thou grant us forgiveness and bestow Thy mercy upon us, we shall most certainly be lost!”

Said He: “Down with you,⁶ (and be henceforth) enemies unto one another, having on earth your abode and livelihood for a while: there shall you live”—

3 Ibid.

4 Ibid. Asad has stated that the literal meaning of the expression which he has translated as “with a view to making them conscious of their nakedness, of which (hitherto) they had been unaware” is “so as to make manifest to them that of their nakedness which (hitherto) had been imperceptible to them,” 205, footnote 14.

5 Ibid. Asad has stated that the literal meaning of the expression which he has translated as “or lest you live forever” is “or (lest) you become of those who are enduring.” He adds that this statement instilled in the first human pair “the *desire* to live forever and to become, in this respect, like God,” 205, footnote 15.

6 Asad observes: “As in the parallel account ... in Sūra 2: (*Al-Baqara*): 35–36, the dual form of address changes at this stage into the plural ... thus making it clear that the story of Adam and Eve is, in reality, an allegory of human destiny,” *The Message of the Qur‘an*, 205, footnote 16.

He added—“and there you shall die, and thence shall you be brought forth (on Resurrection Day).”⁷

Third Reference: Sūra 20: *Ṭā-Hā*: 115–123

And, indeed, long ago did We impose Our commandment on Adam, but he forgot it, and We found no firmness of purpose in him.

For (thus it was) when We told the angels, “Prostrate yourselves before Adam!”—they all prostrated themselves, save *Iblīs*, who refused (to do it); and thereupon We said: “O Adam! Verily this is a foe unto thee and thy wife: so let him not drive the two of you out of this garden and render thee unhappy.⁸ Behold, it is provided for thee that thou shalt not hunger here or feel naked,⁹ and that thou shalt not thirst here or suffer from the heat of the sun.”

But Satan whispered unto him, saying: “O Adam! Shall I lead thee to the tree of life eternal, and (thus) to a kingdom that will never decay?¹⁰

And so the two ate (of the fruit) thereof: and thereupon they became conscious of their nakedness and began to cover themselves with pieced-together leaves from the garden. And (thus) did Adam disobey his Sustainer, and thus did he fall into grievous error.

Thereafter, (however), his Sustainer elected him (for His grace), and accepted his repentance and bestowed His guidance upon him, saying: “Down with you all from this (state of innocence, and be henceforth) enemies unto one another! Nonetheless, there shall most certainly come unto you guidance from Me: and he who follows My guidance will not go astray and neither will he be unhappy.¹¹

7 Ibid.

8 Ibid. Asad has stated that the literal meaning of the expression which he has translated as “render thee unhappy” is “so that thou wilt become unhappy” (483–484, footnote 104).

9 Asad has stated that the literal meaning of the expression which he has translated as “feel naked” is “be naked.” He adds that since Adam and Eve became aware of their nakedness only after their fall from grace, “it is but logical to assume that the words ‘thou shalt not ... be naked’ have a spiritual significance, implying that man, in his original state of innocence, would not *feel* naked despite all absence of clothing.” *The Message of the Qur'an*, 484, footnote 105).

10 With reference to “the tree of life eternal,” Asad observes: “This symbolic tree is designated in the Bible as ‘the tree of life’ and ‘the tree of knowledge of good and evil’ (*Genesis*, Chapter 2:9), while in the above Qur'anic account Satan speaks of it as ‘the tree of life eternal (*al-khuld*)’.”

11 Ibid.

*DIFFERENCES BETWEEN GENESIS,
CHAPTER 3 AND THE QUR'ANIC TEXTS
RELATING TO THE HUMAN PAIR'S
DEPARTURE FROM AL-JANNA*

*1. Reason for the Beguiling
of the Human Pair*

Whereas in *Genesis*, Chapter 3, no explanation is given as to why the serpent tempts either Eve alone or both Adam and Eve, in the Qur'an the reason why *Iblīs* (or *al-Shayṭān*) sets out to beguile the human pair in *al-janna* is stated in a number of passages. To understand this reason, it is necessary to know about a very important event that preceded it. This is narrated in the texts that are cited below:

a. Sūra 2: Al-Baqara: 30–34, read as follows:

And lo! Thy Sustainer said unto the angels: "Behold, I am about to establish upon earth one who shall inherit it."¹²

They said: "Will Thou place on it such as will spread corruption thereon and shed blood—whereas it is we who extol Thy limitless glory, and praise Thee and hallow Thy name?"

(God) answered: "Verily, I know that which you do not know."

And He imparted unto Adam the names of all things; then He brought them within the ken of the angels and said: "Declare unto Me the names of these (things), if what you say is true."

They replied "limitless art Thou in Thy glory! No knowledge have we save that which Thou hast imparted unto us. Verily, Thou alone art all-knowing, truly wise."

Said He: "O Adam, convey unto them the names of these (things)."

12 Asad has stated that the literal meaning of the expression which he has translated as "establish on earth one who shall inherit it" is "establish on earth a successor or a vice-gerent." He adds, "The term *khalīfā*—derived from the verb *khalafa*, 'he succeeded (another)'—is used in this allegory to denote man's rightful supremacy on earth, which is most suitably rendered by the expression "he shall inherit the earth" (in the sense of being given possession of it), *The Message of the Qur'an*, 8, footnote 22.

And as soon as (Adam) had conveyed unto them their names, (God) said: "Did I not say unto you, 'Verily, I alone know the hidden reality of the heavens and the earth, and know all that you bring into the open and all that you would conceal?'"

And when We told the angels, "Prostrate yourselves before Adam!—they all prostrated themselves, save *Iblīs*, who refused and gloried in his arrogance: and thus he became one of those who deny the truth."¹³

b. Sūra 15: Al-Hijr: 26–43

And, indeed, We have created man out of sounding clay, out of dark slime transmuted—whereas the invisible beings We had created, (long) before that, out of the fire of scorching winds.

And lo! Thy Sustainer said unto the angels: "Behold, I am about to create mortal man out of sounding clay, out of dark slime transmuted; and when I have formed him fully and breathed into him of My spirit, fall down before him in prostration!"

Thereupon the angels prostrated themselves, all of them together, save *Iblīs*: he refused to be among those who prostrated themselves.

Said He: "O *Iblīs*! What is thy reason for not being among those who have prostrated themselves?"

(*Iblīs*) replied: "It is not for me to prostrate myself before mortal man whom Thou hast created out of sounding clay, out of dark slime transmuted!"

Said He: "Go forth, then, from this (angelic state): for, behold, thou art (henceforth) accursed, and (My) rejection shall be thy due until the Day of Judgment!"

Said (*Iblīs*): "Then, O my Sustainer, grant me a respite till the Day when all shall be raised from the dead!"

Answered He: "Verily, so be it: thou shalt be among those who are granted respite till the Day the time whereof is known (to Me alone)."

(Whereupon *Iblīs*) said: "O my Sustainer! Since Thou hast thwarted me, I shall indeed make (all that is evil) on earth seem goodly to them, and shall most certainly beguile them into grievous error—(all) save such of them as are truly Thy servants!"

Said He: “This is, with Me, a straight way: verily, thou shalt have no power over My creatures—unless it be such as are (already) lost in grievous error and follow thee (of their own will): and for all such, behold, hell is the promised goal.”¹⁴

c. *Sūra 17: Al-Isrā’*: 61–64

And lo! We said unto the angels, “Prostrate yourselves before Adam”—whereupon they all prostrated themselves, save *Iblīs*.

Said he: “Shall I prostrate myself before one whom Thou hast created out of clay?”

(And) he added: “Tell me, is this (foolish being) the one whom Thou hast exalted above me? Indeed, if Thou wilt but allow me a respite till the Day of Resurrection, I shall most certainly cause his descendants—all but a few—to obey me blindly!”

(God) answered: “Go (the way thou hast chosen)! But as for such of them as shall follow thee—behold hell will be the recompense of you (all), a recompense most ample!

Entice, then, with thy voice such of them as thou canst, and bear upon them with all thy horses and all thy men, and be their partner in (all sins relating to) worldly goods and children, and hold out (all manner of) promises to them: and (they will not know that) whatever Satan (*ash-Shaitan*) promises them is but meant to delude the mind.”¹⁵

d. *Sūra 18: Al-Kahf*: 50

And (remember that) when We told the angels, “Prostrate yourselves before Adam,” they all prostrated themselves, save *Iblīs*: he (too) was one of those invisible beings, but then he turned away from his Sustainer’s command. Will you, then, take him and his cohorts for (your) masters instead of Me, although they are your foes? How vile an exchange on the evildoers’ part!¹⁶

13 Ibid.

14 Ibid.

15 Ibid.

16 Ibid.

e. Sūra 38: Ṣād: 71–85

(For,) lo, thy Sustainer said unto the angels: "Behold, I am about to create a human being out of clay; and when I have formed him fully and breathed into him of My spirit, fall you down before him in prostration!"

Thereupon the angels prostrated themselves, all of them together save Iblīs; he gloried

in his arrogance, and (thus) became one of those who deny the truth.

Said He (God): "O *Iblīs*! What has kept thee from prostrating thyself before that (being) which I have created with My hands? Art thou too proud (to bow down before another created being), or art thou of those who think (only) of themselves as high?"

Answered (*Iblīs*): "I am better than he: Thou hast created me out of fire, whereas him Thou hast created out of clay."

Said He (God): "Go forth, then, from this (angelic state)—for, behold, thou art henceforth accursed, and My rejection shall be thy due until the Day of Judgment!"

Said (*Iblīs*): "Then, O my Sustainer, grant me a respite till the Day when all shall be raised from the dead!"

Answered He (God): "Verily, so (be it:) thou shalt be among those who are granted respite till the Day the time whereof is known (only to Me)."

(Whereupon *Iblīs*) said: "Then (I swear) by Thy very might: I shall most certainly beguile them all into grievous error—(all) save such of them as are truly Thy servants!"

(And God) said: "This, then, is the truth! And this truth do I state: Most certainly will I fill hell with thee and such of them as shall follow thee, all together!"¹⁷

With reference to the above passages, the following points may be noted:

17 Ibid.

- a. God announces to the angels (*malā'ika*) that Adam has been appointed as God's vice-gerent (*khalīfa*) upon the earth. This clearly indicates that Adam was meant to live on the earth.
- b. The angels respond by saying that while they are continuously engaged in glorifying God, Adam will "spread corruption . . . and shed blood."
- c. God tells the angels, "I know that which you do not know" and proceeds to hold a "contest" between the angels and Adam. God asks the angels to name some things. Unable to do so, they respond by saying that they only know what God has imparted to them. God then asks Adam to name those things and he does so. God then asks the angels to recognize Adam's superiority and prostrate before him. They all do so except *Iblīs*.

The ability that Adam has—which elevates him above the celestial beings—is the faculty of reason, God's special gift to him, which enables him to "name" things, i.e., to form concepts, or to move from the concrete to the abstract. It is due to its ability to conceptualize that humankind is able to transcend the level of instinctive or innate knowledge possessed by other creatures. It is also this ability that makes it possible for him to discern between right and wrong, as pointed out by Asad.¹⁸

- d. Upon God's command, the celestial beings accept Adam's superiority (in terms of knowledge), but *Iblīs* refuses to do so. His refusal follows from his belief that being a creature of fire he is elementally superior to Adam who is a creature of clay. When condemned for his arrogance by God and ordered to depart in a state of abject disgrace, *Iblīs* throws a challenge to the Almighty: he will prove to God that Adam and Adam's progeny are unworthy of the honour and favour bestowed on them by God, being—in general—ungrateful, weak, and easily lured away from "the straight path" by worldly temptations. Not attempting to hide his intentions to come upon human beings from all sides, *Iblīs* asks for, and is granted, a reprieve until the Day of the Appointed Time. Not only is the reprieve granted, but God also challenges *Iblīs* to use all his wiles and forces to entice human beings and see if they would follow him.

A cosmic drama now begins, involving the eternal opposition between the principles of right and wrong or good and evil, which is lived out

as human beings, exercising their moral autonomy, who must now choose between "the straight path" and "the crooked path".

2. The Responsibility for the Act of Disobedience

In *Genesis*, Chapter 3, verses 1–5, the dialogue preceding the eating of the forbidden fruit by the human pair in the Garden of Eden takes place between the serpent and Eve (though Adam was "with her" as mentioned in verse 6). When Adam is asked by God if he has "been eating of the tree I forbade you to eat?" (verse 11), he responds by saying, "It was the woman you put with me; she gave me the fruit, and I ate it" (verse 12). God apparently accepts Adam's statement and says, "Because you listened to the voice of your wife," he will suffer much to eke out a bare living on earth. The biblical verses cited above have been made the basis for the popular casting of Eve into the role of tempter, deceiver and seducer of Adam who got him expelled from the Garden of Eden. Generally speaking, woman, not man, has been viewed as the primary agent of the "Fall" by many formulators—both Catholic and Protestant¹⁹—of the Christian tradition. This viewpoint is reflected by Tertullian (160–225 CE), a Church Father from North Africa, in the following passage that he addressed to women:

And do you not know that you are (each) an Eve? The sentence of God on this sex of yours lives in this age: the guilt must of necessity live too. You are the devil's gateway; you are the unsealer of that (forbidden) tree: you are the first deserter of the divine law, you are she who persuaded him whom the devil was not valiant enough to attack. You destroyed so easily God's image, man. On account of your desert—that is, death—even the Son of God had to die.²⁰

It is difficult to overstate the negative impact of the theological assumption that woman was the primary agent of the "Fall of Man" on the lives of millions of women. This theological assumption, though Christian in origin, came to influence both Jewish and Muslim tradi-

18 Ibid., 226, footnote 52.

19 John Penrice, *A Dictionary and Glossary of the Koran* (Lahore: Al-Biruni, 1975), 107.

20 Tertullian's *De culte feminarum* 1.1, cited in Leonard Swidler, *Biblical Affirmations of Woman* (Philadelphia: The Westminster Press, 1979), 346.

tions, mainly because the cultures in which the three traditions developed were patriarchal and viewed women in antagonistic terms. A number of biases against women found in the Christian and Jewish traditions, as well as the Greek-Hellenistic, and pre-Islamic, Bedouin Arab tradition, have, unfortunately, become incorporated into popular Muslim culture. It has, therefore, been possible to describe women as *fitna*, a word that can be defined as “temptation, trial, punishment, misfortune, and discord”.²¹ However, it must be stated here, with clarity and emphasis, that negative ideas and attitudes regarding women find no support whatsoever in the Qur’an which recognizes the vulnerability of girls and women in society, and consistently shows concern and compassion for them.

Unlike Genesis, Chapter 3, the Qur’an does not indicate that Adam’s *zawj* is primarily responsible for the human pair’s act of disobedience. In the Qur’an, *Iblīs* has no exclusive dialogue with Adam’s *zawj*. The three passages referring to this part of the episode have been cited earlier. In two of these passages, namely, Sūra 2: *Al-Baqara*: 35–39 and Sūra 7: *Al-A‘rāf*: 19–25, *Iblīs* is stated to have led both Adam and *zawj* astray, though in the former (verse 36) no actual conversation is reported. In the remaining passage, namely Sūra 20: *Ṭā-Hā*: 115–123, it is Adam who is charged with forgetting his covenant with God (verse 115), who is tempted by *al-Shayṭān* (verse 120) and who disobeys God and allows himself to be seduced (verse 121). In the last-cited passage, the “dialogue” which preceded, and led to, the act of disobedience, is stated to be between *Iblīs* and Adam. If this was indeed the case then the responsibility for the act would rest upon Adam who is mentioned thrice in this passage, and not his *zawj* who is not mentioned at all. However, if one looks at the three above-mentioned passages, as well as the way in which the term *Adam* functions generally in the Qur’an (as stated in an earlier chapter), it becomes clear that it is a symbol for humanity rather than the name of an individual.

3. *The Act of Disobedience and its Consequences*

In terms of the Qur’anic narrative what happens to the human pair in the Garden is a sequel to the interchange between God and *Iblīs*. In the

sequel we learn that the human pair have been commanded in Sūra 2: *Al-Baqara*: 35 and Sūra 7: *Al-A'raf*: 19 not to go near the Tree lest they become *ẓālimīn*. Seduced by *Iblīs* they disobey God. However, in Sūra 7: *Al-A'raf*: 23, they acknowledge before God that they have done *ẓulm* to themselves and earnestly seek God's forgiveness and mercy. They are told to "go forth" and "descend" from the Garden, but in giving this command, the Qur'an uses the dual form of address only once (in Sūra 18: *Ṭā-Hā*: 123); for the rest the plural form is used which necessarily refers to more than two persons and is generally understood as referring to humanity as a whole.

There is, strictly speaking, no "Fall" in the Qur'an. What the Qur'anic narration focuses upon is the moral choice that humanity is required to make when confronted by the alternatives presented by God and *Iblīs*. This becomes clear if one reflects on Sūra 2: (*Al-Baqara*) 35 and Sūra 7: (*Al-A'raf*) 19, in which it is stated: "You (dual) go not near this Tree, lest you (dual) become the 'ẓālimīn'." In other words, the human pair is being told that if they go near the Tree, then they will be counted amongst those who perpetrate *ẓulm*.

Commenting on the root *ẓulm*, Toshihiko Izutsu says:

The primary meaning of *ẓulm* is, in the opinion of many authoritative lexicologists, that of "putting in a wrong place." In the moral sphere it seems to mean primarily "to act in such a way as to transgress the proper limit and encroach upon the right of some other person." Briefly and generally speaking, *ẓulm* is to do injustice in the sense of going beyond one's bounds and doing what one has no right to.²²

By transgressing the limits set by God, the human pair became guilty of *ẓulm* toward themselves. This *ẓulm* consists in their taking on the responsibility for choosing between good and evil.

As pointed out by the modern Muslim scholar, Muhammad Iqbal:

The Qur'anic legend of the Fall has nothing to do with the first appearance of man on this planet. Its purpose is rather to indicate man's rise from a primitive state of instinctive appetite to the conscious possession of a free self, capable of doubt and disobedience. The Fall does not mean any moral depravity; it is

21 John Penrice, *A Dictionary and Glossary of the Koran*, 107.

22 Toshihiko Izutsu, *The Structure of the Ethical Terms in the Koran* (Tokyo: Keio Institute of Philosophical Studies, 1959), 152–153.

man's transition from simple consciousness to the first flash of self-consciousness ... Nor does the Qur'an regard the earth as a torture-hall where an elementally wicked humanity is imprisoned for an original act of sin. Man's first act of disobedience was also his first act of free choice; and that is why, according to the Qur'anic narration, Adam's first transgression was forgiven ... A being whose movements are wholly determined like a machine cannot produce goodness. Freedom is thus a condition of goodness. But to permit the emergence of a finite ego who has the power to choose ... is really to take a great risk; for the freedom to choose good involves also the freedom to choose what is the opposite of good. That God has taken this risk shows His immense faith in man; it is now for man to justify this faith.²³

Muhammad Asad's views on the human pair's act of disobedience are similar to those of Iqbal, and are cited below:

In his earlier state of innocence man was unaware of the existence of evil and therefore, of the ever-present necessity of making a choice between the many possibilities of action and behavior: in other words, he lived, like all other animals, in the light of his instincts alone. Inasmuch, however, as this innocence was only a condition of his existence and not a virtue, it gave to his life a static quality and thus precluded him from moral and intellectual development. The growth of his consciousness—symbolized by the willful act of disobedience to God's command—changed all this. It transformed him from a purely instinctive being into a full-fledged human entity as we know it—a human being capable of discerning between right and wrong and thus of choosing his way of life. In this deeper sense, the allegory of the Fall does not describe a retrogressive happening, but, rather, a new stage of human development: an opening of doors to moral considerations. By forbidding him to approach this tree, God made it possible for man to act wrongly—and, therefore, to act rightly as well: and so man became endowed with that moral free will which distinguishes him from all other sentient beings.²⁴

In the framework of Qur'anic theology, the order to go forth from *al-janna* given to Adam or the Children of Adam cannot be considered a punishment because, as mentioned in Sūra 2: *Al-Baqara*: 30, Adam was always meant to be God's vice-gerent on earth. As pointed out by Al-lama Iqbal, the earth is not a place of banishment but is declared by

23 Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam* (Lahore: Muhammad Ashraf, 1971), 85.

24 Asad, *The Message of the Qur'an*, 205, footnote 16.

the Qur'an to be humanity's dwelling place and source of profit to it.²⁵ This idea is reiterated by Dr. Fathi Osman, who states:

I have a reservation about the expression "Man's Fall". According to the Qur'an, Adam was forgiven for eating from the "forbidden tree" (Sūra 2: *Al-Baqara*: 37), and he came to inhabit and develop the earth, not as a punishment, but as a divine plan indicated in "I shall establish on earth a "*khalīfa*" (Sūra 2: *Al-Baqara*: 30). Further, it is stated in Sūra 11: *Hūd*: 61, "He brought you into being out of the earth, and brought you to develop it and thrive thereon (*istakhlafakum fihā*). I understand the "coming down" (*hubūt*) of Adam as a change of place according to the Creator's plan, and not a "fall" or a punishment.²⁶

In Summation

In the light of the foregoing discussion, it is clear that according to Qur'anic theology, the human pair's departure from *al-janna* is not regarded negatively as it has generally been in the Christian tradition, and that no sin or stigma is attached to Adam's *zawj* in the context of this story.

25 Iqbal, *The Reconstruction*, 84.

26 This citation is taken from a personal communication from Dr. Fathi Osman, dated October 10, 2008.

Hatice K. Arpaguŝ

*The Position of Woman
in the Creation:
A Qur'anic Perspective*

Introduction

This article attempts to examine the creation of the first woman, Eve, according to Islamic teachings, with respect to the first verse of Sūra Four (*Nisā'*/Women) in the Qur'an. The emphasis will be on the interpretation of the verse, particularly in the exegetical works from past to present. However, before embarking on the examination of the verse, it is important to underline, for the sake of clarity, that it is a concise verse. It is inferred, thus, that although Allah does not seek to recount the matters of creation with this verse and others, He still alludes to these issues, which are also the subject of scientific thought. As a result, since the topic of this verse has been explored deeply through sciences like biology, physics and astronomy, it is not possible to elucidate this problem through an exploration of only religion and proof texts (*naŝŝ*). These caveats should be borne in mind to emphasize that although this article does not aim to finally resolve the biological aspect of creation, its purpose is to contribute to the theological and religious aspect of the question through exegetical interpretations.

Relevant Verses:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا
بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا وَتَسَاءَلُونَ اللَّهَ الَّذِي تَسَاءَلُونَ

“O mankind! be conscious of your Sustainer, Who created you from a single being and created its mate of the same (kind) and spread from these two, many men and women; and remain conscious of God” (al-Nisā’ 4/1).

هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا

“He it is Who created you from a single being, and of the same (kind) did He make his mate, that he might find comfort in her” (al-A‘rāf 7/189).

خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ ثُمَّ جَعَلَ مِنْهَا زَوْجَهَا

“He created you from a single being, then made its mate of the same (kind)” (al-Zumar 39/6).

وَهُوَ الَّذِي أَنْشَأَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ

“And He it is Who has brought you into being from a single being” (al-An‘ām 6/98).

وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَزْوَاجِكُمْ بَنِينَ وَحَفَدَةً

“And Allah has made wives for you from among yourselves, and has given you sons and grandchildren from your wives” (al-Nahl 16/72).

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً

“And one of His signs is that He created mates for you from yourselves that you may find quiet of mind in them, and He put between you love and compassion” (al-Rūm 30/21).

فَاطِرَ السَّمَوَاتِ وَالْأَرْضِ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَمِنَ الْإِنْعَامِ أَزْوَاجًا لِتَرْوَوْا فِيهَا

“The Originator of the heavens and the earth; He made mates for you from among yourselves, and mates of the cattle too, multiplying you thereby” (al-Shūrā 42/11).

Common Origin of Male and Female Human Beings and Qur'anic Terminology

Each of the verses cited above refers to the common origins of the creation of human beings and emphasizes that the human species is designed in pairs. Therefore, it is necessary to look up the meanings of the terms *nafs* and *zawj* to understand the way in which humans were created. For this reason, the purpose of the terms *nafs* and *zawj*, and correspondingly of phrases “*nafs wāhida*” and “*khalāqa minhā zawjahā*”, will be interpreted and understood through careful exploration.

Beginning with the concept of *nafs*, although the word in question is semantically feminine, it encompasses both masculinity and femininity in its usage. In its lexical meaning it denotes the “same of something” and the “thing itself”, and in religious terminology it denotes soul, spirit and essence.¹ Foundationally, *nafs* is the entity that makes a human being what it is and, indeed, a human being in the worldly realm is comprised of all its soul and body.² This meaning of *nafs*, which is used only for human beings, points to the common origins of human beings and constitutes the very essence of humanity.

The concept of *zawj* is used for both female and male genders, but contrary to *nafs* it is a semantically masculine concept. This concept, with its meaning of coupling and matching, is used for each of the two elements of a couple or pair. However, since being in a couple or pair does not necessitate resemblance or sameness, opposing things can also be in couples or pairs. Namely, the concept of *zawj* denotes a couple or pair but does not necessarily mean being similar or the same. Unlike *nafs*, the concept of *zawj* is used for couples of animals, plants and every other being along with human beings. In the verse “and of everything We have created pairs” (Dhāriyāt 51/49), the reader is told that there are similar, antithetical or hard-to-separate composites of entities in the universe.³ Indeed, with the implications of these

1 Rāghib al-İṣfahānī, *al-Mufradāt fī gharīb al-Qurʾān*. (Cairo: Maktabat al-Anjilī al-Miṣriyya, 1970), “*nafs*.”

2 Ṭabāṭabāʾī, *al-Miʿān* An Exegesis of the Qurʾān IV (Beirut: Muʾassasa al-ʿĀlam li-l-Maṭbūʿāt, 1974), 135. According to ʿAbduh, the concept of *nafs* is the reality or quality through which one becomes human and is separated from other beings in the universe. Therefore, the human being is created out of one generum and reality (Rashid Riḍā, *Tafsīr al-Manār* IV (Cairo: Dār al-Manār, 1947), 326–327). Muhammad Asad, too, states that *nafs* means soul, spirit, intellect, living being, animate being, human being, person, identity (personal identity), humanity, essence of life and the first principle.

concepts, the dominant themes of the dual creation of human beings coming from a common origin and the inevitable function of piety for human beings stand out.

The Treatment of the Verse in Exegesis

Using conceptual analysis and the interpretations of exegetes, we can observe that many exegetical masters understood and explicated the phrase of “*nafs wāhida*” as referring to Adam. It is possible to count al-Ṭabarī (d. 310/922),⁴ al-Māturīdī (d. 333/944),⁵ al-Zamakhsharī (d. 538/1143),⁶ al-Ṭabarsī (d. 548/1153),⁷ al-Qurtūbī (d. 671/1272),⁸ Ibn Kathīr (d. 774/1372),⁹ Abū al-Su‘ūd (d. 982/1574),¹⁰ al-Shawkānī (d. 1250/1834),¹¹ Bursawī (d. 1137/1725), Mawdūdī (d. 1399/1979) and Ṭabāṭabā’ī (d. 1401/1981) among these exegetes. In fact, Ibn ‘Arabī, who, in the beginning of the chapter, Baqara (The Cow), moved from the objection to the creation of Adam, argues that there were blood-shedding and fomenting beings like humans on the earth before Adam. Ibn ‘Arabī’s followers interpreted “*nafs wāhida*” in this verse as referring to Adam.¹² ‘Abduh (d. 1323/1905) and al-Marāghī (d. 1364/1945), on the other hand, argue that the interpretation of the term in question as Adam is derived not from the verse itself, but from the assumption that the ancestor of all human beings *should* be Adam. Indeed, regarding the text on face value, ‘Abduh opines that the meaning of *nafs wāhida* should not be Adam. As a matter of fact, some exegetes say that the interlocutor of the address, “O humankind” at the

3 Rāghib al-Iṣfahānī, *al-Mufradāt*, “zawj”; Ibn Manẓūr, *Lisān al-‘Arab* (Cairo: Dār al-Ma‘ārif, 1981), 1885–1886, “zawj”.

4 al-Ṭabarī, *Jāmi‘ al-Bayān* VI, ed. ‘Abdullāh ‘Abd al-Muḥsin al-Turkī (Cairo: Dār Hijri, 2001), 339–340.

5 al-Māturīdī, *Ta’wīlāt al-Qur’ān* III, eds. Mehmet Boynukahın and, Bekir Topaloğlu (Istanbul: Dār al-Mizān, 2005), 8. However, Māturīdī, contrary to other exegetes, does not elaborate on the creation of Eve from the rib of Adam. Instead, he states that the essence and the origin of all human beings is *nafs wāhida*, or Adam, without saying that it is necessarily the body or the soul of Adam. He, being aware of the contradiction, tries to reconcile the creation of human beings both from Adam and soil or semen.

6 al-Zamakhsharī, *al-Kashshāf* III, ed. ‘Ādil Aḥmad ‘Abd al-Mawjūd (Riyāḍ: Maktaba al-‘Ubaykan, 1998), 5.

7 al-Ṭabarsī, *Majma‘ al-Bayān* IV. (Beirut: Dār Maktabat al-Ḥayā, 1961), 8–9. al-Ṭabarsī expresses that Allah emphasizes and commands piety in this chapter, and that *nafs wāhida* is interpreted by many exegetes as Adam. The rest of the verse is understood as referring to Eve. It is emphasized that in this interpretation, the hadith mentioning the creation of Eve out of Adam’s rib is central. However, al-Ṭabarsī also recounts a report by Muḥammad Bāqir about the creation of Eve out of the clay that was left off from the creation of Adam.

8 al-Qurtūbī, *al-Jāmi‘ li-Aḥkām al-Qur’ān* VI (Beirut: Mu’assasa al-Risāla, 2006), 6.

9 Ibn Kathīr, *Tafsīr* III (Cairo: Mu’assasa Qurṭuba, 2000), 333.

10 Abū al-Su‘ūd, *Irshād al-‘Aql* I, ed. ‘Abd al-Qādir Aḥmad Aṭā (Riyāḍ: Maṭba‘ al-Sāḥah, n. d.), 638.

11 al-Shawkānī, *Fath al-Qadar* I, ed. ‘Abd al-Raḥmān Umayrā (Mansūra: Dār al-Wafā’, 1994), 674.

beginning of the verse is either the people of Mecca or the Quraysh. Then the meaning of *nafs wāhida* should be the Quraysh or Banū 'Adnān. If the addressees are Arabs, it can be inferred that the *nafs wāhida* is Ya'rub or Qaḥṭān. 'Abduh thinks that this address comprises all communities that are summoned by the message of Islam. Such interpretations demonstrate that prevalent cultural assumptions affect one's understanding of the verse, and that readers made sense of the address, "O humankind" depending on their particular beliefs. Once people believe that they are the progeny of Adam, they tend to interpret *nafs wāhida* as Adam; in contrast, when communities believe their purported ancestors are otherwise, the meaning is interpreted accordingly.¹³ These assessments and explications demonstrate that the source of the interpretation as Adam is not the dogma itself, but a presumption of people. Indeed, 'Abduh suspects these beliefs. While the Qur'an does not explicitly deny the idea of Adam being the father of all human beings, 'Abduh does not oppose it. However, it takes a tinge of forced interpretation to prove this idea.

Additionally, not all of the aforementioned exegetes offer the same interpretation. Although they all agree on the fact that the *nafs wāhida* is Adam, they interpret the phrase "*khalāqa minhā zawjahā*" differently. Māturidī, for example, having said that *nafs wāhida* is Adam, advances to the "how-ness" of our origins in Adam without mentioning the creation of the first man and his wife. Fakhr al-Dīn al-Rāzī (d. 606/1209), on the other hand, reports that the opinion of Abū Muslim Iṣfahānī (d. 322/934) on the issue differs somewhat from other scholars. According to Abū Muslim Iṣfahānī, Allah created Adam as one soul, while

12 This line of thought is advanced by Ibn 'Arabī. Within his pantheistic system, Adam was the first creation because Allah created Adam in his image. Allah manifests Himself in only one image and a second manifestation is not possible. For this reason, He created Eve in the image of Adam like a human being. As a result, a man loves a woman by virtue of being her origin. Woman, on the other hand, loves a man like the dependence of a part on the whole and takes interest in him by virtue of her dependence on her origin. That is because man is considered to be the homeland of woman. Accordingly, A. Avni Konuk interprets man as a complete and wise being who gets the better of his carnal desires, whereas woman is an incomplete and ignorant being who succumbs to her carnal desire and is preoccupied with arrogance. These meanings apply to men and women in their appearance. Thus, complete and wise women, although female in appearance, are like men in actuality and Rabī'a al-Adawīyya constitutes the best example of such women. Similarly, incomplete and ignorant men-in-appearance are considered women in actuality. The ignorance and stupidity of the Pharaoh and Nimrod could be given as examples of this. Ahmed Avni Konuk, *Mesnevi-i Şerif Şerhi* 1, ed. Selçuk Eraydın-Mustafa Tahrahi (Istanbul: Kitabevi, 2005), 75.

13 Rashīd Riḍā, *Tafsīr al-Manār* IV, 323–325. It is not possible to say that the exegetes are in agreement about the addressee of the verse. For further comments and evaluations on the issue see Fakhr al-Dīn al-Rāzī, *Tafsīr al-Kabīr* IX (Beirut: Dār al-Fikr, 1981), 167; Rashīd Riḍā, *Tafsīr al-Kabīr* IV, 323–325; al-Marāghī, *Tafsīr al-Marāghī* II (Cairo: al-Bābī al-Ḥalabī, 1946), 175; Cemal Aḡırman, *Kādīmın Yarattığı* (Istanbul: Rağbet, 2001), 204–205.

he created Eve on the model of Adam. As a matter of fact, the word “*min*” in the phrase “*khalāqa minhā zawjahā*” points to the beginning moment of an event. Since creation and bringing into existence ex nihilo began with Adam, the verse can be construed as “he created you out of one and the same essence”. Furthermore, as Allah is capable of creating Adam out of soil, He should also be capable of creating Eve from the same matter. The text does not necessarily imply that Eve was made any differently than Adam. Therefore, it is disingenuous to argue that Eve is created out of one of Adam’s rib bones.¹⁴ Kaffāl (d. 365/975), also, subscribes to this opinion, and interprets the creation “out of one *nafs*” as “He created each of you out of one *nafs* and He created your wife out of the same category of *nafs* as human and subject to equal humanness”.¹⁵ Exegetes such as al-Shawkānī,¹⁶ al-Qāsimī (d. 1914),¹⁷ al-Marāghī,¹⁸ Muhammad Asad (d. 1992)¹⁹ and Ṭabāṭabā’ī (d. 1981) are among those who acknowledge or agree with both Kaffāl and Iṣfahānī’s opinion.

14 Fakhr al-Dīn al-Rāzī, *Tafsīr al-Kabīr* IX, 167. Iṣfahānī interprets the pronoun of *minhā* as “He created his wife from his kind” by connecting it to *nafs wāhida*. The word *nafs* in this verse has the same usage with the concept of *nafs* in the verses of Āl ‘Imrān 3:164, al-Tawba 9:128 and al-Nahl 16:72. Indeed, this matter in the last of these verses is translated by scholars in Turkish commentaries as “Allah size kendilerinizden zevceler de verdi” (Elmalılı Muhammed Hamdi Yazır d. 1942), “Allah sizin için kendilerinizden giftler yarattı” (Hasan Basri Çantay d. 1964), “Allah size kendi nefislerinizden eşler yarattı” (Süleyman Ateş, Ahmet Tekin), “Allah size kendi benliklerinizden eşler nasip etti” (Yaşar Nuri Öztürk). In English commentaries it is translated in various ways also: “Allah hath given you wives of your own kind” (Muhammad Marmaduke Pickthall d. 1936), “Allah has made wives for you from among yourselves” (Mawlānā Muḥammad ‘Alī d. 1951), “God has made for you mates (and companions) of your own nature” (‘Abdullah Yusuf ‘Alī d. 1952), “Allah has made for you *azwāj* (mates or wives) of your own kind (Muḥammad Taqī al-Dīn al-Hilālī & Muḥammad Muhsin Khan), “God has given you mates of your own kinds” (Muhammad Asad d. 1992). Namely, rendering of *nafs* “of your own kind” in translations shows that it is understood in parallel with the chapter of Woman. If this verse were to be rendered in tandem with the traditional interpretation, it should have been translated as “Allah created wives of your own kind, namely, of your rib bones”

15 al-Marāghī, *Tafsīr al-Marāghī* II, 175.

16 al-Shawkānī, *Fatḥ al-Qadār* I. Ed. ‘Abd al-Raḥmān ‘Umayrā (Manşūra: Dār al-Wafā, 1994), 674. He too thinks that the wife Eve is created from the *nafs wāhida* and claims that the first creation in question happened only once. Actually, he translates the said verse as “O human beings, Allah created you from the *nafs wāhida* from which he had created the wife of Adam as well.”

17 al-Qāsimī, *Maḥāsin al-Ta’wīl* V (Dār al-Iḥyā al-Ṭurāth al-‘Arabī, 1957), 1094–1095. He, though admitting that *nafs wāhida* is Adam, argues that God created his wife from the same self or kind by connecting the pronoun at the end of the verse, “He created his wife from him” to the *nafs*.

18 al-Marāghī, *Tafsīr al-Marāghī* II, 175. He is also among the scholars who think that Eve is not created from Adam. According to him, even though scholars interpreted *nafs wāhida* as Adam, they did it not because the verse says so but because they believe that Adam is the father of humankind.

19 Muhammad Asad, *The Message of Qur’an* (Gibraltar: Dar al-Andalus, 1980), 155. After having stated that many of the classical exegetes preferred “human being” from among many meanings of the concept of *nafs*, says that he concurs with ‘Abduh. Rashīd Riḍā, *Tafsīr al-Manār* IV, 323. For him, once all connotations of the term *nafs* are taken into account, *nafs wāhida* refers not to Adam but to the common origin of the human race and to their brotherhood. The concept itself denotes humanity. The creation of his wife from him reflects the biological fact that both genders were derived from one living entity.

Among those who are critical of the interpretation of past scholars are Mawdūdī,²⁰ Mūsā Jār Allāh, Ṭabāṭabā'ī²¹, Amina Wadud,²² Süleyman Ateş,²³ and Bayraktar Bayraklı.²⁴ Though it is not possible to treat their criticisms individually in this article, a few will be addressed. Mūsā Jār Allāh, for example, citing that “Eve was extracted from the left rib of Adam” is taught as an article of faith or a historical fact in catechisms and history books, expresses his astonishment at the agreement on an interpretation that contradicts the custom of the Qur'an. Indeed, Jār Allāh questions the grave significance of interpreting a verse with a phrase that is explicitly incorrect on the part of scholars. For him, interpreting verses with ungrounded ideas constitutes a crime as severe as repealing the Qur'an. These interpretations reveal that the word *minhā* in the phrase “*khalāqa minhā zawjahā*” was

20 Having admitted that there is no way to know how Eve was created, he mentions that the idea that Eve was created out of the thirteenth rib of Adam is adopted in the Bible and Talmud. On the contrary, he continues, the Qur'an is silent on this issue and the hadith of the Prophet in al-Bukhārī and Muslim indicates another meaning than is generally understood. Mawdūdī, *Tafhīm al-Qur'ān* I (Istanbul: İnsan, 1963), 327.

21 Ṭabāṭabā'ī interprets the phrase “*khalāqa minhā zawjahā*” as an understanding that his wife is similar to him and created from his kind. For him, all beings dispersed on earth are derived from two individuals who are similar to each other. The expression of *min* in the verse implies the source from which something originates and emerges. Thus, he thinks that the interpretation of *naḥs* as an understanding that his wife is created from him or a part of him is not correct, and that the verse is not a proof for this line of thought. Ṭabāṭabā'ī, *al-Mīzān: An Exegesis of the Qur'ān* IV (Beirut: Mu'assasa al-'ālam li-l-maṭbū'at 1974), 136.

22 She emphasizes the position of man and woman within the creation rather than the characteristics of creation and devises an approach for the problem as follows: this verse reveals the fact that humans are created as parts of a pair. The Qur'an indicates that along with the living beings there are many other non-qualified entities that are created in pairs (al-Dhāriyāt 51:49; Yāsīn 36:36). This means that being in pairs is the necessary characteristic of createdness. A couple consists of two forms of a single reality that go together. These parts, even if their nature, qualities, and functions are different, complete each other in a way that comprises a whole. Each member of the couple assumes the presence of the other from very early on and their existence is constructed on a mutual relationship. A man becomes a husband only when he has a wife and a woman becomes a wife only when she has a husband. In the witnessed world the existence of a spouse is contingent upon the existence of the other one. Amina Wadud, *Qur'an and Woman* (Oxford: Oxford University Press, 1999), 21; Toshihiko Izutsu, *God and Man in the Qur'an* (Kuala Lumpur: Islamic Book Trust, 2002), 85.

23 He explains the *naḥs wāhida* as a single living being and attempts to ground the issue on two kinds of reproduction identified as gamic and agamic in biology. In agamic reproduction the offspring is produced by the splitting of a single living being. This kind of production is found in seas, waterfronts, and algae. Also, bacteria and flagellant protozoan animals reproduce in this way. Gamic reproduction, on the other hand, is more adaptable for the life on land. Thus, life on earth might have started with basic forms through agamic reproduction in the water, followed by gamic reproduction that was passed onto land. In the meantime, Allah may have created various cells to form every kind of living thing. Every living being that exists on earth acquired their current form by evolving from these cells, building from their stem cells. First man, too, might have been created out of a simple, self-reproducing cell like this. Although this process of development is reminiscent of evolution, it occurs within the human species, and thus such creation is different from evolution. This living thing, which is the origin of the human being, acquired its intellect and capabilities during its development and brought about the humankind by assuming the name of Adam. As a result, the first creation might have occurred by agamic reproduction from a cell or a stem. Indeed, the creation of Eve from Adam in the hadith, if it is authentic, proves its occurrence through agamic reproduction. Süleyman Ateş, *Yüce Kur'an'ın Çağdaş Tefsiri* II (Istanbul: Yeni Ufuklar Neşriyat, 1989), 188–194.

understood to refer to one part of Adam. But if *minhā* means “from his rib”, how could we make sense of verses like “He created mates for you from yourselves” (30/21) and “Allah is He Who created you from a state of weakness” (30/54)? This problem clearly illustrates the lack of care exegetes may use while interpreting the Qur’an. By taking some of the words at face value, the exegetes compromised their interpretations of the Qur’anic verses. Although there is no doubt in the soundness of the hadith in the compilations of al-Bukhārī and Muslim, they do not constitute decisive proof for the interpretation of the verse in the Qur’an. In terms of its wording and meaning the verse does not seem to be suitable for an interpretation with hadith.²⁵ Ṭabāṭabā’ī informs us that when Muḥammad Bāqir, one of the Shi‘ite imams, was asked about the creation of Eve from the ribs of Adam, his response (after claiming its outright falsehood) was: is Allah incapable of creating her from something other than his rib? He continues by summarizing the reports of his great-grandfathers from the Prophet about the creation of Eve as follows: Allah grabs a handful of clay and stirs it, then creates Adam out of it and Eve with the rest of it.²⁶ Rābi‘ b. Anas, too, considering the verses that point to the creation of human beings out of clay and *naḥs wāḥida*, argues that Eve was created not from Adam but out of clay like Adam.²⁷ Moreover, Al-Ṭabarī says that these opinions about the creation of Eve were interpretations by the People

24 Although he largely agrees with Suleyman Ateş, he does not think that the interpretation of *naḥs* as Adam is correct. For him, *naḥs* means “essence,” and its femininity implies that it has a nature that is susceptible to reproduction and change. Thus, *naḥs* in the verse denotes the essence out of which Adam and his wife are created. On the other hand, verse 3:59 states that Adam is created out of soil, so there must be a link between these two verses. Moreover, it is recounted in verse 21:30 that every living being is created out of water. Once all these verses are taken into account, it is inferred that the life matter of human beings is composed of water, soil, and essence. The mixture of the elements in the soil with the water constitutes the essence of the human being. Just like the combination of the soul and body constitute the human being, H₂O, namely the combination of two hydrogen atoms and one oxygen atom, constitutes water. These two gases join with the carbon and nitrogen gases in the soil to compose the DNA of human beings. This is the *naḥs* or the essence of the human being. Agamic creation of Adam and Eve from this essence is later substituted by gametic reproduction. The essence of the gametic reproduction consists of the sperm of the male and the ovum of the female. The phases that are needed for the development of the ovum and the sperm also lead one to the single essence out of which Adam and Eve are created. The ovum and the sperm are made of blood; blood is made of the nutritional food that comes from the soil. The essence of the plants that grow in the soil consists of the water and the elements in the soil. This is why it is told in the chapter of Anbiyā’ that every human being is created out of water. Thus, all humankind is created indirectly out of water, if not directly, as in the case of Adam and his wife. As a result, Allah says in the first verse of the chapter of Nisā’ that He created the humankind from one *naḥs*, not from Adam. Bayraktar Bayraklı, *Kur’an Tefsiri*, V (Yeni Bir Anlayışın Işığında Kur’an Tefsiri, İstanbul: Bayraklı Yayınları, İstanbul, 2001), 19–24.

25 Mūsā Jār Allāh, *Hatun*, ed. Mehmet Görmez (Ankara: Kitabiyat Yayınları, 1999), 116–117.

26 Ṭabāṭabā’ī, *al-Mizān* IV, 146–147; al-Ṭabarsī, *Majma‘ al-Bayān* IV, 9.

27 al-‘Aynī, *‘Umda al-Qārī* XV (Beirut: Dār al-Kutub al-‘Ilmiyya, 2001), 292.

of the Book or are taken from the Torah.²⁸ Ṭabāṭabā'ī, too, having expressed his criticisms about the creation from the rib bone, subscribes to the idea that all human beings are created out of soil regardless of gender. This is because Allah rendered semen, an element originally from the soil, to be an instrument for the continuation of humankind.²⁹ Namely, both Adam and his wife are created out of soil.

The problem of evolution that prevails in Shi'ite and Sufi thought comes forth within the framework of creation. In this matter, Ṭabāṭabā'ī argues for the impossibility of Adam's having evolved from another living being that existed before him. For him, the creation of Adam and Eve as the first human beings is original and there is no similar living thing that could be their origin. Thus, the development and evolution of human beings from another species is out of the question, whereas it is arguable that human beings evolved within themselves. That is because research shows that the Earth was at first covered completely with water and only afterward did the land appear with the retreat of waters. In this process compounds made of water and soil emerged. From these compounds aquatic animals originated first, followed by amphibians, land-dwelling animals, and finally human beings. All these developed after the evolution of the soil compounds, and in every phase of the evolution the development took place within itself. Thus, the transition materializes from plants to aquatic animals, then to amphibious animals, then to land-dwelling animals, and then to human beings. The evidence for this is the perfection in the structures of these beings—the gradual development from simplicity to complexity and the evolutionary process that is observed through the scientific method. No experiment or life experience has proven the evolutionary process from one species to another. As a result, species are understood as distinct entities lacking any evolutionary connection. Evolution is acceptable as long as it occurs within a given species, not as a process for the creation of a new species from an existing species. Therefore, it is inconceivable to argue that the independent and self-contained species of human beings has evolved from another species.³⁰

28 al-Ṭabarī, *Jāmi' al-Bayān* VI, 341.

29 Ṭabāṭabā'ī, *al-Mizān* IV, 142. The author, considering the creation of Adam and the prostration of angels before him, argues that it is one extreme to say that the person that is mentioned here is not Adam but the whole humankind represented by him. The other extreme is to consider that there is more than one Adam. For him, the latter is a heresy.

The Reflection of the Problem in the Hadith

After weighing the interpretations of relevant verses, it is also helpful to consider the appropriate hadith. However, due to their abundant nature and various chains of transmission, it is necessary to first classify relevant hadith into two categories: those in the Nine Books³¹ and those that are found in the Qur'an commentaries based on Prophetic reports. Moreover, it is useful to divide the hadith that are found in the Nine Books into two additional categories because some passages seem to make a connection between women and the rib without mentioning Eve. The first of the two is as follows, "Woman is bent like the rib bone. You break it if you want to straighten it but you can make use of it while it is still bent".³² The second: "Counsel benevolence about women because they are created out of a bent bone. The most bent portion of the rib is at its beginning. You break it if you want to straighten it and if you leave it intact it remains bent. Thus, counsel to each other benevolence about women".³³ A great majority of scholars interpreted these hadith as referring to the creation of Eve from Adam's rib in conjunction with the Qur'anic verses. In other words, these

30 Ibid.,143–144.

31 The nine books refers to the most authoritative hadith collections according to Sunni authorities. This includes the six major collections with the addition of Mālik, Ibn Ḥanbal, and al-Dārimī.

32 al-Bukhārī, "Nikāḥ,"79; Muslim, "Raḍḍā'a,"65; al-Tirmidhī, "Ṭalāq,"12. As for the evaluation of the hadith, the report that is identified as the first version uses the preposition of similitude "ka"; this means that it is not about the creation of the woman but the conditions and the fashion of her nature. The conditions of her nature, like delicacy and fragility, are represented here with the bent rib. Thus, the Prophet must have referred to the psychological structure of women rather than to how Eve is created. The fact that the hadith scholars classified these hadith under the heading "treating women well" demonstrates that the function of these reports is not to explain the first creation or the creation of the woman. Suleyman Ateş notes that Abd al-Ra'ūf Munāwī reported the creation of Eve from the rib of Adam by using *qīla* (it is said) to make sure that he does not agree with the report. This shows that the subject of the hadith is not the creation of the woman. Shu'ayb al-Arnā'ūt, who edited *al-Ṣaḥīḥ* of Ibn Ḥibbān, argues while interpreting the phrase "the woman is created out of the rib," the creation here is not genuine and that it means "the woman is created in a bent nature." In fact, the wording of this hadith is similar to the verse of "man is created of haste" (al-Anbiyā' 21:37). Although it literally means that the human being is created out of haste, its real meaning is that the human being is hasty. Al-Arnā'ūt, too, focuses on the crookedness of the rib and explains the hadith along this line. Amīr 'Alā' al-Dīn 'Alī, *Ṣaḥīḥ Ibn Ḥibbān bi-Tartīb Ibn Balbān* IX, ed. Shu'ayb Arnā'ūt (Beirut: Mu'assasa al-Risāla, 1993), 485–486.) Al-Zajjāj, too, interprets the verse of "man is created of haste" as "man is hasty." The wording of the verse as such reveals the culture from which it is written: Arabs make sense of metaphors because Arabs use the form "x is created of y" to emphasize the excess in one's nature. For example, the expressions "you are one of the people who jest" (*anta min la'b*) and "you are created from jest" (*khuliqta min la'b*) mean that the person in question is jests excessively. al-Zajjāj, *Ma'ānī al-Qur'ān* III, ed. 'Abd al-Jalīl 'Abduh Shalabī (Beirut: 'Ālam al-kutub, 1988), 392. Namely, this expression is understood to describe a person who not physically created out of jokes, but rather one that has the attribute of jesting to an excessive degree.

33 al-Bukhārī, "Nikāḥ,"80; "Anbiyā'"1; Muslim, "Raḍḍā'a,"61–62.

hadith were used as a tool to make sense of the obscure parts of the verse. First of all, it is necessary to examine the soundness of this hadith. If examined in terms of its transmission and text, neither versions of the hadith can be rejected on the grounds of problematic transmission alone. Nevertheless, when they are compared with each other, the first one containing the simile appears to be more acceptable and solid than the creation version. It is thought that these reports are not communicated from the Prophet for the first time—they instead go back to a period before the Torah and perhaps as far back as the time of Abraham. Considered chronologically, the most essential version in ancient reports is the one that demonstrates similitude; in fact, it draws attention to the dissimilarities in the Torah narration. Rather than mentioning women in a general sense, the version in the Torah states that the first woman, Eve, was created out of Adam's rib. However, with the exception of the elements of the rib bone and creation, there is no commonality between the Torah and the reports attributed to the Prophet. The version with similitude is prevalent in the Nine Books, while the creation version becomes more widespread in later sources. This shows that the idea of the creation of women from the rib becomes gradually more dominant with the passage of time and that reports and perceptions that are derived from the Torah increasingly proliferate in the Islamic community. Ultimately this means the version with similitude transformed into the creation version or, possibly, the creation version was attributed to the Prophet thereafter.³⁴

The second hadith is reported from Ibn Mas'ūd and Ibn 'Abbās, "When Allah expelled Satan from the Paradise and put Adam in it, Adam remained alone in there. There was nothing to eliminate his solitude. Allah made him sleep for a while, extracted one of his rib bones from his left side, filled the ensuing void in with flesh and created Eve from that rib bone."³⁵ When Adam woke up he found a wom-

34 Cemal Ağırman, *Kadının Yarattığı*, 127, 147, 177–179. For the evaluation of the reports individually, see 53–127. It is observed once again that the idea of Eve being created out of Adam's rib was a widespread belief and assumption among Arabs during the lifetime of the Prophet. It is possible that this belief survived in the form of a hadith. Even if it is conceded that the Prophet uttered this phrase, he must have reported it in a simile or metaphor in parallel with the prevalent opinion. Talip Özdeğ, *Kur'an ve Cinsiyet Ayrımcılığı* (Ankara: Fecr, 2005), 108. Müsâ Jâr Allâh, too, argues that there is nothing in this hadith that could pass as evidence for the phrase, "Eve was extracted from the left rib of Adam." The expression, "they are created out of rib," is like the verse, "Allah created you from haste." What differs is just the wording. In the hadith, men are invited to be caressing and compassionate. The verse, on the other hand, refers to the divine power that transforms the essence of the human being. However, it does not intend to vilify men or women because of the feebleness in their essence in any way. (Müsâ Jâr Allâh, *Hatun*, 117–118.)

an sitting next to him and asked her: ‘Who are you?’ She answered, ‘A woman’. When Adam asked, ‘Why are you created?’ she said, ‘So that you find peace with me’. When the angels asked, ‘What is her name?’ he said, ‘Eve’. When they asked, ‘Why is she called Eve?’ he said, ‘Because she is created out of living matter.’³⁶ It appears that this report refers not explicitly to the matter of Eve’s creation, but to the purpose of her creation and to the etymological sense of her name. The only commonality that this report has with the Qur’anic references is the fact that Eve is created for the tranquility of Adam. Eve is created to alleviate Adam’s troubles and to comfort him while he was wandering in the Paradise in a state of boredom and desolation.³⁷ The text emphasizes the meaning and etymology of Eve’s name, deduced from the word “living” to support the argument that she is created from Adam. An additional argument explores the possibility that the woman is called “imra’a” because she is created out of man (mar’), and “Eve” because she is the mother of all living beings.³⁸

Actually, there exist a variety of other narratives about the creation of Eve. To elaborately analyze each narrative is beyond the scope of this article. The internally contradictory nature of these narratives, along with the fact that they follow the biblical accounts, are the most serious problems to be addressed. When enumerating these narratives, al-Ṭabarī stresses the fact that their sources are pre-Islamic. The very time of Eve’s creation is one of the most glaring contradictions. According to what Suddī reported from Ibn ‘Abbās and Ibn Mas’ūd, the creation of Eve took place after the expulsion of Satan from Paradise—a period in which Adam was completely alone. Thus, Eve must have been created when Adam was in Paradise. However, in other passages, Allah gave the command of entering Paradise after Eve was created.³⁹ Some hadith have also been embellished with fantastic details that elaborate on these reports. For instance, one such narrative reported by Ibn

35 Thus, Genesis says that Allah caused a deep sleep to overcome the man, and, while he was asleep, took a rib bone of his, covered it with flesh, made a woman out of it and gave her to the man (Genesis 2:21–24).

36 Fakhr al-Dīn al-Rāzī, *Tafsīr al-Kabīr* III, 2–3; Ibn Kathīr, *al-Bidāya* I (Beirut: Dār al-Fikr, 1978), 173–174; al-Qurṭubī, *al-Jāmi’ li-Aḥkām al-Qur’ān*, vol. I, 449.

37 Ibn Kathīr, *al-Bidāya* I, 173–174.

38 Abū Ḥayyān, *al-Baḥr al-Muḥīṭ* I (Beirut: Dār al-Kutub al-Ilmiyya, 1993), 307.

39 Fakhr al-Dīn al-Rāzī, *Tafsīr al-Kabīr* III, 2; Ibn Kathīr, *al-Bidāya* I, 5. According to reports from Ibn ‘Abbās and Ibn Mas’ūd, Eve is created in Paradise, while Fakhr al-Dīn al-Rāzī argues that Eve was created before Adam entered Paradise. Others believe that Eve was created when Adam was taught the names. According to the majority of exegetes, the creation of Eve became inevitable when Adam was left in solitude after his fall from Paradise. Abū Ḥayyān, *al-Baḥr al-Muḥīṭ* I, 307.

‘Abbās and ‘Umar is: “Allah sent an army of angels and they carried Adam and Eve on a golden throne on which sultans would be carried. Their robes were made of light and each of them had a golden crown embellished with rubies and pearls. Adam had around his waist a belt adorned with pearls and rubies”⁴⁰ It is clear that interpreters were led to different conclusions after considering the fact that the Qur’an directly mentions the creation of Adam, but ignores the way in which Eve was created. Moreover, both the similarities of these narratives to biblical accounts and their disparities from the style of sound hadith reinforce the possibility that they came from a different source. The Torah, on the other hand, engages with this issue in a detailed manner. Since Islamic sources are silent on the issue, non-Islamic information in the literature must have been the result of a general tendency on the part of Muslim scholars to fill in the blanks with biblical and Talmudic sources.⁴¹ Unfortunately, what may have seemed like a minor detail to a scholar was amplified in later scholarship.

An assessment of the narratives that appear to be inspired by the creation myths of different religions and cultures will be made. It should be noted first that such stories and narratives exist in all religions. The criterion to evaluate the truthfulness of the reports should be crafted not through various narratives and cultures, but from the very framework of the Qur’an itself. In other words, since it is possible that the creation myths outside the Qur’an are distortions of reality, it is necessary to employ solid and authentic sources when attempting their interpretation. It is accepted that the Qur’an, in comparison to other religious scriptures, is today in its original state. Within the scheme of creation told in the Old Testament, it is recognized that woman was created out of Adam’s rib and is thus a dependent, second-

40 Fakhr al-Din al-Rāzī, *Tafsīr al-Kabīr* III, 3. Research shows that among the reports that are connected with biblical sources, those on the creation are at the forefront. This supports the argument that many issues that the Qur’an mentions briefly are later given details through Jewish sources. The fact that the name of Ibn ‘Abbās is regularly encountered in such reports shows that these reports entered into Islamic literature through him. Namely, Talmudic knowledge and various reports and phrases that belong to the Jewish literature have entered into Muslim literature in this way or were borrowed from Jewish apocryphal texts. Özcan Hıdır, “İsrailiyat-Hadis İlişkisi,” (Ph.D. diss.; İstanbul University, 2000), 346–347; Hatice K. Arpağuş, *Osmanlı Halkının Geleneksel İslâm Anlayışı* (İstanbul: Ensar, 2006), 159–163, 166–167, 170–171.

41 Mustafa Erdem, *Hz. Âdem (İlk İnsan)* (Ankara: Türkiye Diyanet Vakfı, 1994), 148–149. Earlier scholars’ approach to the issue like this constitutes only one corollary of misunderstanding the hadith. See Salih Kesgin, “Âyetleri Algılamada Hadis Algısının Etkisi,” in *Kur’an İlimleri ve Tefsir Usûlü*, ed. Bilal Gökçür, 477–490 (İstanbul: İlim Yayma Vakfı Kur’an ve Tefsir Akademisi, 2009) about the negative effects of the use of hadith out of context.

ary, and deficient being. In Greek mythology, the woman is created to tilt the balance in the battle between the gods and the demi-gods—and though the gods have the shape of human beings, they are considered to have a demonic nature different than human beings. Cultural interactions can explain the fact that in some exegetical works, the traditional perceptions of biblical narratives are dominant. It is common knowledge among cultural interaction theorists that when two cultures encounter similar elements, each transfers its own element to the other and new elements develop over older ones. Since Islamic tradition does not lock the gates to the intrusion of other cultural elements, these myths and reports have entered into the Islamic corpus through the historical process. Indeed, Islamic tradition, with the prerequisite that certain narratives are not explicitly against the foundations of Islamic belief, evaluates the narratives on the basis that some can be confirmed and some cannot.⁴² Since topics like the creation are not among the canons of belief or the rulings of law, it is acceptable that different cultural bodies of knowledge can be used in their interpretation. In that respect, these cultural elements should be evaluated by taking the Qur'an and the original sources of Islam as the points of departure.

Examples from the Accounts of the Creation of Woman

This issue has not remained a minor element in exegetical works; rather, it has developed into a widely discussed topic, with attempts to derive legal rulings from it. For instance, the idea that Eve is created out of Adam's rib bone led to the legal conclusion that she is a part of him. Following this ruling, it was determined that the male child's urine is more pure than the urine of a female child. While it is necessary to rinse away the urine of a female child to purify something on which it falls, it is sufficient to only sprinkle some water on the urine of a male child. This issue is based on a hadith found in the compilation of Ibn Māja. The difference in cleanliness, despite the sameness of the water, is asked of Imam al-Shāfi'ī, and he answers by going back to the story

42 Although there is extensive literature about this issue, it would be enough to look at the following book for a fair evaluation: al-Dhahabī, *al-Isrā'iliyyāt fī al-Tafsīr wa-l-Ḥadīth* (Dimāshq: Dār al-Imān, 1995).

of the creation of Eve from the rib bone of Adam. He opines that the urine of a male child is made of soil and water, whereas that of a female child is made of blood and flesh.⁴³ In the commentary for this hadith, having discussed its legal aspects and remarked that it is a matter of pre-Islamic culture, Subkī explains this difference between the urine of a male and a female child by referring to the general tendency among pre-Islamic Arabs of loving their sons more than their daughters.⁴⁴ This issue is also carried into the discussion of the inheritance rights of a hermaphrodite whose sexuality is not decisive. If this person has the characteristics of both genders—like a beard, breasts and other sexual organs—it is suggested to check out his/her left rib to see if he/she has the smallest rib. Since Eve is created out of the smallest rib, men do not have one on their left side. If the hermaphrodite has a smaller amount of rib bones than a biologically normative woman, his/her share is determined as if he/she is a man.⁴⁵ As an extension of the same idea, it is thought that men get more beautiful as time passes because Adam is created out of soil. It is claimed, on the other hand, that women age less beautifully because they are created out of rib bone and heart flesh.⁴⁶

Conclusion and Assessment

In light of all of the above explanations and interpretations, it may be gleaned that the thought of the People of the Book has played a decisive role in the interpretation of *nafs wāhida*, both in Sūra al-Nisā', along with other verses, and in establishing the belief that Adam is the

43 Ibn Mājah, "Kitāb al-Ṭahāra," 77 (hadith no. 525).

44 al-Subkī, *al-Manhal al-'Adhb al-Mawrūd*, vol. III (Beirut: Dār iḥyā' al-turāth al-'arabī, 1974), 246–250.

45 al-Qurṭubī, *al-Jāmi' li Ahkām al-Qur'ān* I, 450.

46 Tha'labī, *'Arā'is al-Majālis* (Cairo: No publisher, 1301/1884), 22. There are a number of ways to understand whether this issue has any relevance to our time. For that purpose we consulted the questions that were asked to the response bureau of the Presidency of Religious Affairs (and we thank Dr. Nevin Meriç for the valuable information that she provided us). It is detected that the way in which these questions are asked is very important. While sometimes a question is asked through a desire to learn the truth, other times a question is posed to only confirm the beliefs already held. These questions and approaches can be summarized as follows: (I) Women are created of men's rib bones, which can be broken suddenly and should not be oppressed. (II) Women are crooked creatures because they are created of men's ribs. It is futile to try to correct them. (III) Women are unfinished and deficient because they are created of Adam's rib. (IV) It is said in the Chapter of Women that Eve is created of Adam's rib; is this true? (V) What is the purpose of Eve's creation from Adam's rib? (VI) What is so special about the rib out of which women are created? Why not another limb?

father of humankind. This idea has also drawn authentication from irrelevant reports. Those who first used the proof text, however, arrived at different conclusions. Despite the Qur'an's insistent emphasis on the creation of humanity out of soil and clay, the creation of Eve as such is ignored and instead draws on other sources for validation.

Although there is no doubt that the creation of humans is based on water and soil, the Qur'an does not provide the details of the different phases through which it passed. When the society to which it was revealed is taken into account, the fact that the Qur'an treats the creation so concisely makes one think of three equally plausible possibilities:

- a. That the audience has detailed knowledge of the issue.
- b. Since the details of creation are not relevant to the point the Qur'an makes in that context, it is left intentionally brief.
- c. That the Qur'an talks about something in the realm of the unseen (*ghayb*), which cannot be expressed by deficient human language.⁴⁷

If we start off with the first possibility, it can be understood that narratives about creation were commonly known and accepted among the majority of people. As a matter of fact, some mythical narratives in circulation at the time of the Prophet show the prevalent *jāhili* beliefs, and point to narrations going as far back as the Sumerians. It also suggests the probability that some of these creation myths from other religions and cultures had leaked into the Bible. As a result, together with the assumption that people in the context of the revelation of the Qur'an were aware of such narratives, it appears that the Qur'an brought fresh perspectives on them. In the ongoing transition and transformation of perspectives, the method of the Qur'an was one of converting what people already knew to a new reality. For example, the Qur'an takes into account the current beliefs of people about the creation yet steers them towards a new truth. The truth that the Qur'an endorses is simple: the origin of human beings is a single essence or substance, of which both the first man and the first woman are created, and from which humanity has multiplied. Thus the Qur'an brings a fresh outlook to the issue by addressing the belief that Eve was created from Adam, and explaining the creation of both from one single essence. Faced with the unseen nature of the features of the

47 Amina Wadud, *Qur'an and Woman*, 20.

first creation, the Qur'an prefers to allude to it succinctly without further elucidation. As such, it implies that there is another dimension of the creation that concerns the sciences of biology, physics, and astronomy and urges humanity to explore this further.

If the second possibility is taken into account, the verse about creation from a single *nafs* reminds people that all are derived from the same origin and, at the same time, urges humans to piety. More specifically, in this verse, the Qur'an calls people to piety by making a reference to the creation. As a result, the fundamental value here is not how human beings were created, but rather the importance of piety that can be drawn from the sameness of our collective origins. In the following verse, like the aforementioned verse in Sūra Four (Nisā'/Women), Allah addresses all human beings and urges them to be pious:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ إِنَّ زَلْزَلَةَ السَّاعَةِ شَيْءٌ عَظِيمٌ

“O mankind! be conscious of your Sustainer; surely the violence of the Last Hour is an awesome thing” (al-Ḥajj 22/1).

In short, Allah calls all human beings to piety in both verses. However, in the first one He does it by referring to the creation, and in the second to the end of time. While doing this, Allah does not decree rulings about the physical beginning and the end of the universe or the biological beginnings of human beings and their end. The fact that the Qur'an touches upon these issues, while also making references that could be subject to scientific debate, demonstrates that the Qur'an assigns great importance to these sciences. At the same time, it leaves the scientific dimensions of the discussion to relevant branches of science and encourages people to engage with them.

The point we have arrived at supports the third possibility stated above. It is widely accepted that the Qur'an engages with a realm that is unseen, and it contents itself with mere allusions and refrains from offering clear explanations. It only says that the human being comes from dust (Al-ʿImrān 3/59; al-Kahf 18/37; al-Ḥajj 22/5; al-Rūm 30/20; Fāṭir 35/11), from clay (al-Anʿām 6/2; al-Sajda 32/7; al-Šaffāt 37/11; Šād 38/71), from a quintessence (of clay) (al-Muʿminūn 23/12), from the essence of a humble fluid (al-Sajda 32/8) and from water (al-Anbiyāʾ 21/30), and thus informs us that the human being gathers all elements in its composition. However, the phases that the initial materials of

creation (soil, water, and clay) go through are still in the realm of the unseen for human beings. Of course this does not mean that human beings cannot comment on these through scientific endeavors. Indeed, the whole venture from past to present that we summarized here is the sum of such comments and evaluations about this issue. Recent interpretations about the creation of human beings through agamic reproduction can be counted among these efforts that attempt to make the unknown knowable.

The emphasis on the fact that human beings are created in couples, while Allah points to the common origin of their creation, shows the importance of each member of the couple for the other. Indeed, the facts that couples find solace within each other and that Allah gave them feelings like love and compassion demonstrate that Allah assigned a certain value for both members of a couple in the created system and provided necessary ingredients for a balanced association. In fact, the Qur'an mentions this as being among the signs of Allah (al-Rūm 30/21) to show how important this is and how man and woman cannot find their place in the world without each other. It is unacceptable on the part of Islam and its believers to articulate the idea that woman was created from the crooked rib of man—and, indeed, not from the most crooked bone on the right side, but from the left side. It is impossible to argue that the man and the woman have the same value in society and that they share life equally after taking such an approach. When these interpretations are taken as truth, the woman's status falls to a secondary level in the existential plane and she becomes an instrument of the man, who occupies the primary level. This understanding threatens the balance between man and woman to the detriment of the woman. Couples should rather align themselves properly in order to sustain the system that Allah provided on the Earth as a sign of His existence. It is enough for that purpose to hearken to the message of the Qur'an, which transcends time.

Hidayet Şefkatli Tuksal

*Misogynistic
Reports in the Hadith
Literature*

The phenomenon of Muslim women questioning the position of “being a woman” within the framework of the Islamic religion and tradition is more often than not explained as arising due to new influences in the wake of Westernization, modernization, and feminism. These associations are not wholly erroneous. However, the objections that ‘Ā’isha, the Prophet’s wife, raised against some hadith reports about women which were becoming widespread in her own lifetime—a time when feminism, modernism, and Westernization were not yet forces to be reckoned with—are true precursors to the concerns raised by Muslim women today.

When ‘Ā’isha heard certain statements that attributed inauspiciousness to women, statements, for instance, that expressed a ruling that a person’s ritual prayer becomes void if a woman passes in front of him, and that these statements were being disseminated with the claim that these were “the words/hadith of the Prophet”, she was incensed. In response she drew attention to the fact that these reports were fabricated as an expression of negative impressions about women, stemming from the mentality of the Jāhiliya.¹ ‘Ā’isha’s objections

1 As reported by Urwa b. Zubayr, ‘Ā’isha asked: “What makes one’s ritual prayer void?” We said: “The woman and the donkey.” (Upon that) she said: “What a bad creature the woman is! (according to you the fact is that) When I lay down in front of the Messenger of Allah, like a corpse on the bier, I knew that he would pray his ritual prayer ...” Muslim, (4) Ṣalāh 51, h. 269 (v. 512), l. 366. English translation [Book of Prayer #1037].

were based upon the revelation process that she herself witnessed, and upon the worldview she developed through being the partner of the Prophet. Unfortunately, however, despite her strong opposition, this and similar reports took their place in hadith collections that are much respected by Muslims, with the justification that their *isnād* (chain of reporters) is sound.² The reports that are present in the hadith collections concerning women have influenced the Muslim world's mindset to a great extent. Issues concerning women in the literature of the Islamic disciplines have always been treated either within the framework created by these reports, or according to a general approach that is determined by these reports. In the discussions of earlier periods as to whether women could be rulers or prophets, scholars would use the hadith reports that spoke of women lacking reason and religion.³ Over the last century during which women's traditional role in the family was being reinterpreted, various reports of the kind were used in the effort to refute the adoption of Western ways.⁴ Consequently, the hadith reports that have to do with women, in many respects, determine the relationship between women and religion. In my doctoral thesis at the Ankara University Theology Faculty, Hadith Department, my research revealed that the common characteristic of the hadith reports concerning women could be best described—I am sorry to say—as misogynistic. That is why I termed the reports that attributed negative meaning to women's very existence as human beings and women, which conceived of women as being somehow different from the prototype of the “real human being”, and as having negative valence, or the reports that could lead to such a mindset, “misogynistic reports” in that study.⁵ As part of the thesis these reports were categorized into five main groups. They were examined, taking into account other related reports and were discussed from different angles in order to reveal their “misogynistic and patriarchal” character. The five categories are the following:

2 Ibn Hajar al-'Asqilānī, *Fath al-bārī* VI eds. Muḥammād Fu'ād 'Abd al-Bāqī, Muḥibb al-Dīn al-Khaṭīb, (Cairo: Dār al-Rayyān li'l-Turāth, 1987), 73.

3 Münire Mutlutürk, “Kelam Kaynaklarında Kadın” (Marmara University Social Sciences Institute, Theology Faculty, Kelam Department, Unpublished Ph.D. Dissertation: Istanbul, 2006), 34–43.

4 Many books that speak about the wife's duties towards their husbands and many Islamic sites on the web that contain ‘defenses’ of traditional views base their explanations on the hadith reports to be found in hadith collections.

5 Hidayet Şefkatli Tuksal, *Kadın Karşıtı Söylemin İslam Gelenegindeki İzdüşümleri* (Ankara: Kitabiyat Yayınları, 2006), 23.

1. The hadith reports that speak about the view that woman was created “from Adam’s rib”
2. The reports that claim that the majority of the inhabitants of Hell are women
3. The reports that claim that women are lacking both in reason and religion, and that they at the same time lead men astray
4. Reports that claim that women are inauspicious
5. Reports in which women are mentioned in the same breath as donkeys and dogs; such as the report which says that if a woman, donkey or dog passes in front of a person who is performing the ritual prayer, his ritual prayer will be invalid.

When we consider that fact that the reports mentioned above can be found in all of the respected collections of hadith, including those of Bukhārī and Muslim, and that these words that are attributed to Prophet Muhammad are considered *ṣaḥīḥ* (sound), we see that the transformation of mentality that had occurred during the time of the Prophet, directed for the most part for the betterment of women’s lot, had already started to regress at a very early period. These hadith reports had started to circulate when ‘Ā’isha was still alive, and this suggests that this regression started before the first two centuries had been completed, and that it gained momentum with political upheaval and rapid geographical expansion.

The different political camps that were formed at an early period of Islamic history eventually led to the fabrication of hadith reports, and this resulted in many made-up and one-sided accounts becoming known and disseminated as “hadith”. It is also known that during this period, reports of the *targhīb-tarḥīb* register spread wide and fast among the populace.⁶ The fact that the scholars of *jarḥ* (impugning reputation) and *ta’dīl* (deeming of good repute) showed a rather lax attitude towards the dissemination of hadith that did not contain any *shar’ī* (legally binding) implications—such as hadith concerning the benefit of good deeds, *targhīb-tarḥīb* (exhortation and intermediation), asceticism and good morals—led the hadith fabricated in these areas to be included in the collections of *ṣaḥīḥ* hadith.⁷ Thus, these reports

6 Mücteba Uğur, “Hadis Vaz’ı Kısacılık ve Hadiste Kussās,” *Ankara University Theology Faculty Journal* 28 (1986): 291–326.

7 Mahmut Demir, “Tergib ve Terhib Hadisleri” (Ankara University Social Sciences Institute, Theology Faculty, Unpublished Ph.D. Thesis, Ankara: 2001), 101.

gained a credibility they did not deserve and this caused many problems for the Muslim community. All the hadith that I have categorized above concerning women carry many of the characteristics of the fabricated hadith of *targhīb-tarhīb*, and yet they have gained the authority of being *ṣaḥīḥ* hadith. This indicates the dimensions of the misfortune and misunderstanding this ultimately caused in the area of women's issues.

I will now treat the categories of misogynistic reports one by one and illustrate my point with concrete examples:

1. Hadith reports that speak about the view that woman was created "from Adam's rib"

We can quote the following report as an example of how the creation of women is connected to the rib. This is a hadith that is transmitted by almost all great hadith authorities:

As reported by Abū Hurayra, the Prophet said the following: Whoever believes in Allah and the day of judgment should not be mean to their neighbours! And encourage the doing of good when it comes to women; for they have been created from the rib. The most bent part of the rib is its upper part. If you try to straighten it, it will break, if you leave it as is, it will remain bent forever. That is why you should encourage the doing of good among you concerning women!"⁸

As can clearly be seen in this text, woman being created from a rib is interpreted as women having a "bent" or "crooked" nature, like the shape of the rib bone, as a straightforward case of cause and effect. All similar reports address men who are implicitly believed to be stronger, and suggest that in their relations with the women who are under their guardianship, good (*khayr*) should be the effective principle. Although the report has a positive approach, as in the *targhīb* (incitement/encouragement) type hadith, it is still problematic because the encouragement of good behavior is based not on principles of respect and love, but rather on the "bent", or crooked, nature of women. This

8 al-Bukhārī, *al-Jāmi' al-musnad al-ṣaḥīḥ* VI (Istanbul: Çağrı Yayınları, 1992) (67) Nikāḥ, 80, 145.

crookedness that is claimed to exist in women's nature implies the existence of problems in the area of morals as well.

The comment of the famous hadith exegete al-Nawawī concerning the report, which should in fact be understood as an example of *targhīb* (encouragement), presents a very interesting example of how this report is carried to the platform of *fiqh*:

This hadith contains proof for the view of some *fuqahā'* and others that 'Eve was created from Adam's rib bone'. Allah declares "We created you from a single soul (*nafs*), and from it its partner" and the Prophet says that the partner was created from the rib. This hadith, (apart from) encouraging men to be kind to women, to treat them well, to be patient in the face of their crooked morals, points to their possible lack of reason, the unseemliness of divorcing them without good reason and that (men) should not be insistent on trying to straighten out women.⁹

Adding to these views, Ibn Ḥajar says that the duty of "forbearance" that is given to men has a limit, that tolerance can extend only to the areas that are *mubāh* (permitted), that in cases that may lead to sin or the abandonment of *wājib* (required behaviors), one can infer the ruling that intervention in the crookedness is necessary, and thus he assesses the role of this report within the field of *fiqh*.¹⁰

When viewed from another perspective, we see in these reports and exegeses, what meaning this problem of "crookedness" can have for a woman's life. What it means to herself, and what kind of difficulties it poses for her, are completely ignored, and the issue is treated only with regard to the problems that her condition may cause to the man who is her husband. In these reports, crookedness is treated as a state of being for women only; and this creates the perception that men are above such faults, and only serves the purpose of reducing women to a sub-category of human that is more flawed than that of the male.

9 al-Nawawī, *al-Minhāj XX*, ed. Al-Shaykh Khalīl Ma'mūn Shīḥā (3rd ed.) (Beirut: Dār al-Ma'rifa, 1996), 229.

10 Ibn Ḥajar al-'Asqalānī, *Fath al-bārī IX*, 162–163.

2. *The reports that claim that the majority of the inhabitants of Hell are women*

The reports in this category are reports that have the aim of instilling fear (*tarhīb*) by cautioning women against Hell while encouraging them to avoid sin. However, the hyperbole in these reports is so strong that the aim is overshadowed by the power of the images that speak of women's terrible fate. Given that such reports are various and disparate, here I will discuss a report in the *Muwatṭā*. During the time of the Prophet there was a solar eclipse, a phenomenon that was believed to be an extraordinary and almost supernatural event. According to some reports, the Prophet believed this to be the end of the world and so he ran to the mosque to pray. The same reports relate that he saw a vision of Heaven and Hell, and the section of these reports related to women is as follows:

[...] I also saw the fire, but I had not seen a scene so ugly and terrible as I saw that day. I also saw that the majority of the inhabitants of Hell were women." "Why, O Messenger of Allah?" they asked. (In response) he said "Because of their denial!" "Do they deny Allah?" they asked again. "They are ungrateful to their husbands, they are ungrateful in the face of goodness. If you should show goodness to one of them as long as the world lasts, and then if you should do something that displeases them they (at once) say, "I have never seen any goodness from you!"¹¹

The first association generated with the expression "because of their denial" in the minds of the listeners is the hermeneutic key for our discussion. The views that Ibn Ḥajar quotes from Qādī Abū Bakr b. al-'Arabī (d. 543/1148) are rather interesting in exposing the context that this report was placed in:

[...] But the denial that is attributed to women here is not denial that leads to apostasy. The fact that ingratitude towards the husband is chosen specially among many types of sins refers, in a refined way, to the following words of the Messenger of Allah: "Were I to order someone to prostrate in front of another, then I would have ordered women to prostrate in front of their husbands."

11 Mālik ibn Anas, *Muwatṭā* I, ed. Muhammed Fu'ād 'Abd al-Bāqī, (Istanbul: Çağrı Yayınları, 1992) *Ṣalāt al-kusūf* 1. 186.

According to this, the rights of the husband are considered to be equal to the rights of Allah. If a woman is ungrateful to her husband, given that the rights of men over their wives are at such a level, this becomes proof that she belittles Allah's rights over her. That is why denial is attributed to her, but this is a denial that is not equal to apostasy.¹²

Al-Nawawī, in the commentary that he provides for this report, concludes that because it is punished with fire, ingratitude to the husband for his goodness is among the great sins.¹³

Apart from ingratitude, there are reports that accuse women of characteristics such as fondness for ornament, miserliness, tendency to reveal secrets, ill temper and jealousy concerning their husband's other wives; such reports threaten women with Hell due to these failings. The way these characteristics are described as pertaining only to female character, to give the impression that men are above such emotions, reveals a gender discriminatory approach. The feeling of jealousy that is idealized and legitimized with reference to the jealousy of Allah in the case of men is categorized as a crime that can lead to Hell when exercised by women, since jealousy exercised by women concerning their husbands will only serve to make the lives of men more difficult. It is also made clear that these reports, which are in the mode of *tarhīb* (instilling fear) and which reduce women to the status of criminal underlings vis-à-vis their husbands, exploit divine and Prophetic authority as a tool when sanctifying male authority.

The fact that these reports which, in many respects, carry the characteristics of fabricated hadith, contain elements that are against many verses of the Qur'an, seems neither to have bothered the great hadith authorities who included them in collections of hadith that are called "*ṣaḥīḥ*", nor the Qur'anic exegetes who explained and commented on them in later periods.

¹² *Fath al-bārī* I, 105.

3. The reports that claim that women are lacking both in reason and religion, and that they at the same time lead men astray

The hadith reports that describe women in general as being “lacking in reason and religion” without making any distinctions between them can be found in all known hadith collections with some variations, and they are usually given the status of being sound (*ṣaḥīḥ*). The aim of these reports against women to manipulate the legitimizing power of the Prophet’s word is evident, and they have served their purpose throughout history, as they have been accepted and used to construct the most basic ontological knowledge about women. Even today, these reports, with all their determining power, are in popular use. The reports that discuss women’s lack of reason and religion are merged with the expression that deals with women comprising the majority of inhabitants in Hell. I will now quote a passage reported from Abū Sa‘īd al-Khudrī, ‘Abdullāh b. ‘Umar, Abū Hurayra, and Jābir b. ‘Abd Allāh, all of them in almost identical terms:

“Oh the congregation of women! Give alms and ask for more forgiveness! For I have seen you to be the majority among Hell’s inhabitants.”

One woman (of the congregation) said: “What is it with us that we comprise the majority of the inhabitants of Hell, oh Messenger of Allah?”

The Prophet answered: “You curse too much and you are ungrateful to your husbands. I have not seen anyone to be so lacking in reason and religion and yet so able to defeat a person of deliberation!”

The woman (asked): “Oh Messenger of Allah! What is “lacking in reason and religion”?”

The Prophet answered in the following way: “Lack of reason is that two women’s testimony is equal to one man’s; this is the lack in reason. You do not perform the ritual prayer for days, you do not fast in Ramadan, and this is the lack in religion.”¹⁴

According to reports, this conversation took place after an Eid prayer. Having finished the Eid prayer and said what he meant to say to the men in the front, the Prophet approached the women’s section be-

hind the men's and addressed them. Shorter versions of the report of this address relate how the women gave away their jewelry as alms, or *ṣadaqa*, when they were required to contribute materially to the common economic needs of society.

However, in reports similar to the longer one I have quoted above, the *ṣadaqa* (charity) required from women is not to contribute to the society economically but as repentance for the sin they have committed by showing ingratitude to their husbands, so that they may avert being destined for Hell. The difference between these two kinds of reports, in which the same request is said to be based on different causes, is rather meaningful.

When we consider the reports that link the *ṣadaqa* that is asked of them to economic necessities, along with other reports that point to women's contribution to social life, we see that women played an important role as founding elements in the early Muslim community. The fact that women participated in congregational prayer (which could be said to be a social function at the time), that they participated in Eid prayer, that in the hijra (migration) to Medina they swore their allegiance to the Prophet upon certain principles, are all phenomena that support this view. It will, then, not be an exaggeration to suggest that some people have manipulated and reshaped the historical facts concerning women's founding role in the new Muslim society.

*a. The discourse of female
"lack of reason and religion"
and its source*

In the report that we have quoted above, women's lack of reason is explained through the practices of bearing witness mentioned in the 282nd verse of Sūra Baqara (Qur'an 2:282). In this verse, it is stated that in situations where two male witnesses cannot be found, one male and two female witnesses (on whom the two parties agree) can be used, and the need for "two women" is explained in the verse as being "so that one will remind the other if she should be mistaken". The way this explanatory sentence has been understood and interpreted in conjunction with the reports about "women's lack of reason" have been used as mutually supportive evidence. This rationale has played

13 Al-Nawawī, *al-Minhāj* II, 254.

14 Muslim, (1) Imān 34, hadith 132 (79), I. 86–87.

a great role in having the perception that women, by nature, are “lacking in reason” acquire religious legitimacy. In the interpretations of the exegetes concerning the verse, the emphasis on women’s forgetful “nature” becomes more important. The focus is very much on justification on the basis of “women’s nature”, particularly in the classical interpretations.

Because phlegm and cold take up a lot of space in women’s bodily make-up, forgetfulness is dominant in women’s nature. That two women should coalesce in forgetfulness is not probable, almost impossible, compared to the forgetfulness stemming from one woman. For that reason, two women’s testimonies have been seen as appropriate (replacement) for the testimony of one man.¹⁵

This justification based on “women’s nature” has sometimes become an excuse for even more narrow interpretations. In other verses concerning testimony, the plural of the nouns used for witnesses are expressed in masculine form, according both to the structure of the Arabic language and the practices of social life at the time. This has led to a consensus among legal scholars that women’s testimony can in under no circumstances be accepted in cases that are under the scope of the *ḥudūd*.¹⁶ We quote an interesting interpretation concerning the issue:

In *ḥadd* and retaliation (*qīṣās*) crimes, the witnesses need to be male. In these cases women’s testimony cannot be accepted. For it was reported from al-Zuhrī that: “There is a sunna from the Prophet and the first two Caliphs that women’s testimony cannot be accepted in cases of *ḥadd* and retaliation.”

Another reason why women’s testimony in these cases is not accepted is that in crimes of *ḥadd* and retaliation, if there is any doubt, the crime is voided. And women’s testimony can never be entirely free from doubt, since females are subject to confusion and heedlessness, and lack reason and religion from the time of their birth. This will always raise doubts.¹⁷

While the subject of women’s testimony is being discussed in these terms in the literature, the subject of men’s testimony has been rigorously debated in juristic circles as well. For instance, one topic of discussion is whether the testimony of a person who accuses an innocent

15 al-Rāzī, Muhammed Fakhrudḍīn, *al-Taḥfīr al-kabīr (Mafātiḥ al-ghayb)* II (Istanbul, n.d.), 552.

16 *Ḥadd, ḥudūd*—refers to a limit set of crimes and punishments stipulated in the Qur’an.

Muslim woman of adultery and yet fails to prove it by bringing forth four witnesses can be accepted after his *ḥadd* punishment has been executed and he has repented.¹⁸ The testimony of male and female slaves is an issue that is discussed within the context of social status.¹⁹ The testimony of a man who cannot see is also an issue that is discussed from different angles.²⁰

It is important that in these discussions, in the cases of men who are not faced with the stipulation of numbers because of their sex, as women are, but whose testimonies are disputed by some scholars because of certain other social or physical obstructions, concern about their “lack of reason” never comes up.

The fact that the testimony of a man who has the requisite experience in commercial transactions, that is a man who had become Muslim and had gained trust in the society, is not enough on its own, and that he has to be accompanied by the testimony of another man or two women, has not led to discussions about that man’s reason or an undermining of his testimony. However, unfortunately these reports have been accepted as the proper justification of a discourse of “female deficiency” that has left its stamp on Muslim tradition for centuries, and they have also been used to buttress an understanding that subjects women to male domination.

*b. The basis for the
discourse of female deficiency
in the sources*

It is known that from the very first days in which Islam was being institutionalized and systematized in Medina that the ritual prayer had a unifying role in gathering people together.²¹ Passages from the Quran being read during the ritual prayer ensured that the teaching was internalized both at emotional and intellectual levels. It can be observed that the ritual prayer retained its permanence but that it also gained new functions in parallel with developments in society. That is why, al-

17 al-Kāshānī, *Bidā’i*, VI, 279; quoted by Salih Akdemir in “Tarih Boyunca ve Kur’an-ı Kerim’de Kadın?” *İslam Araştırmalar Dergisi* V no. 4 (1989), 255.

18 *Fatḥ al-bāri* V, 301–302.

19 *Ibid.*, V.301–316.

20 *Ibid.*, V.312, 315.

21 It is reported that during the Incident of Kusūf (the Eclipse) the Prophet called the companions to this meeting with the words, “The ritual prayer gathers people together.” See *Muslim*, (10) Kusūf 5 (The Chapter of the Call of “The Ritual Prayer Gathers People Together”), hadith 20 (910), 1, 627.

though women were, in *shar‘ī* terms (and according to general consensus) told to stay away from certain forms of worship, such as the ritual prayer and fasting when they were menstruating, this staying away from worship was at the same time described as being a “lack of religion”. The contradiction inherent in this reasoning is probably due to another perception. This is that the reports that suggest “deficiency in religion” present themselves as perfect source material for those who consider deeds to be an essential component of ultimate personal judgment.

As we can clearly see from al-Nawawī’s comments²² that treat the worship’s *thawāb* (reward for deed) relationship, for those who regard menstruation as the cause of deficiency in religion, this state of women was not a natural condition in which they were excused from worship due to matters of hygiene and health, but rather a negative state that detracted from their religiosity. Women who suffered from this negative ailment, then, must necessarily be lacking in religion. This report, which is against the central tenets of the school of theology that argues that religion (and faith) cannot be increased or decreased according to deeds/worship and which therefore should be rejected is, on the contrary, accepted by them, as well as being considered a *ṣaḥīḥ* hadith. This reveals that the discourses concerning women being “secondary”, “deficient”, and “crooked” are dominant enough to even annul the principles of consistency and mercy associated with the school of *ra’y* (opinion).²³

22 “There is no “problem” here, on the contrary it is *ẓāhir* (apparent); for the words religion, faith and Islam share their meaning—as we have explained in relevant places. As we have mentioned before obedience is also called faith or religion. These being so fixed, we learn that the person who engages more in *‘ibāda* will have his faith increased, and the person whose *‘ibāda* decreases, his religion decreases. Abandoning *wājib ‘ibāda* (obligatory acts of worship) such as the ritual prayer, fasting and others without a legitimate excuse constitutes a sin; in the same vein, abandoning aspects that are not *wājib* such as the Friday prayer and others constitute an act that is not a sin. Also, it has an aspect that obliges the menstruating woman to abandon the ritual prayer and fasting. Since the menstruating woman is considered to have an ‘ailment’, if one should ask whether they will be given *thawāb* (reward for good deed) for the time that they have not performed the ritual prayer—just as the sick or the traveler not praying or shortening their prayers will be given *thawāb* equal to the supererogatory ritual prayer they pray when they are at home and in good health—the following will be the answer: “As can be understood from the *ẓāhir* of this hadith, she will not be given *thawāb*; (for between the two circumstances) there is the following difference: the sick and the traveler perform the (supererogatory) *‘ibāda* with their license to perform them and with the intention of continuing. However, such is not the case with menstruating women. Her intention is to abandon the ritual prayer during menstruation. In any case the intention to perform the ritual prayer is prohibited to her. In that case, the case of the menstruating woman is like the case of the person who performs supererogatory prayers sometimes and abandons them at others; that is to say like the case of the sick or the traveler who do not have the intention of continuing, and no *thawāb* (reward) is given to the sick or the traveler during the time of his sickness or travel,” al-Nawawī, II. 255.

23 This refers to Ḥanafī positions on these issues.

‘Aynī, a member of the Hanafi school, and an exegete of al-Bukhārī’s works who argues that deeds do not decrease faith, says the following about the matter: “The statement, ‘The ruling of being deficient in reason and religion is a general ruling’ contradicts the report, ‘The Prophet said: “Among all the women in the world the following four are enough: Maryam, the daughter of Imrān, ‘Āsiya, the wife of the Pharaoh, Khadija, the daughter of Khuwaylid, and Fāṭima, the daughter of Muhammad”.’” Against this claim he says, “If a ruling concerns the whole, this does not require that that ruling should be valid for all individuals in that whole”,²⁴ and with this argumentation, he excludes the four women mentioned in the hadith from the ruling, yet accepts the idea of the deficiency of reason and religion for all other women, without any exception. Thus consensus is achieved among the schools.

At this point we have to stop and ask the question, “What is this menstruation that decreases a woman’s religion?”

Almost all our hadith sources contain information, rulings, practices and perceptions concerning menstruation, sometimes in the Chapter on *Ṭahāra* (Chapter on Ritual Purity) and sometimes as a section on its own. The general tone of this information reflects the way the perceived truths and traditions of the time of the Companions were being questioned in the light of the new religious teaching. Interestingly, we also find a discussion about when it was that women first started to menstruate. Among the reports that are mentioned as an answer to this question is the view, “The beginning of menstruation occurred when Eve descended from Heaven”,²⁵ and also the view, “Menstruation was first sent to the Children of Israel.”²⁶ While the first view reflects the perception that menstruation is a natural phenomenon for women, the second view refers to another understanding. This report, related by ‘Aynī, expands the context of the second view:

This is a statement that ‘Abd al-Razzāq has derived from ‘Ā’isha and Abd Allāh b. Mas‘ūd. The statement is as the following: “In the society of the sons of Israel, women and men used to pray together. The women started to orna-

24 al-‘Aynī al-Ḥanafī, Badr al-Dīn Abū Muḥammad Maḥmūd b. Aḥmad (855/1451), *‘Umdat al-qārī* XXV, (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabi, 1975), 271.

25 *‘Umdat al-qārī* III. 256.

26 Bukhārī, (6) Ḥayḍ 1, I. 76–77.

ment themselves for the men, and so Allah plagued them with menstruation and barred them from the mosques.”²⁷

Such reports concerning menstruation that are found in our sources making reference to the children of Israel can be seen as a manifestation of the importance of Jewish beliefs and traditions as a people respected by the Arabs for having a religion of the Book, in the estimation of the Companions. Abandoning the understanding of menstruation as decreasing religion, the other menstrual taboos of the Jews were rejected by the Prophet and no activity, apart from sexual intercourse—as declared in the Qur’anic verse—was prohibited during menstruation. However, some reports found in hadith sources reveal that the wives of the Companions and even the Prophet could not easily reject received lore about the menstrual period being an unnatural and debilitating state.²⁸

The state of menstruation which is asked about by the Companions of the Prophet in relation to everyday human action and interaction is seen to be placed within a more tolerant framework through the answers that the Prophet gave, through reasoning and setting an example, including matters concerning sexuality that can be said to be more delicate. The tolerance in some reports goes so far as to decree an easy form of punishment for engaging in sexual intercourse with a woman while she is menstruating: “This has been reported from Ibn ‘Abbās: ‘About the man who had approached (had sexual intercourse with) his wife, the Messenger of Allah said: “He can give alms of half a dinar.”’”²⁹

It is interesting that in the very same literature where “women’s crimes” such as ingratitude, miserliness, moodiness and jealousy warrant the punishment of Hell, this act, a “man’s crime” defined as “en-

27 *‘Umdat al-qārī* III, 255.

28 In his *Kitāb al-aṣnām* Ibn al-Kalbī reports certain practices that show that the pre-Islamic Arabs had the tradition of limiting menstruating women’s worship like the Jews: “They also had idols named Isāf and Nā’ila [...]” Bishr b. Abū Ḥazm (al-Asadī) spoke about Isāf in the following terms: “As immovable as if birds were sitting on its head, you cannot approach it! The stature of the menstruating women in front of Isāf” (See Ibn al-Kalbī, *ibid.*, 37). “[...] He said: ‘They also had their Manāf. The Quraysh would name it ‘Abd Manāf. But I do not know where it was or who was it that had erected it. The menstruating women could not approach their idols, but would stay at a distance [...] I left the enemies, the birds were waiting a little way away. Like the menstruating women waiting around Manāf.’” (See Ibn al-Kalbī, *Kitāb al-aṣnām*, ed. Aḥmad Zakī, 2nd ed., trans. Beyza Düşüngen (Cairo: 1343/1924), 38–39.

29 Muhammad b. ‘Isā al-Tirmidhī (279/892), *Sunan al-Tirmidhī (Al-Jāmi’ al-ṣaḥīḥ)* 1 (Istanbul: Çağrı Yayınları, 1992), (1) Tahāra 103, hadith 136, 244–245. For similar reports see Abū Dāwud Sulaymān b. al-Ash’ath b. Ishāq al-Azdi es-Sijistānī, *Sunan Abī Dāwud* 1 (Istanbul: Çağrı Yayınları, 1992), (1) Tahāra 105, hadith 264, 181–182.

gaging in something forbidden (*ḥarām*)” can be atoned for with a simple punishment; in fact most scholars say that even this simple “act of recompense” is not necessary. According to common tradition, the religious worship and rituals that women can perform in “normal” times and yet cannot perform when they are having their period include: ritual prayer, fasting, entering mosques, touching the Qur’an, reading the Qur’an while looking at the page, and circumambulating the Ka’ba during the Hajj. The reports concerning ritual prayer, fasting, and the circumambulation reveal that there is an actual acceptance of this in practice, and yet when it comes to entering mosques, touching the Qur’an, and reading the Qur’an while looking at the page, there are different views among hadith scholars. Despite the existence of these debates and differences, the practice has been to prohibit menstruating women from all religious practices. It is a remarkable manifestation of pragmatist sexism that the state of menstruation has been interpreted with a very tolerant approach when men’s comfort is in question, allowing men a wider space in which to move, and yet when it comes to a woman’s relationship with Allah, it has been interpreted in an obstructive, prohibitive, and alienating manner. These limitations that in the Jewish tradition stem from the concept of impurity are not explained in these terms in the Islamic tradition; the interpreters try to base these prohibitions on concepts such as “essential nature” or “entailed by the *naṣṣ* (text).”³⁰ However, even in these efforts, there is no attempt to assess the reason or wisdom behind these limitations.

This state of affairs creates a vacuum in mentality and, unfortunately, when this vacuum is not openly addressed, it becomes filled with understandings of impurity carried over from Judaism. As such, in the Islamic tradition, the function of the reports that lead to the discourse of women being deficient in religion can be viewed as the continuation of the mentality of the Jāhiliya, supplemented by Judaic traditions, rather than based on information gathered from the Prophet’s practices, that menstruation is a negative characteristic pertaining to women.

30 Ibn Ḥajar, *Fatḥ al-bārī* 1, 483.

c. The seductiveness of believing women who are deficient in reason and religion, according to the reports

The hadith reports that contain the claim of female deficiency in religion also contain the accusation that women “lead men astray”. This accusation, according to exegete ‘Aynī, is more an expression of “wonder” rather than “slander”.³¹ Ibn Ḥajar, however, is of the view that with this expression “leading astray” is authenticated as being a sin that leads to Hell.³² When we consider these reports, along with the reports that contain elements concerning women as *fitna* (trial/strife), we can regard the discourse of “leading astray” as being of the same register as women’s association with *fitna*. The fact that the report, “I have not left to you any *fitna* (trial) greater than women”³³ can be found in almost all respected books of hadith shows us that this understanding of women as a trial or calamity is widely accepted.

4. Reports that claim women are inauspicious

Some of the hadith reports in the sources that attribute inauspiciousness to women in fact deal with efforts to eradicate such an understanding, due to the fact that it is unfounded. However, due to the incredible richness of Islamic literature, there is also another group of hadith reports that contain an approach that is the complete opposite. What concerns us in these reports is that women are portrayed as being inauspicious: As ‘Abd Allāh b. ‘Umar reports, “the Messenger of Allah said: ‘Inauspiciousness lies in the house, the woman, and the horse.’”³⁴

Al-Bukhārī treats this subject in a section entitled, “Protecting One’s Self from Women’s Inauspiciousness”, and supports his chapter title with the verse, “Among your wives and children there are those who are against you”³⁵ All hadith scholars agree on the conclusion

31 *‘Umdat al-qārī* III, 272.

32 *Fatḥ al-bārī* I, 484.

33 Bukhārī, (67) Nikāḥ 17, VI 124. For similar reports see *Muslim*, (48) Dhikr 26, hadiths 97–98 (2740, 2741 and variations), III. 2096–2097; *Tirmidhī*, (41) Adab 31, h. 2780, V, 103.

34 *Muslim*, (39) Salām 34, h. 115 (2225), II. 1746–1747; *Abū Dāwūd*, (27) Ṭibb 24, 3922, IV. 237.

35 Bukhārī (67) Nikāḥ 17, VI. 124.

that the two groups of hadith, ones that state this inauspiciousness overtly or covertly, are both sound (*ṣaḥīḥ*); however, there are some differences in the interpretations of these reports. Those who accept the existence of the inauspiciousness are of the view that the inauspiciousness does not stem from the things themselves, rather Allah's will is enacted according to the natural laws that He has put in place—on these things—and thus they are made vehicles for evil or inauspiciousness. The scholars who reject inauspiciousness as a concept altogether say that these reports only inform us of the beliefs of the Jāhiliya period and that these beliefs are deemed wholly superstitious.³⁶

The issue of women's inauspiciousness is treated within the framework of *fitna* and enmity in many reports; since these two activities parallel the mission of the Devil, woman is identified with the Devil himself. In these reports there is such an air of generalization that even the most auspicious of women are subjected to the same claims. The picture that results under these circumstances is that of believing and pious men being under the influence of women who are deficient in reason and religion and who are also the snares of the Devil: of men being led astray by women into the business and pleasures of the world, which is the cause of their downfall.³⁷

The fact that things designated as being inauspicious include women, houses, horses, and, in some reports, even swords³⁸ and virgins,³⁹—all entities that a free adult male would need in everyday life, reveals the male-centered discourse contained in these reports.

36 Muḥammad b. 'Abd al-Bāqī b. Yūsuf al-Zurkānī, *Sharḥ al-Zurkānī 'alā Muwaṭṭā' al-Imām Mālik* IV (Beirut: Dār al-Kutub al-'Ilmiyya, 1990), 485.

37 *'Umdat al-qārī* XX, 89–90.

38 Abū 'Abd Allāh Muḥammad b. Yazīd el-Qazwīnī Ibn Mājāh (273/886), *Sunan Ibn Mājāh* I–II, ed. Muḥammad Fu'ād 'Abd al-Bāqī (Istanbul: Çağrı Yayınları, 1992), (9) Nikāḥ 55, h. Addendum to 1995, I. 642.

39 Muslim, (39) Salām 34, h. 120 (2225), II. 1748.

5. Reports in which women are mentioned in the same breath as donkeys and dogs; such as the report which says that if a woman, donkey, or dog passes in front of a person who is performing the ritual prayer, his ritual prayer will be invalidated

The ritual prayer is a very important form of worship in the Islamic tradition, and great emphasis has been placed on the way this is performed. Consequently, many statements of the Prophet have been reported on this issue and there has naturally been some difference of opinion on some points. Passing in front of the person who is performing the ritual prayer is a subject that is discussed within this framework.

From the content of many reports that have been passed down on this subject, we see that there were two prevailing views. The first is that passing in front of the person who is praying, or lying in front of the person who is praying, does no harm to the validity of the ritual prayer of the praying person.⁴⁰ The second is the opposite and this view is based on the Prophet putting a *satra*, an object approximately the height of a saddle, in front of him when he prayed in open space. However, some reports that support the second view speak not only of the *satra* but also of some creatures that in themselves voided the ritual prayer:

Reported from Abū Dharr: “The Messenger of Allah said: ‘If a person performs the prayer without having put something as big as the back belt of the saddle or the middle hump, then a black dog, woman, and donkey will make his ritual prayer void’. ‘Abdullāh b. as-Sāmit said, ‘I asked Abū Dharr, ‘What is the difference between the black dog and the red dog?’ and he said, ‘My brother! You asked me what I asked the Messenger of Allah.’ (He) said, ‘The black dog is the devil.’”⁴¹

‘Aynī states that the person who passes in front of a person who is praying being characterized as the “Devil” is a hyperbolic metaphor.⁴²

40 Ibn Mājah, (5) Iqāma 40, h. 958, I. 308; Bukhārī, (8) Şalāh 107, I. 131; Muslim, (4) Şalāh 51, h. 273 (513), I. 367.

41 *Tirmidhī*, (2) Şalāh 136, II. 161. For other reports see *Abū Dawūd*, (2) Şalāh 109, h. 702, I. 450–451; *Muslim*, (4) Şalāh 50, h. 265 (510), I. 365.

Ibn Ḥajar says that the word, “Devil” is used in the literal sense for the jinn and in a metaphorical sense for people, quoting Ibn Baṭṭāl’s comment that the word “devil” can be attributed to people who cause *fitna* in religion.⁴³

Ibn Ḥajar says that there is no negative context in the mentioning of living beings such as donkeys, dogs, or women, and that they refer to the species, and that here woman represents the human species.⁴⁴ But the fact that these creatures are usually to be found with a negative connotation in other reports, and the fact that they are identified with or linked to the Devil in various other ways demonstrates that this categorization is the product of negative associations. Many of the hadith reports that speak about how the ritual prayer becomes void use the word, “woman” and yet in one *musnad* report the term “menstruating woman” is used⁴⁵ which goes further in highlighting the negative contextualization that I am talking about. It can be said that such reports have facilitated “woman” becoming associated with negative connotations in the hadith literature.

In conclusion, the difficulties in searching for a resolution of issues raised by negative hadith reports against women within the classical tradition are the following:

In the hadith heritage, which is considered to be the second primary religious source of the Islamic religion, one can observe an attitude that is anti-woman in both the reports and the commentaries on them, except for a few instances in which women are given an advantageous position. Among these exceptional cases are reports that condemn the pre-Islamic tradition of killing female children or considering them inauspicious, saying that rearing female children is a means of attaining salvation (Heaven). However, the five categories of reports that I have treated in this the article present an evident misogynistic attitude.

In this same hadith literature, there are many reports that contain anecdotes that are not in keeping with this misogynistic approach: reports that contain instances of how women during the period of the Prophet worked for Islam just like their male counterparts, how they assumed responsibilities, how they performed the Hijra, how they par-

42 *Umdat al-qārī* IV, 291.

43 *Faḥ al-bārī*, I, 295.

44 *Ibid.*, I, 686.

anticipated in war when the need arose, and how they made their political will known through swearing allegiance to the Prophet. These anecdotes described how the female Companions of the Prophet during the early period overcame the views extant during the Jāhiliya that relegated women to a secondary status and how they viewed themselves as being equal members of the Islamic society.

Reports that contradict each other in strange ways are not limited to the subject of women in this literature. In the hadith literature that tries to classify the hadith reports as systematically as possible, the fragmentary approach that divides a single hadith into its different components makes it possible to understand how this literature can come to contain such contradictions.

It is a known fact that when they lead to different rulings, the discrepancies between hadith reports are taken seriously by hadith experts, and they try to resolve these by the means of *ta'līf* (reconciliation). However, in the reports concerning women in the mode of *targhīb/tarhīb*, this seems to have resulted in the authorities not deeming these discrepancies worth the effort of reconciliation. The most evident example are the above-mentioned reports that negate each other concerning women being inauspicious or being one of the elements that can invalidate the ritual prayer. These reports have been left as they are without being reconciled, due to the preexisting negative mentality and perceptions concerning this issue, which construe women as being suspect. Looking for a resolution of these reports, whose criticism is partial and prejudiced within classical hadith methodology means, most of the time, being resigned to failure.

We already know the attitudes and comments of past scholars about this issue. However, we also know the failure of contemporary scholars, who are in a better position to use all the available resources, and who have a greater responsibility towards the public in trying to resolve the issues surrounding misogynistic hadith reports through using classical methodology. Egyptian scholar 'Abd al-Ḥalīm Abū Shuqqa's work, entitled *Tahrīr al-mar'a*,⁴⁶ is a case in point. In his extended work, the author tries, with the best intentions and courage,

45 Aḥmed Muḥammad Ibn Ḥanbal (241/855), *Musnad Aḥmad b. Ḥanbal* I–VI (Istanbul: Çağrı Yayınları, 1992), I, 347. For other reports see Abū Dawūd, (2) Şalāh 109, h. 703, I. 453; Ebū 'Abdurrahmān Ahmed b. Shu'aib an-Nisā'i (303/915), *Sunan al-Nisā'i* II (Istanbul: Çağrı Yayınları, 1992), (9) Qibla 7, h. 749, 64.

46 'Abd al-Ḥalīm Abū Shuqqa, *Tahrīr al-mar'a fi 'aṣr al-risāla* I–V (Kuwait: Dār al-Qalam li'l-Naṣr wa'l-Tawḍī', 1410/1990).

and to the best of his ability, to mitigate the classical discourse about women being deficient in reason and religion, ideas of them leading men astray, and the claim that they are the majority among the inhabitants of Hell. However, he is crushed by the authority of the *ṣaḥīḥ* hadith. His contribution to the literature has been to provide some answers for traditional circles concerning women's social status, based on the reports of al-Bukhārī and Muslim.⁴⁷

Another example is Yūṣuf al-Qaraḏāwī's approach in his *Method in Understanding the Sunnah*, which has also been translated into Turkish. When explaining his methodology in the introduction, he states, "I have tried to stay away from the approach of people who freeze the hadith as they appear, and who are unaware of the purpose behind the words, the approach of those who hold on to the outer structure of the Sunna and yet neglect its soul, only following the letter."⁴⁸ Yet he has not been able to refrain from contradicting himself in his work.

Qaraḏāwī, who at times adopts a lenient approach that can even go against the general tendency among the public, such as his positions on women visiting graveyards, use of birth control, women traveling on their own, and males shaking hands with women, is seen to be rather undecided concerning certain crucial issues. In his comment on the report, "The woman who buries the girl alive, and the buried girl, are both in Hell", Qaraḏāwī takes an approach which prioritizes the literal meaning, and says that he cannot find any criticism in the accounts of the scholars who say that the report is "*ṣaḥīḥ*". Although he states that this report contradicts the verses in Sūra Takwīr, he concludes: "Fearing that they may contain a meaning that has not been disclosed to us as yet, I prefer not to reject such reports and to concur with the *ṣaḥīḥ* hadith."⁴⁹

Lastly, I want to make a reference to a graduate thesis submitted to the Marmara University Social Sciences Institute, Theology Faculty, Hadith Department in 2005 by Hatice Eriş. The title of the thesis is "The Limits of Respect Between the Spouses and the Hadith of 'Prostration': Investigation-Derivation-Assessment."⁵⁰ This 246-page thesis

47 Ibid., 286–287.

48 Yūṣuf al-Qaraḏāwī, *Sünneti Anlamada Yöntem*, trans. Bünyamin Erul (Kayseri: Rey Yayınları, 1991), 17.

49 Ibid., 109–111.

50 Hatice Eriş, "The Limits of Respect Between the Spouses and the Hadith of 'Prostration': Investigation-Derivation-Assessment" (Marmara University Social Sciences Institute, Theology Faculty, Hadith Department, Ph.D. dissertation, İstanbul, 2005).

discusses a report which is not commented on in the respected hadith collections and yet which has come to be quite famous, namely, “Were I to order someone to prostrate in front of another, then I would order women to prostrate in front of their husbands.” This report is treated in various forms of its *isnād* (chain of reporters). The thesis thus tries to suggest that, because it has been reported through so many channels, it must be genuine. This is a known method in hadith literature, often employed to save weak or fabricated hadith. However, to see such methods being used by a female theologian to rescue such a hadith report is both surprising and disappointing.

All the reports that place woman at a lower position lower than man, and that relegate her to an inauspicious context, with their misogynistic character, can be called marginal when we consider the value that the Qur’an attaches to human dignity and freedom. Unfortunately, however, we see how cultural reflections of misogyny are easily attributed to Allah by way of exegesis of the verses, and to the Prophet, by way of the reports of various hadith, as our classical literature contains hundreds of examples that claim that this misogynistic approach is divine and Prophetic. In that sense, saying that the embedded prejudices against women are not Islamic is more difficult, daring, and risky, than saying that they are Islamic.

It is difficult, for it requires a review and assessment of the hadith literature with a new point of view and new methods. It is daring, in the face of the vastness of the classical literature, and the deficiencies of an enthusiastic researcher that he/she cannot compensate for despite the best of efforts, may lead him/her to certain errors. It is risky, addressing a Muslim populace who have preferred a Muslim way of life transmitted through imitation, a populace who have not been encouraged to think and to take on intellectual responsibility, an *umma* whose sensitivity for looking for the truth has become rusty. Addressing such an audience with information that will disturb their peace of mind, their conformity of thought, that will disquiet them to a certain extent, might lead to the researcher being faced with rejection, alienation, and totally unwarranted accusations. However, despite all these difficulties, those who are in search of truth will get the reward of their search, sooner or later.

Muna Tatari

*Gender Justice and Gender Jihad:
Possibilities and Limits
of Qur'anic Interpretation for
Women's Liberation*¹

1. Muslim women and Islamic traditions

In the middle of the nineteenth century, a wave of awakening and revival movements began in the Islamic world. Part of this swell of enthusiasm were Muslim women,² conscious of their isolated and largely marginalized position in the family and society, increasingly demanding the right (again) to exercise their own *ijtihād*.³ Muslim women have begun to generate and bring into play ideas about feminism and

1 An earlier German language version of this chapter was published as "Geschlechtergerechtigkeit und Gender Jihād. Möglichkeiten und Grenzen frauenbefreiender Koraninterpretationen," in *Nahe ist dir das Wort Schriftauslegung in Christentum und Islam*, eds. Hansjörg Schmid, Andreas Renz, Jutta Sperber, Abdullah Takim and Bülent Ucar (Regensburg: Theologisches Forum Christentum–Islam, 2010), 129–143. The English translation was prepared by Anna Dinwoodie.

2 These were mostly middle and upper class women who alone had access to education and research. Some women are named here as examples: 'Ā'isha 'Abd al-Rahmān, born 1913, who was a professor of Arabic literature in Egypt and later held a professorship of Islamic theology in Morocco. In her work she advocated a contextual interpretation of the Qur'an and emphasized eternal ethical and spiritual values. In her work, Nāzira Zayn al-Dīn, born 1908, criticized not the Qur'an per se, but rather Muslim scholars, for women's underprivileged living conditions, and published her critical analyses. Egyptian 'Ā'isha Taymūriyya, Lebanese Zaynab Fawwāz, and in South Asia Rokeya Sakhawat and Nazār Sajjād Haydar simultaneously made important contributions to the critical literary reappraisal of women's situation. For further names and examples refer to: Leila Ahmed, *Women and Gender in Islam* (New Haven: Yale University Press, 1992) and Yvonne Yazbeck Haddad, *Daughters of Abraham: Feminist Thought in Judaism, Christianity, and Islam* (Gainesville, FL: University Press of Florida, 2001), as well as to literature mentioned in the following footnote.

3 See Haifaa Jawad, "Muslim Feminism: A Case Study of Amina Wadud-Muhsin's Qur'an and Women," *Islamic Studies*, 42 no. 1 (2003): 107–123, and John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 2001), s.v. Margot Badran, "Feminism."

Islam⁴ through literature, everyday activism, and participation in organized movements, particularly extensively and cooperatively in the last twenty years. Some of these motivations for confronting the sources of Islamic tradition, in anticipation of a critical reflection on the documentation and history of their reception and impact so as to bear liberating fruit, are:

- › their idea of a righteous God who desires fair and egalitarian conditions for men and women;⁵
- › the belief that a text cannot be understood without taking into account the context of its origin and various interpreters;⁶
- › the recognition that the traditional disciplines of Islamic learning (ethics, law, theology, philosophy, and mysticism) were more or less male-dominated and therefore shaped by patriarchy;⁷
- › the development of a hermeneutics of suspicion,⁸ in which texts and their interpretations or alleged authenticity should not be accepted uncritically.⁹

4 For discomfort with the term “feminism” from an Islamic perspective, see Sa’diyya Shaikh, “Transforming Feminism: Islam, Women and Gender Justice,” in *Progressive Muslims: On Justice, Gender and Pluralism*, ed. Omid Safi, 147–162 (Oxford: Oneworld, 2003). Rabeya Müller, head of ZIF, used the term “gender justice” to address reservations expressed by some Muslims regarding the term “feminism.” See Rabeya Müller, *Feminismus, Geschlechterdemokratie und Religionen in lokaler Praxis*, <http://www.fit-for-gender.org/webseiten/fachtagung4.htm> (accessed January 2, 2010). The term *gender jihād*, i.a., was coined by Farid Esack and gained additional popularity as, for example, the program title of a 2005 international women’s conference in Barcelona. See Farid Esack, *Qur’ān, Liberation and Pluralism: An Islamic Perspective of Interreligious Solidarity against Oppression* (Oxford: Oneworld, 1997).

5 This is a central idea in the tradition of Islamic liberation theology. For history and content of Islamic liberation theology see Asghar Ali Engineer, *On Developing Liberation Theology in Islam* (Delhi: Sterling, 1990); Irfan A. Omar, “Islam,” in *The Hope of Liberation in World Religions*, Miguel A. De La Torre, 99–112 (Waco, TX: Baylor University Press, 2008); as well as Halima Krausen, “Befreiungstheologie im Islam,” in *Über Befreiung. Befreiungspädagogik, Befreiungsphilosophie und Befreiungstheologie im Dialog*, ed. Thorsten Knauth and Joachim Schroeder, 116–129 (Münster: Waxmann, 1999).

6 See Farid Esack, *The Qur’ān: A Short Introduction* (Oxford: Oneworld, 2002), here Ch. 6.

7 See Khaled Abou el-Fadl, “Legal and Juristical Literature: 9th to 15th Century,” in Sa’ud Joseph and Afsaneh Najmabadi, *Encyclopedia of Muslim Women and Islamic Culture. Vol. 1: Methodologies, Paradigms and Sources*, 37–41 (Leiden; Boston: Brill, 2007).

8 Shaikh is an advocate of this hermeneutical approach, significantly influenced by the Catholic theologian Elizabeth Schüssler Fiorenza: “[...] Feminist hermeneutics is a ‘theory, method or perspective for understanding and interpretation’ which is sensitive to and critical of sexism. [...] I approach the *tafsir* texts with a ‘hermeneutic of suspicion’ which is alert to both explicit and implicit patriarchal bias. [...] A hermeneutic of suspicion does ‘not trust or accept interpretive traditions as ‘truth’ but rather adopts a stance of suspicion. [...] The aim is to critically evaluate and expose patriarchal structures, values and male-centred concerns. This approach focuses on the text as an ideological androcentric product. [...] Thus I approach the selected exegetical works as representative of a patriarchal historical cultural milieu [...],” in Sa’diyya Shaikh, “Exegetical Violence: *Nushūz* in Quranic Gender Ideology,” *Journal for Islamic Studies* 17 (1997): 49–73.

9 For the process by which texts became authoritative texts in the Islamic tradition and how their content and methods can be critically examined, see Khaled Abou el-Fadl, *Speaking in God’s Name: Islamic Law, Authority and Women* (Oxford: Oneworld, 2001).

This questioning of religious texts and their theological arguments, re-defining and expanding a gender-equitable hermeneutics against this backdrop, was and continues to be important in improving social conditions for Muslim women. The underlying idea was and is to show women's contributions by rereading the historical sources in order to shape further perspectives on the past and open new possibilities for the future.

2. *Questions of Hermeneutics*

The primary sources in Islamic tradition are the Qur'an, the practice of the Prophet (Sunna), argument by analogy (*qiyās*) or reasoning (*'aql*), and scholarly and community consensus in particular periods and regions (*ijmā'*). The Qur'an contains a number of verses that deal with gender. These verses speak of an ontological equality between man and woman and call for equal standards of ethical behavior, asking both sexes to participate in their community and their environment as a manifestation of their God-given responsibility. The following verse serves as an example:

Verily, for all men and women who have surrendered themselves unto God, and all believing men and believing women, and all truly devout men and women, and all men and women who are true to their word, and all men and women who are patient in adversity, and all men and women humble themselves (before God), and all men and women who give in charity, and all self-denying men and self-denying women (...), and all men and women who are mindful of their chastity (...), and all men and women who remember God unceasingly: for (all of) them God has readied forgiveness of sins and a mighty reward (33:35).¹⁰

On the other hand, there are Qur'anic verses with a long history of interpretations that marginalize women, verses that raise issues such as polygamy, inheritance shares, possibilities of divorce, evaluation of testimony, and resolution of marital conflict.¹¹ This raises the ques-

¹⁰ This and the following quotation of the Qur'an are taken from *The message of the Qur'an*, trans. and explained by Muhammad Asad (Gibraltar: Dar al-Andalus, 1980).

¹¹ See Sūras 2:282, 2:227–233, 4:34.

tion: According to which hermeneutic approach should these verses be read, and how can they be synthesized coherently?

Opinion is fundamentally divided in the Islamic tradition over, among other things, the reading of the following verse:

He is who has bestowed upon thee from on high this divine writ, containing messages *that are clear in and by themselves*¹²—and these are the essence of the divine writ—as well as others that are *allegorical*. (...) Now those whose hearts are given to swerving from the truth go after that part of the divine writ (...) which has been expressed in allegory, seeking out (to arrive at) its final meaning (in an arbitrary manner): but none save God knows its final meaning. Hence those who are deeply rooted in knowledge say: “We believe in it; the whole (of the divine writ) is from our Sustainer—albeit none takes this to heart save those who are endowed with insight.” [alternate reading: “[...] but none save God knows its final meaning and those who are deeply rooted in knowledge. They say: “We believe in it; the whole (of the divine writ) is from our Sustainer—albeit none takes this to heart save those who are endowed with insight” (Sūra 3:7)

Scholars committed to the tradition of *ahl ar-rʿay*¹³ believe that Qurʾanic verses are open to human interpretation and demand an interpretative endeavor, whereas scholars committed to the principle of *ahl al-ḥadīth*¹⁴ are prone to leave unclear Qurʾanic passages unquestioned and rely on tradition to clarify the text.¹⁵

Furthermore, scholars disagree about which verses are indisputable and therefore fundamental to the Book, with permanent and universal application, and which ones may allow for varying interpretations and be limited by historical context.¹⁶ This has interpretative relevance because the basis of the method interpreting the Qurʾan us-

12 Author’s italics throughout this verse.

13 Those scholars who exercise their own best rational judgement, especially in cases where there are no proof texts. Harald Motzki, *Anfänge der islamischen Jurisprudenz. Ihre Entwicklung in Mekka bis zur Mitte des 2./8. Jahrhunderts* (Stuttgart: Steiner, 1991), 17, terms them “speculative jurists.”

14 From Motzki, *Traditionsgelehrte*, see *ibid.*, 17.

15 In Ashʿarite theology, this attitude is described by the phrase *bi-lā kayf* (without asking how) and is attributed to Mālik bin Anas, founder of the Maliki school of religious law. See Hermann Stieglecker, *Die Glaubenslehren des Islam* (Paderborn: Schöningh, 1962), 48, 91–96.

16 Other approaches have emerged in addition to the atomistic, verse-by-verse reading of the Qurʾan, including *tafsīr al-qurʾān bi-l-qurʾān*, interpretation of the Qurʾan using the Qurʾan. In this approach, Qurʾanic verses are arranged according to their attitude and, if applicable, their relation to one another. Thus verses are subdivided into categories of general messages (*ʿāmm*) and specific referents (*khāṣṣ*). For further categorization, see El Fadl, *Islamic Law*, 119–120.

ing the Qur'an (other Qur'anic verses) is that general verses (for example, verses that speak about equality of men and women) provide hermeneutic access to verses with specific messages (for example, the verse about the weight of testimony, which, according to the common reading, gives the testimony of two women the same weight as that of one man). This approach, in the *ahl al-ra'y* tradition, is a starting point for the development of gender-equitable readings of the Qur'an, as it opens up a whole category of verses to ever-changing interpretations and adaptations.¹⁷

3. *Adam and Eve*

a. Non-Qur'anic creation stories

The Qur'an references events from the mythic historical past of Abraham's children. Background information filling out the Qur'an's concise narrative style can and has been found in various historical works, such as al-Ṭabarī (839–923),¹⁸ that begin with Adam and Eve and also rely on other sources from Jewish and Christian traditions.¹⁹ Here one finds a wealth of messages hostile to women. This material has served and continues to serve many Qur'anic interpreters as a hermeneutic key for understanding the Qur'an.²⁰

The following passage is a good illustration of al-Ṭabarī's use of non-Qur'anic sources for the creation story. The historian and scholar al-Ṭabarī collected and collated legends in order to explain the Qur'anic text. One of the legends²¹ al-Ṭabarī included says that God made Adam fall into a deep sleep and took his left rib and created Eve from it, so he might have rest and calm. Adam saw her and said, "My

17 This approach is not entirely novel as it was also employed by Muḥammad 'Abduh to explain the division of Qur'anic verses into the categories of *'ibādāt* (worship) and *mu'āmalāt* (transactions between people), as a basis for later *ijtihād*.

18 al-Ṭabarī's works in general are highly authoritative in the Islamic tradition. See Kristen E. Kvam, ed., *Eve and Adam: Jewish, Christian, and Muslim Readings on Genesis and Gender* (Bloomington: Indiana University Press, 1999), 185.

19 For critical assessment of these texts see Riffat Hassan, "The Issue of Woman-Man Equality in the Islamic Tradition," in *ibid.*, 436–476, here 466.

20 See *ibid.*, 463–476.

21 This and the following legends are translated, edited and partially condensed by the author and they draw on Wilferd F. Madelung and Alan Jones, ed., *Abū Ja'far al-Ṭabarī, The Commentary on the Qur'an, Vol. 1* (Oxford: Oxford University Press: 1987), 244ff, 251–55, 257f.; also see Franz Rosenthal, ed., *The History of al-Ṭabarī, Vol. 1: General Introduction and From the Creation to the Flood* (Albany: State University of New York Press, 1989), 273–281.

flesh, my blood, and my wife,” and he named her Eve, since she had been created from a living thing.

This legend reprises the language of the Qur’anic text and overlaps with the sequence of events in which Eve was created from Adam. Sūra 4:2 reads as follows:

O mankind! Be dutiful to your Lord, Who created you from a single person [or soul (*nafs*)], and from him He created [mate] and from them both He created many men and women. [...]

Al-Ṭabarī assembled the following versions, here shortened and reproduced, of the transgression of Adam and Eve:

The angels ate the fruit of the tree in order to remain immortal, and this tree was forbidden the humans. Iblīs hid himself in the stomach of a snake, which had four legs and looked like a camel, in the garden, and he offered Eve fruit from the tree, praising the fruit’s beauty and flavor or effect, namely that it bestowed immortality and great power. She ate the fruit and offered it to Adam, and he ate.

According to some legends, Eve was able to persuade Adam to disobey God’s commandment through her beauty and the seduction Iblīs gave her. According to other versions, Eve first had to make Adam drink. Thereupon, God cursed the earth from which Adam came and condemned Eve to difficult pregnancy and childbirth under threat of death, and he made her stupid and vain. And God cursed the snake and took its legs, and made it and humans mutual enemies.

The following, more prosaic Qur’anic text and passages paralleling it were and still are commonly interpreted under the influence of these dramatic accounts:

[...] And We said: “O Adam, dwell thou and thy wife in this garden, [...] and eat freely thereof, both of you, whatever you may wish; but do not approach this one tree, lest you become wrongdoers.” But Satan caused them both to stumble therein, and thus brought about the loss of their erstwhile state [...] (Sūra 2:35–36).

Eve is therefore *never* blamed in the Qur’an for her and Adam’s disobedience to God, yet this blame attributed due to other sources has had seriously detrimental consequences for women and their possi-

bility to have socio-political influence, according to Islamic theological anthropology. Due to Eve's purported behavior in the Garden, it was concluded that women are in themselves a source of *fitna*²² and the reason for moral failings in men. As a result, Islamic legal tradition sometimes defines, not only woman's body, but also her voice, as *'awra*,²³ and acts as a reason for banishing women from public and confining them to the sphere of domesticity.

It is noteworthy that al-Ṭabarī recorded another traditional version of this story that he also classified as being likely, since it was very similar, in his opinion, to the Qur'anic text. According to this tradition, Iblīs recognized and exploited weakness in both Adam and Eve, and was able to persuade them both to eat the fruit of God's forbidden tree. Therefore it is plausible that, on the other hand, al-Ṭabarī was among the scholars of his time who trusted qualified women to occupy judicial offices just like qualified men,²⁴ categorized men and women as equally valid witnesses, and saw women as eligible for the position of Imam (political leader).²⁵ Assuming women were morally weak based on quasi-biological determinations could not have led him to these conclusions.

b. Critical revisions

How could material from ancient lore enter the Islamic canon of authoritative texts when the Qur'an does not support these stories, or when they contradict the Qur'an and other narratives that not only describe an ontological equality of men and women, but also document the active participation of women in all sectors of the early Islamic community? The inconsistency of the evidence automatically calls into question the authenticity of each legend.

Scrutiny of the documents that marginalize women reveals in almost every case that assessing the narrators of such reports casts sub-

22 Literally, a trial or probation, seduction, temptation such as wealth, children and women. See Edward William Lane, *An Arabic-English Lexicon: Derived from the best and most copious Eastern Sources, Vol. 1, Part 6* (Beirut: Williams and Norgate, 1997), 2335. Also see: Sa'diyya Shaikh, "Knowledge, Women and Gender in the Hadith: A Feminist Interpretation," *Islam and Christian-Muslim Relations*, 15 no. 1 (2004): 99–108, here 101f.

23 Literally: shame, nakedness (among others). See Hans Wehr, *Arabisches Wörterbuch für die Schriftsprache der Gegenwart* (Wiesbaden: Harrassowitz, 1977), 588.

24 Mohammad Fadel, "Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought," *International Journal of Middle East Studies* 29 (2, 1997): 185–204.

25 Khaled Abou El Fadl, *Conference of the Books: The Search for Beauty in Islam* (Lanham, MD: University Press of America, 2001), 392.

stantial doubt over their authenticity. One example is the narrator Abū Hurayra. By citing the following elaborations it is not my intention to discredit Abū Hurayra personally, but rather to point out issues of contradictory transmissions.

He referred to a story known to Arabs on the Arabian Peninsula as the hadith “Tale of the Rib” and recounted:

that the Prophet purportedly said that woman comes from a crooked rib; if you tried to straighten her, you would break her, but if you let her be (defective) and take care of her, you could lead a good life with her.²⁶

It is also attributed to him

that on seeing a group of women, the Prophet purportedly said that they should pray more, since they would constitute most of the inhabitants of hell, they were a temptation for men, and they were deficient in reason and religion.²⁷

Investigations into the figure of Abū Hurayra reveal that he was a later convert and not particularly close to the Prophet. He was unmarried and known for being unsympathetic toward women; he had no regular occupation. According to numerous accounts, ‘Ā’isha, in addition to ‘Umar and ‘Alī, criticized and corrected him because he circulated false stories about the Prophet. In some stories, he confessed to factual errors and mistakes in his accounts of the Prophet’s statements and is regarded as a figure whose accounts often caused him criticism. However, he claimed that his memory was phenomenal due to a magical memory-strengthening ritual that the Prophet purportedly performed on him. Many of the reports hostile to women are attributed solely to him.²⁸

However, opinion is still divided on Abū Hurayra today. While some of the material he passed on has been viewed critically, a book

26 See Khaled Abou El Fadl, *Speaking in God’s Name*, 224, referencing: Ibn Ḥajar al-‘Asqalāni, Shihāb al-Dīn Ahmad bin ‘Alī, *Fatḥ al-Bārī: Sharḥ Ṣaḥīḥ al-Bukhārī* (Beirut: Dār al-Ma’rifā, 1959), 6:363.

27 Ibid., 225.

28 For a critique of Abū Hurayra, see Khaled Abou El Fadl, *Speaking in God’s Name*, 215–217 and Fatima Mernissi, “Women’s Rights in Islam,” in *Liberal Islam*, ed. Charles Kurzman, 112–126 (New York: Oxford University Press, 1998), here 124–126. In analyzing the available material, it is important to consider how to take into account the methodological problem of circular reasoning, by which (Hadith) texts are classified or refuted by other (Hadith) texts. An explanation of each hermeneutic key, while not entirely solving the problem, would help with comprehending, categorizing, and critiquing results.

29 ‘Abd al-Mun‘im Ṣāliḥ al-‘Alī al-‘Izzī, *Dif‘ā’ an Abī Hurayra [In Defense of Abū Hurayra]* (Beirut: Dār al-Qalam, 1981).

about him²⁹ authored a few decades ago initiated a sort of renaissance in admiration of this figure.³⁰

c. Texts as mirrors of their time

Liberal Muslim legal expert Khaled Abou El Fadl sees the texts' contradictory positions on gender issues as an indication of controversy in the early Islamic community over the influence that women had or should have. It is unsurprising that a counter-movement exists when one considers that a third of the textual materials that became foundational for law and theology were passed down by women (and here, of course, her testimony counts as much as a man's),³¹ that patriarchal structures were cut back or broken down, and that women took on key roles in political decisions,³² economic positions,³³ and the production and exchange of knowledge.³⁴ Willingness to promote texts that could oppose such a reform movement can be easily understood from a patriarchal perspective. As in the case of Abū Hurayra, the correlation between his reports and his attitudes enables the reconstruction of a hostile position regarding women that very likely developed in corresponding texts and found an echo in society. This history has had a significant impact on women's status in Muslim societies.

d. Hermeneutic Gender Jihad in the work of Amina Wadud

Amina Wadud focused primarily on the Qur'an as a source in her development of gender-equitable interpretations. In her treatment of the Qur'an, she differentiates between three ways of reading.³⁵ First she describes a *traditional approach*, in which linguistic questions are discussed, historical stances are considered, or texts are interpreted in terms of legal questions. According to Wadud, this approach lacks the

30 As indicated above, it should not and cannot be about personally discrediting Abū Hurayra, but rather about critical awareness of the criteria by which some texts are put through an authoritative process and some are not. See also: Kecia Ali, "A Beautiful Example: The Prophet Muhammad as a Model for Muslim Husbands," *Islamic Studies*, 43 no. 2 (2004): 273–291.

31 See Mohammad Fadel, "Mohammed, Two Women, One Man," 190f.

32 See Khaled Abou El Fadl, "Speaking in God's Name," 229–231.

33 So, for example, the second Caliph 'Umar (634–644) appointed a woman, Shaffa' bint 'Abd Allāh, as head of commercial supervision in Medina. See Khaled Abou El Fadl, "In Recognition of Women," available at <http://scholarofthehouse.stores.yahoo.net/inreofwobykh.html> (accessed February 2, 2010).

34 Khaled Abou El Fadl, *Speaking in God's Name*, 229–231.

35 Barbara Stowasser, "Gender Issues and Contemporary Qur'an interpretation," in *Islam, Gender and Social Change*, ed. Yvonne Yazbeck Haddad and John L. Esposito, 30–44 (New York: Oxford University Press, 1998).

development of hermeneutic principles that would be provided by a method of reading the Qur'an through the Qur'an, since verses are not studied in relation to one another. Wadud criticizes what she terms the *reactionary interpretation* for blaming the marginalized situations of Muslim women on Islam and the Qur'an without distinguishing between the sources themselves and their interpretations. She follows what she calls a *holistic approach*: text and context are placed in connection with one another and individual verses are interpreted according to the *Qur'anic worldview*, which is shaped by the key terms of God's oneness, guidance, individual responsibility, and equality.³⁶ One major priority in Wadud's work is to carefully examine these terms, their meaning, and their grammatical functions. For Wadud, two levels of text exist for dealing with the Qur'an. The prior-text comprises the perspectives, circumstances, and backgrounds of each interpreter, while the mega-text is the body of the Qur'an itself.³⁷

Her interpretation of Sūra 4:2 challenges the idea of Adam as being the primary creation with a secondary Eve by calling attention to the fact that the term for "soul" (*nafs*) is grammatically feminine and conceptually gender-neutral, while the term for "companion" (*zawj*) is grammatically masculine and also conceptually gender-neutral. The preposition 'from' (*min*) in Arabic can mean both 'extracted from something' and 'of the same kind'.

36 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999), 25f.

37 In later works, Wadud's hermeneutical approach has undergone a significant development. While previously she affirmed or modified the Qur'anic text itself as a document, so a "yes" to the literal reading at some level, holding to the document and yet interpretively inclined toward a "maybe not," subsequently, in some cases she proclaims a decided "no" to the text. She describes this new approach as "textual intervention," implying possible rejection of explicit verses. See Amina Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 202–204 and <http://www.muslimwakeup.com/main/archives/2005/02/amina-wadud-muhsin-res.php> (accessed December 1, 2010). It seems that Wadud sees no other way here than to reject texts with a history of extremely detrimental reception in terms of women's rights as material not to be considered anymore, without wanting to remove the relevant texts from the Qur'anic canon. This is problematic because she almost equates the text and its interpretation on this point, indirectly affirming a certain (sexist) tradition of interpretation and giving it additional authoritative weight, and thus makes it as unassailable as it has been throughout Islamic history and is today. In addition, this viewpoint is stated implicitly in order to narrow the scope of various hermeneutic resources and historical patterns of reception of certain texts. So it is with, for example, argumentation in Islamic law; when a document's legal basis (*'illa*) changes, the document's corresponding legal effect (*hukm*) must also change. This includes the modification of inheritance laws: If it seemed just in a predominantly patriarchal seventh-century society, taking into account all socially relevant factors, that women should inherit proportionally less than men, and if these structures are now changing or dissolving and justice is to be maintained, then inheritance laws should be modified accordingly. They would no longer follow the exact wording of the Qur'an, but rather its spirit. (The discussions that have led and are leading in this direction can only be hinted at in this setting.)

Wadud concludes, by comparison with all the Qur'anic passages paralleling it, that this verse is closer to the original Arabic in the following translation:

O mankind. Be dutiful in the service of your Lord, who created you from a single soul (*nafs*), and in the same way your companions, and from this pair he had many men and women spread across the Earth (4:2).³⁸

For Wadud, there is no Fall from Paradise, for God wanted humanity to be His trustees on Earth, rather than in Paradise. Wadud sees the tree as a symbol of a test from God, in which Adam and Eve, as the parents of all people, undergo the experience of forgetting, being seduced, remembering, repenting, receiving forgiveness, and obtaining guidance. For Wadud, it is a maturation process meant to strengthen humanity, so as to deliberately cultivate their relationship with God.³⁹

4. Possibilities and limits in dialogue with revealed scripture, hermeneutic approaches, and interpretative findings

A hermeneutical approach to the Qur'an that is committed to equality can help show the injustice of interpretations of the revealed scriptures that marginalize women. And yet, it would be an exaggeration, factually wrong, and apologetic, to regard the Qur'an as a feminist handbook. It speaks to a patriarchal society.⁴⁰ But it would also be a violation of the Qur'an not to consider its reformist and revolutionary potential. Moosa expressed the human stake in this potential as follows:

Text fundamentalism in part perpetuates the fiction that the text actually provides the norms, and we merely 'discover' the norms. The truth is that we 'make' the norms in conversation with the revelatory text.⁴¹

38 For the original English version see Wadud, *Qur'an and Women*, 15–28; see also the commentaries of Muhammad Asad and Yusuf Ali for Sūra 4:2.

39 See Wadud, *Qur'an and Women*, 23–27.

40 For patriarchal modes of expression in the Qur'an see Andrew Rippin, "Qur'an: Qur'an and Early Tafsir," in *Encyclopedia of Women and Islamic Culture* 5, ed. Suad Joseph, 266–268 (Leiden; Boston, Brill, 2007).

41 Ebrahim Moosa, "The Depths and Burdens of Critical Islam," in *Progressive Muslims: On Justice, Gender and Pluralism*, ed. Omid Safi, 111–114 (Oxford: Oneworld, 2003).

This means simply that that every interpreter, with his/her questions, desires, and knowledge, shaped by the times and his/her own personality and experience, found standards and values in the Qur'an and in turn used them as a hermeneutic key for his/her interpretative work.

It will therefore be nearly impossible to determine who is right and who is wrong. To answer this question cannot be the aim of the discussion, because interpreters would behave arrogantly in claiming a full and final understanding of God's words and thus lay claim to have the authority to end the quest for understanding.⁴²

It will be far more suitable to discuss and argue for the plausibility of one's own methods and results. And it must be possible to critically revise seemingly fixed historical facts. Putting the discourse about women's public participation on a meta-level once again, it is illustrative to take into considerations the argument of Mohammad Fadel,⁴³ who has dealt with discrepancies in the conceptualizations of male and female and their practical consequences. In a historical deconstruction of this debate, Fadel shows that in order to conform to a society with a patriarchal structure, the spheres of activity of males and females were gradually separated. While normative discourse remained more or less gender neutral (concerning the production and dissemination of knowledge), political discourse—in ignoring the general ethical principals of the Qur'an (according to Fadel)—annulled the concept of equality to the disadvantage of women. As a consequence women's access to socio-political and representative spheres of activity was limited or fully denied. The insight that the debate seems to be mainly determined by pragmatic-social-political considerations within a patriarchal perspective and less by theological-legal considerations (while of course being influenced by them) may be sobering. At the same time it facilitates the interrogation of established convictions and conventions at the very centre of theology and ethics, which throughout centuries of Muslim tradition had never been accepted without dissent.

42 See Abou el-Fadl, *Speaking in God's Name*, 92–95

43 See Mohammed Fadel, "Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought," *International Journal of Middle East Studies* 29 no. 2 (1997): 185–204.

Celene Ayat Lizzio

*Gendering Ritual:
A Muslima's Reading of
the Laws of Purity
and Ritual Preclusion*

*A Critical Perspective on
Menstrual Etiquette in Ritual Law*

In their concern with sexual access, bodily purity, and pious compliance with juristic opinion, female reproductive-related rulings within *fiqh* constitute a key substratum for regulating female expression within devotional life and beyond.¹ In this essay I examine rules pertaining to the preclusion of menstruating females from select Muslim devotional rites. I rely primarily on Internet *fatāwā*² and contemporary pamphlets treating the subject of female im/purity by Sunni and Shi'a legal specialists.³ The gendered aspects of purity regulations

1 I am indebted to Baber Johansen for enhancing my understanding of the classical *fiqh* rulings on purity as well as to the Prince Alwaleed Bin Talal Program in Islamic Studies at Harvard University for sponsoring a workshop in which I presented an earlier version of this paper. I would also like to thank Leila Ahmed, Ahmed Ragab, Susan Abraham, and Naila Baloch for their feedback. Any shortcomings or errors in interpretation are my own.

2 *Fatāwā* (s. *fatwā*) are opinions issued by religious authorities, typically in response to a question of contemporary social concern.

3 For normative Sunni perspectives I rely primarily on Abu Ameenah Bilaal Philips, *Aḥkām dimā' al-ma'ra al-ḥabī'iyya, Islamic Rules on Menstruation and Post-natal Bleeding*, 2nd ed. (Riyadh: International Islamic Publishing House, 2005); for majority Shi'a perspectives I rely primarily on Sayyid Muhammad Rizvi, *Ṭahāra al-nisā'*, *The Ritual Ablutions for Women: a comprehensive book on the shari'a laws pertaining to the ritual ablutions for women according to the Shi'a Ja'fari school of jurisprudence* (Richmond, BC, Canada: SMR Publications, 1985). Other manuals and fatwas consulted in the preparation of this paper (see bibliography) show virtually no differences of opinion on the issues discussed here, except where specifically mentioned in my analysis.

within Muslim legal discourse represent an underdeveloped area of analysis within critical Muslim feminist literatures.⁴ This is in contrast to a wealth of literature on the topic by Christian, Jewish, and secular scholars who analyze stigmas related to female reproductive bleeding and develop alternative perspectives.⁵ Much could be said on the topic from interreligious or comparative perspectives; however, this paper focuses on particular theological claims from which are derived normative rules excluding menstruating and post-partum Muslim females from key rituals of devotion.

Much variation is to be found among legal specialists when it comes to discussing the textual and non-textual rationales for female menstrual and post-partum etiquette. In all, contemporary specialists on the matter of female purity (the utter majority of whom are *not* female) are more devoted to preserving rules exhumed from medieval debates than in deriving rulings based on either female well being or contemporary knowledge of human reproductive physiology.⁶ This is not surprising, given the gendered nature of epistemic authority across disciplines of religious knowledge. Etin Anwar picks up on this theme in her work on gender and the experience of selfhood, noting:

Women are used to receiving and implementing the power and knowledge produced by men. Women have, as a result, constantly been the object of religious interpretation and have continually been excluded from the quest for knowledge, genealogy, history, jurisprudence, and religious views.⁷

4 To date, the issue of menstruation has not been taken up at length by any contemporary author who treats the topic of sex and gender within Muslim legal traditions. Notably, Mohja Kahf offered a parody of the jurists' rulings on menstruation entitled "Lost Pages from Sahih al-Bukhari's Chapter on Menstruation," *Muslim Wake-up!* (2004); for analysis see Martina Nosková, "Sex and the Umma': Sex and Religion Lived in Mohja Kahf's Columns," *Theory and Practice in English Studies* 4 (2005): 115–119.

5 For a Jewish feminist perspective see Kathleen O'Grady, "The Semantics of Taboo: Menstrual Prohibitions in the Hebrew Bible," in *Wholly Woman, Holy Blood: A Feminist Critique of Purity and Impurity*, eds. Kristin De Troyer et al., 1–28 (Harrisburg, PA: Trinity Press International, 2003); see also Charlotte Fonrobert, *Menstrual Purity: Rabbinic and Christian Reconstructions of Biblical Gender* (Stanford, CA: Stanford University Press, 2000); for feminist sociological perspectives see Chris Bobel, *Third-Wave Feminism and the Politics of Menstruation* (New Brunswick, NJ: Rutgers University Press, 2010); see also Sophie Laws, *Issues of Blood: The Politics of Menstruation* (London: The Macmillan Press LTD, 1990). For a consideration of how evolving menstrual control technologies have affected culture see Lara Freidenfelds, *The Modern Period: Menstruation in Twentieth-Century America* (Baltimore: Johns Hopkins University Press, 2009).

6 Several authors, including Marion Holmes Katz, Ze'ev Maghen, and Kevin Reinhart (see volume bibliography for titles) have noted that Muslim discourses on ritual purity are often lacking in continuity and not based on empirical logic. More generally, ritually defiling substances often have to do with loss of bodily control or are substances that are considered "out of place."

7 Etin Anwar, *Gender and Self in Islam* (London and New York: Routledge, 2006), 19–20.

Given this trend toward androcentrism within religious discourse, articulating female-centric priorities vis-à-vis scripture and religious ethics more broadly conceived is a priority for contemporary theology. Meena Sharify-Funk notes:

Muslims must reformulate their understandings of early and medieval Islam, extract essential Islamic values, principles and goals from the root sources, and move beyond legalistic reduction towards a more integrated, systematic and reflective methodology. Basically, Muslims must carefully examine relations between the sacred text and the contemporary, experiential contexts in which precepts must be translated into practice ... A new hermeneutic field is opening within the contemporary *Ummah*. Though still struggling for recognition and legitimacy—may continue to deny its authenticity, and thereby put innovative interpreters on the defensive—an increasing number of Muslim interpreters are grappling with profound questions that demand hermeneutical engagement and scholarly sophistication.⁸

Within this new hermeneutic field described above by Sharify-Funk, female-centric approaches are needed to reevaluate norms of inherited tradition. Hence, in this critique of purity norms I situate myself within the emerging field of what may be called *Muslima* Theology, a branch of theological studies conversant with other confessional and/or regionally situated theological discourses which advance *female-stream*⁹ contemplations of piety, female-centric modes of leadership, and female epistemological authority, in this case as inspired by engagement with Islamicate heritages. The gynocentrism of a field such as *Muslima* Theology does not represent the social ideal of female superiority at the exclusion and expense of male engagement; gynocentrism is aimed at creating a discourse wherein the contributions and perspectives of women in the sphere of religion are valued and actively solicited, not merely within the sphere of exclusively “women’s issues” but across a spectrum of theological, judicial, and social issues. This said, menstruation and post-partum bleeding are a prime area of inquiry for female-centric theology as they relate *primarily*, though not exclusively (as we shall see below), to the experience of females.

8 Meena Sharify-Funk, “From Dichotomies to Dialogues: Trends in Contemporary Islamic Hermeneutics,” in *Contemporary Islam: Dynamic, Not Static*, eds. Abdul Aziz Said, Mohammed Abu-Nimer and Meena Sharify-Funk, 64–80 (London and New York: Routledge, 2006), 74–75.

9 In formulating a working conception of *Muslima* theology, I am indebted to the mentorship of Elisabeth Schüssler Fiorenza.

I proceed with a general description of menstruation-related rules in *fiqh*, explore the medieval methods for derivation of these rules, and then proceed to analyze the implications of the rules for gendered conceptions of purity and piety.

Fiqh Menstruation-Related Rules, in Brief

Exclusions from devotional rituals during the period of menses (*ḥayḍ*) are mandated across major Muslim schools of legal discourse extending from the formative period to the present. However, among jurists there are many disagreements upon the details of menstruation-related rules. These include disagreements over stipulated minimum and maximum durations of cycle-length, the im/permissibility of a menstruating female to recite or touch Qur'anic text and the im/permissibility of her presence in mosques and other sanctified places. In most respects, menstruating females may participate in the activities of the larger devotional community, and there are no prohibitions on her engaging in non-obligatory devotional activities, such as non-ritual prayers of supplication (*du'ā'*). However, as a normative position across Muslim schools of legal thought, the menstruating female is excluded from the foundational rites (*arkān*) of ritual prayer (*ṣalāt*), fasting (*ṣawm*), and the central pilgrimage rite of circumambulation (*ṭawāf*). During menses coitus is also forbidden.¹⁰

In the female purity manuals consulted, the finer points of menses etiquette, as overviewed below, are typically given epistemic authority by citing reports of the normative practices of the female companions of the Prophet Muhammad. For instance, females are not obliged to make up for missed obligatory daily prayers due to menses.¹¹ In contrast, females are obliged within ritual law to make up for missed days of obligatory fasting; making up for obligatory fasting is said to

10 The legal rules of divorce and filiation are other areas of the law where menstruation has importance; however, my primary interest here is in menstruation (and post-partum bleeding) as pertains to the rules of ritual purity.

11 In an oft-quoted tradition in Sunni sources, 'Ā'isha when asked about making up prayers missed during menses is reported to have said: "Are you a Ḥārūrīte [referring to one of the early sects seen by Sunnis as deviant]?" *Ṣaḥīḥ Muslim*, vol. 1, no. 662, as cited in Philips, 34–35; for other oft-quoted Sunni *ḥadīth* see the chapter, "Hygiene," in *Women in Islam: An Anthology from the Qur'an and Ḥadīth*, 2nd ed., trans. and ed. Nicholas Awde (New York: Hippocrene Books, 2005), 11–13.

be only a small burden in comparison to making up for obligatory prayer, based on the authoritative opinion of legal specialists. If the onset of menstruation occurs during pilgrimage, the female may wait for her menstruation to end and resume the pilgrimage where she left off, according to dominant opinions. In the opinion of a small minority of jurists, the prohibition on the menstruating female performing circumambulation during pilgrimage may be overridden in a situation of necessity.¹² Given that Hajj travel logistics are determined well in advance, incentives are laid for the pious menstruating female to medically suppress her cycle to achieve the normative standard of purity.¹³ For instance, on popular Internet forums where devotees write in with questions to Muslim legal authorities, a notable number of contemporary fatwas assert the permissibility of suppressing bleeding during the weeks of obligatory fasting and pilgrimage.¹⁴

The ending of menstruation is a point which jurists have some difficulty determining due to variability in menses onset and length. Thus, there is considerable disagreement, nearing confusion, over precisely when a female is eligible to regain a state of ritual purity (*tahāra*). Jurists' deliberations are further complicated by special considerations within the law for non-menstrual, non-prenatal, vaginal bleeding (*istihāda*), which does not fall under the same rubric as menstruation and does not typically necessitate an exclusion from prayer, fasting, or circumambulation (see discussion below). Solutions to dilemmas involved in specifying which bleeding counts as menstrual bleeding are grounded on legal, not physiological considerations. The legal authorities have fixed set minimum and maximum menstrual durations so as to declare all vaginal bleeding that exceeds the maximum (or does not meet the minimum) as non-menstrual. For example, Sunni jurists of the Ḥanafī tradition have a minimum and maximum duration of menses from three to ten days respectively, and several Sunni jurists

12 This opinion is highly contested and does not form part of the mainstream understanding. The legal methodology behind this opinion, attributed to Ḥanbali scholar Ibn Taymiyya (d. 1328), states that an act can still be legally valid if a condition for the validity of the act cannot be met, e.g. ritual purity is not possible for the menstruating woman, yet she may perform circumambulation if no other means for completion of the rite are available. See 'Abd Allah b. Bayyih, "A Menstruating Woman Circumambulating the Ka'ba," [n.d.], <http://en.islamtoday.net/artshow-405-3394.htm> (accessed February 22, 2010).

13 Suppressing monthly bleeding is increasingly prevalent among other communities of women as well; see Elizabeth Aubeny, "Are Monthly Menstrual Periods Optional? A European Perspective," in *Reproductive Health Matters* 15 (2007): 183.

14 E.g. Muḥammad ibn 'Abd al-'Azīz Musnid, ed., *Islamic Fatawa Regarding Women* (Riyadh, Saudi Arabia: Darussalam Publishers, 1996), 149.

of the Shāfi‘ī tradition fix the maximum at fifteen days, partially on the authority of a tradition that suggests a woman spends half of her life precluded from prayer. Ja‘farī scholars representing the majority of Shiite jurists typically fix the minimum at three and the maximum at ten. Related discussions involve legal calculations for the minimum and maximum ages for the occurrence of menstruation (for instance nine to around fifty lunar years in Ja‘farī opinion). The color, texture, and categories of vaginal discharge, including bleeding related to loss of virginity, are all discussed at great length in contemporary female hygiene manuals. It is not uncommon for contemporary female hygiene manuals to supply extensive charts to aid in determining which legal category the vaginal discharge should fall under and whether it is defiling (*najas*) or not. These manuals are predominantly authored by men with references to the reports of the first generation of Muslim women, or with references to medieval legal debates among jurists.

*Legal Methodology
for Deriving Rules Related to
Reproductive Defilements*

The Qur’an does *not* specify the exclusion of females from any pillars (*arkān*) of ritual devotion. According to my canvas of the literature, there do not seem to be any statements which have been transmitted directly from the Prophet which proscribe menstruating or post-partum females from any rituals of devotion. In the Qur’an, the drunkard and the person defiled from coitus or ejaculation are instructed not to approach prayer until bathing, but this verse laying out purity rules does not explicitly address the menstruating woman (Q 5:6; see also Q 4:43).¹⁵ As the Qur’an does not mention a prohibition on devotional acts for menstruating females, discussions may invoke the authority of a verse on sexual intercourse with menstruating females (Q 2:222). This verse in the Qur’an recognizes the potential for menstruation (*al-mahīḍ*) to cause discomfort (*adhā*). The verse then instructs its audience to remain aloof (*fa-tazilū*) from females experiencing menstruation and not to approach them (*lā taqrabūhunna*) until

15 For a thorough analysis of this verse see Katz, 32–36.

they are cleansed (*yaṭhurna*).¹⁶ Here the Qur'anic stress is clearly on securing the well being of the female. Yet, the menstruating female is barred from prayer, often with reference to this verse. Females experiencing post-partum bleeding (*nifās*) are also included in this grouping of defiled persons. What results is a legal system of purity norms that identifies four major defilements (*janāba*): coitus, ejaculation of sexual fluids, menstruation, and post-partum bleeding.¹⁷ Notably all are reproductive-related, yet only ejaculation and coitus are specifically mentioned in the Qur'an as impediments to the ritual prayer.

The exclusively female categories of *janāba* (menstruation and post-partum bleeding) have a unique defiling potential. For instance, a person who has become defiled though coitus or the ejaculation of reproductive fluids can wash as prescribed and be immediately eligible for ritual performance. Females experiencing menstruation or post-partum bleeding cannot wash and be ritually clean until the period of bleeding is deemed fully complete according to the normative purity rules. In other words, persons (male or female) who are ritually impure from coitus or the ejaculation of reproductive fluids are subject to one set of norms, while females who are impure from menses or post-partum bleeding are subject to even more limiting norms. Furthermore, non-menstrual, non-prenatal, vaginal bleeding *does not* preclude females from coitus or ritual performance according to a normative consensus among jurists. Simply put, females deemed to be experiencing menses or post-partum bleeding are a categorical exception to what is otherwise a purity code based on the premise that persons may achieve ritual purity simply by washing at will. The menstruating or post-partum female on the other hand is required to wait until the cycle of bleeding stops, or she reaches the legally prescribed maximum.

16 Here, the meaning of "refrain aloof from" in the Qur'anic verse is commonly qualified to imply that *only* coitus is prohibited (see my discussion below). For a concise overview of commentary pertaining to this verse see Marian Holmes Katz, "Menstruation," in *Encyclopedia of the Qur'an* 3, ed. Jane Dammen McAuliffe, 375–377 (Leiden; Boston: Brill, 2003). For a listing of the various occurrences of the Arabic term for purity/cleanliness/purify/cleanse see Hanna E Kassis, *A Concordance of the Qur'an* (Berkeley and Los Angeles: University of California Press, 1983), 1233–1234. For a formative discussion of this verse in the early legal tradition see Muḥammad ibn Idrīs al-Shāfi'ī, *Kitāb al-Umm* I, ed. Muḥammad Zuhri Al-Najjar (Beirut: Dār al-Ma'rifa, 1975), 59–60. Citation provided by Baber Johansen in his course at Harvard Divinity School in 2009.

17 A. Kevin Reinhart, "Impurity/No Danger," *History of Religions* 30, no. 1 (1990–91), 13–14.

Somatic Indicator of Gender Difference

We have seen how in normative legal discourses the menstruating and post-partum female is proscribed from ritual prayer (*ṣalā*), fasting (*ṣawm*), and circumambulation (*ṭawāf*). The periodic preclusion of the female from such key ritual performances defines her pietistic capacity in *her difference* from the normative male who experiences no such reoccurring mandated interruption of devotion routines.¹⁸ In this way, the perception of female irregularity contributes to the formation of a social hierarchy of genders based on the “appropriateness paradigm,”¹⁹ i.e., it is appropriate for the female to not pray, fast, or complete pilgrimage during menses due to an essential aspect of her reproductive function. The situation quickly becomes tautological with claims being made that women, as a gender category, are lesser in religion compared to men because they regularly do not participate in devotional rituals—namely obligatory prayer.²⁰ Indeed, this claim exists as part of the body of authoritative knowledge attributed to the Prophet Muhammad within mainstream Muslim sources.²¹

Some discussions of menstruation reveal a hyper-sensitivity regarding even the remote possibility of potential contact with menstrual blood. For instance, Rizvi, on the authority of the Ja'farī school of thought, asserts that it is forbidden for a menstruating woman to enter a mosque. Furthermore, according to Rizvi, “putting something in a mosque—even if she is standing outside” is prohibited; however, “she may take out something from it—provided she does not enter it.”²² Other opinions permit the menstruating female to enter the mosque, so long as she does not engage in the prayer ritual. For in-

18 As Sa'diyya Shaikh notes: “The concomitant implication of having a male human being at the center of religious discourse is that the female human becomes the Other, thereby diminishing a human wholeness and spiritual potential” (107), in “Knowledge, Women and Gender in the Hadith,” *Islam and Christian-Muslim Relations* 15, no. 1 (2004): 99–108.

19 For an elaboration of this concept see Christine Delphy, “Rethinking Sex and Gender,” in *Feminist Theory Reader: Local and Global Perspectives*, eds. Carole R. Mcann and Seung-Kyung Kim, 57–67 (New York and London: Routledge, 2003), here 65.

20 Khaled Abou el-Fadl highlights this derogatory use in his chapter: “Faith-based assumptions and determinations demeaning to women,” in *Speaking in God's Name: Islamic Law, Authority and Women*, 209–263 (Oxford: Oneworld, 2003). Ziba Mir-Hosseini touches on this issue briefly in *Islam and Gender: The Religious Debate in Contemporary Iran* (Princeton: Princeton University Press, 1999), 222–226.

21 See *Ṣaḥīḥ al-Bukhārī*, vol. 1, Book 6, no. 301.

22 Rizvi, 21.

stance, Saud al-Funaysan, former Dean of Islamic Law at al-Imam Mohamed Ibn Saud Islamic University in Saudi Arabia, argues at length for permitting menstruating women to enter mosques by evoking prominent classical authorities (including opinions by Mālik in *Fatḥ al-Bārī* and Ibn Taymiyya in *Majmū' al-Fatāwā*). Al-Funaysan posits that the benefit of females hearing sermons and engaging in mosque-based pedagogical activities merits consideration over the potential of defiled blood soiling the mosque.²³ In contrast to this position, Islam Web (created in 2000 with the sponsorship of the Qatari Endowment Association and recognized by a World Summit Award issued by the United Nations' World Summit on Information Society), features several opinions that explicitly forbid menstruating females' presence in mosques.²⁴ The im/permissibility of the menstruating female touching, writing, or reciting Qur'anic text are also discussed among legal specialists with no clear consensus and much confusion is expressed by women who write to the (typically male) legal authorities seeking guidance with regard to menstrual etiquette.²⁵

Problematizing Male Epistemological Authority over Female Bodies

By specifying when females can or cannot validly perform central devotional acts, jurists (the vast majority of them male) reserve for themselves the authority to declare an act "invalid" regardless of personal intent. For instance, the menstruating female could have intentionally gone from sunrise to sunset without food, drink, and coitus; however

23 Specifically he writes: "They (females) will be prevented from seeking Islamic knowledge [by being barred from the mosque during menses]. Many talented women will be frustrated, disheartened and lose enthusiasm," *Islam Today* [n.d.], <http://www.islamopediaonline.org/fatwa/ruling-permitting-menstruating-women-recite-quran-and-enter-mosque> (accessed January 11, 2010).

24 For instance, one woman explains in an Internet inquiry that her menstrual cycle began while she was in the mosque, and she remained in the mosque so as to not become separated from her family. The anonymous cleric responded by chiding her for remaining in the mosque: "Dear sister, you are to repent, to be more afraid of Allah and to avoid being driven by fear of people that which leads you to sin," Anonymous, "Menses started while in Mosque," *IslamWeb*, posted March 3, 2000, <http://www.islamweb.net/ver2/Fatwa/ShowFatwa.php?lang=E&id=81522&Option=Fatwald> (accessed January 11, 2010).

25 See several examples in Musnid, 81–100; see also a collection of nearly 100 opinions on different clerical opinions on menstrual etiquette in "Menstruation and Confinement," *IslamWeb*, <http://www.islamweb.net/emainpage/index.php?page=fatwa&tab=1&vPart=581> (accessed January 11, 2010).

due to her menstrual period this fast would not be accepted (by God) in the view of the legal specialists. Various jurists even claim that performing one of the forbidden ritual acts while menstruating is disobedient (to God). For example, in his hygiene and purity manual Abu Ameenah Bilal Philips asserts:

It is very important for women to fear Allah and be very meticulous with regard to *ṭahāra* [purity], because formal prayer is not acceptable without *ṭahāra* even if it is done one hundred times. In fact, some scholars hold that one who does formal prayer without *ṭahāra* is a disbeliever, because it is a form of holding Allah's religion in contempt.²⁶

Such a comment is suggestive of the authority with which legal specialists endow their exercise of interpretation as well as its desired effect on the pietistic female. Likewise, Sayyid Muhammad Rizvi begins his manual on purity for females by asserting that knowledge of female purity laws is “an essential duty of every Muslim woman.” Yet, he goes on to immediately suggest that knowledge of the rules is “almost impossible” for many women due to the “complication of the laws of menstruation.”²⁷

The rules concerning menstruation posit jurists as a locus of authority over the female, her body, her comportment, and her devotions, combining religious and scientific discourses for the desired effect. For instance, Rizvi details the pathway of an ovum, ending with the assertion: “From this biological explanation it is clear that menstruation is neither ‘the curse’ on woman nor a result of the so-called original sin of Eve. Rather it is a very normal biological process that ensured the perpetuation of the human race.”²⁸ This characterization of menstruation as “very normal” is clearly in tension with the very purpose of a forty page manual detailing special ritual precautions and a host of legislation aimed at keeping menstrual blood and the menstruating female set apart. It is with this ethic that menstruating females are forbidden to participate in central rituals of devotion, despite the absence of direct Qur’anic or direct Prophetic commandments.

When it comes to jurists’ concern for the etiquette of menstruation, the question of a female’s availability for coitus is a primary concern.²⁹

²⁶ Philips, 49.

²⁷ Rizvi, i.

²⁸ Ibid.

Sunni jurists require females to take a post-menses ritual bath before re-engaging in coitus;³⁰ however, observing a female re-engaging in ritual prayer is regularly discussed by jurists as the sign of her coital availability.³¹ Jurists are typically careful to clarify that when it comes to menstruation and post-partum bleeding it is *only* coitus, and not other forms of sexual arousal and gratification that are prohibited. For instance, in his manual on female hygiene and etiquette Rizvi addresses his readership as follows:

Of course, playing with the other parts of her body (other than the vagina and anus) is allowed. Again, it is precautionarily [*sic*] better not to play with her body between the navel and knees.³²

Rather than positing the female as the protagonist (which one might expect in a volume dedicated to female hygiene), the tone and content of Rizvi's statement are indicative of the phallocentric focus of (male) jurists' discussion of female purity norms. In these discussions, the Qur'anic command to "remain aloof from" the menstruating woman (Q 2:222) is taken to apply very narrowly; however, the same verse is taken as evidence of a broad proscription on forms of ritual participation for menstruating and post-partum females.

It must also be noted that although the defilements which are reproductive-related are assimilated in one category of persons being described as defiled (*junūb*, masc. sing.),³³ often the *material* filth of the excreted material is emphasized in the case of post-partum bleeding and menstruation, whereas the defiling property of semen is often seen as *immaterial*, non-physical. For example, according to at least one prominent medieval jurist,³⁴ a male ritually defiled from coitus or ejacula-

29 It is a general theme within the *fiqh* that according to a consensus of jurists, the husband (or the male slave owner) holds mastery (*mulk*) of the female's sexual organs, somewhat akin to one who holds discretionary use over rented property. Hence, for an extended discussion of this dynamic in classical legal thought see Kecia Ali, *Marriage and Slavery in Early Islam* (Cambridge: Harvard University Press, 2010).

30 See hadith no. 98 in Malik, *Muwat̄a*, in Ruth Roded, ed., *Women in Islam and the Middle East: A Reader* (New York: I.B. Tauris Publishers, 1999), 99.

31 For a minority of jurists, a ritual bath is necessary only to resume ritual participation; the female is immediately available for intercourse once her cycle is deemed complete. For this minority it is recommended that the vaginal area first be washed in a non-ritual manner; see Rizvi, 23, on the authority of the Ja'fari school of legal thought.

32 *Ibid.*

33 The word in its various morphological forms has the sense "to turn away from"; see Kassis, 598–599.

34 al-Ghazali, *The Revival of the Religious Sciences*, in Roded, 163. Although some work has been done in this regard (see Katz, Maghen, and Reinhart), attitudes toward various sexual fluids, the transmission of disease, and the im/materiality of purity in the discussions of legal specialists constitute areas for further investigation.

tion is *not* required to take a ritual bath before engaging in coitus with another female,³⁵ whereas leprosy in offspring results from coitus with a menstruating female. Here, menstrual blood is linked to disease, yet at the same time there is a disinterest in the transmission of sexual fluid among multiple partners. This is one instance of many where reliance on medieval legal theory is inadequate to address the needs and concerns presented by contemporary realities.³⁶

Avenues for Further Inquiry

Centuries of patriarchal intellectual productivity attest to the malleable nature of normative prescriptions for a far-reaching spectrum of piety-driven Muslims. Numerous epistemological divergences are found across different political, regional, and sectarian affiliations. Yet in all, “establishment Islam”³⁷ has developed as a highly androcentric enterprise, one that is perpetually self-affirming through the principle of elite consensus, and one that predicates its legitimacy as grounded in the natural order ordained by God (who is grammatically, but *not* ontologically gendered male). In efforts to derive coherent legalistic norms, dense discussions of the metaphysical and legal aspects of Divine Will have been generated; immense volumes of writing have been devoted to documenting, commenting on, and interpreting the correct actions and beliefs of Muslims. However, despite attention to principles of fairness and justice in this body of literature, in notable ways females are deemed to be inadequate for full participation.³⁸ Consequently, the fairness and suitability of the *fiqh* is constrained by this assumption.³⁹ Often too, as in the case of purity norms, reports of

35 al-Ghazali, “The Etiquette of Marriage,” in *The Revival of the Religious Sciences*, in Roded 163; see also Ismā‘īl ibn Yahya Al-Muzani, *Mukhtaṣar al-Muzani* (printed as the ninth volume of the edition of al-Shāfi‘ī, *al-Umm* cited above), 57.

36 For a discussion of legally sanctioned multiple sexual partners (for males) and the spread of venereal disease in Muslim contexts see Amina Wadud, *Inside the Gender Jihad: Women’s Reform in Islam* (Oxford: Oneworld, 2006), 233–244.

37 I have adopted this term, “establishment Islam,” from the work of Leila Ahmed, *Women and Gender in Islam: The Historical Roots of a Modern Debate* (New Haven, CT: Yale University Press, 1992), 229.

38 For an example of men’s superiority see Muḥammad ibn ‘Umar, Fakhr al-Dīn al-Rāzī (d. 1209), *Maḥāṭib al-ghayb fī tafsīr al-Qur’ān/Tafsīr al-Kabīr*, vol. 10 (Beirut: Dār al-Fikr, 1981), commentary on 4:34, 90–94; see also Barbara Freyer Stowasser, “The Status of Women in Early Islam,” in *Muslim Women*, ed. Freda Hussain, 25–39 (New York: St. Martin’s Press, 1984).

customs from the early generations of Muslims are taken to be indicative of Muslim society *par excellence*, the uniform and exemplary representative of the religious ideal.⁴⁰ Yet, forgoing analytical reasoning and defaulting to predominantly androcentric paradigms for discussing religious morality and ethics runs a high risk of perpetuating gendered hierarchies and reifying other social and epistemic disparities.

The intention of this inquiry has been to open a conversation by providing perspectives on what it can mean to be Muslim—and *female*. Within the realm of theology, further work is needed on the concept of purity and its implications for female-stream conceptions of piety and bodily cleanliness. For instance, it must be noted that within a Qur'anic worldview, "God purifies whoever He will" (*Allāh yuzakkī man yashā'* Q 24:21). What can this Qur'anic worldview signify in relation to the purity rules of the classical *fiqh*? It could be, for instance, that the verbal root for purity used in Q 2:222 (*ṭa-ha-ra*) pertains specifically to hygiene, and has little to do with the adequacy of a person to pray before God. In taking this vantage point, it is *not* my intention to argue that menstruating and post-natal females should be compelled to perform the rituals in question; indeed, menstruation or post-partum females may appreciate what can be interpreted as a God-given mercy during a time of relative distress—rather than an outright proscription on reciting scripture, entering places of prayer, and standing before God in worship.

39 For a skilled retrieval of gender egalitarian perspectives within the *fiqh* see Sa'diyya Shaikh, "In Search of al-Insān: Sufism, Islamic Law, and Gender," in the present volume.

40 For an analysis of this dynamic see Denise Spellberg, "The Role of Islamic Religio-Political Sources in Shaping the Modern Debate on Gender," in *Beyond the Exotic: Women's Histories in Islamic Societies*, ed. Amira El-Azhary Sonbol, 3–14 (Syracuse: Syracuse University Press, 2005).

Carolyn Baugh

*Ibn Taymiyya's Feminism?
Imprisonment and
the Divorce Fatwās*

Introduction

In the early part of the fourteenth century, Taqī al-Dīn Aḥmad Ibn Taymiyya (d. 728/1328) submitted to two terms in prison, totaling almost a year, for his position on divorce. Not only did he believe that the repudiation oath was expiable like other oaths, and need not result in actual dissolution of marriage, but he had begun asserting that Triple Repudiation was not only innovative (*bid'ī*) but legally invalid. When asked to retract his positions in order to return to teaching, he famously said, "I cannot conceal knowledge."¹ When Henri Laoust considered Ibn Taymiyya's stances on dissolution of marriage, he found the scholar to have been acting out of a concern for the stability of the family and the right of a wife to social justice. Laoust stated: "This last point would appear, in the doctrine of Ibn Taymiyya, to be a discreet feminism of which one easily finds other examples, and which necessarily reaches, in the opinion of Ibn Qayyim al-Jawziyya, a frank justification for monogamy for reasons of social justice."²

1 Caterina Bori, "A New Source for the Biography of Ibn Taymiyya," *Bulletin of the School of Oriental and African Studies* 67, no. 3 (2004): 346.

2 Henri Laoust, "Une Risāla d'Ibn Taymiyya sur le serment de repudiation," *Bulletin des Etudes Orientales*, vol. 7-8 (Cairo: Imprimerie de L'Institut Francais, 1937-1938): 217. Such a possible stance on Ibn al-Qayyim's part surely warrants pursuing. Yossef Rapoport replies that any "feminism" attributed to Ibn Taymiyya would be mere "wishful thinking" (see Yossef Rapoport, "Ibn Taymiyya on Divorce Oaths," in *The Mamluks in Egyptian and Syrian Politics and Society*, eds. Winter Michael and Amalia Levanoni (Leiden: Brill, 2004), 205, fn. 38).

Dissolution of marriage is one of the more complex elements of Muslim family law. Much of its complexity stems from the vast amount of confusion and lack of resolution on various facets of the definition and implementation of divorce. As a matter of brief review, it is useful to include here a brief reference to some of the more potent terminology relating to this topic in order to better contextualize the discussion at hand, keeping in mind that the nuances of the terms are themselves subjects of ongoing debates:³

Ṭalāq: Unilateral repudiation by the husband of his wife. Discussed in the Qur'an most prominently in verses 2:228–232 and 65:1–6, this form of divorce is husband-initiated, as is the ability to revoke the divorce and return to married life. Jurists understood the “Sunnaic Repudiation” as being implemented when a woman was not menstruating and extending over a designated waiting period (*‘idda*), typically three months or three menstrual cycles.⁴ Here, the possible second and third repudiations may occur only after a man has ended the first instance by returning his wife during her waiting period or remarrying her with a new contract after the expiration of her waiting period.⁵

Ṭalāq al-bid‘a: Innovative or sinful repudiation. This is the repudiation that does not take place according to the assumed model of three menstrual periods with a possibility of revocation. For most classical scholars, its “sinfulness” does not make it less legally valid; Ibn Taymiyya, however, began giving fatwas to the contrary, stating that this form of repudiation was *not* valid.⁶ Triple repudiation in a single utterance falls into this category. Additionally, repudiating a woman during her menstrual period also falls into this category. Some systems penalize this form of marriage dissolution in theory while permitting it to continue in practice.⁷

3 For information on modern implications of divorce laws for Muslim women, see Women Living Under Muslim Laws (WLUML), International Solidarity Network, *Knowing Our Rights: Women, Family, Laws and Customs in the Muslim World* (New Delhi: Zubaan, 2003), 255–300.

4 There is ongoing debate as to whether the end of the third menstrual period or its beginning serves to delineate the end of the waiting period. See *Majmū‘a Fatawa Shaykh al-Islām Ibn Taymiyya*, ed. ‘Abd al-Rahmān ibn Qāsim al-‘Āshimī (Riyadh and Beirut: Maṭābi‘ Dār al-‘Arabiyya, 1977), 33:11. There is dispute over the length of time for a woman whose period is irregular.

5 *Ibid.*, 33:72–73.

6 Rapoport, 203.

7 *Majmū‘a*, 255–256.

Khul': Dissolution of the marriage, usually for a designated price (such as return of the *mahr*). This is also referred to as woman-initiated divorce.⁸ The waiting period for this form of marriage dissolution is one menstrual cycle.⁹

Despite being classified as an “innovative” or “sinful” form of repudiation, the Triple Repudiation was, historically, and remains today, a major issue in many Muslim legal systems.¹⁰ The modern era has seen numerous reforms across these legal systems: in the early twentieth century, countries like Egypt,¹¹ Iraq and Jordan began considering triple pronouncements of divorce in one sitting to be the equivalent of one incidence of divorce. Yet in countries like Sri Lanka, Triple Repudiation is practiced with great frequency: “This prevalence is influenced by the widely held misperception that a triple *ṭalāq* absolves the husband of his obligation to provide maintenance during the *‘idda* period.”¹² In 2004, India was only just preparing to address the issue of Triple *Ṭalāq*, indeed with major trepidation out of fear of Sunni reaction to its abolishment.¹³ Meanwhile, the fact that Triple Repudiation is an issue that is viewed as legally “unresolved”¹⁴ indicates that it has persisted in the socio-legal consciousness of Muslim populations well into the modern era. Those who take strong stances against it often do so by suggesting that it was a relic from the pre-Islamic era that came back into practice due to the Ḥanafī concern with the validity of mere utterances.¹⁵ The debate itself has heavy legal implications for the role of intentionality in law.

The continued existence of disagreement over Triple *Ṭalāq* could well be linked to the stances of Ibn Taymiyya, for at a pivotal moment

8 See also *Majmū'a*, 273–277; Rapoport also refers to this as “consensual divorce,” 198.

9 See *Majmū'a*, 33:10. *Khul'* is by definition an irrevocable separation (*firqa bā'ina*) according to Ibn Taymiyya, while al-Shāfi'ī does not consider it more than dissolution, with three instances engendering irrevocability.

10 According to WLUML: “Most codified laws have attempted to do away with this highly unjust form of repudiation, but customarily it continues to be practiced (especially in Bangladesh, India, Pakistan and Nigeria) ... It is even formally recognized in some systems (Sudan and Yemen)” (258).

11 For an interesting treatment of this subject by a modern era Cairene legal scholar, see Muhammad Abū Zahra, *Ibn Taymiyya* (Cairo: Dār al-Fikr al-'Arabī, 1952), esp. 427–436. Abū Zahra takes pains to point out that for the most part, Egyptian divorce law closely follows Ibn Taymiyya's opinions (427), although he has spent considerable time stating that Ibn Taymiyya's position with respect to innovative divorce is contrary to classical scholarly consensus (426–427).

12 See WLUML, 265–266.

13 Asghar Ali Engineer, “Abolishing Triple Talaq: What Next?” *Economic and Political Weekly* 39, no. 28 (Jul. 10–16, 2004): 3093–3094.

14 WLUML, 258.

in legal history, he refused to acquiesce to the consolidation of an inter-madhhab position that Triple *Ṭalāq* is legally sound within the Islamic legal system. This position of questioning scholarly consensus earned him scorn and two sojourns in prison. The concern of this paper is with the concept of Triple Repudiation (or Triple *Ṭalāq*) as discussed by Ibn Taymiyya. We inquire as to exactly what his position was, why it was problematic in the fourteenth century, and whether his position could have been viewed as championing the rights of women, as has been suggested by Henry Laoust.¹⁶

Ibn Taymiyya and Triple Repudiation

Yossef Rapoport frames his analysis of Ibn Taymiyya's stances in discussions of the value of oath-taking in medieval society, for the first phases of Ibn Taymiyya's position had to do with devaluing or lessening the legal impact of oaths of repudiation intended to affirm the intention of undertaking or not undertaking an action. The fourteenth century was a time in which such oaths had taken on such intense sanctity that they were being used in legal proceedings.¹⁷ Such seriousness surrounding the utterance of the divorce oath reflected its place in the social consciousness. Oaths and their results had led to innumerable unintended dissolutions of marriage. These, in turn, had led to the growth of legal sleights of hand (*hiyal*) designed to circumvent the dissolution or restore the marriage, such as the Shāfi'ī doctrine of *khul'*

15 See, for example, Engineer, "Abolishing Triple Talaq," 3093. With regard to the Ḥanafī position, it is usually presented as being based on the report (sometimes presented as a Prophetic hadith) that "[s]eriousness and joking are equal in marriage [proposals] just as seriousness and joking are equal in [utterances of] divorce." For this see al-Shaybānī's *Ḥujja 'alā ahl al-Madīna*, ed. al-Sayyid Maḥdī Ḥasan al-Kilānī (Beirut: 'Ālam al-Kutub, 2006), 2:74, and Kecia Ali, *Marriage and Slavery in Early Islam* (Cambridge, MA: Harvard University Press, 2010), 29–30. The matter of divorce oaths taking effect, no matter how absurd, is also presented anecdotally in the *Muṣannafs* of 'Abd al-Razzāq and Ibn Abī Shayba, although numerous counter opinions are reported suggesting that such oaths do not take effect; as the *Muṣannafs* represent some of the earliest legal literature, it is possible to see just how long these debates have endured.

16 See Laoust, "Une Risala."

17 Ibid, 198–199.

18 This legal device allows a man and woman to agree on consensual divorce (*khul'*) before the husband intentionally violates the divorce oath he has taken. As the two are divorced when the oath-violation takes place, the oath is moot, and there can be an immediate remarriage. For Shāfi'īs, who consider *khul'* to be divorce and not *fāskh* (annulment), this device could only be used twice, however, before the Triple *Ṭalāq* issue sets in (see Rapoport, 198 and 198, fn. 21, and also *Majmū'a*, 33:64).

*al-yamīn*¹⁸ or the *taḥlīl* marriage.¹⁹ More than anything, we are told, Ibn Taymiyya's primary intention was to eliminate the necessity for *taḥlīl* marriages, as these had proliferated to alarming levels in his era.²⁰

Ibn Taymiyya points out that oaths for all other issues—such as an oath on pain of pilgrimage or giving charity—were expiable in some way.²¹ Thus it was natural to him,²² although it did not seem so natural to any other scholar of his time or preceding him, that there must be a way out of the oath of repudiation as well. The source of conflict with the legal establishment, then, lay in the fact that his decision lacked precedent and appeared to go against what was at least a tacit scholarly consensus. Oath-taking was but a subsidiary issue to the larger issue of speaking the repudiation formula and the extent of its implications; above all, what was the role of intention in law?

Like jurists before him, Ibn Taymiyya finds that Triple Repudiation falls into the category of *bid'ī* or innovative (and hence sinful) dissolution of marriage. Unlike them, however, he began ruling such repudiations invalid. There are four types of this repudiation: the triple repudiation in one utterance; successive repudiation (*mutatābi'*: all three repudiations in one sitting—*fi majlis wāḥid*); repudiation in several sittings but during one purity period; and the triple repudiation in which there are three periods of purity without any intermediary period of return. All of these, according to Ibn Taymiyya, are considered *ḥarām*.

With regard to the Triple *Ṭalāq* delivered in one utterance, Ibn Taymiyya notes that there are three opinions on it. First there is that of al-Shāfi'ī, for whom *bid'a* is limited to a repudiation that takes place during a menstrual cycle or in a period of purity in which there has been intercourse. Thus one utterance of three repudiations is, for al-Shāfi'ī, valid and without sin.²³

19 A marriage contracted for the sole purpose of legalizing remarriage between an irrevocably divorced couple.

20 Rapoport, 205.

21 See *Majmū'a*, 33:74–75 and Q 5:89.

22 See especially *Majmū'a*, 33:60: "The basic [premise] in this is that the intent of the speaker must be investigated..."

23 Of interest, however, is al-Shāfi'ī's phraseology in *Kitāb al-Umm* in which he says that triply divorcing the wife in an unconsummated marriage in one utterance is redundant in that the first utterance renders her no longer married, "and repudiation cannot take effect upon someone who is not [technically] the wife" (6:469). The difference between consummated and unconsummated marriages is the necessity of *'idda* for the former. Thus, for al-Shāfi'ī, the single divorcing utterance itself cannot complete the act of divorce from a consummated marriage, while three simultaneously can.

For Mālik, Abū Ḥanīfa and Aḥmad ibn Hanbal (in a later opinion supported by his followers and modeled on a group of the *salaf*), it is a forbidden repudiation (i.e., its result is sin) yet that which the divorcing man intends and utters necessarily takes place.

The third opinion,²⁴ Ibn Taymiyya tells us, is that it is forbidden and its legal result is only one repudiation. “This opinion is transmitted from a group of the *salaf* from among the Companions of God’s Messenger.”²⁵ He cites al-Zubayr ibn al-‘Awwām, ‘Alī, Ibn Mas‘ūd, ‘Abd al-Raḥmān ibn al-Zubayr, and Ibn ‘Abbās, among others. Interestingly, Ibn Taymiyya also cites this opinion as being held by the Zāhirīs and the Shi‘a; he names Muḥammad al-Bāqir and his son Ja‘far al-Šādiq.

In support of the third opinion, Ibn Taymiyya adduces both the Qur’an and Sunna and well as jurisprudential analogies and [case-based] considerations (*i’tibār*).²⁶ Of these, the first two provide the most important source of information for this discussion. He says:

Every repudiation legitimized by God in the Qur’an for the wife in a consummated marriage is a revocable repudiation (*al-ṭalāq al-raj‘ī*). God did not allow anyone to repudiate three times simultaneously nor did He make it legal for the wife in a consummated marriage to be irrevocably repudiated. However, if he repudiates her before consummation she is no longer licit for him (*bānat minhu*), and if her ‘*idda* is expired, she is no longer licit for him.²⁷

Qur’anic support for the third opinion is found in the verse:

Repudiation is twice then retention as according to proper custom (*imsāk bi-ma‘rūf*) or letting go in a pleasant manner (*tasrīḥ bi-iḥsān*).²⁸

Thus, repudiation does not happen all at once (*duf‘a wāḥida*) but time after time, or repetitively.²⁹ Ibn Taymiyya also relies on Qur’anic indicators by pointing to God’s words concerning procedures after a repudiation has taken place.

24 There is an additional opinion on the subject, that of “some of the Mu‘tazila and Shia,” but it is an opinion that he believes lacks precedent: that there is no valid legal implication for a single utterance of Triple Repudiation (33:9).

25 *Majmū‘a*, 33:8.

26 See *Majmū‘a*, 33:81. With hesitance, I have translated this term (*i’tibār*) as “[case-based] considerations,” but it may well be translated as “context.” It begs in-depth research on Ibn Taymiyya’s use of this element in his *fatḥ*. See also 33:63, 33:91 and 33:93 for other mentions of *i’tibār*. 33:63 deems it “the best and highest form of analogy (*qiyās*),” while 33:91 seems to clearly indicate that the meaning is “context.”

27 *Majmū‘a*, 33:9.

He who remains conscious of God, God provides for him a “way out” (*makhraj*) and blesses him in ways he could not have anticipated.³⁰

And later,

You do not know, perhaps God will cause something to happen (*yuhdithu ba'd dhālika amr*).³¹

Thus, says Ibn Taymiyya, “whoever rushes ahead and repudiates thrice in one utterance—or several—has closed for himself that way out and prevented God from “causing something to happen” by returning hearts to their [previous levels] of love (*muwaddatihā*).”³²

As for the Sunnaic evidence, Ibn Taymiyya relies upon reports related through Ibn ‘Abbās. One such report relates that Rukāna Ibn ‘Abd Yazīd repudiated his wife thrice in one sitting, then went to the Prophet who assured him that the three were equivalent to but one, and that he could return her.³³

Most supportive of his position is the report delivered through Ṭāwūs from Ibn ‘Abbās. It was evident that ‘Umar felt the Muslims to be divorcing their wives with impunity, and deemed it necessary to rein in the tossing about of utterances of repudiation.

At the time of God’s Messenger and Abū Bakr, and two years into the Caliphate of ‘Umar, Triple Repudiation was equal to (but) one.³⁴ Then ‘Umar said, “People are rushing in a situation in which they had previously been patient (or, perhaps, reticent). So if we make [its consequences] more serious for them, they will not engage in it.”³⁵

Thus, posits Ibn Taymiyya, it was ‘Umar’s decision, and not that of the early community, that caused Triple *Ṭalāq* to attain such weight and result in the actual three instances of repudiation instead of only one.³⁶ Whereas the situation at the time (that of carelessness in hurling

28 Q 2:228.

29 Abū Zahra, 420.

30 Q 65:2–3.

31 Q 65:1.

32 Abū Zahra, 420.

33 *Majmū‘a*, 33:13, and see also 73. While the following report from Ibn ‘Abbās is posited as being *ṣahīh*, this one is admitted as having “a good isnād (*isnād jayyid*)” and related by “Aḥmad and others.”

34 This wording occurs verbatim in Ibn al-Mundhir’s *al-Ishrāf ‘alā madhāhib ahl al-‘ilm* (Beirut: Dār al-Fikr, 1993), 1:143.

35 *Majmū‘a*, 33:13.

36 *Majmū‘a*, 33:15–16. See also Rapoport, 204.

statements of repudiation) required adjustment of the law, the situation in Ibn Taymiyya's era—that of the proliferation of *tahllil* marriages—also merited a similar adjustment.³⁷ In this case, however, it was a readjustment, a return to the previous state of affairs in which the utterance of the formula for Triple *Ṭalāq* equaled but one instance of repudiation. Above all, Ibn Taymiyya maintains that the *tahllil* marriage was prohibited at the time of the Prophet and his Companions.³⁸

Where Mamlūk scholars cried foul was Ibn Taymiyya's assertion that, because the ruling was 'Umar's, there had been no initial consensus on the subject.

Questioning Consensus: Analysis of Ibn Taymiyya's Stances

Of the several issues that landed Ibn Taymiyya in jail, Triple *Ṭalāq* is perhaps the least abstract. The other issues pertained wholly to creed, the discourse surrounding God's features (*al-ṣifāt*) and various charges of anthropomorphism, as well as the issue of the visiting of graves.³⁹ On this very issue of divorce, which appears to be much more legal than theological, Ibn Taymiyya declared the "oath of repudiation"⁴⁰ to

37 For more information on Ibn Taymiyya's position on *tahllil* marriages see 33:92–93. The *tahllil* marriage is the marriage in which a triply-repudiated woman, who cannot remarry her husband unless she has consummated and ended a marriage with another in the interim, marries *solely* for this purpose, so that she might return to her original spouse. As early as the *Muṣannaḥ* of 'Abd al-Razzāq, legal devices were sought to ameliorate these circumstances, and it is asked whether or not a boy who can achieve erection but not ejaculation might serve in the role of *muḥallil*, or whether he must have reached the age of ejaculation to do so. See 'Abd al-Razzāq ibn Hammām ibn Nāfi', *Muṣannaḥ* (Beirut: Dār al-Kutub al-'Ilmiyya, 2000), 6:275, 11189–11190 and 11191. It is Ibn Taymiyya's position that the legal subterfuge of marrying for the *intent* of rapid divorce is what is illicit, not the marriage itself. He denounces this legal device with reports saying that those who engage in it are cursed, and claiming that "it was absolutely never related that in [the] era [of the Prophet and his Companions] a woman was returned to her husband after the third divorce via a *tahllil* marriage."

38 See also the Prophetic hadith in which the wife of Rifā'a al-Qurazī, who had recently married a new spouse after her third divorce, is asking the Prophet if she can be divorced yet, and the Prophet reminds her that she must have sexual intercourse ("*lā, ḥatū tadhūqī 'usaylatahu uwa yadhūqa 'usaylataki*") with her new husband before divorcing him (for it to be deemed a valid marriage). This hadith is found in Bukhārī, 2496; Muslim, 1433; Tirmidhī, 1118; al-Nasā'ī, 3409; and also Ibn Taymiyya's student Ibn Qayyim al-Jawziyya in *I'lām al-Muwaqqi'īn* (Beirut: al-Maktaba al-'Aṣriyya, 2007), 4:252. Ibn al-Qayyim advances the opinion that the purpose for this practice was that a woman should be considered ḥarām for her triply-divorcing husband until she marries another "as a punishment for him," for having repudiated her. See *al-I'lām*, 2:54. This matches Ibn Taymiyya's vocabulary precisely: *Majmū'a*, 33:21.

39 For more on Ibn Taymiyya's various trials and prison tenures, see Sherman Jackson, "Ibn Taymiyya on Trial in Damascus," *Journal of Semitic Studies* XXXIX, no. 1 (1994): 41–85, and Donald Little, "The Historical and Historiographical Detention of Ibn Taymiyya," *International Journal of Middle East Studies* 4, no. 3 (1973): 311–327.

be expiable because Triple *Ṭalāq* was itself contrary to the intent of Islamic law regarding repudiation.

Is it remarkable that this scholar should submit to terms of prison rather than retracting his stance on what could be considered an issue whose affected population is largely women? Donald Little's article gives us a deep sense of what he refers to as state assessments as to the dangers of Ibn Taymiyya's beliefs:

From the point of view of the head of state and his religious advisors, the propagation of certain theological beliefs jeopardized the salvation of individual Muslims and the stability of the state, so that the sultan [al-Malik al-Nāṣir, r. 693–741/1293–1341] as defender of the state took appropriate action.⁴¹

Little asserts that Ibn Taymiyya's divorce stance was no less threatening than his theological stances. But what did jurists perceive as dangerous with regard to the way in which a woman is repudiated?

What Laoust refers to as Ibn Taymiyya's resistance to the formalism of traditional *fiqh*⁴² was, for the scholarly establishment of his time, highly problematic. The practical danger of Ibn Taymiyya's stance was, as his refuter Taqī al-Dīn al-Subkī pointed out, if a man had repudiated his wife triply, and yet was made to understand that an utterance of Triple *Ṭalāq* was equal to but one repudiation, he might continue to cohabit and even to beget children with his wife, mistakenly thinking himself still married to her.⁴³ Their children, then, would technically be bastards. Ibn Taymiyya's position was thus portrayed as dangerous to the larger Muslim community.

Further, there can be little doubt that the scholarly establishment, allied as it was with the military establishment in the Mamlūk era, simply could not tolerate an opinion that lay contrary to a claimed consensus.⁴⁴ But what was the consensus on the subject? Al-Subkī cites such scholars as Ibn 'Abd al-Barr (d. 463/1070). A brief look at Ibn 'Abd al-Barr's thoughts reveals that he takes the following position: although a single utterance of the formula for triple repudiation is sinful, it is still entirely valid. He contends that "there is no difference of

40 Rapoport's essay gives careful delineation of how repudiation oaths, which were deemed conditional divorce, differed from other sorts of oaths or vows. See especially Rapoport, 192–194.

41 Little, 321.

42 Laoust, 218.

43 Taqī al-Dīn al-Subkī, *al-Rasā'il al-Subkiyya fī al-radd 'alā Ibn Taymiyya wa tilmīdhīhi Ibn Qayyim al-Jawziyya* (Beirut: 'Alam al-Kutub, 1983), 151–152, cited in Rapoport, 192.

opinion between the leading regional muftīs,” and any contrary opinion is extremely isolated.⁴⁵ For our purposes, we note that such emphatic wording tends to indicate real levels of disagreement. Further, that Ibn ‘Abd al-Barr begins his chapter on *Ṭalāq* with an in-depth discussion of Triple Repudiation in one utterance is in itself indicative of the salient nature of the subject in his time.

But it is possible to question Ibn ‘Abd al-Barr’s consensus claim by looking into earlier sources such as Ibn al-Mundhir (d. 318/930), the most famous of the early writers to address consensus. Each of Ibn al-Mundhir’s chapters on divorce is focused on highlighting discussions of intentionality. For one example:

The scholars differ over the man who says to his wife, “You are repudiated,” and he means thrice (*wa huwa ya’nuwī thalāth*). A group says, “It is but one [instance], and he has more right to her [than herself, i.e. the right to return her].” This is the statement of al-Ḥasan [al-Baṣrī], ‘Amr ibn Dīnār, and [Sufyān] al-Thawrī, al-Awzā’ī, Aḥmad [ibn Ḥanbal], Abū Thawr, and the Ḥanafī.

Others have said, “If he means three, it is three,” and this is the opinion of Mālik, al-Shāfi‘ī, Ishāq and Abū ‘Ubayd. And we say this as well, based on the saying of the Prophet, “Works are intentional (*al-a’māl bi-l-niyya*).”⁴⁶

This same concern with intentionality extends to utterance of the triple repudiation formula itself:

44 Abū Zahra also insists that Ibn Taymiyya’s positions regarding Triple *Ṭalāq* ran counter to consensus. It is symptomatic of consensus discussions to find that later scholars simplify and obfuscate early discussions of consensus. Despite a very lengthy and multi-faceted exploration of repudiation and intentionality in utterances of divorce, in the consensus compendium *al-Iqnā’ fī masā’il al-ijmā’* of Ibn al-Qaṭṭān al-Fāsī, ed. Fārūq Ḥammāda (Damascus: Dār al-Qalam, 2003), 3:1257–1258, we find that Ibn al-Mundhir al-Naysābūrī’s (d. 318/930) consensus statement on this matter is given as centering on the usual Ḥanafī proof text (cited in a different version in fn. 14 above): “There are three matters about which seriousness is considered serious and joking is [equally] considered to be serious: marriage, repudiation and the reinstatement (of a repudiated woman).” See Ibn al-Mundhir’s *al-Ishrāf*, 1:173. The actual text in the *Ishrāf* varies slightly at several points from that given in *al-Iqnā’*, perhaps significant only in the arrangement of matters (repudiation is listed first). Although the idea of the joking divorce being a valid divorce is posited by Ibn al-Mundhir as al-Shāfi‘ī’s opinion (among others), to our knowledge, the first major exposition of this report occurs in al-Shaybānī’s *Hujja* (as in fn. 14 above). As we shall see, above, the discussions in *al-Ishrāf* are for more nuanced than al-Subkī or Abū Zahra imply, and the role of intention is preeminent.

45 Abū ‘Umar Yūsuf ibn ‘Abd Allāh Ibn ‘Abd al-Barr, *Kitāb al-Istidhkār* (Beirut: Dār al-Kutub al-‘Ilmiyya, 2006), 6:3. “This is passed down from the majority of the righteous forebears, and the difference over it is isolated, [the sort that] only innovators would adopt, or the sort of person to whom no one would turn due to the isolated nature of his opinion from the majority, and using such an opinion is impermissible due to it being a distortion of the Book and the Sunna.”

46 *Al-Ishrāf*, 1:144–145.

They differ over the man who says to his wife with whom he has consummated marriage, “You are repudiated, you are repudiated, you are repudiated.”⁴⁷ A group has said, “If he meant just one [repudiation], the first [utterance served as valid] and it is one [instance]. If he meant to initiate [a repudiation] after that first [instance] it is as he intended. If he meant by his third utterance to [merely] clarify the second [instance] (*in arāda bi-l-thālitha tabayyun al-thāniya*), then the amount of repudiations is two. And if he intended three repudiations then it is thrice. If he dies before being asked his intention, then [the repudiation stands as] three. This is the opinion of al-Shāfi‘ī.”⁴⁸

Thus, it is clear that concern with verbal expression versus inner intention is not a foreign construct that Ibn Taymiyya was ushering into discussion of dissolution of marriage for the first time in Islamic jurisprudential history, as al-Subkī accused. Al-Subkī’s citation of a consensus on the subject emerged from a consultation of sources, such as Ibn ‘Abd al-Barr, which stood rather later than these early discussions.

It is possible that Ibn Taymiyya was referring to just such sources as Ibn al-Mundhir and the scholars before him when he defended his position on repudiation by saying, “I cannot suppress my knowledge.” Laoust speaks of Ibn Taymiyya’s insistence on bringing “intention” into the discussion, not just in the realm of *‘ibādāt* as was en vogue in his era, but to all realms, even that of divorce.⁴⁹ It was based upon just this reason (the role of *niyya*) that Ibn Taymiyya formulated his strong opinions against the concept of forced marriage.⁵⁰

Forced Marriage and the Hostage Motif

It is useful, in inquiring into Ibn Taymiyya’s motivations for his notorious stances on oaths of repudiation and by extension Triple *Ṭalāq* generally, to consider a wider framework for his positions. Through-

47 Note a similar discussion in the small chapter on the utterance, “You are repudiated absolutely (*al-batta*)”: Ibn al-Mundhir offers several opinions, the first being that it is a single instance allowing reinstatement (Mālik, ‘Umar ibn al-Khaṭṭāb), and another, offered by al-Shāfi‘ī, that if one was meant, then one occurred, while if three were meant, then three occurred. Further opinions emphasize the importance of intention (*al-Ishrāf*, 147–148).

48 Ibid, 144.

49 Laoust, 217.

50 Ibid, 218.

out Ibn Taymiyya's discussions of marriage and the marriage bond, he uses the vocabulary of captivity, referring to a woman as becoming the *asīra*, the captive or hostage of the husband.⁵¹ Forced marriage in particular causes Ibn Taymiyya to take on a tone that sounds something akin to outrage.⁵²

With regard to contracting marriage for her against her will: This is against the fundamentals [of the religion] and against reason (*mukhālīf li-l-uṣūl wa-l-'uqūl*). God did not intend for her guardian to force her to sell or buy except with her permission, or [force her] to eat, drink, or wear that which she does not desire. So how could [her guardian] force her to have intercourse and live with someone she despises sleeping with and living with? God has created between spouses love and mercy (*mawadda wa-rahma*). If [the marriage] can only occur despite her hatred of it and desire to flee from it, what love and mercy can there be therein?⁵³

What is most intriguing here for our purposes is the point about the practice of repudiation that he brings into the discussion of forced marriage. The typical pre-*Ṭalāq* scenario is one of mediation involving a member of each respective family. He points out that each *walī* (and he insists that the *walī*, appointed by each spouse, is the most correct term in this instance), has the power to initiate actual dissolution proceedings.

What is particularly potent in these points is the equality that Ibn Taymiyya posits between the spouses' positions during mediation.

The Lawgiver does not force a woman to marry if she does not want to do so. Indeed, if she were to hate the husband, and a split occurs, [the Lawgiver] causes her affairs to fall into the hand of other than the husband, one of her family who prioritizes [her] well-being [*maṣlaḥah*], along with someone who seeks his well-being from his own family. [In this way, the Lawgiver] ends her involvement (*yukhalliṣuhā*) with the husband without his authority, so how could she become his hostage (*kayf tu'sir ma'hu*) forever without her authority?⁵⁴

51 The root *a-s-r* and its derivatives refer principally to tying, binding and taking captive, deriving, Lane tells us, from the *isār*, or leather thong used for binding. From this root there is the commonly-used word "*usra*," meaning family. It is clear, however, that Ibn Taymiyya is intending to denote the female captive, particularly when it comes to his discussion of *khul'* in which he speaks of self-ransom.

52 Ibn Taymiyya, *Fatāwā al-nisā'*, ed. Sa'd Yūsuf Abū 'Azīz (Cairo: Dār al-Fajr li-l-Turāth, 1999), 199–203.

53 *Majmū'a*, 32:25.

54 *Fatāwā al-Nisā'*, 203.

The hostage motif takes on another dimension, however, when Ibn Taymiyya discusses a woman's responsibilities once within the marriage bond. From discussing the inability of a woman to fast or pray throughout the night without her husband's permission, he declares the absolute obligation (*farḍ*) of a woman to submit to her husband's demands for sexual intercourse. "How could a believing woman prioritize a voluntary action [i.e. supererogatory prayer throughout the night] over an obligation?"⁵⁵ Obedience⁵⁶ is total sexual obedience, and the absence of that obedience is the essence of the definition of *nushūz*⁵⁷ that makes allowable beating (*dhālika yubīḥ lahu ḍarbuḥā*).⁵⁸ Thus while there is concern in one fatwa for a woman's not entering involuntarily into the state of being "hostage," once there, her sexual obligations define her relationship to her husband.

Further, Ibn Taymiyya is clear that the husband's rights are next in line after those of God and the Prophet. He quotes the following hadith:⁵⁹ "If I could order anyone to bow to anyone I would order a woman to bow down to her husband, due to the magnitude of his rights over her."

Ibn Taymiyya is deeply concerned with consent when it comes to the contracting of the marriage. Once within the marriage, however, the preeminence of the husband's rights over those of the woman obviates her consent to intercourse. By entering into the marriage contract her consent to making herself sexually available is deemed implicit. She is still very much the hostage. The assumption is, perhaps, that this captivity is voluntary, with understood parameters of behavior; it would seem that Ibn Taymiyya's views on divorce uphold this notion of voluntary captivity.

And yet the hostage is capable of being ransomed. When Ibn Taymiyya discusses the issue of *khul'*, it is in the following way:

55 *Fatāwā al-Nisā'*, 212.

56 Ibn Taymiyya here defines *qānita* (from Q 4:34) as meaning obedience to the husband. Qur'anic hermeneutics would seem to indicate that, based on its other occurrences (Q 39:9, 16:120, 33:35, 66:5, 2:116, 30:26, 2:238, 3:17, 66:12) *qānita* has much more to do with "obedience to God."

57 Q 4:34.

58 *Fatāwā al-nisā'*, 213.

59 The editor of *Fatāwā al-Nisā'* (Sa'd Yūsuf Abū 'Aziz) designates this hadith as *ṣaḥīḥ*. I found it in #1159 and #1160 of Tirmidhī, both entries designated as "*ḥasan gharīb*," a far lesser level of authenticity.

60 *Fatāwā al-Nisā'*, 214.

Khul' as described in the Qur'an and the Sunna is when a woman hates her husband and wants to leave him, so she gives him her dower, or part of it, as a ransom for herself just as the hostage is ransomed.⁶⁰

Thus, the difference between *ṭalāq* and *khul'* would seem to be an assumption that the woman is an unwilling participant in the former and an active instigator of the latter. Ibn Taymiyya assumes the repudiated woman, as a willing captive in her marriage, would find the waiting period in a typical "Sunnaic repudiation" useful, for it is the period in which the repudiating man reflects on his choice and presumably regrets it enough to bring the wife back to her previous status. As we have seen, Ibn Taymiyya evidences a deep concern with the intentionality of human actions within law. But he is also deeply concerned with Divine Intention. For this reason, it would seem clear that Ibn Taymiyya believes Triple *Ṭalāq* cannot but obstruct the Divine Intention of allowing a man to reconcile with his wife, as the 'idda waiting period is designed to do.⁶¹

Conclusion

With Rapoport, I would hesitate to cast Ibn Taymiyya as a feminist.

With Laoust, though, I believe that Ibn Taymiyya arrived at two inescapable conclusions when considering law pertaining to dissolution of marriage in the fourteenth century.

The first conclusion is that oaths of repudiation not intended to actualize a dissolution of marriage must be evaluated, like all actions of a believer, based on the intention behind them. The second is that there are checks and balances inherent in the structure of unilateral repudiation designed to protect, to some extent, the rights of women and to force upon men a realization of a woman's worth. Triple *Ṭalāq* subverts these.

61 Ibn al-Qayyim gives a lengthy exposition on the topic of 'idda in *Ḥlām al-muwaqqi'īn*. In it, he is concerned with the "wisdom" behind the verses and rulings; as such he is keen to explain that the waiting period for divorce and death is not designed simply to make sure that there is a lack of pregnancy. This is one of the reasons, he says, but not the only reason. Other reasons include: understanding the full significance of the marriage contract (*ta'zīm khatr hādihā al-'aqd*); lengthening the time period in which a divorcing husband may return his wife (*tajwīl zaman al-raj'a*)—such that he might regret his action; and the allowance for the rights of the wife to be secure, with regard to her residence and maintenance (i.e. to prevent her from being unfairly and hastily ejected from her home) (2:55).

Ibn Taymiyya “could not suppress [his] knowledge” of correct action with regard to divorce oaths, a particular subset of practices of “innovative repudiation,” in which the allotted time for reinstatement was omitted, and he worked to apply careful consideration of intent to the realm of practical law. Says Laoust: “It is as a moralist and a jurist that Ibn Taymiyya takes a stand against these practices [of *tahlil* and triple repudiation in one utterance]. On the one hand, the abuse of repudiation is the consequence which undermined the solidity of the family institution, and, on the other, the misunderstandings regarding the rights of women to be treated justly.”

Still, Ibn Taymiyya's vocabulary on the topic of marriage depicts a scenario played out by a hostage and her captor. This state of affairs remains a tangible reality for many women married under legal systems purporting to be Islamic. The right to self-ransom (Ibn Taymiyya's analogy for *khul'*) is still a right that remains difficult to negotiate for many women in Muslim legal systems, due to their ignorance of that right, the system's refusal to allow it, or due to financial considerations preventing access to enough “ransom money.”⁶²

That the issue of Triple Talaq still haunts the Islamic legal sphere proves that it remains unresolved. Retaining full rights upon repudiation and attaining direct access to divorce continue to be issues that are confusing and difficult for Muslim women to negotiate. The problem is commonly one of perception: often legal options are unknown and cultural considerations overwhelm the dynamics of dissolution. The woman who is uneducated as to the scope and extent of her rights

62 It is generally agreed by women's rights advocates that *Talāq tafwīd*, “delegated divorce,” wherein a man designates an agent (here, ideally the woman herself) to enact the divorce, is more beneficial to the woman than the *khul'* form that typically demands an abdication of financial rights. See WL UML, 267–271. Both unconditional and conditional (based on stipulations in a marriage contract) *ṭalāq tafwīd* exist, depending on the legal system. For more on this subject see Lucy Caroll, “Talaq-i-Tafwid and Stipulations in a Muslim Marriage Contract: Important Means of Protecting the Position of the South Asian Muslim Wife,” *Modern Asian Studies* 16, no. 2 (1982): 277–309. In some systems, this form of divorce is called *'isma*. The vocabulary essential to this sort of divorce is that the wife must not declare to the husband: “You are divorced,” but rather, “I am divorced from you”; utterance is again key to the process. For a useful comparative discussion across the legal schools see 'Abd al-Raḥmān al-Jaziri, *Kitāb al-fiqh 'alā al-madhāhib al-arba'a*, ed. Muḥammad Bakr Ismā'īl (Cairo: Dār al-Manār, 1999), 304–317. Note that although all the schools allow for this form of divorce, the compiler begins his chapter by insisting that the power of divorce should not be entrusted to a woman due to her “natural volatility” (*sarī'a al-ta'aththur*) and inability to exercise the patience inherent in men (304). “If divorce were in her hands, it would be used in the worst way for she cannot control herself as a man can” (*lā tastaṭī' ḍabṭ nafsihā kamā yastaṭī' al-raḥūl*) (304–305). Note that the cause for Ibn Taymiyya's position on divorce oaths was the societal phenomenon of men divorcing their wives irrevocably in a fit of anger, later regretted only after the damage to the marriage was done.

has little recourse against the perception, often reinforced by her community, that she is indeed irrevocably repudiated.

Ultimately, the practice of *Ṭalāq*, be it Triple or otherwise, manifests a power imbalance that undermines the contractual nature of Islamic marriage. Just as Islamic marriage contracts are constructed as exercises in mutuality, certain legal systems recognize *mubārʿa* (divorce by mutual consent): Senegal, Tunisia, and Turkey.⁶³ Mutual dissolution is here complementary to the initially mutual agreement to the marriage. Meanwhile, unilateral repudiation is depicted in the Qurʿan as a social practice requiring regulation through conditions such as mandatory reconciliation efforts and clauses for revocability.

The Sudan and Yemen still formally recognize Triple *Ṭalāq*, while custom perpetuates its practice in countries such as Egypt, Bangladesh, India, Pakistan, and Nigeria.⁶⁴ Ibn Taymiyya, not particularly feminist, but particularly concerned with bringing intent, and especially divine intent, to bear on the law, was willing to dwell in prison for his views on unilateral repudiation and his inability to “conceal knowledge.” Some seven hundred years later, similar opportunities abound for disseminating legal knowledge and advocating for legal and social reform of unjust repudiation practices.

63 See WLUMI, 253.

64 WLUMI, 258.

Etin Anwar

*Sexing the Prayer:
The Politics of Ritual and
Feminist Activism in
Indonesia*

The Friday congregational prayer led by a woman, Amina Wadud, in New York City on March 18, 2005, is a celebratory yet controversial event.¹ Muslim feminists in America, such as Amina Wadud and Asra Q. Nomani, perceive the woman-led *Jum'ā* prayer as a stepping stone to gender equality and a challenge to women's place as second class citizens, excluded from the sphere of spiritual authority.² This event is, indeed, celebratory because it is the first time in the history of Islamic civilization that a woman led a *Jum'ā* prayer in front of a mixed congregation in public. Its powerful effect reached as far as Indonesia.³ For over fourteen centuries, men led all ritual prayers in public,

1 Intense scholarly and theological-legal interest in the implications of this prayer is evidenced by continuing attention to it in academic papers. For example, Juliane Hammer, "Performing Gender Justice: The 2005 Woman-Led Prayer in New York," *Contemporary Islam* 4, no. 1 (2010): 91–116; Juliane Hammer, "Gender Justice in a Prayer: American Muslim Women's Exegesis, Authority, and Leadership," *Hawwa* 8, no. 1 (2010): 26–54; Simonetta Calderini, "Contextualizing Arguments about Female Ritual Leadership (Women Imāms) in Classical Islamic Sources," *Comparative Islamic Studies* 5, no. 1 (2009): 5–32; and Laury Silvers and Ahmed Elewa, "I am one of the People: A Survey and Analysis of Legal Arguments on Woman-Led Prayer in Islam," *Journal of Law and Religion* 26, no. 1 (2010–11): 141–171.

2 Asra Nomani invited Amina Wadud to lead a mixed congregational prayer in New York City that eventually took place on March 18, 2005. Thomas Bartlett, "The Quiet Heretic" [on Amina Wadud, professor of Islamic Studies at Virginia Commonwealth University], *The Chronicle of Higher Education*, August 8, 2005, Section: The Faculty, vol. 51, Issue 49, A10, <http://chronicle.com> (accessed February 15, 2009). See also Asra Q. Nomani, *Standing Alone in Mecca: An American Woman's Struggle for the Soul of Islam* (San Francisco: Harper Collins Publishers, 2005), 226.

3 I would like to thank Dr. Nurlena Rifai Hassan, Dr. Amani Lubis, Dr. Musdah Mulia, Dr. Nurasiah Harahap, Ida Rasyidah, Neng Dara Alfiah, MA, Yoyoh Yusroh, Kyai Husein, Inayah Rohmaniyyah, MA, Dr. Siti Ruhayini Zuhayatin, Professor Amin Abdullah, Dr. Ema Marhumah, Ida Ahdiah, and Jarot Wahyudi for their generous assistance and friendship during my research in Jakarta, Cirebon, and Yogyakarta in 2009.

whereas women's leadership (*imāmat al-mar'a*) of a mixed congregation in the public sphere was nonexistent. Male leadership in Islamic ritual prayer was a mainstream practice, along with their maintaining control of women, subjugating them in the public domain, and relegating them as sexual and domestic beings in the private sphere.

Although ritual prayer (*ṣalāt*) is obligatory for both men and women and is considered to be the foundation of Muslim religiosity, the performative practice of prayer is embedded in patriarchal cultural norms in which only men are empowered to lead the prayer and have the power to express themselves through public piety. Embedded in the social and cultural practice of prayer is its politicization through the discursive narratives of the Qur'an and the prophetic tradition. As the Qur'an is silent about male leadership in prayer, Muslims turn to the hadith and the example of Muhammad's life as a source of religious legitimacy. The epistemic production of prayer is well documented in the legal, ethical, theological, exegetical, and mystical narratives, but not in the Qur'an itself.

The politics of prayer in public as a male domain is nurtured through the gender divide between the social, cultural, and religious roles of men and women: men are responsible for the public sphere and are the leaders of the family, while women are the leaders of the household. As men's grip over power has been cemented in all aspects of private and public spheres and has been embedded throughout history, a woman breaking the cycle of masculine power in ritual leadership is regarded as "sin," "defiance," and "religious innovation (*bid'a*)" as echoed by institutions, like Majma' al-Fiqh al-Islāmī, and by scholars, like Yūsuf al-Qaradāwī, whose religious edict (fatwa) is respected, even in Indonesia.⁴

In this paper, I will first discuss the theological discourses around women's leadership in prayer (*imāmat al-mar'a*) or lack thereof. Then, I will examine the existing assumptions about women, upon which the prohibition of women's leadership in prayer is founded. Finally, I will present some feminist responses to the discourse of women's leadership in prayer in Indonesia. Throughout this paper, I will reiterate what Muslim women scholars such as Amani Lubis,⁵ Musdah Mulia,⁶ Yoyoh Yusroh,⁷ and Neng Dara Affiah⁸ say about the nature

4 Shaykh Yusuf Al-Qaradawi, March 16, 2005. "A Collection of Fatwas and Legal Opinions on the issue of women leading prayer," April 5, 2005, http://mac.abc.se/~onest/d/fwlp_e.pdf (accessed October 26, 2011).

of women's leadership in prayer and its relevance within Indonesian contexts.⁹

*The Theological Foundation of
Imāmat al-Mar'a and Controversies
Surrounding It*

In this section, I will discuss the theological foundation of female leadership in prayer. The debate over female leadership in prayer has its root in the interpretation of the prophetic tradition. Both legalistically minded (male) and feminist-oriented scholars refer to the hadith as the theological point of departure for whether or not women could lead the congregational prayer for a mixed group of followers.¹⁰ The theological foundation of the male imam is not incidental but is constructed through the institutionalization of hadith that promotes men's leadership in prayer, such as in one of the hadiths coming from Jābir, and is narrated by Ibn Mājah: "Let absolutely no woman lead a man in prayer."¹¹ Although al-Nawāwi characterizes this hadith as weak in transmission (*isnād*), the *fiqh* (the science of understanding jurisprudence) manuals endorse the institution of a male imam in all prayer, and this becomes a hegemonic practice. Both *salaf* and *khalaf*¹² scholars affirm the prohibition of women becoming imams in front of men and boys. If they do pray in this manner, their prayer will not be accepted. Hermaphrodites are also forbidden to pray "behind" women, but women's prayer "behind" the former will be accepted (by God). If a woman prays along with men and she stands at the end of the line of men or in the male line, it is legally considered *makrūh*

5 Amani Lubis is currently Professor of Arabic Literature at the Syarif Hidayatullah Islamic State University in Jakarta.

6 Musdah Mulia is Professor of Islamic Law at the Syarif Hidayatullah Islamic State University in Jakarta.

7 Yoyoh Yusroh was a Member of Parliament from the Justice Party. The interview was conducted in June 2009. She passed away on May 21, 2011.

8 Neng Dara Affiah currently serves as Commissioner in the National Commission on the Violence against Women in Jakarta.

9 I would like to thank Marcia Hermansen, the editor of this book, for her detailed comments and thoughtful suggestions.

10 Any ritual prayer is potentially congregational and may be performed in a group following the leadership of an imām (prayer leader). But, some prayers are better performed solitarily.

11 Al-Imām Abū Zakariyyā Muḥyī al-Dīn b. Sharaf al-Nawāwī, *al-Majmū': Sharḥ al-Muḥadḍḥab*, ed. Muḥammad Najīb al-Muṭṭī'i, vol. 4 (Jeddah: Maktaba al-Irshād, n.d.), 223.

(abominable), and her prayer is not acceptable. Similarly, the prayer of any man who prays beside her is not accepted as well. As a general rule, it is not permitted for women to perform *adhān* (the call to prayer) and *iqāma* (the second call to prayer),¹³ let alone to lead the prayer.¹⁴

Husein Muhammad, a male Muslim feminist from a Pesantren (Indonesia's Islamic boarding school) setting,¹⁵ however, documents the competing theological voices regarding the issue of a female *imāma* in the prophetic tradition. Prior to Amina Wadud's spectacle of leading the publicized prayer in New York City, he argued that the theological foundation of female *imāma* was well founded in Islamic tradition. Normally, a mixed congregational prayer is led by a male imam, and women pray behind him. The theological view of men as the leaders of prayer comes from the hadith, among which the following is narrated by Jābir and verified by Bayhaqī:¹⁶

The Prophet Muhammad (peace be upon him) talked to us. He said that a woman cannot serve as an imam for a man. If the man prays behind the woman unknowingly, then it is acceptable to pray behind her. If he prays behind her unknowingly and subsequently he comes to recognize this due to the fact that there is some evidence indicating that she is a woman, then he has to redo the prayer. A man cannot pray behind a hermaphrodite because this person could be a woman. The hermaphrodite cannot pray behind another hermaphrodite because the hermaphrodite congregant [*makmūm*] could be a male, and the imam a female.

Although the hadith from Jābir as narrated by Ibn Mājah and Bayhaqī is weak in transmission, it has become widely accepted as establishing the norm of male leadership in prayer.¹⁷ Traditional Islamic scholars agree with the prohibition of a woman leading men in both obligatory and recommended prayers.

12 *Salaf* refers to the pious predecessors, including Mālik b. Anas, Abū Hanīfa, Sufyān, Aḥmad, Dāwūd, and scholars of Medina; *khalaf* refers to scholars after the scholars who follow the *salaf*. See al-Imām al-Nawāwī, *al-Majmū': Sharḥ al-Muḥadḍḥab*, 223.

13 *Adhān* (the call to prayer) is performed to announce the arrival of the prayer time, whereas *iqāma* refers to the call to prayer immediately before the actual prayer is performed.

14 Jamāl al-Dīn al-Jawzī, *Kitāb al-Nisā'* (Beirut: Dār al-Fikr, 1996), 64–65.

15 A pesantren is an Indonesian Islamic boarding school. This institution is usually head by a Kyai who is equivalent to a religious scholar ('ulema). In the present time, some modern pesantrens have formal educational systems, whereas the traditional ones still maintain informal educational settings.

16 Al-Nawāwī, *al-Majmū'*, vol. 4, 223.

Progressive scholars, such as Muhammad and Najwah,¹⁸ however, disagree. They founded their analysis of the permissibility of women's leadership in prayer (*imāmat al-mar'a*) on the basis of the hadith in the *Sunan Abī Dāwūd*. Abū Thawr argues that a man's prayer behind a woman is acceptable and valid.¹⁹ Qāḍī Abī Ṭayyib and al-'Abdarī also support the validity of women's leadership in prayer (*imāmat al-mar'a*). These scholars' opinion comes from the hadith as follows:²⁰

The Prophet Muhammad visited [Umm Waraqa's] house, gave her a *mu'adhdhin*, a person who calls for prayer, and commanded Umm Waraqa to become the leader of the prayer in her household. Abdurrahman said that, "he indeed saw that the *mu'adhdhin* [a person who calls to prayer] was an old man" [a person not sexually potent].

Muḥammad b. Ismā'īl al-Ṣan'ānī argues that this hadith is a foundation for the validity of a woman's leadership in prayer (*imāmat al-mar'a*) in her own house, even with the presence of a man. In addition, the Prophet's permission included the fact that Umm Waraqa led the prayer with an old man, a young male slave, and a female slave as her *ma'mūm* (whoever prays behind the imam).²¹

In order for the norms set by the hadith to be accepted, there must be verification of the event and the chain of transmission. Najwah, a female scholar of hadith, argues that although Umm Waraqa's hadith supports woman's leadership in prayer, the chain of the transmitters of the hadith is problematic because the credibility of one transmitter (Laylā bint Mālīk) was not known, and she only transmitted the hadith to one person, al-Walīd.²² This hadith is also categorized as *maqtū'*, which means the chain is not directly connected to what the Prophet Muhammad did, but to Umm Waraqa. Despite both criticisms, Najwah, as a scholar of hadith, points out that the reliability of Laylā bint Mālīk is *maqbul* (accepted) among the hadith transmitters. This acceptability provides a theological foundation for a woman leading a man in the prayer.

17 Ibid., and Nurun Najwah, "Pembacaan Ulang terhadap Imamah Sholat Perempuan," *Musawa: Journal Studi Gender and Islam* 6, no. 2 (2008): 225.

18 Nurun Najwah is a lecturer and an expert of hadith at the Sunan Kalijaga State Islamic University in Yogyakarta.

19 Al-Nawāwī, *al-Majmū'*, vol. 4, 223.

20 Abū Dāwūd, *Sunan Abī Dāwūd*, vol. 1, Ḥadīth 592 (Cairo: Dār al-Hadīth, 1999), 284.

21 Imām Muḥammad b. Ismā'īl al-Ṣan'ānī, *Subul al-Salām*, vol. 2 (Beirut: Dār Iḥyā' al-Turāth al-'Arabi, n.d.), 35.

Amani Lubis, a female lecturer and an expert of Arabic literature, however, doubts that Umm Waraqa's example could be universally applicable to all Muslim women.²³ She argues that while the chain of transmitters of Umm Waraqa's hadith is valid, the content is situational. A woman's leadership in prayer (*imāmat al-mar'ā*) is not theological and customarily acceptable because Muslims are obliged to observe the Prophet Muhammad's examples closely and firmly.

Although the prophetic tradition offers two models of leadership in prayer, male leadership in prayer becomes institutionalized through the theological apparatus of the performative role of men as imams in the public sphere, especially in the mosque,²⁴ where obligatory prayer in a congregation is regarded to confer more reward by twenty-seven degrees.²⁵ Najwah views this hadith to have been applicable to men, whereas women are enjoined to pray in their houses.²⁶ While men are commanded to observe the congregational prayer on Friday (Q 62:9),²⁷ women are exempted from going to the mosque. Yet, several hadith record that women are required to bathe before attending prayer in the mosque.

These competing views about women's leadership in prayer generate contradictory claims of gender hierarchy and egalitarianism. Gender hierarchy argues that "the natural difference between men and women entails ontological, moral, spiritual, financial, social, cultural, and political difference; whereas gender egalitarianism argues for an intrinsic equality between men and women before God and their fellow humans, regardless of sexual and gender differences."²⁸ A hierarchically gendered culture, however, has been dominant since the majority of the Muslim scholars, jurists, mystics, and philosophers who upheld the production and the maintenance of gender culture have been men. Ritual prayer is defined according to what meets the public norms of Islam.

22 Nurun Najwah, "Pembacaan Ulang terhadap Imamah Sholat Perempuan," *Musawa: Journal Studi Gender and Islam* 6, no. 2 (2008): 219.

23 Interview with Amani Lubis in Jakarta on June 16, 2009.

24 Najwah, "Pembacaan Ulang terhadap Imamah Sholat Perempuan," 228–229.

25 Imām 'Abd al-Ḥusayn Muslim al-Hajjājī, *Ṣaḥīḥ Muslim*, vol. 2 (Riyadh: Darussalam, 2007), 149–152.

26 *Ibid.*, 1472–1475, 491.

27 Yusuf Ali's translation of al-Jumu'a 62:9 states: "O ye who believe! When the call is proclaimed to prayer on Friday (the Day of Assembly), hasten earnestly to the Remembrance of Allah, and leave off business (and traffic): That is best for you if ye but knew!"

28 Etin Anwar, *Gender and Self in Islam* (London: Routledge, 2006), 1.

Any defiance of the public norm faces a harsh consequence. For example, Abū Dawūd reported that ‘Umar commanded people to arrest both Umm Waraqa’s male and female slaves who had left the city after the death of their master and ordered both slaves to be punished in Medina.²⁹ Abū Dawūd did not elaborate on what caused both slaves to be punished. The narrative of both slaves being punished is, however, mentioned in the context of the hadith, which relates to the *imāma* of Umm Waraqa in prayer. Not only was Umm Waraqa’s *imāma* granted by the Prophet, it was also characterized by her excellence and fluency in Qur’anic recitation. Both slaves reportedly used to pray behind Umm Waraqa until her death. In any case, accounts of the slaves receiving harsh chastisement for exercising what the Prophet Muhammad implicitly supported, raises the question of whether Muslims could hold fundamentally different opinions about rituals.

The existing gap between hierarchical and egalitarian views of women’s *imāma* in prayer reflects the conservative and moderate strains of Islam in Indonesia. The Indonesian Scholars’ Assembly issued a fatwa (a juristic opinion) in 2005 that women’s leadership (*imāmat al-mar’a*) is *ḥarām* (forbidden). The arguments used to support the prohibition of women leading prayer include:³⁰

- First, Muhammad commanded Umm Waraqa to become an *imam* only for her family.
- Second, Muhammad said in another hadith that “let not be a woman be an imam for men.”
- Third, when the *imam* makes a mistake in prayer, men correct the mistake differently than women. Men exclaim “*subḥānallāh*” (“Praise be to God”) aloud while women clap their hands.
- Fourth, the best row for men in prayer is the first row and the worst is in the last row, whereas the best row for women is the farthest row in the back of men and the worst row is the first row after men.
- Fifth, dogs, women, and donkeys are said to be distractions in prayer.³¹
- Sixth, the best prayer for a woman is performed in her room, inside her house.

29 Abū Dāwūd, *Sunan Abī Dāwūd*, vol. 1 (Cairo: Dār al-Ḥadīth, 1999), Hadith 591, 284.

30 <http://www.republika.co.id/berita/dunia-islam/fatwa/11/06/20/ln3biv-fatwa-mui-hukum-wanita-menjadi-imam-shalat> (accessed March 17, 2013).

31 There are hadith reports attesting to all of the above as recorded in “The Book of Prayer” in Imām ‘Abd al-Husayn Muslim al-Hajjā, *Ṣaḥīḥ Muslim*, vol. 1 (Riyadh: Darussalam, 2007), 483–621.

- › Finally, the consensus of the companions (*ṣaḥāba*) is that there had never been a female leading the prayer for a mixed congregation but that women can lead a prayer of female congregants.³²

Given that the principle of deriving law in matters of ‘*ibāda*’ (obligatory religious rites) is *tawqīf* (abiding by the guideline set by Prophet Muḥammad) and *ittibā’* (following the example of the Prophet), Indonesian scholars state that a female imam in a mixed congregation is seen as legally *ḥarām* (forbidden) and not acceptable. Similarly, a woman’s functioning as an imam for female only congregants is seen as legally *mubāḥ* (permissible).

Lubis concurs with the Indonesian Scholars’ Assembly’s religious edict on women’s leadership in prayer. At the outset, she responds positively to the Wadud-led prayer and then reiterates her stand on the issue, saying that Muslim women’s perceptions vary.³³ First, women could become leaders for the prayer insofar as they meet the requirement for becoming an imam (a leader of the prayer). However, Lubis adds that women’s leadership in prayer (*imāmat al-mar’a*) is not acceptable because there is no precedent in the history of Islam and no example from the Prophet Muḥammad and his companions that continues to exist in Islamic tradition. Finally, Lubis says that women could exercise their roles as prayer leaders when necessitated by the existing community and in emergency situations. For example, Amina Wadud could lead the prayer if she was the leader by community appointment. Converted women, and those males whose hearts were not yet strongly inclined to Islam and had not fully come to terms with Islam could become the *ma’mūm* for Wadud. However, this situation is culturally specific and cannot be applied to other places, like Indonesia. Lubis urges Wadud not to propagate women’s leadership in prayer or come to Muslim majority countries to disseminate this idea to them. She cautions that Indonesian women who promote the idea of women leading the prayer will not receive support from the majority of Indonesian Muslims. Lubis perceives ritual in Islam as complete and unchangeable. There is no need to change the traditional form of the ritual. She seems to suggest that women’s leadership in prayer is not an important issue. What needs to be done, she urges, is to encourage

³² In the Ḥanafī school of law even a female leading other females in prayer is deemed to be repugnant (*makrūh*).

³³ Interview with Amani Lubis on June 16, 2009.

Muslims to improve their faith (*īmān*) in Islam and for those who have faith to help others improve their faith.

As a scholar of Islam, a feminist, and a leader of an Islamic boarding school in Cirebon, Indonesia, Husein Muhammad, nevertheless argues that it is permissible for a woman to become an imam for men and women.³⁴ He himself has encouraged his wife to become a prayer leader for him and his family, but she has not met his challenge.³⁵ Muhammad contemplates a broader context in which the discursive narrative of women's leadership in prayer (*īmāmat al-mar'a*) is less popular for several reasons.³⁶ First, Muhammad maintains that the nature of Islam is more political, in that the production of Islam within the hegemonic power of Islamic dynasties tended to politicize Islam for their own advantage, and therefore it became more patriarchal in nature. The second reason for male hegemony, Muhammad believes, is the view that male and female relationships in ritual and social activities are filled with the fear of temptation (*khauf al-fitna*). Fiqh scholars are wary of any temptation men would face as a result of the sexes mixing in the public sphere. The third reason is that leadership in prayer is seen as a matter of religious ritual (*'ubūdīyya*) to which the Prophet Muḥammad provided guidance and examples. Based on these gendered thinking processes, the discursive narrative of women's leadership in prayer (*īmāmat al-mar'a*) raises the question of whether women are fit to lead the prayer in a mixed congregation and even to attend the mosque at all for performing rituals.

The discrepancy between a conservative and moderate view on women's leadership in mixed prayer stems from the two accounts of the way in which women's participation in the mosque or lack thereof is constructed. Some prophetic traditions record that women prayed alongside the Prophet Muhammad. Since they came fully covered and left unnoticed due to darkness, Muslim men tended to not notice women's presence in the mosque.³⁷ Similarly, the Prophet Muhammad also commanded men not to prevent their wives and female

34 Ulil Absar-Abdalla, "K.H. Husein Muhammad and Nur Rofi'ah: Perempuan Boleh Mengimami Laki-laki," April 4, 2005, <http://islamlib.com/id/komentar/perempuan-boleh-mengimami-laki-laki/> (accessed November 5, 2009).

35 Interview with Husein Muhammad in Cirebon on May 29, 2009.

36 Husein Muhammad, *Fiqh Perempuan: Refleksi Kiai atas Wacana Agama dan Gender* (Yogyakarta: LIKIS, 2001), 36–37.

37 Jamāl al-Dīn al-Jawzī, *Kitāb al-Nisā'* (Beirut: Dār al-Fikr, 1996), 63–64.

slaves from going to the mosque.³⁸ *Ṣalāt al-jum'ā* (Friday congregational prayer) is not mandated (*wājib*) for women, but if a woman goes to the *Jum'ā*, her prayer is accepted and rewarded. If she wants to be present in the *Jum'ā*, then she must have bathed.³⁹ Although an egalitarian view of women's participation and *imāmat al-mar'a* is rooted in Islamic tradition, the hegemonic practice of the mosque culture is sexist. In what follows, I will discuss the correlation between a sexist view of women's roles and politicized ritual in Islam.

Gendered Views of Women and the Sexed Prayer

This section will explore how gendered perceptions of women correlate with the restrictions on women participating in communal prayer and *imāma* (prayer leadership). Most prohibitions of women from performing prayer at the mosque stem from the fear of *fitna* (trial or temptation). This fear creates restrictive measures for women going to the mosque that are grounded in several hadith. For example, women and female slaves may go to the mosque if they wear no perfume.⁴⁰ Other hadith say that women should be prevented from coming to the mosque and that staying home is preferable.⁴¹ The emphasis on female domesticity resonates strongly among *fiqh* scholars (who define degrees of temptation, as well as rules for obedience and disobedience). Going to the mosque is permitted (*mubāḥ*) for a woman. However, if she fears that she would cause *fitna* by males looking at her, she should pray at home.⁴² Women are basically responsible for not creating any temptation, to the point that if a woman goes out, she needs to be cautious so that no man is tempted by her presence; if she does not contain herself, people would not control themselves for her sake.⁴³ Equally important for a woman before she goes out is to receive her husband's permission. When she is on the street, she should make her way to an empty street, not crowded streets or markets, make sure her

38 Ibid., 64.

39 Ibid., 65.

40 Ibid., 64.

41 Ibid., 65.

42 Ibid., 64.

43 Ibid., 68.

voice is not heard, and walk on the roadside, not in the middle.⁴⁴ Abū Hurayra maintains that Muhammad prevented women from walking in the main street.

The fear of *fitna* (trial) as a male ideological institution that produces norms and rules for women not only flourished among male jurists but also created a gendered culture. This gendered culture is assumed to derive from the Shari‘a, that is, a complete set of legal injunctions imposed God’s Divine Will on human behavior.⁴⁵ *Fiqh* is understood as the product of understanding the Shari‘a and is considered to be “an approximation of the true law of God.”⁴⁶ The Shari‘a and *fiqh* are often conflated with each other. I will argue that while the legal rulings are derived from the Qur’an and the hadith, I must concede that the jurists’ perspectives on gender issues often invoke the sacred texts in order to legitimize the politics of gender difference and the construction of gender-specific roles for men and women in Muslim societies, which are not necessarily present in the Qur’an. The use of narrative citations functions to confirm patriarchal ideologies, institutions, and practices that further inscribe the superiority of men over women.

The conformity of the cited rules, roles, and rights of women to patriarchal ideology should not come as a surprise, since the Qur’an and the hadith were historically situated in the pagan, tribal Arab culture and locality. The historicity of the Qur’an and the hadith capture a glimpse of the social, economic, political, and cultural condition of tribal cultures and of how women were valued at this time. This historical context of the Qur’an shows how certain practices continued to exist and to grow in influence, and how the Qur’an has come to carry a legal emphasis, despite the fact that there are only a limited number of Qur’anic verses that deal with legal rulings. In this sense, male juristic-minded interpretations reflect the existing cultures and establish what are seen as appropriate rules by which women should act, roles that women ought to enact, and rights to which women are entitled. The dominant ruling of male prayer leadership reiterates women’s subordinate status as secondary, domestic, and sexual beings.

Perhaps the marking of women as secondary beings is noticeable in Qur’anic narratives that seem to render for readers the immediacy

44 Ibid., 68.

45 Daniel Brown, *A New Introduction to Islam* (Malden, MA: Backwell Publishing, 2004), 120.

46 Ibid.

of women's inferiority. Al-Nisā', 4:34 suggests that men are superior to women due to male economic capacity and leadership. Al-Nisā', 4:11 and 176 suggest that daughters and sisters are entitled to receive half of the male's share in inheritance. Al-Baqara, 2:282 cites the testimony of two female witnesses as being equivalent to that of one male witness. Al-Nisā', 4:34 gives men the right to marry up to four women. While these verses are few in number, they have had an immeasurable impact on the status of women. In the hands of Muslim jurists, these verses affirm the view that women are not equal to men because God has given men superiority in economics, politics, and epistemology. As the economically superior group, men command women in all areas of life, both private and public. The economic relation of husbands and wives is one of exchange. Husbands supply the dowry and economic maintenance⁴⁷ and wives in return secure their sexual organs for the husband's convenience, by completely obeying them, and by complying with discipline, should they rebel.

Al-Nawawī argues that men are factually and juristically (*sharī*) superior to women. He maintains that the actual difference between men and women includes: the superiority of men's intellectual capacity, men's forbearance in calamity, men's greater physical strength, men being scientifically-oriented in writing, men's skill in driving horses, men constituting the majority of scholars, and the preponderance of male leaders (imam); men's superiority in war, men's superiority in leading the Friday prayers through calling the *adhān*, delivering the *khutba* (sermon), and being the prayer leader, men's superiority in spending time during Ramadan in retreat at the mosque (*i'tikāf*), men's superiority in court testimony, men's superiority in inheritance, men's superiority in the lineage of inheritance, men's being legally responsible guardians for female marriages, men's privilege in divorce, remarriage, and polygamy; and male superiority in lineage.⁴⁸ The legal superiority of men includes men's responsibility for the financial maintenance of women.

There is, furthermore, a seamless relationship between obedience and punishment. Several prophetic accounts recall how angels, husbands, and God would be displeased at a wife's failure to satisfy the sex-

47 Muḥammad b. 'Umar al-Nawawī, *Sharḥ 'uqūd al-lujayn fī bayān bi-ḥuqūq al-zawjain* (Semarang: Karya Saputra, n.d.), 7.

48 Ibid.

ual rights of her husband. The deployment of severe punishment reinforces a mental framework that renders violence necessary to compel female obedience at all levels. Without it, women would surely face hellfire in this lifetime and the afterlife. Returning to the earth on the eve of the *Isrā'* and *Mi'raj* (Night Journey and Ascension), the Prophet Muhammad recalls his vision of the majority of women who will become dwellers in hell. They would be thrown into hell due to their rebellion against their husbands.⁴⁹ The interpretive narrative of the Night Journey vision could plausibly support the existential and eschatological destiny of a woman that is defined on the basis of her sex. Thus gendered thinking becomes an institution of power “that one attributes to a complex strategic situation”⁵⁰ to which the multiplicity of power relations are connected. Yet, the *Isrā'* and *Mi'raj* accounts could also be seen as laying the foundation of gendered moral equality in which obedience is directed to God, not to human beings. In this case, punishment becomes God’s business, not something to be exercised by abusive husbands.

Given the general view of women as secondary, sexual, and domestic beings, male scholars’ views on women’s presence in the mosque vary, from it being *mubāh* (permissible) or *makrūh* (abominable), to *ḥarām* (forbidden). Going to the mosque is permissible only for old women. It becomes *makrūh* (abominable) for women whom men could find attractive. It is, however, absolutely forbidden for pretty girls to attend the mosque for the fear of *fitna* (temptation). *Fiqh* scholars, like Abū Ḥanīfa (d. 767), Mālik b. Anas (d. 795), and Muḥammad b. Idrīs al-Shāfi‘ī (d. 819) are in agreement that old women who are no longer attractive are permitted to attend the mosque, while mature and young women who are attractive should preferably stay home.

Yoyoh Yusroh, a member of the Indonesian Justice Party and Parliament, concurs with the idea that a woman’s body could become a source of men’s distraction. She vehemently disagrees with a woman leading a mixing prayer, as Wadud did in New York. For her, women’s nature entails different treatment. When women want equality, it does not mean that everything could be equal. As men and women are different, she predicts the repercussions of such a mixing at prayer, stating that:⁵¹

49 Ibid., 12.

We could imagine if women lead the prayer and men were praying behind them. They could distract the congregants. This means that we [Muslim women] should not just think about how we want to be equal with men. We need also to foresee the potential effect to mitigate conflict or any other impact of the action.

Although she disagrees with women leading prayer in a mixed context, she believes that Islam allows women to lead the prayer in front of women. Among the Betawi community in Jakarta, for instance, a woman leading the prayer, especially the *tarawih* prayer, is common. She admits that she had led prayer for women congregants in her mother's house. Piety and fluency in the Qur'anic recitation were among her repertoire. She recalls her meeting with a feminist who told her that she could be an *imām* for the prayer in the mosque because she has a beautiful voice. She opposes the idea because she believes that only men should be leaders for the prayer. She adds that such a belief is more acceptable and in accordance with what God and the Prophet Muhammad have stipulated. Yusroh certainly does not reject the equality of men and women, but ritual is not an area in which equality should be debated, since men and women are equal before God.

Activist Neng Dara Affiah, however, expressed her dismay at the relationship between the prohibition of women leading prayer and women being perceived as *'awra*.⁵² She sees a fallacy in the reasoning that allows Muslims to accept women as public teachers such that these women are not perceived as *'awra*. However, when it comes to the leadership of prayer, the woman's entire body becomes tabooed as *'awra*. Affiah asserts that the perception of women as *'awra* derives from a male-centered ethical system. It assumes that religious ritual is a male domain from which women are excluded. She argues that the sexing of the prayer is a contested space for feminists, in that the ritual is not only for men, but is also inclusive of women. Women are God's creatures and are yearning for proximity to God. Consequently, men and women are each representatives of God on earth. Privileging men as the only creatures to serve God perpetrates injustices against women. It is to these injustices that Muslim feminists of diverse backgrounds are responding.

50 Michel Foucault, *The History of Sexuality: An Introduction*, vol. 1, trans. Robert Hurley (New York: Vintage Books, 1990), 93.

51 Interview with Yoyoh Yusroh on June 17, 2009.

*The Praxis of Imāmat al-Mar'a
and Feminist Activism*

The uniformity of women being considered as secondary, domestic, and sexual beings in Muslim cultures demonstrates the long effect of masculine dominance in prayer. Women's exclusion from prayer means that they are also excluded from the production of "the local centers of knowledge/power,"⁵³ yet they ironically never feel excluded. Women perpetuate the knowledge/power paradigm of *fiqh* (understanding of the law) through the institutionalization of *taqlīd* (a blind following of past rulings). Only if they go beyond the insistence on *fiqh* and move toward the opening of *ijtihād* (independent legal reasoning) in a broader sense would Muslim women be able to revive the spirit of *hilm* (forbearance), which values moral reasonableness and spiritual piety. In an attempt to transform the construction of the ritual prayer that is essentially patriarchal in nature, Musdah Mulia, a scholar of Islam and an activist, proposes a gradual change of cultures in three steps: (1) the transition from patriarchal culture to egalitarianism; (2) legal reforms to end practices discriminatory to women; and (3) reinterpretations of religious texts in ways that are more humanistic and more accommodative to women. Muslim feminists from the Pesantren setting also attempt to discuss the intricacy of the prayer within Indonesian contexts. I will now discuss how feminist scholars and activists from this background argue for moral and spiritual equality by analyzing their responses to the *imāmat al-mar'a*.

Women's *imāma* in prayer is commonly practiced in the Pesantren setting, especially among the female congregants. In the Pesantrens (Islamic boarding schools), the scholars train students to understand Islam and become knowledge producers in Islam. There, young men and women receive religious training and exercise their agency in becoming self-directed learners. Female students learn not only the foundational knowledge of Islam from *kitab kuning* (literally "yellow books," but used to refer to books containing classical knowledge about Islam), but also to occasionally teach other students Islam and play the role of prayer leader for female congregants. Although women graduates from the Pesantrens are knowledgeable about Islam, they

52 *ʿAwra* literally means pudenda (and thus sexually tabooed).

53 Foucault, *The History of Sexuality*, 98.

neither reach prominence due to their knowledge nor do they exercise their roles as religious teachers (*ustadha*) or preachers (*muballiga*) at a level equal to men. This is also the case for women graduates from prominent universities, such as al-Azhar University in Cairo, Egypt. Highly educated women from religious institutions are disempowered the moment they live and mingle with the community. Only a very few women with religious knowledge and from Pesantrens exercise their power of knowledge by becoming activists and instructors at the higher Islamic institutions. These women are in the vanguard of the re-interpretation of Islam and gender justice. In their reinterpretation of Islam, the question of *imāmat al-mar'a* can be addressed and debated.

Feminist responses to the issue of *imāmat al-mar'a* revolve around the nature of prayer, whether it is theological, spiritual, or social, and its permissibility and impermissibility within the Indonesian context. Traditionalists, like Lubis, perceive the prayer as a matter of *'ubūdiyya* (obligatory ritual following the Prophet Muhammad's examples). In Islam, the Prophet Muhammad provides the guidelines for prayer and offers examples of how to conduct prayer. Throughout his life, he asked men, like Abū Bakr, to lead the prayer, but not any of his wives or daughters. Since there is no prior example of a woman leading a prayer, Lubis says that⁵⁴

I think that men should lead the prayer, whereas women can lead the prayer only with the old, blind men and children as *ma'mūm* (congregants). Although this example was approved by the Prophet Muhammad, he never really appointed female companions to lead the prayer so his male companions did not propose it.

The necessity of the imam, in Lubis's eyes, symbolizes the wisdom of unity in Islam. She says that prayer is personal; therefore, even when it is performed in a congregation, the individual is responsible for the prayer. The prayer leader is needed to invoke the sense of unity in prayer where a leader is required to lead a communal prayer. Islam's regulation of the prayer is flexible, as in the example of the prayer performed during war. Although facing the *qibla* (direction of prayer) would normally be a requirement for prayer, it is not an issue when under duress. Regularity in prayer is important to show the virtue of

54 Interview with Amani Lubis on June 16, 2009.

unity. She insists, however, that a woman could not be an imam because such examples do not exist from the time of the Rightly Guided Caliphs who understood the spirit of Islam.

A moderate feminist, like Musdah Mulia,⁵⁵ a scholar of Islam and a Nahdlatul Ulama activist, argues that prayer in Islam is a matter of reward that is open to both men and women. In Islam, both the congregant (*ma'mūm*) and the leader (imam) receive reward. Neither the Qur'an nor the hadith indicate that the *imām* receives more or less reward than the congregant; it depends on the individual's consciousness of God (*taqwā*). The context of ritual in Islam promotes the value of striving for good deeds (*istibāq al-khayrāt*).⁵⁶ She explains that the requirement for ritual prayer includes piety, proficiency in Qur'anic recitation, and seniority. Nothing in the Qur'an is mentioned about sex as a requirement in the leadership. There is no instance in the hadith where men are required to be the leaders of the prayer. The rules about men as the prayer leaders are prevalent among legal scholars, like Abū 'AbdAllāh Muḥammad b. Idrīs al-Shāfi'ī (d. 820). In this sense, women leading prayer is an area of *ijtihād* (independent legal reasoning). Lubis argues, however, that although the Qur'an does not mention the *imāmat al-mar'a*, it also does not promote it. In Islam, any legal decision should be based on the Qur'an, the hadith, and *ijtihād*. If the hadith does mention specifics, it does not mean that we jump to the Qur'an. The Qur'an does not cover everything that may come up in the future. The process of *ijtihād* requires the unity of three sources.

In contrast to Lubis's perspective, a liberal feminist and women's rights activist like Neng Dara Affiah argues that *imāmat al-mar'a* is more sociological than theological.⁵⁷ The Qur'an, she reasons, did not prohibit women's leadership in prayer, and the Prophet Muhammad allowed it to happen; thus what has impeded the acceptance of the *imamat al-mar'a* is the society. She laments that

for ages, we did not have any examples of women leading prayers and women have also been marginalized in ritual events. I often feel sad that in some occasions, women are placed in the subordinate places during the ritual. As the

55 Interview with Musdah Mulia on June 17, 2009.

56 See Yusuf Ali's translation of Q 2:148: "To each is a goal to which Allah turns him; then strive together (as in a race) towards all that is good. Wheresoever ye are, Allah will bring you together. For Allah has power over all things."

57 Interview with Neng Dara Affiah on June 19, 2009.

performativity of prayer is social, it raises the question of whether Muslims are eager to transform the condition in which ritual is performed.⁵⁸

Affiah also criticizes Muslims who refer to the Prophet Muhammad as an established example setting no female precedent in *imāma*. She argues that the Prophet constantly led the prayer because he was the only one who understood the Qur'an. He was also morally superior, even in comparison to the previous prophets. She insists that what are at stake here are spiritual, moral, and humanistic qualities, not sex or other categories. Should such qualities exist in women, women should lead the prayer, regardless of their sex.

As feminists' understanding of the nature of the prayer varies, so do their discursive narratives of the applicability of women leading prayer within the Indonesian context. Lubis argues that women leading prayer (*imāmat al-mar'a*) cannot be performed in Indonesia because in each household, there must be a man that is able to lead the prayer. She also insists that men leading prayer is part of the tradition and that the scholars require them to lead the prayer. Even if the man lacks religious knowledge and he happens to have children who have studied in an Islamic institution, like the State University of Islamic Studies, the man should lead the prayer. The role of men as the leader in prayer is in accordance with the examples of the Prophet Muhammad and his closest companions.⁵⁹

Quite different from Lubis, Mulia argues that what is at stake in the Indonesian context is not the contestation of women wanting to lead the prayer, but rather a discursive process of how men and women are equally valued in ritual. The requirement for prayer includes piety, fluency in Qur'anic recitation, and credibility. Anyone who meets these criteria, be they man or woman, could lead the prayer. Mulia makes acceptance of the equality of men and women a condition for women leading prayer. She says that once the equality of men and women has become mainstream in society, women leading the prayer either at home or in public would not be problematic. She indicates that what impedes women from leading the prayer is psychological, not theological. Although women are equipped with the training to lead the prayer, the existing system discourages women from doing so. In her

58 Ibid.

59 Interview with Musdah Mulia on June 17, 2009.

case, she is married to a scholar of Islam whose characteristics meet the requirement for leading the prayer. Mulia insists that women leading prayer is not the goal, but the awareness of men and women being equal in all aspects of life is far more important.

Affiah does not recoil from women leading the prayer as a new social phenomenon, but she proposes three interrelated steps along the way to disseminate such a practice in Indonesia. First, Muslim societies need to be prepared to see some mosques with women as imams and some other mosques with male imams. Second, they need to exercise and partake in supporting female prayer leaders in order to change the popular mindset. Finally, they need to be willing to participate in the creation of the role of female prayer leaders as acceptable and normal. When interviewed, she recalled her own experience of leading prayer in her own community and family as follows:

I was a student in 1989, my friend and I used to lead the *tarāwīḥ* prayer⁶⁰ with a mixed congregation, we never perceived it as something wrong. I did not see any problems and the guys felt the same. I sometimes lead the prayer in the house and my husband does not mind. He thought that I have a better Qur'anic recitation and fluency because I went to an Islamic boarding school (Pesantren) specialized in Qur'anic training for women.

Affiah is taking her position of being a woman leading prayer seriously. She sees herself spiritually being very close to God and capable of loving God. The act of loving God is expressed through ritual. Ritual is, therefore, the heart of religion. Unfortunately, she laments, ritualism that carries authority is used arrogantly by men in order to exclude women.⁶¹ Ritual as a system of life has been constructed so as to become men's monopoly, just like the *tahlilan* ceremony⁶² or the Friday congregational prayer. She admits that sometimes Islamic religious institutions are not welcoming for her and for women generally. At the individual level, however, Islam allows the exercise of the spiritual for both males and females.

60 *Tarāwīḥ* prayer is a recommended prayer during Ramadan and is usually performed right after the evening (*Ishā'*) prayer.

61 Interview with Neng Dara Affiah on June 19, 2009.

62 *Tahlilan* is a ceremony following the death of a Muslim. It is usually performed in the mosque or in the houses of the dead. During the ceremony, men recite the Qur'an and litany for the dead.

Concluding Remarks

Although these Indonesian feminists offer diverse worldviews on *imāmat al-mar'a*, ranging from traditional to moderate to liberal, they, to certain degree, exercise agency in the epistemic production of the morality of women leading the prayer. They agree that Muslim women need to prioritize the equality of men and women and address the inequalities and injustices against women. For traditional feminists, women's empowerment derives from accepting the traditional value of women and from practicing what has been established by the Prophet Muhammad, his closest companions, and the pious successors to them. The traditionalist feminist's priority is for women to enhance their piety, not to challenge the mechanisms of piety, such as female leadership of mixed congregational prayer. Moderate feminism, however, perceives equality as essential to the pursuit of female prayer leadership, yet it is more interested in the preparative process, rather than the actual practice. Moderate feminists are more critical of the discursive narratives of religion regarding women, even though they may continue to exercise more traditional expectations of male and female relationships.

Quite different from both traditional and moderate feminist strains, liberal Islamic feminism not only proposes that *imāmat al-mar'a* is essential for gender equality, but also engages in a more radical interpretation and practice of religion by criticizing the very foundations of religion and acting in accordance with newfound belief and agency.⁶³ In this sense, the *imāmat al-mar'a* can be channeled through a multifaceted apparatus of epistemological interpretation of Islam, women's agency as moral individuals, and social participation in the public realm. After all, ritual in Islam is the most basic action. If ritual is exclusionary of women, it would be expected that other institutions, like family, law, marriage, and inheritance would also contain elements of sexism. The fact that women are subjugated in the realm of ritual calls for a rethinking of the epistemological foundation and formulation of ritual as well as its praxis in everyday life.

63 The discourse of Islamic feminism in Indonesia is still in the making. However, some categories of Islamic feminism could be postulated in terms of the degree in which the Qur'an and the hadith are subject to interpretation. Traditionalist Islamic feminism tends to reiterate the existing dogma of Islam by showing how Islam essentially treats men and women equally while liberal Islamic feminism argues for equality by offering an alternative reading of both of these sources in order to demonstrate that Islam is liberatory for women.

Rabha Isa Al-Zeera

*Violence against Women
in Qur'an 4:34:
A Sacred Ordinance?*

“Wife-beating” is considered to be one kind of violence against women. Some people claim that this abuse is excessively practiced by Muslim husbands because there is a verse in the holy Qur’an that—as claimed—orders or gives permission to husbands to beat their wives. However, this wrong and widely held impression is unjustified and arises as a result of misinterpretations of verse 4:34. This article intends to clarify certain misunderstandings that have arisen over this verse of the Qur’an. Violence against women is one of the most widespread violations of human rights that cuts across boundaries of culture, race, class, and geography. Globally, up to six out of every ten women experience physical and/or sexual violence in their lifetimes. A World Health Organization study of 24,000 women in ten countries found that the prevalence of physical and/or sexual violence by a partner varied from 15 percent in urban Japan to 71 percent in rural Ethiopia, with most areas being in the 30–60 percent range.¹ Thus, violence against women exists in all communities and does not need to be legitimized by some holy “scripture.” In order to prevent these inhumane practices, more assertive, effective, and firm laws are needed, including legal intervention in family relationships, based on correct understandings of the holy text, so that nobody claims that Muslim men are violent as a result of their “Islamic faith” that orders them to beat women.

1 UN Women, “Violence Against Women,” http://www.unifem.org/gender_issues/violence_against_women/ (accessed November 30, 2011).

It is known that the majority of regulations and laws relevant to women's rights in countries where Islam is the predominant religion are derived from the interpretations of certain verses in the Qur'an. Of particular relevance here are the verses that define the relationship between married couples, i.e. marital issues such as the wife's property, polygamy, divorce, alimony, custody, the situation of widows and so on.

This article attempts to analyze the verse (4:34) that has given rise to much controversy, either as a result of misinterpreting the precise meaning of its key concepts, or as a result of misusing it, whether deliberately or unintentionally. This leads to extending its meaning beyond the scope of the actual situation it came to address, which caused a dilemma that resulted in curtailing the role of women in society and marginalizing her capabilities, as well as subjecting her to a severe social, economic, and judicial oppression.

The subject matter of this article is the Qur'anic verse 4:34, which has been translated into English from al-Ṭabāṭabā'ī's *Tafsīr Al-Mizān* as follows:

Men are the maintainers of women because of that (with which) Allah has made some of them excel the others and because of what they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded; and (as to) those on whose part you fear recalcitrance, admonish them, and leave them alone in the sleeping-places, and beat them; then if they obey you, do not seek a way against them; surely Allah is High, Great.²

The above paragraph is not the "text" of 4:34; rather it is an interpretation of the verse by one of the exegetes. According to our methodology of understanding the Qur'an, the words stressed above are misinterpreted and wrongly translated. Every concept in the verse should be understood within the context within which the verse came, i.e. its social, cultural, and historical context. It should also take into consideration that the fundamental essence of women's dignity has been established by Islam, and this has been referred to either by some other Qur'anic verses, or by Prophet Muhammad's (pbuh) sayings and prac-

² *Tafsīr al-Mizān* by Muhammad Husayn Ṭabāṭabā'ī (d. 1981), a noted Shi'a authority of the twentieth century. English translation available at: <http://www.shiasource.com/al-mizan/> (accessed November 30, 2011). There are many different translations of the above verse which need thorough analysis to show how the translators as well as scholars have interpreted it according to their own cultural backgrounds and understandings; for more translations see: <http://www.altafsir.com> (accessed November 30, 2011).

tices (*sunna*). Moreover, the verse should be understood as “one unit” that encompasses harmonious elements and refers to a specific subject. All this, taken together, would enable us to understand the precise message conveyed by the verse. Otherwise, the Qur'an's credibility, and Islam's inherent respect for women's dignity, would remain subject to criticism and distrust, as it has been for decades.

As mentioned above, the meaning of verse 4:34 has been discussed widely by different scholars from varying points of view, both traditional and modernist, especially from feminist perspectives. Reviewing everything that has been said related to the meaning of this verse is beyond the scope of this paper. It would require further research to review and discuss scientifically all the respective opinions in this regard. This chapter will rather concentrate on understanding the meaning of the verse according to the method of the “Altajdeed Society”³ for reading the Qur'an. Furthermore, it will discuss and argue some traditional exegetes' points of view (from both Shi'a and Sunni perspectives).

Methodology

To begin, I would like to point out that the methodology I am using to understand the verses of the Qur'an follows certain rules. These rules are derived from within the Qur'anic system and its unique structure; hence it is essential that they are taken into account and applied while trying to comprehend what each and every verse is saying.⁴

First, the meaning of the verse should be understood in accordance with its socio-historical context because it has been delivered to a certain society at a specific time. Its purpose was to solve some existing problems or correct some problematic situations. Other verses were revealed in order to introduce new values to the society that Prophet Muhammad (pbuh) was seeking to establish. For example, in order to understand verse 4:34, it is crucial to know the nature of relationships between husbands and wives at that time and the social values of the

3 Al-Tajdeed Cultural Society is a Bahraini NGO whose members believe that Islamic thought needs renewal. Their main focuses are human and women's rights.

4 Al-Tajdeed Cultural Society has published a book that explains these rules and principles called “Mafateh Alquran Wal-Aql,” <http://www.tajdeed.org/article.aspx?id=10087> (accessed November 30, 2011).

seventh century community in the Arabian Peninsula. Otherwise we will neither understand the true meaning of the verse, nor apply it properly in our contemporary societies.

Second, the chapter that the verse is set within should be taken into account. In this case, the verse is in the chapter, “Women” (al-Nisā’), and it starts with revelations about the creation of humanity. The first verse in this chapter states that both men and women have been created out of one living entity, which means that their creation is identical.⁵ Later, in the same chapter, other verses explain in detail most of the important issues concerning women and family affairs.

Third, the verse should not be taken out of its Qur’anic context. This means that it should be understood along with the verses that come prior to it and those that follow it in order to draw a full picture of the situation, and to prevent generalization or deviation from the verse’s scope or context. To give an example from the above-mentioned verse, the word “*qawwāmūn*” refers to a special kind of relationship between husbands and wives in a very rare and specific circumstance. However, it has subsequently been applied to most spheres of human interaction.

Unfortunately, most scholars have used this verse to prove that men are superior to women in most aspects of life because they are physically and emotionally stronger and are allegedly more rational. However, the verse definitely does not validate this belief in any way.

I quote a translation of the above verse from *Tafsīr al-Mizān* as evidence of the above claim:

... The generality of these causes shows that the resulting principle (Men are the maintainers of women) is not confined to the husbands. In other words, it does not say that man is the maintainer of his wife, rather it gives authority to men, as a group, over the whole group of women, in common affairs which affect the lives of both sexes on the whole. The general social aspects which are related to man’s excellence as, for example, rulership and judiciary, are the things on which a society depends for its continuance. It is because of the prudence and judiciousness which are found in men in a higher degree than in women. Likewise, fighting and defense depend on strength and far-reaching strategic planning. In such affairs men have supremacy over women.

Consequently, the command, “Men are the maintainers of women,” is totally unrestricted and comprehensive, while the next sentence, “the good women

are therefore obedient ...” is apparently restricted to the relationship between a man and his wife, as will be explained later on. This next declaration has branched out from the above general principle; but it does not restrict its generality in any way.⁶

Fourth, each word in the Qur'an should be read and understood within its context. In the Qur'an, the same word could have different meanings according to various situations and relations. In the verse under discussion here, the word (*qānītāt*) has been interpreted as (submissive to their husbands) or (obedient ones), while the meaning of the word should rather be related to the subject of this verse, i.e. the bond between husbands and wives.

Traditional Scholars’ Interpretations of the Key Concepts of this Verse

Before proceeding with elaborating on the new understanding of the above verse, I will present a translation of it in order to point out some of the misunderstandings or misinterpretations that took place while the scholars were trying to explain the verse in their commentaries.

Men are in charge of, they have authority over, women, disciplining them and keeping them in check, because of that with which God has preferred the one over the other, that is, because God has given them the advantage over women, in knowledge, reason, authority and otherwise, and because of what they expend, on them [the women], of their property. Therefore righteous women, among them, are obedient, to their husbands, guarding in the unseen, that is, [guarding] their private parts and otherwise during their spouses' absence, because of what God has guarded, for them, when He enjoined their male spouses to look after them well. And those you fear may be rebellious, disobedient to you, when such signs appear, admonish them, make them fear God, and share not beds with them, retire to other beds if they manifest such disobedi-

5 “O mankind! Be careful of your duty to your Lord Who created you from a single soul and from it created its mate and from them twain hath spread abroad a multitude of men and women. Be careful of your duty toward Allah in Whom ye claim (your rights) of one another, and toward the wombs (that bare you). Lo! Allah hath been a watcher over you” (Pickthall).

6 <http://www.shiasource.com/al-mizan/> (accessed October 11, 2010).

ence, and strike them, but not violently, if they refuse to desist [from their rebellion] after leaving them [in separate beds]. If they then obey you, in what is desired from them, do not seek a way against them, a reason to strike them unjustly. God is ever High, Great, so beware of Him, lest He punish you for treating them unjustly⁷.

From the above translation it is clear that key concepts of the verse have been altered to give meanings other than what it really meant and stated, such as:

Qawwāmūn: Most scholars have interpreted this concept to mean “maintainers,” “care takers,” or “protectors.” Others have added to it explanatory phrases such as: “in charge of,” “keeping check on them,” and “having authority over them.”⁸ To summarize, most *tafsīr* books explain this section of the verse to mean: men have guardianship over women at home, in the society, and in all spheres.

Bi-mā faḍḍala Allāh: Some translated this phrase to mean “because of that with which Allah has made some of them to excel the others.” Others said it means “because God has given males superiority over women in knowledge, reason, authority, and otherwise.”

nushūz: This word has been referred to as meaning “the wife is being rebellious,” “recalcitrant,” “disobedient to her husband.” Some scholars even went so far as to call any wife that is disobedient to her husband “*nāshiz*.”

qānūtāt: Some of the scholars have suggested that the meaning of this word refers to women who are obedient to God’s orders; others applied it to the wife who is obedient to her husband (*qānīta*).

ṣāliḥāt: This word has been interpreted as “the good women who are fulfilling their religious obligations such as praying, fasting during the month of Ramadan” and so forth, while others interpreted it as “being obedient to their husbands.”

iqribūhunna: Some said it means “beat them,” others “strike them,” which means that the husband has the right to discipline his wife by punishing her physically so as to obtain her obedience.

Other phrases in the verse also have been mistakenly interpreted. However, the above terms/phrases were highlighted due to their significant importance to the actual meaning of the verse.

7 *Tafsīr al-Jalālayn*, trans. Feras Hamza (Amman: Royal Ahl al-Bayt Institute for Islamic Thought, 2008), <http://www.aalalbayt.org> (accessed Feb. 11, 2011).

Shortcomings in the Traditional Understandings of the Verse

Most scholars ignored the word “some” and said that “all” men excel over “all” women while it is explicitly said in the verse that “some” excel over “some” others. Other scholars who recognized the importance of the word “some” said that it means “some” men are superior to “some” women. If this were true, then the verse should have been expressed differently. It should read “*Bimā faḍḍala Allāh ba‘aḍahum (men) ‘alā ba‘ḍihinna (women).*” Therefore, even the scholars who have paid attention to the word “some” could not distinguish who are those “some” that have superiority over “some” others. Hence, the meaning that they suggest is irrelevant.

The words: *qānitāt*, *ṣāliḥāt*, *qawwāmūn*, and almost every phrase in this verse have been given a much wider scope than what they actually mean. The verse has been misused to prove that women cannot have any leading or dominant role over men because the latter are their maintainers in family affairs and are superior to them in every other aspect. Some scholars have mixed up the meaning of (*ṣāliḥāt*) and (*qānitāt*) in the context of this verse with their meaning in other verses in the Qur’an. This misleading interpretation has resulted in the adoption of laws that act against women’s interests, such as the “house of obedience,”⁹ complete submission to the husband’s acts/decisions, and needing to seek the husband’s approval for every act taken by the wife.

It is important to note that most Islamic legislators were males and naturally they were influenced by the patriarchal culture that was dominant at that time. Surprisingly, there were women legislators and legal scholars in the early history of Islam. The Honorable ‘Ā’isha, wife of the Prophet Mohammed, was one of the most respected legal experts during her time. She delivered to her society great legal opinions and practices. Unfortunately, after the death of Prophet Mohammed and the rule by the early caliphs, the role of female activists in this regard diminished. In the present time, due to the paucity of women being involved in forming legal opinions regarding female roles and rights, the negative impact on society has been immeasurable.

8 Ibid.

9 The “House of Obedience” (*bayt al-ḥā’a*) is a concept in Islamic law that gives husbands the right to demand obedience from their wives.

*New Understandings
of Verse 4:34*

Looking at the verse, regardless of what has been said by previous scholars, it is apparent that it is dealing with a very particular situation, i.e. the “marital relationship” between husbands and wives. For that reason, the verse should be understood with this in mind.

In order to be precise and give the accurate meaning of the key concepts in the verse, each concept will be explained within its context, using a full sentence rather than a single word, so as to convey the true meaning of the verse.

The word “*qawwāmūn*” means: Men (husbands in this case) are responsible and entitled to prevent the about-to-be-unfaithful wives from committing the sin of adultery (infidelity) to preserve their faithfulness, by following the three actions below in a sequential order:

“Admonish them,” which is more than mere advice, means: “Show them the destructive and harmful consequences of that bad action, in order to convince them of giving up any behavior that leads to infidelity.”

“Do not share beds with them”; this means that there should be no intimate and sexual relationship with such a wife. This attitude is expected to make her feel guilty and un-trustworthy, hoping that it will make her regret her course of action and put an end to the sinful relationship.

Finally, if the above two attitudes do not deter the wife from the act of infidelity to the sacred marital bond and she continues with the sinful relationship, the husband can use force, i.e. hit her, to stop her from engaging in illegitimate and adulterous sexual relations. The word used in Arabic, “*daraba*,” is more indicative than either “beat” or “strike,” because it implies using force wisely and not in a barbaric way,¹⁰ of which the latter unfortunately happens most of the time. Once the wife is aware of her mistake and starts obeying her husband in the sense of giving up the improper relationship, then the husband does not have the right to continue any kind of violence against her (bearing in mind that divorce is not an issue here and could not yet be applied).

¹⁰ This is the author's opinion [eds.].

In fact, this verse is stating that any kind of violence against women (as wives) is prohibited no matter what a woman does except for one reason. That is when the wife's ill conduct is threatening the marriage's sacred bond (through the intention of infidelity). Therefore, the rational use of force is considered to be legitimate only when she is jeopardizing the matrimonial relationship. In this particular case, this act may save this conjugal relationship, and prevent the wife from harming herself and destroying her family, which will have a destructive impact on the society's values and relations.¹¹

The verse states that men (only in their capacity as husbands) have this kind of power over their wives for two reasons:

Some (married men) have been granted something "extra" over some other (married men), that is: the option to have more than one wife (polygamy).

Men are entitled to prevent their wives and their houses from the intrusion of another sexual party (following the three above mentioned steps). They have been given this power because they are paying all marriage expenses such as dowry, maintenance, etc. However, the opposite is not true, i.e. women can only have one husband, and they do not have to pay any household costs.

Hence, husbands and wives have the same marital rights except for one, that is: the husband's responsibility is to prevent his wife from having an affair with another man because it is illegitimate in every aspect, while the other way around is not always true (in logical terms). Hence, a wife cannot be granted the authority to prevent her husband from having an affair with another partner since the latter could be a legitimate spouse, and may be even the husband's first wife!

Therefore, this is the only (extra) thing that men have over women (but it has nothing to do with superiority). This meaning has been expressed in another way when discussing divorce in verse 2:228:¹² "... the rights of the wives (with regards to their husbands) are equal to the

11 Something similar to this idea has been said in *Tafsīr al-Mizān*: "she decides what she wants and acts as she wishes and man has no right to interfere in any way—except when she intends to do something unlawful," and he continues, "and protect him in his absence—she should not betray him behind his back by having unlawful affairs with another man," <http://www.shiasource.com/al-mizan/> (accessed February 11, 2011).

12 "Women who are divorced shall wait, keeping themselves apart, three (monthly) courses. And it is not lawful for them that they should conceal that which Allah hath created in their wombs if they are believers in Allah and the Last Day. And their husbands would do better to take them back in that case if they desire a reconciliation. And they (women) have rights similar to those (of men) over them in kindness, and men are a degree above them. Allah is Mighty, Wise" (Q 2:228) (Pickthall).

husbands' rights (with regards to their wives), and men have a degree (extra) over them (in this respect), and God is almighty, wise."¹³ Since the husband is the one responsible for the marriage expenses, the first option to rescind a provisional divorce rests with him. That is the only extra degree the husband has over his wife. However, the wife has the right to either refuse or accept her husband's willingness to rescind a provisional divorce. (The right to divorce is the other side of the coin of the same concept; because the idea in essence is to allow the wife to have a legitimate relationship with another partner, but only after dissolving the present bond completely and not before that.)

Other concepts and phrases in the verse likewise should be understood within the subject of the verse:

(*ṣālihāt*) means faithful and honest wives. In this case, being a faithful and good wife has nothing to do with being obedient to God's orders such as praying and fasting.

(*qānitāt*) here means the wives who treat their husbands as their only mates, or the ones who preserve their (chastity) to their husbands. Hence (*qānitāt*) are those women who are dedicating or devoting themselves (sexually) to their husbands only. The rest of the phrase asserts this meaning as it says: "... they are guarding the (unseen) of them as Allah has guarded," which means that they should guard their chastity and modesty.

This meaning is clearly stated in verse 24:31: "And tell the believing women to lower their gaze and to be *mindful of their chastity*," and in another translation: "And say to the believing women that they should lower their gaze and *guard their modesty*." This meaning has been interpreted in *Tafsīr al-Jalālayn* as follows: "... guarding the unseen, that is, (guarding) their private parts and otherwise during their spouses' absence, because of what God has guarded, for them, when He enjoined their male spouses to look after them well."¹⁴

As we can see, the above logic discloses itself easily and smoothly: Good wives—without teaching or preaching—always maintain their chastity; in the case of those wives who intend to be bad, their husbands are responsible for maintaining their chastity.

Moreover, the word "*nushūz*,"¹⁵ which has been translated as "being disobedient," "rebellious," "recalcitrant," or "disloyal," means "violating and breaching the marital relationship by the wife through introducing a third party into her relationship with her spouse" (i.e. commit

ting infidelity). In other words, it means “unfaithful behavior which leads to an unlawful relationship outside of the marriage bond,” which calls for a series of actions in order to restore family unity and harmony to its regular constancy. It should be clear here that the aim is not to harm the wife but rather to warn her about the seriousness of the problem at hand.

The meaning of the word “*nushūz*” has been explained by the words of Prophet Muhammad on two occasions. First, when he affirmed that, “the best women (wives) are those who protect you in your absence in their persons and your property,”¹⁶ and then he recited verse 4:34, which means that the guardianship of a husband consists of preserving his wife’s chastity. Second, Prophet Muhammad confirmed this meaning in his farewell sermon (*khutbat al-wada’ā*) when he said, addressing men: “... you have the right that your wives do not have sexual intercourse with anybody but you,” and then he recited, paraphrasing verse 4:34, “... if you fear their infidelity admonish them, and do not sleep with them and hit them in a way that you do not injure them ...”

In addition, Prophet Muhammad emphasized that the best Muslims are those who are best to their wives: “the believers who show perfect faith are those who have the best character, and the best of you, are those who are best to their wives.”¹⁷

The Distortion of Qur’anic Concepts Produces Injustice against Women

In summary, this verse asserts that the only justification for a husband to use physical force against his wife is tied to her anticipated unfaithfulness, while aiming to preserve marital values. This permission is granted to him as a third option after admonishing her and after abandoning her in the marital bed. Logically, if the wife intends to violate

13 Muhammad Asad, *The Message of the Qur’an* (Gibraltar: Dar al-Andalus, 1980).

14 Jalāl al-Dīn al-Ṣuyūṭī, *Tafsīr al-Jalālayn*, trans. Feras Hamza (2008), <http://www.aalabayt.org> (accessed September 10, 2011).

15 The verb (*nashaza*) is used to explain a behavior that makes a stable system unsettled.

16 Al-Tirmidhī *Sunan*, #3095

17 al-Tirmidhī, *Sunan*, #628

the sacred marital bonds by getting involved in an illegitimate relationship with another man, she has the choice then to get divorced, but she cannot continue under any circumstances in the sinful relationship.

Nowadays, the force that a husband can impose upon his wife to prevent her from such behavior could be demonstrated in a different manner. For example: depriving her from the tools that help with the continuation of such an illegal relationship, such as a mobile phone, vehicle, the Internet, etc.

As a result, interpreting “*nushūz*” as being the wife’s refusal to have a sexual relationship with her husband is irrelevant, because this issue could not be solved by asking her husband not to sleep with her. This is obviously an illogical solution.

Men are responsible (*qawwām*) for keeping their wives satisfied sexually and financially in order to protect them from being unfaithful to them (*nāshiz*). If the wife established a relationship with another man because her husband did not fulfill his duty well, then he is also to be blamed and is liable to rectify the harm that he had caused.

In brief, in some rare cases, some wives have sexual desires or financial needs that are not fulfilled by their husbands and it may lead them to commit some acts of infidelity. It is the husband’s duty to fulfill these needs and stay fully attentive and alert to guard this sacred relationship by protecting his wife from becoming engaged in a forbidden relationship with another man.

On the contrary, it is not the wife’s duty to prevent her husband from having a legal relationship with another woman (wife), because (some men) have been granted the permission—for special or historical reasons—to have more than one wife (polygamy). This is not allowed for women no matter what the condition is (in order to safeguard and protect the lineage and family values).

The good wives (*sāliḥāt*) know that they should devote themselves sexually to their husbands without being taught and without any guardianship from their husbands. Yet, there are some exceptions to this situation, where there are some wives who are about to become unfaithful to their husbands by an act of recalcitrance and by violating the sacred marital relationship by introducing a third party into an inherently dual relationship. This dangerous situation calls for the husband to prevent his wife from performing such an act (under the supervision of the social community).

First and foremost, the husband should act in secrecy in order to maintain his wife's dignity and reputation. As stated earlier, he starts by admonishing her, then by not having any sexual relations with her. He should deprive her from all elements of contact or the supporting tools of the sinful relationship. Finally, if the aforementioned actions do not rectify the situation, the husband can practice any rational yet severe means that will help in restraining her (whether on his own or through an organization that specializes in dealing with such cases).¹⁸ If she obeys her husband then there will be no need for any severe measures to be taken against her or any acts of symbolic or actual violence.

In summary, the analysis of this verse (4:34) refutes the persistent belief that God in his divine book has ordered men to beat women because men are superior to them, and consequently women cannot have dominant roles over men in any sphere of activity!

In fact, as has been stated earlier in this article, this verse actually prohibits any act of violence against a woman except in a single case, that is infidelity, and even then this act should be performed under the supervision of a proper judicial system and process and only after failing to prevent her through the other means advocated in verse 4:34.

The question that imposes itself now is:

How did a very singular remedy to a very particular case (the wife's infidelity) that prevents a husband from becoming a "cuckold" and a wife from turning into an "adulteress," turn into a stick or a weapon in men's hands to perpetrate acts of violence against all women?

Recommendations

The following recommendations address the above-mentioned misrepresentations and the consequent grievances:

Modify, amend, and change family law articles that contain an incorrect definition of the word "*nushūz*" and legitimize the "beating" of women for any reason, when this should be restricted to extreme cases such as those of open lewdness, and applied only under communal and legal control.

¹⁸ The author appears to be suggesting the formation of civic organizations to deal with marital discord and, in this case, transgressions.

Put an end to male dominance over women, and to depriving them (women) from having decision-making positions under the illusion that this attitude is dictated by the term (*qawwāmūn*), and avoid using the concept of (being obedient) inappropriately in the “marriage contract,” which has been drafted in the form of a “sales contract” that results in keeping the wife under the domination of the husband.

Husbands’ and wives’ rights and obligations should be stated and documented very clearly in the “marriage contract” in order to establish a proper understanding of their rights and obligations in accordance with the Qur’anic verses, and to ensure that wives receive all their rights.

Condemn any illegal sexual relationship (for both parties). Also condemn any violence against women, because if force can be used solely in the case of preserving a wife’s fidelity, even then it is meant as a deterrent and definitely not as a means of justifying physical or emotional abuse.

The concept that the Qur’an has established in this verse is to protect the morality of society as a whole, and to stress that using force to prevent adultery should be considered a last resort, not a means to take revenge on a wrongdoer. All these actions should be supervised through legal, social, and human rights organizations which have expertise in handling marital conflicts.

Relevant organizations should intensify their efforts to increase awareness through public workshops and courses, and by offering psychological therapy and matrimonial counseling in a systematic and professional way so as to minimize the occurrence of cases that may result in the use of force.

Jerusha Tanner Lamptey

*From Sexual Difference to
Religious Difference:
Toward a Muslima Theology
of Religious Pluralism*

In the contemporary Islamic discourse on religious pluralism, a number of provocative and pointed questions about the existence, value, and functionality of religious diversity are raised. What does the Qur'an say about Judaism, Christianity, and other religions? Is Islam the only "valid" religion in the present time? Are all religions particular expressions of an ineffable divine unity? Is Islam the only acceptable and salvifically effective path? Or are there multiple paths? While seemingly varied, these questions all revolve around one central concern: the identification and evaluation of difference. Perhaps more significantly, these scholarly approaches demonstrate a shared conception of difference as that which divides humanity through the erection of clear, static, and impermeable boundaries. This particular conception of difference, I contend, has led to a practical and theological gridlock. In order to address this gridlock, it is necessary to search for an alternative conception of difference, a conception that is not premised upon discrete and fixed boundaries.

One potential resource for such an alternative conception of difference is the work of Muslim women interpreters of the Qur'an. Muslim women interpreters of the Qur'an—in particular Amina Wadud, Asma Barlas, and Riffat Hassan—are an essential resource for two cen-

tral reasons. First, women—whether silent, silenced or unheard—have generally suffered from interpretative “voicelessness” within Islamic history; the Islamic interpretative tradition has historically been dominated and controlled by men. Thus, the mere inclusion of a largely excluded voice has the potential to proffer new insights. Second, the central interpretative task of these scholars is the elucidation of a Qur’anic conception of human difference, specifically sexual/biological difference. Certain elements of this conception of difference can be generalized and utilized as a guide in articulating other conceptions of human difference, in the case of this essay, religious difference.

I will begin this essay with a brief sketch of two dominant trends and the shared conception of religious difference in contemporary Islamic discourse on religious pluralism. After highlighting the shortcomings of this conception, I will then explore the manner in which Muslim women interpreters of the Qur’an depict human difference. I will conclude by indicating ways in which their specific conception of difference can guide the articulation of an alternative formulation of religious difference, thus forming the basis of the novel approach I have termed a *Muslima* theology of religious pluralism.¹

Contemporary Islamic Discourse on Religious Pluralism

Contemporary Islamic discourse on religious pluralism is dominated by two trends.² The first trend is the prioritization of sameness over difference. In this trend, boundaries between different religions are seen as impediments to the ultimate goal of tolerant interaction; boundaries and difference create conflict. Thus difference is devalued and downplayed, while sameness is emphasized. Asghar Ali Engineer, for example, argues that the Qur’an is primarily concerned with “good deeds,” not “dogmas,” with general ethical action, not specific tenets of

1 I will not discuss the specific conclusions of a *Muslima* theology within this short essay. For more information, see my dissertation: “Toward a *Muslima* Theology of Religious Pluralism: the Qur’an, Feminist Theology and Religious Diversity” (Ph.D. dissertation, Georgetown University, 2011).

2 The treatment I present here is greatly simplified. I have written more extensively and critically on the various trends in contemporary Islamic discourse on religious diversity in “Embracing Relationality and Theological Tensions: *Muslima* Theology, Religious Diversity, and Fate,” in *Between Heaven and Hell: Islam, Salvation and the Fate of Others*, ed. Mohammad H. Khalil, 234–254 (New York: Oxford University Press, 2012) and in my dissertation.

belief.³ Similarly, Abdulaziz Sachedina stresses a universal, ethical *fitra* (natural orientation) over the specific, historical revelations to various communities.⁴ Interpreting the writings of Jalāl al-Dīn Rūmī, Mahmut Aydin also prioritizes sameness over difference when he contends that it is the general message of revelation that is vital, not the specific religious systems.⁵

The second prevailing trend in contemporary Islamic discourse is the attempt to simultaneously affirm both sameness and difference. In this trend, divisions and boundaries between religions are upheld in an effort to maintain the value and divine intentionality of difference. Religions are therefore depicted as bounded wholes that either do not—or ideally would not—interact at all or are related only through some sort of evaluative hierarchy. Seyyed Hossein Nasr, for example, envisions all religions as being connected to the Absolute in Itself (God), but religions, ideally and under normal conditions, remain discrete universes or frontiers.⁶ In Muhammad Legenhausen's work, divine revelation is acknowledged in other religions, but divine revelation also creates discrete communities that are deontologically commanded in successive and linear order without any overlap.⁷ In this trend, separation and/or hierarchical evaluation maintain boundaries and difference, and, although sameness is acknowledged, it is not permitted to eradicate or blur such boundaries.

While they offer an array of different perspectives, it is vital to note that both of these trends are based on the same conception of difference. They both conceive of difference as that which divides humanity through the erection of clear and static boundaries. It is this particular conception of difference that has led to a practical and theological gridlock, and that, as such, impels the search for alternative conceptions.

3 For example, Asghar Ali Engineer, "Islam and Pluralism," in *The Myth of Religious Superiority: A Multifaith Exploration*, ed. Paul Knitter, 211–219 (Maryknoll, NY: Orbis, 2005), 215.

4 For example, in Abdulaziz Sachedina, "The Qur'an and Other Religions," in *The Cambridge Companion to the Qur'an*, ed. Jane Dammen McAuliffe, 291–309 (Cambridge: Cambridge University, 2006).

5 For example in Mahmut Aydin, "A Muslim Pluralist: Jalaluddin Rumi," in Knitter, *Myth*, 220–236.

6 For example, in Seyyed Hossein Nasr, "Religion and Religions," in *The Religious Other: Towards a Muslim Theology of Other Religions in a Post-Prophetic Age*, ed. Muhammad Suheyl Umar, 59–81 (Lahore: Iqbal Academy Pakistan, 2008).

7 Muhammad Legenhausen, "A Muslim's Non-reductive Religious Pluralism," in *Islam and Global Dialogue: Religious Pluralism and the Pursuit of Peace*, ed. Roger Boase, 51–73 (Surrey: Ashgate, 2005). See also Muhammad Legenhausen, *Islam and Religious Pluralism* (London: Al Hoda Publishing, 1999).

*What's the Issue?
Proximity and Othering*

The work of Jonathan Z. Smith can help to clarify the implications—and shortcomings—of the shared conception of difference manifest in contemporary Islamic discourse. Smith intricately probes the construction of the “other,” describing the most basic view of the “other” as the binary opposition *We/They* or *In/Out*.⁸ He argues that this stark dualism is characterized by a preoccupation with clearly defined, impenetrable boundaries, limits, thresholds, and pollution. As such, the primary mode of interaction depicted by this binary opposition is a dual process of containment, i.e., keeping in and keeping out. The threshold or boundary therefore assumes great prominence as the symbol and marker of the division between insiders and outsiders.⁹

Smith, however, contends that othering is much more complex than this basic and clearly defined binary opposition. Othering actually involves four possible alternative stances to the “other”: like us, not like us, too much like us, and we are not like them. The most profound intellectual issues surround the third stance (too much like us), which he terms the proximate other in distinction from the distant other.¹⁰ Distant others (not like us) are so clearly distinguished that they are “insignificant” and “voiceless.” Since they are easily defined and contained, they require no exegetical effort. The proximate other, however, is much more complex and amorphous; it is the “other” who claims to be “you,” the “other” that is the same as “you” in at least some respects. As such, the proximate other presents a direct and perpetual challenge to the worldview and self-identity of the initial group, forcing ongoing modification, reconsideration, and redrawing of boundaries.¹¹ For Smith, therefore, the “other,” the different, is not that which is wholly distinct or discretely bounded. Difference—at least meaningful difference—is always relational, dynamic, and provocative.¹²

Neither trend in contemporary Islamic discourse effectively accounts for the complexity of this proximate other. The first trend par-

8 Jonathan Z. Smith, *Relating Religion: Essays in the Study of Religion* (Chicago: University of Chicago Press, 2004), 27, 230.

9 *Ibid.*, 231.

10 *Ibid.*, 245. These terms could connote spatial relationships, but Smith utilizes them primarily in a cognitive or conceptual manner.

11 *Ibid.*, 246.

tially addresses proximity by highlighting sameness, but neglects otherness by devaluing difference. The attempt to affirm both sameness and difference, conversely, neglects the full complexity of proximity by establishing clearly defined and distinct religious wholes that are either isolated from each other or ranked hierarchically. This is conceptually insufficient in light of an understanding of—and lived reality of—the religious other as the proximate other that blurs boundaries and compels ongoing, complex theological and practical consideration.

*Muslim Women
Interpreters of the Qur'an:
Conception of Difference*

Muslim women interpreters of the Qur'an—in particular Amina Wadud, Asma Barlas, and Riffat Hassan—present an integrated model for understanding human sameness and human difference, without resorting to a conception of difference as that which divides humanity through the erection of clear and static boundaries.

These Muslim women interpreters endeavor to return to the Qur'an in order to garner a more comprehensive understanding of the Qur'anic discourse on men and women. This reinterpretation is largely impelled by the social and historical realities of women and the related patriarchal interpretations of Islamic sources. Such patriarchal interpretations, according to Barlas, are grounded in a binary conception of sexual differentiation, which presents man as the primary "subject" and woman as the wholly and completely "other."¹³ This conception is based upon the extension of sexual difference—meaning sexual biology—to an all encompassing category that determines all aspects of human ontology and establishes a "gender dualism" in which "biology (sex)" is confused with "its social meanings (gender)."¹⁴ This conception is problematic for two main reasons. First, it depicts one trait as determinative of all aspects—moral, social, ontological—

12 Ibid., 242.

13 Asma Barlas, *"Believing Women" in Islam: Unreading Patriarchal Interpretations of the Qur'an* (Austin, TX: University of Texas Press, 2002), 129. See also Wadud, "Towards a Qur'anic Hermeneutics of Social Justice," 42.

14 Barlas, *"Believing Women" in Islam*, 130.

of a specific group. Second, it not only conceives of the groups—men and women—as wholly distinct, but more specifically it depicts the groups as being in opposition.¹⁵ Thus, in this patriarchal conception that emphasizes difference only, men are the central human “subjects,” and women are everything that men are not. Difference is pervasive and situated in a fixed, static hierarchy.

Responding to this difference only conception, Wadud, Barlas, and Hassan begin their explorations by focusing on sameness rather than difference. All three of these scholars commence with a discussion of the Qur’anic discourse on “the origin and nature of human creation,” in hopes of undermining the “notions of radical difference and hierarchy” that characterize the exclusive focus on sexual difference.¹⁶ According to Hassan, the fact that it is generally considered “self-evident that women are not equal to men who are ‘above’ women or have a ‘degree of advantage’ over them” is intimately related to certain pervasive theological assumptions about creation.¹⁷ Hassan identifies three such assumptions: that man is God’s primary creation; that woman was the cause of the Fall of mankind; and that woman was “created not only *from* man but also *for* man.”¹⁸ In an effort to understand the foundations of—and deconstruct—these assumptions, Hassan formulates three guiding questions: How was woman created? Was woman responsible for the Fall?, and Why was woman created?¹⁹ These questions guide her analysis, leading her to emphasize “undifferentiated humanity,”²⁰ the absence of a concept of the “Fall” in the Qur’an, and equal status and responsibility for both men and women. Hassan summarizes her analysis, stating,

Not only does the Qur’ān make it clear that man and woman stand absolutely equal in the sight of God, but also that they are “members” and “protectors” of each other. In other words, the Qur’ān does not create a hierarchy in which men are placed above women, nor does it pit men against women in an adversary relationship.²¹

15 Ibid., 131.

16 Ibid., 133.

17 Riffat Hassan, “Feminism in Islam,” in *Feminism and World Religions*, eds. Arvind Sharma and Katherine K. Young, 248–278 (Albany, NY: State University of New York Press, 1999), 253.

18 Riffat Hassan, “Muslim Women and Post-Patriarchal Islam,” in *After Patriarchy: Feminist Transformations of the World Religions*, eds. Paula M. Coe, William R. Eakin, and Jay B. McDaniel, 39–64 (Maryknoll, NY: Orbis, 1998), 44.

19 Hassan, “Muslim Women and Post-Patriarchal Islam,” 46.

Wadud is concerned with similar assumptions and, consequently, explores four creation related Qur'anic concepts (*āya*, *min*, *nafs*, and *zawj*),²² as well as the Qur'anic discourse on the Garden of Eden²³ and the Hereafter.²⁴ Based upon this, Wadud confirms Hassan's analysis, arguing that there is no distinction between men and women in regards to their creation, their status as subjects of divine guidance, or their status as recipients of rewards or punishments.²⁵ In other words, every individual is created in the same manner. At the time of creation, every individual is placed into the same direct and intimate relationship with God. And, every individual has the same potential for reaping rewards or punishments in the Hereafter. In surveying the "ontology of a Single Self," the ontology of the *nafs*, Barlas arrives at the same conclusion: "men and women originate in the same Self, at the same time, and in the same way; that is, they are ontologically coeval and co-equal."²⁶

By focusing initially on sameness, Wadud, Barlas, and Hassan advance three main conclusions. First, there is no inherent hierarchy in the human creation; the *nafs*, or humanity, was created as one without differentiation. Second, the conception of the *zawj*, or pair, does not imply derivative status or an oppositional relationship. Rather, a pair is conceived of as two "equally essential" forms of "a single reality ... two congruent parts formed to fit together."²⁷ Third, women are not responsible for a rift between humanity and God, as no such collective rift exists within the Qur'an and culpability is assessed on an individual basis. Furthermore, women do not exist in a collectively mediated or indirect relationship with God.

While Wadud, Barlas, and Hassan all initiate their reinterpretations by focusing on sameness, they do not aim to replace the difference only approach with one based upon sameness only. In fact, an exclusive emphasis on sameness is deemed to be as "equally phallogocentric"²⁸

20 Hassan, "Feminism in Islam," 255.

21 *Ibid.*, 262.

22 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Texts from a Woman's Perspective* (New York: Oxford University Press, 1999), 17–20.

23 *Ibid.*, 23–25.

24 *Ibid.*, 44–53.

25 *Ibid.*, 15.

26 Barlas, "Believing Women" in Islam, 136.

27 Wadud, *Qur'an and Woman*, 21.

28 Barlas, "Believing Women" in Islam, 132.

as the emphasis on difference alone. As with difference, if sameness is considered in isolation, sameness is extended to all aspects of human ontology, thus obliterating or ignoring vital and valuable difference. Furthermore, a sameness only focus extends one norm to all individuals and groups.²⁹ According to Barlas, even in a sameness only approach, man remains the normative “subject” and woman remains the “other.” Thus the male norm is generalized and presented as a universal human norm, a “paradigm to define women.”³⁰ The affirmation of a shared egalitarian humanity, therefore, does not result in an understanding of humanity as homogeneous. These scholars acknowledge differences between men and women; they are not interested in denying—or reducing—difference. However, they are interested in contesting the “pervasive (and oftentimes perverse) tendency to view differences as evidence of inequality”³¹ and the resultant hierarchy, which has customarily depicted women as inferior, derivative, and in an indirect relationship with God.³²

The alternative approach articulated by Muslim women interpreters aims to affirm sameness and to “think of difference itself differently so as to de-link it from biology and also from social hierarchies and inequalities.”³³ This conception of difference, in contrast to the difference alone approach, does not ascribe sexual difference to essential human nature.³⁴ As should be readily apparent from the preceding discussion of human creation, the essential human nature is universal in men and women. This being said, difference is not depicted as degeneration from an original and perfect state of unity and sameness. As expounded upon by Wadud in her analysis of *Sūrat al-nisā’*, God created the undifferentiated *naḥs* and then the *zawj*.³⁵ This indicates that difference was also divinely intended. If difference is not a result of degeneration and is divinely intended, then it is something that should not be eradicated; “by representing differences as an expression of God’s Will ... the Qur’an ... establishes the inappropriateness of trying to erase or obliterate them.”³⁶

29 Amina Wadud, “Towards a Qur’anic Hermeneutics of Social Justice: Race, Class and Gender,” *Journal of Law and Religion* 12, no. 1 (1995–1996): 37–50, here 42.

30 Barlas, “Believing Women” in *Islam*, 132, 11.

31 *Ibid.*, 5.

32 Hassan, “Feminism in Islam,” 264.

33 Barlas, “Believing Women” in *Islam*, 132.

34 Wadud, *Qur’an and Woman*, 7, 15.

35 *Ibid.*, 19–20.

Divine intentionality also implies value and purposefulness, and for these scholars that value or purpose is defined in terms of functionality, mutuality, and complementarity.³⁷ Difference is not conceived of as something that divides or establishes bounded groups. On the contrary—through the examination of the Qur’anic themes of divinely intended “dualism” and diversity in creation³⁸—they envision difference as the impetus to and basis of a unique form of relationality in which neither particularity (maleness or femaleness) is automatically privileged, but where the two are ideally engaged in a relationship of mutual benefit and functionality.³⁹

While sexual difference serves a functional and relational purpose, it never serves as the basis for hierarchical differentiation between people. Sexual difference differentiates “laterally”—meaning it distinguishes individuals without ascribing value—but it does not differentiate “hierarchically.”⁴⁰ Individuals are not assessed on the basis of their biology; “sex is irrelevant.”⁴¹ Wadud and Barlas aver that the only basis for differentiating hierarchically between individuals is *taqwā*, or piety.⁴² *Taqwā* is tied to and assessed on the individual level, rather than based on affiliation with a particular group, i.e., men or women. This, however, does not mean that an individual can strive for or achieve *taqwā* in isolation. *Taqwā* is always defined in the context of multiple relationships. Every individual is capable and responsible for him or herself,⁴³ but capacity and responsibility can only be actualized in relation to God, oneself, and other humans. The importance of this relationality is reflected in the structure of Wadud’s reinterpretation. She begins with human origins and creation (the relation of human to God), moves to discuss women as individuals (human to self), then women in the Hereafter (human to God), and finally the “rights and roles” of women in the social context (human to human).

Wadud’s discussion of *taqwā* also provides a concise summary of the overall conception of difference espoused by these Muslim women interpreters of Qur’an. Interpreting *āya* 13 of *Sūrat al-Hujūrāt*,⁴⁴

36 Barlas, “Believing Women” in Islam, 146.

37 Wadud, *Qur’an and Woman*, 65.

38 Ibid., 20–23.

39 Hassan, “Feminism in Islam,” 265; Barlas, “Believing Women” in Islam, 179; Wadud, *Qur’an and Woman*, 8, 102.

40 Barlas, “Believing Women” in Islam, 145.

41 Ibid., 11.

42 Ibid., 143; Wadud, *Qur’an and Woman*, 37.

43 Barlas, “Believing Women” in Islam, 144.

Wadud states that

[i]t begins with creation. Then, it acknowledges the pair: male and female. These are then incorporated into larger and smaller groups ... ‘that you may know one another.’ ... The culmination of this verse and its central aspect for this discussion is ... *taqwā*.⁴⁵

In summary, the model presented by Muslim women interpreters dismisses a focus on difference in isolation; begins with sameness; acknowledges intentional difference; conceives of the relationship between sameness and difference as purposeful and functional; and concludes with the assertion that evaluative differentiation is possible only on the basis of individual *taqwā* as manifest in a multifaceted series of relationships.

*Sameness, Difference(s),
Relationality: Toward a Muslima
Theology of Religious
Pluralism*

The various elements of the model presented by Muslim women interpreters of the Qur’an can be generalized and applied to the topic of religious difference, thus revealing unique insights and proffering strategies for overcoming the shortcomings evident in contemporary Islamic discourse on religious pluralism. While it is beyond the scope of this essay to fully examine definitive conclusions, in this section, I will highlight five insights and trajectories of analysis suggested by the generalization and extension of their model.

*1. Radical Difference
Is Not an Option*

As in the discussion of sexual difference, an approach that emphasizes radical and oppositional difference between religions will be critically dismissed. Such an approach depicts one religion as the positive “subject” and all other religions as wholly and oppositionally “other.” There is only one “true” or salvifically effective religion—the apex in

44 Qur’an 49:13.

45 Wadud, *Qur’an and Woman*, 37.

a static religious hierarchy—and all others are false and without value. Religions are envisioned as clearly defined and separate wholes; the boundaries between religions are unambiguous. As such, there is no sameness—or proximity—for which to account; there is only pervasive otherness. Moreover, individuals are assessed based only upon their affiliation with a specific religion, and since religions are situated in a rigid hierarchy, that assessment is automatically ascribed.

Although the focus on radical difference is not a common perspective voiced in the contemporary Islamic discourse on religious pluralism, it is a prominent historical perspective that retains influence in Muslim communities in general through the widely disseminated writings of scholars such as Ibn Taymiyya and Ibn Kathīr.⁴⁶ It is also an approach that clearly perpetuates—and even amplifies—the problematic conception of difference as that which divides humanity through the erection of clear and static boundaries.

2. *Human Sameness (Creation and Human Nature) as the Starting Point*

The attempt to understand religious difference, therefore, will begin by focusing on and understanding the complexity of human sameness, or theological anthropology, as described in the Qur'anic treatment of creation and human nature. This initial focus will highlight similar conclusions as those voiced by Wadud, Barlas and Hassan, although the primary intention will not be to affirm the equal status of men and women but rather the equal status of all individuals irrespective of their ultimate religious affiliation. All people are created by God, in the same manner, with the same capacities and the same purpose.

Such assertions, however, will raise a variety of intricate questions. What does it mean for all of humanity to be the subject of God's guidance, as argued by Wadud, Barlas, and Hassan? Does that guidance come only in the Qur'an or are there multiple forms of guidance, many of which are instilled in humanity at the time of creation? If there are other faculties capable of guiding, how do they relate to rev-

46 For example, see Aḥmad ibn 'Abd al-Ḥalīm ibn Taymiyya, *Jawāb al-ṣāḥiḥ li-man baddala dīn al-Masīḥ* (Egypt: Maṭba'at al-Nīl, 1905); Aḥmad ibn 'Abd al-Ḥalīm ibn Taymiyya, *Ibn Taymiyya's Struggle Against Popular Religion with an Annotated Translation of His Kitāb iqtidā' aṣ-ṣirāṭ al-mustaqīm mukhālafat aṣḥāb al-Jahīm*, ed. and trans. Muhammad Umar Memon (The Hague: Mouton, 1976); Ismā'īl ibn 'Umar ibn Kathīr, *Tafsīr al-Qur'ān al-aẓīm* (Beirut: Dār al-Fikr, 1987).

elation? In other words what is the understanding of the relationship between creation and revelation? Does revelation complete creation? Do created faculties only get you so far, and then revelation completes the guidance? Does revelation “save” humanity from a particular incapable status? Or does revelation *remind* and *complement* what is given with creation?

3. Sameness Alone Is Not an Option

While the exploration will begin with sameness, it will not deal with sameness only. Such a focus will fall under as equal scrutiny as an exclusive focus on difference. Whereas the focus on radical difference ignores or denies any sameness—proximity—a focus on sameness alone ignores or devalues difference—otherness. This is the precise critique that has been made of the first trend in contemporary Islamic discourse; the prioritization of sameness results in the downplaying of vital differences, especially in terms of the social and practical manifestations of religion. These particularities of religious practice are of utmost importance to the adherents of religious traditions, and thus cannot and should not be overlooked.

As Muslim women interpreters stress, the insular focus on sameness is also frequently an approach in which a particular norm is presented as a universal norm. For example, a norm drawn from one religion is presented as a general standard for all religions. What is intriguing is that with the focus on radical difference, a similar projection of a particular norm takes place. Notably, however, with radical difference, the particular norm is explicitly acknowledged to be particular. The norms, beliefs, practices, and goals of one religion are presented as the evaluative standard for all other religions. With the focus on sameness alone, a similar process takes place; the norms of one religion are presented as a universal standard. However, this is done implicitly and perhaps therefore even more detrimentally. When Aydin, for example, stresses the general “message” over a specific system, what is that general message and from where does it derive? Likewise, when Engineer emphasizes the centrality of “good deeds,” from where does he derive his definition of good deeds?

4. *Thinking of Difference Differently*

Therefore, while maintaining the foundation of sameness that comes from a universal human creation and nature, it is essential to simultaneously acknowledge and examine religious difference. This is the intention of scholars who align with the second dominant trend in contemporary Islamic discourse, the attempt to simultaneously affirm both sameness and difference. However, in contrast with that trend, this new model will not employ hierarchy or isolation as a means for comprehending the simultaneous existence of human sameness and religious difference. Moreover, religious difference will not automatically be construed as evidence of inequality or an indirect relationship with God. It will be necessary to think of difference differently.

The attempt to simultaneously affirm both sameness and difference will therefore be grounded in an intricate examination of Qur'anic descriptions of religious diversity (the diversity of revelations) as divinely intended.⁴⁷ If religious diversity is intentional, then it necessarily follows that it is non-degenerative and purposeful. If religious diversity was willed by God, it cannot be understood as the product of human straying, corruption, or deviation. It also cannot be understood as something that should be eradicated.

What then is the purpose of divinely intended religious difference? Various Qur'anic passages describe this purpose as "knowing each other" and/or "competing in good works."⁴⁸ Similar to Muslim women interpreters' depiction of sexual difference, these statements appear to depict religious difference as having an indispensable relational purpose. While some contemporary scholars have highlighted these verses, few have offered substantive analysis of their meanings and implications. What is the goal of "knowing each other"? What is gained through such a process? What does competing mean? Who is competing? Religious communities, other communities, or individuals? These questions must be further examined in order to gain a more comprehensive understanding of the relational purpose of divinely intended religious difference. What is important to note however is that in approaching religious difference as relational, difference can no longer be conceived as erecting fixed boundaries between groups.

47 For example, Qur'an 2:213 and 30:22.

48 Qur'an 49:13 and 5:48.

Relational difference is that which compels—or propels—interaction across boundaries; relational difference is proximate otherness.

5. *Distinguishing between Lateral and Hierarchical Difference*

Divinely intended religious difference (the difference introduced through various revelations), however, is not the only type of religious difference discussed in the Qur'an. The Qur'an does not only discuss religious difference that is intentional and purposeful, it also offers an evaluation—both positive and negative—of other types of religious difference. The latter is manifest, for example, in the Qur'anic discourse surrounding the concepts of *īmān* (belief), *islām* (submission), *kufṛ* (disbelief), *shirk* (associationism), and *nifāq* (hypocrisy).

The model drawn from Muslim women interpreters provides an invaluable insight in this regard. Muslim women interpreters distinguish between two types of Qur'anic difference, lateral and hierarchal. Lateral difference is divinely intended and, as such, never serves as a basis of evaluation. Hierarchical difference, on the other hand, is affiliated with *taqwā* (piety) and is the basis of hierarchal assessment. Divinely intended religious difference, religious difference that results from different revelations, therefore can be seen as lateral difference. The evaluative discourse on *īmān*, *islām*, *kufṛ*, *shirk*, and *nifāq* can be seen as a detailed discussion of various manifestations—or non-manifestations—of *taqwā*, as various manifestations of hierarchical difference. What is key, though, is that *taqwā* is only assessed on the individual level; evaluation is not automatically ascribed on the basis of communal affiliation. Therefore, while there is hierarchical assessment of *taqwā*, this assessment is not confined to or defined by the boundaries between divinely intended religious communities. In other words, lateral and hierarchical difference do not necessarily correspond. Hierarchical religious difference can cut across and through categories of lateral religious difference. It will be indispensable to examine the manner in which the Qur'an describes the various dynamic intersections between lateral and hierarchical religious difference.

Conclusion

The preceding insights form the foundation of a *Muslima* theology of religious pluralism. While I have not discussed the specific contentions or hermeneutical approach of a *Muslima* theology in detail, I have aimed to demonstrate the need for an alternative conception of religious difference that transcends the fixation on static boundaries and is capable of accounting for the proximate religious other. I have also argued that the approach and model proffered by Muslim women interpreters of the Qur'an in their investigation of sexual difference can be generalized and extended to the topic of religious difference. This model—which incorporates sameness, difference, and relationality—has the potential to overcome the present gridlock and reveal novel and creative possibilities in contemporary Islamic discourses on religious pluralism.

Debra Majeed

*Resisting the Veil of Universalism: Muslim Womanist Philosophy as a Lens for Authentic Representations of African American Muslim Women*¹

From the moment I took my *shahāda*—the Islamic declaration of faith—in 1998, and formalized my journey to Islam from Christianity, I realized that whatever theoretical paths I would traverse, I might first have to clear a course myself or revise one developed by others. From conversations with African American Muslim women who guided my matriculation in Islam to explorations of the history on African American Muslim life, I became convinced that identity formation, cultural tradition, and religious representation can be as contextually-determined as they are intertwined. As Sherman Jackson has observed, “self-definition is always and fundamentally a social cum political act; it is never a purely intellectual one.”²

This essay builds upon my religious and intellectual journey as the impetus for a framework that would “reclaim, enhance, and produce thoughtful explorations of African American Muslim life,” with-

1 I appreciate the assistance of my writing partners, Beatrice McKenzie and Linda Sturtz, who reviewed and commented on drafts of this essay.

2 Sherman A. Jackson, “Muslims, Islamic Law, and the Sociopolitical Reality in the United States,” *American Journal of Islamic Social Sciences* 17, no. 2 (2000): 2.

out disguising the particularity of African American approaches to Islam as the universality routinely accorded to black Christianity.³ It introduces a new framework—Muslim womanist philosophy—as an apt approach for the study of African American Muslims, particularly the lived realities of Muslim women and the multiple identities they strive to balance. While underscoring the complex and multilayered nature of black religiosity, I also draw attention to some of the strategies Muslim women use to negotiate the categories of woman, African American, and Muslim in America.⁴ In the process, I argue that the sites of struggle of African American Muslim women and their conscious integration of religion in their daily lives offer insight into the three worlds they traverse: the mosque, the black community, and American society.⁵ The absence of sustained scholarly attention on the lives of African American Muslims suggests that a number of important religious and cultural issues related to black spirituality remain unaddressed. Moreover, for researchers to present a comprehensive view of African American Muslim life, they must look beyond the veil of Christianity. Indeed, African American Muslim women serve as a point of resistance to monolithic views of black women and religion.

A Scholarly Journey to Islam

My academic work began in the field of religious and theological studies at Northwestern University and Garrett-Evangelical Theological Seminary in 1995. Prior to the completion of my qualifying exams and dissertation proposal, my theorizing about theology and the experiences of African American women was driven by “Protestant-derived templates of religion.”⁶ My “teachers” were, for the most part,

3 Elsewhere I have explored Muslim Womanist Philosophy as “an interpretation of reclamation.” See Debra Mubashshir Majeed, “Womanism Encounters Islam: A Muslim Scholar Considers the Efficacy of a Method Rooted in the Academy and the Church,” in *Deeper Shades of Purple: Womanism in Religion and Society*, ed. Stacey M. Floyd-Thomas, 38–53 (New York: New York University Press, 2006).

4 No Arabic equivalent exists for the English term “conversion,” yet some Muslims do use the term to describe their journey to Islam. Also common for new Muslims is speaking of their religious conversion as “becoming Muslim” or “reverting.”

5 Tabassum Ruby introduced me to this concept in her thoughtful exploration of identity formation among immigrant Muslim women in Canada. See “Who Am I and Where Do I Belong? Sites of Struggle in Crafting and Negotiating Female Muslim Identities in Canada,” in *HOME/BODIES: Geographies of Self, Place, and Space*, ed. Wendy Schissel, 27–45 (Calgary, AB: University of Calgary Press, 2006).

first- and second-generation womanist scholars and Christian women—most engaged in pastoral ministry in their local congregations. In monographs, essays, and public presentations, Katie G. Cannon, Renita Weems, Emilie Townes, Cheryl Kirk Duggan, Delores Williams, Cheryl Saunders, and others appropriated Alice Walker's definition of womanist, and brought into the academy this interpretative framework that expresses African American female consciousness beyond the boundaries of white or black feminism.⁷ While mining Walker's theoretical approach as a new Muslim, I began to wrestle with the possibility of recognizing representations of black women beyond the Christian context. That is, I began to understand a womanist to be an African American woman who resembled the African American Muslim women I had encountered while conducting research among more than a dozen Muslim communities. That is, they confirmed for me that a womanist exhibits "outrageous, audacious, courageous, or willful behavior"; wants "to know more and in greater depth than is considered 'good' for one"; and is "responsible, in charge, serious"; "committed to survival and wholeness of entire people male and female"; and is "not a separatist, except periodically for health."⁸

My journey towards depingularizing black religiosity consciously began with a self-focused desire: I wanted to meet and marry a religious African American male. For the first forty years of my earthly existence, I limited myself to spiritual and intellectual discourses grounded in Christianity—for the most part, in its evangelical forms. That is, my socialization conditioned me to believe that non-Christians were relevant only as prayer subjects, and any religious tradition other than Christianity lacked legitimacy. Yet, decades of Protestant church involvement and exposure to non-denominational, Baptist, United Methodist, and Pentecostal congregations that were predominately or entirely African American confirmed for me that I was unlikely to meet my future husband in a church setting. At the same time, I be-

6 Rosemary Hicks, "The Question of Authority: Deracinating Race, Repositioning Religion, and Regenerating Gender in the History of African American Islam: A review essay of Sherman A. Jackson's *Islam and the Blackamerican: Looking Toward the Third Resurrection*," *Comparative Islamic Studies* 4, nos. 1–2 (2008): 219.

7 See Alice Walker, *In Search of Our Mothers' Gardens: Womanist Prose* (New York: Harcourt Brace Jovanovich, 1983).

8 *Ibid.*, xi–xii. Some may argue that my selectivity in regards to the parts of Walker's definition I chose to incorporate denies the presence of queer Muslims. While the issue of homosexuality among Muslims continues to be a highly charged one, my choices more accurately reflect the realities of the African American Muslim women whom I have studied.

gan to read about local arrangements for the visit of a Nation of Islam (NOI) leader. Such media reports accompanied photographs of NOI temple activities and depicted the presence of a significant number of men. Kelly Brown Douglas, a womanist scholar, contends that “sometimes a person chooses a subject, and other times a subject chooses a person.”⁹ While still a Christian, I quickly discerned that my doctoral topic, African American formulations of Islam, had selected me.

As stated above, I did not consider Islam to be a viable religious path for any African American when I began my doctoral work. Even before the horrific events that occurred on September 11, 2001, I held negative views of Islam and Muslims. I knew no Muslims personally, nor was I aware of the lack of homogeneity among movements in the United States or across the globe. In particular, my “knowledge” of African American Muslims was restricted to news coverage of speeches by Louis Farrakhan and activities of his followers. I did not realize that W. D. Mohammed was Elijah Muhammad’s successor as leader of the *original* Nation of Islam, and that he led scores of individuals and communities onto the path of mainstream Islam.¹⁰ When Tabassum Ruby claimed that “knowing about oneself very much depends on the culture in which one lives,” I translated her theorizing into “I knew myself to be one striving for what was good, and that was nothing related to Islam.”¹¹ That is, I could not and did not engage in the act of “stripping away of all particularity”; I understood that anything short of what I considered to be normatively religious for African Americans—Christianity—to be an expression of deviancy.¹²

But, as my unrequited desire for marriage lingered, I began to question the future of the Black Church, an institution whose “backbone” is overwhelming female. Simultaneously, the upcoming visit to the area by a leader of the *contemporary* Nation of Islam fueled curiosity about what black people—especially black males—found attractive

9 Kelly Brown Douglas, “Introduction,” *Sexuality and the Black Church: A Womanist Perspective* (Maryknoll, NY: Orbis Books, 1999), 1.

10 I distinguish between the *original* Nation of Islam, or the movement that began in the 1930s and whose architect was Elijah Muhammad, and the *contemporary* Nation of Islam, which Louis Farrakhan began in the late 1970s after he could no longer support the leadership of Muhammad’s son and successor, W. D. Mohammed.

11 Tabassum Ruby, “Who Am I and Where Do I Belong? Sites of Struggle in Crafting and Negotiating Female Muslim Identities in Canada,” in *HOME/BODIES: Geographies of Self, Place, and Space*, ed. Wendy Schissel (Calgary, AB: University of Calgary Press, 2006), 27.

12 Paula M. Coeey, “Women’s Religious Conversions on Death Row: Theorizing Religion and State,” *Journal of the American Academy of Religion* 70, no. 4 (2002): 703.

about a movement that began as a sociocultural organization and is situated on the margins of both black America and the larger society. I contextualized the dilemma as “all the sisters are in the church, and all the brothers are in the nation. If the church is to survive, someone must move.”

Studying Muslims beyond the Veil of Christianity

As my research shifted to gender considerations from communal organization, I began to question the limits of legitimacy that I had placed around black spirituality. I soon discovered that the ethnographic research I was conducting among African American mosques in metropolitan Chicago was not common among scholarly approaches of black religion or Islam. That is, prior to 1997, African American Muslims rarely appeared as subjects in explorations of Muslim self-definition, and representations of religiosity in black America scarcely extended to Islam.¹³ Through personal experience and secondary research, I also came to recognize that depictions of womanist spirituality in the lived realities of African American women routinely positioned Christian perspectives as the norm for non-Christian experiences, leaving Muslim women without the opportunity to “language” themselves.¹⁴

What was needed, I surmised, was a framework that could challenge “the forms in which consciousness incarnates itself” about African American Muslim women, perhaps in some way returning to them the power of “naming” their reality.¹⁵ Methodologically, “naming” functions as the “product of dialogue” into which African Amer-

13 Prior to 1997, exceptions of published monographs included Aminah McCloud, *African American Islam* (New York: Routledge, 1995); Yvonne Yazbeck Haddad, ed., *The Muslims of America* (New York: Oxford University Press, 1991); C. Eric Lincoln, *The Black Muslims in America* (Toronto: S. J. Reginald Saunders and Co. Ltd., 1961); Martha F. Lee, *The Nation of Islam: An American Millenarian Movement* (Syracuse, NY: Syracuse University Press, 1996); Steven Barboza, *American Jihad: Islam After Malcolm X* (New York: Doubleday Image Books, 1994); Barbara Daly Metcalf, ed., *Making Muslim Space in North America and Europe* (Berkeley: University of California Press, 1996); Yvonne Yazbeck Haddad and Jane Idleman Smith, eds., *Muslim Communities in North America* (Albany, NY: State University of New York Press, 1994); C. Eric Lincoln and Lawrence H. Mamiya, *The Black Church in the African American Experience* (Durham, NC: Duke University Press, 1990).

14 Irene Monroe, “Response’ to Monica Coleman’s ‘Must I be Womanist?’” *Journal of Feminist Studies in Religion* 22, no. 1 (2006): 108.

15 Mary Daly, *Beyond God the Father: Toward a Philosophy of Women’s Liberation* (Boston: Beacon Press, 1985), 7, 8.

ican Muslim women enter on their own terms, bringing with them material realities born within the temporal, spatial, cultural, and religious context that is most authentic to them.¹⁶ They become subjects with agency, not objects upon whom realities and truths are imposed. In this dialogue, their changing status changes the nature of the discourse. Their experiences—their theological sensibilities as well as their daily living and marginalized status—serve as the source of meaning that helps observers formulate better understanding of black religiosity and African American Muslim life. As one scholar of Islamic intellectual history and philosophy has noted, “knowledge is the door to actualization and realization.”¹⁷ One such door for the production of knowledge about African American Muslims is Muslim womanist philosophy.

*Muslim Womanist Philosophy:
Mirroring Identity, Meeting a Need*

I created this approach as an alternative to viewing Muslim women and Islam through the veil of Christianity. After I became Muslim and began to examine Islam from the perspective of a former Christian, I realized how easily I could use Christian terminology or my Black Church experience as a starting point. For example, rather than consider the various ways in which female religious leadership exists in Muslim communities, I initially contrasted the absence of women as imams, or those who lead congregational prayers, with the pastoral opportunities open to women in many Protestant associations. After all, I had been a pastor, and now, as a Muslim, I considered my gender a barrier to religious leadership. I did not realize at the time that though racism and sexism exist in Muslim communities, many African American Muslim women have and are developing strategies to replicate the visibility of women in many black congregations. For them—and, now for me—religious leadership is not one dimensional, or exclusive to a specifically defined role. I also began to appreciate the motivations that compelled African American Muslim women to dress in a

16 Ibid., 8.

17 William C. Chittick, “Worship,” in *The Cambridge Companion to Classical Islamic Theology*, ed. Tim Winter, 218–235 (Cambridge: Cambridge University Press, 2008), here 234.

manner that appeared to be more modest than some of their Christian counterparts. Rather than view my new Muslim sisters as lacking agency or choice, I began to realize that attire should not be confused with liberation. You see, I was no longer an outside researcher observing a community I once characterized as “other.” Since I refused to accept the label of “other” for myself, I needed to develop another way to authentically view myself and other Muslim women. Thus, Muslim womanist philosophy responds to the gap between a *rhetoric* of experience imposed upon African American Muslim women and the *reality* of experience that denotes the lived realities of African American Muslim women.¹⁸

This framework can be labeled “*Muslim*” in that it begins with the experiential triad of Muslim life. How female practitioners of Islam live along with individual and communal exegesis may sometimes be oppositional but nevertheless, it routinely directs their daily living. It recognizes a “counterculture” that Paula Coeey describes as “a community with a distinctive system of values and practices aimed toward producing a specific identity among its members.”¹⁹ Some of the roots of this method can be described as “*womanist*” because they represent the sociopolitical conditions of African American women whose material reality is confounded by tri-dimensional oppression. In our case, oppression that results from race, gender, class, and religious biases. Muslim womanist philosophy furthers consideration of the diversity of African American religiosity by promoting a “new process of identification, the emergence into visibility of a new subject. A subject [African American Muslims] that was always there, but emerging, historically.”²⁰ *Philosophy*, the disciplinary home of rational investigations that considers questions about existence, knowledge, and ethics, as well as the meaning of fundamental religious assertions of truth, is my starting point.

In addition to the issues cited above, the foundational rationale for consideration of a new approach in the study of African Ameri-

18 Riffat Hassan speaks of the rhetoric and reality in reference to gender equality. See “Members, One of Another: Gender Equality and Justice in Islam,” <http://www.religiousconsultation.org/hassan.htm> (accessed May 10, 2011).

19 Paula M. Coeey, “Women’s Religious Conversions on Death Row: Theorizing Religion and State,” *Journal of the American Academy of Religion* 70, no. 4 (2002): 718.

20 Stuart Hall, “Old and New identities,” in *Culture, Globalization and the World-System*, ed. Anthony D. King, 31–68 (Minneapolis, MN: University of Minnesota Press, 1997), <https://pantherfile.uwm.edu/wash/www/102/stuarthall.htm> (accessed April 28, 2011).

can Muslim women responds to Mary Daly's promotion of methods that are "determined by the problem."²¹ In this case, the "problem" can be viewed in situational and contextual terms. This framework functions as an alternative to the methodological presence of at least two constructions of gendered power through which African American Muslim women usually enter the "imagination" of scholars of black religion and/or Islam.²² As will become obvious, African American Muslim women confront both patriarchy and invisibility differently from Christian and other Muslim women in terms of both perceived and actual reality.²³ *Religious patriarchy* manifests itself as control of the representation of one religious community based upon the perceived religious authority of another. The Protestant Church is perceived as the norm for African American religiosity. This control, one could say domination of space and discourse, can and has, although perhaps to a limited extent, influenced the practice of Islam as well as the ideological constructions of what is believed to be and what is regarded as "purely Islamic."²⁴

Another gender construct, *religious invisibility or marginalization*, can assume a peculiar correlate within Muslim communities as it speaks to the lengths to which the external bodies of African American Christians—and to some extent the embodied living of other Muslim women—are employed to speak for, in place of, or to shape the "materiality of existence" for African American Muslim women.²⁵ As a concomitant of religious patriarchy, this construct distinguishes African American Muslim women from other female Muslims born in the United States or elsewhere.²⁶ The lived realities of female Americans of African ancestry who become Muslim cannot be equated with the Western experiences of other Muslim women who do not share the experience of subjugation and humiliation in the United States because of their race. To claim otherwise seriously underestimates the effects of

21 Mary Daly, quoted in Gloria L. Schaab, "Feminist Theological Methodology: Towards a Kaleidoscopic," *Theological Studies* 62 (2001): 341.

22 I adapt the concept of "imagination" from the work of Schaab. *Ibid.*, 341–365.

23 I recognize the challenges embedded in the use of the term patriarchy.

24 Deniz Kandiyoti, "Islam and Patriarchy: Comparative Perspective," in *Feminist Approaches to Theory and Methodology: An Interdisciplinary Reader*, eds. Christina Gilmartin, Sharlene Hesse-Biber, Robin Lydenberg, 219–235 (New York: Oxford University Press, 1999), here 219.

25 Pamela Moss, book review of *Thresholds in Feminist Geography: Difference, Methodology, Representation, Economic Geography* 75, no. 2 (1999): 204.

26 The feminine form of the word Muslim.

Western social structures of oppression. These structures continue to question the authenticity of the faith claims of African American Muslims. In other words, the socialization of African American and other Muslim women in the United States can be as different as the everyday living of black and white women. Yvonne Haddad is a helpful resource for a better understanding of this dilemma. She notes:

Muslim women arriving from abroad have brought with them a variety of cultural expectations, shaped and influenced by the many different societies from which they have come ... In addition to carrying this complicated baggage, immigrant Muslim women have also needed to adjust to the realities of the American environment itself.²⁷

Moreover, the different contextual spaces in which African American Muslim women traverse at the level of belief and embodied reality are linked to a predominantly ahistorical consideration of the main tenets of Islam, their implications for women, and the response of the larger society to what its members regard as the manner in which women are regarded in Islam. The end result often becomes misrepresentations at best and, at worst, marginalization. This issue coupled with the more visible presence of ethnocentricity among some immigrant communities suggest that the realms African American Muslim women traverse can be viewed as “place-based politics” that are both situational and contextual, especially in regards to the covering of the female body and the seclusion of the female person. As intertwining constructs, both religious patriarchy and religious invisibility or marginalization come together as problems in need of theoretical attention. Muslim womanist philosophy critically responds to these gender constructs.

27 Yvonne Yazbeck Haddad, “Islam, Women, and the Struggle for Identity in North America,” in *Encyclopedia of Women and Religion in North America*, eds. Rosemary Skinner Keller and Rosemary Radford Ruether, 601–607 (Bloomington, IN: Indiana University Press, 2006), here 602.

*Womanist Religious Roots
in the Context of the Mosque
and the Church*

Muslim womanist discourse taps into the multifaceted, African American women's intellectual and religious tradition in four distinct spheres of influence. First, the works of Pulitzer Prize winning author Alice Walker, whose collection of essays first published in 1983, *In Search of Our Mothers' Gardens: Womanist Prose*, concretized a term with which generations of black women have been identified, "womanist." Conducting ethnographic research in the metropolitan Chicago, Atlanta, Los Angeles, Philadelphia, and Washington, DC areas, I encountered African American Muslim women—in body and spirit—who upheld the legacy bequeathed to them by Clara Evans Muhammad, wife of Elijah Muhammad and the only female to serve in the capacity of "Supreme Secretary" of the *original* Nation of Islam.²⁸ As I was invited into their public and private spaces and historical memories, I was introduced to women who were activists, homemakers, educators, religious leaders, entrepreneurs, photographers, real estate agents, therapists, administrators, fashion designers, and liaisons between their mosque, other religious institutions and the larger society. I encountered women who edited periodicals, established international organizations and created forums and support systems for new Muslim women as well as their immigrant sisters. Some of these sisters held academic achievements, including the highest degrees in their field. I discovered that as early as the 1930s, African American Muslim women waged battles to achieve gender equity in mosque functions and leadership positions. They protested against racism and other social injustices in their neighborhoods and, alongside the men in their lives, they were jailed. They supported each other against the tyrannical hands of deranged husbands and ignorant male leaders. In essence, they "talked back," picking up the language of bell hooks.²⁹ In short, these African American Muslim women behaved in *womanish* ways, even if they did not identify themselves as womanists.

28 As a historian, I view the self-representation of these women as a means of constituting themselves in the present "on the basis of the past that they remember, recall, and reenact." See Rita M. Gross, "Women and Religion: Methods of Study and Reflection," in *Encyclopedia of Women and Religion in North America*, eds. Rosemary Skinner Keller and Rosemary Radford Ruether, 3–10 (Bloomington, IN: Indiana University Press, 2006), here 6.

29 bell hooks, *Talking Back: Thinking Feminist, Thinking Black* (Boston, MA: South End Press, 1989).

The second—and closely connected to the first—influence for Muslim womanist philosophy was the intellectual activity of a number of African American female religious scholars who, in response to Walker, began to consider womanism as a site of critical inquiry and multi-dimensional analyses about black people, and, specifically, African American women. They launched a movement in the twentieth century whose branches continue to reach far and wide in the twenty-first century. Unlike the term feminism, these academicians—the majority of whom were self-identified Christians—recognized that womanism “is an African American concept” that “speaks to African American concepts of embodiment.”³⁰ It is a term that does not require the “preface” of black.³¹ In other words, womanism is a natural site for intellectual and activist discourse about the world of African American women. Contrary to anthropologist Carolyn Moxley Rouse, who questions whether womanism can “methodologically mediate the contradictions between universalism and particularism,” these first-generation womanists acknowledge the presence of creative tension, but their pioneering scholarship suggests that they see the particular and the universal in dialectical relation—each informing the other, each in possession of part of the truth.³² Thus, with regard to the interconnectedness of gender and Islam, Walker’s definition functions as a tool that helps African American Muslim women wrestle epistemologically, institutionally, and ritually with what it means to be who and what they are. In this way, Muslim womanist philosophy provides a framework for researchers to more fully articulate African American Muslim women’s “sense of uniqueness.”³³

30 Arisika Razak, “Roundtable Response to Monica Coleman’s ‘Must I Be Womanist?’” *Journal of Feminist Studies In Religion* 22, no. 1 (2006): 107.

31 Rufus Burrow, Jr., “Enter Womanist Theology and Ethics,” *The Western Journal of Black Studies* 22 (1998): 19–29.

32 To Carolyn Moxley Rouse, Muslim women can (and do) more easily identify with feminism. See *Engaged Surrender: African American Women and Islam* (Berkeley, CA: University of California Press, 2004). See also the following book-length works: Katie G. Cannon, *Black Womanist Ethics* (Atlanta: Scholars Press, 1988); Katie G. Cannon, *Katie’s Cannon: Womanism and the Soul of the Black Community* (New York: Continuum, 1995); Renita Weems, *Just A Sister Away* (San Diego: LuraMedia, 1988); Jacquelyn Grant, *White Women’s Christ and Black Women’s Jesus: Feminist Christology and Womanist Response* (Atlanta: Scholars Press, 1989); Emilie M. Townes, *Womanist Justice, Womanist Hope* (Atlanta: Scholars Press, 1993); Emilie M. Townes, ed., *A Troubling in My Soul: Womanist Perspectives on Evil and Suffering* (Maryknoll, NY: Orbis Press, 1993); Emilie M. Townes, *In a Blaze of Glory: Womanist Spirituality as Social Witness* (Nashville: Abingdon Press, 1995); Delores Williams, *Sisters in the Wilderness: the Challenge of Womanist God-Talk* (Maryknoll, NY: Orbis Press, 1993); Marcia Riggs, *Awake, Arise and Act: A Womanist Call for Black Liberation* (Cleveland: Pilgrim Press, 1994); Cheryl Sanders, *Living the Intersection: Womanism and Afrocentrism in Theology* (Minneapolis, MN: Fortress Press, 1995).

Clearly, the chief concern of this paradigm is to accomplish for Muslim women what Cannon and other womanists have endeavored to achieved for their Christian subjects: the documentation of the agency and moral formulas African American Muslim women construct and pass on to succeeding generations from within the social conditions of membership in both a racial class and religious group that are marginalized in the United States. The particularity of this double marginalization challenged me to search beyond the narrow theological and cultural boundaries of *Western Womanism*, a concept some may label “essentialist Womanism.”³⁴ The African heritage of my subjects led me to consider the resources of woman-centered ways of knowing and womanist hermeneutics drawn from the intellectual wells of Africana scholars, and to become acquainted with *Africana* womanism as formulated by Clenora Hudson Weems.

Like Cannon, Grant, and other first-generation womanists, Weems recognizes the potential of a womanist framework in the study of the religious experience. Although Weems’ womanism is socially constructed from the realities of Africana women, her method, she writes, deals with the “Diasporic African,” and is thus “an ideology created and designed for all women of African descent.” Indeed, I discovered that among her “descriptors” that speak to the lived experience of Africana women, at least five resonate with the realities of their Muslim sisters in the United States: “family centered,” “in concert with the Africana man in struggle,” “strong,” “spiritual,” and “adaptable.”³⁵ Although Weems is adamant that her approach is not “Walker’s womanism,” it is sufficiently flexible to serve as a critical resource for Muslim womanist philosophy. Together these methods translate into a *global* womanism for the construction of a womanist methodological approach and theoretical paradigm that serves as a “distinct trunk” dedicated to the study of Muslim women of African ancestry.³⁶

33 Herbert W. Harris, “Introduction: A Conceptual Overview of Race, Ethnicity, and Identity,” in *Racial and Ethnic Identity: Psychological Development and Critical Expression*, eds. H. W. Harris, H. C. Blue, and E. E. H. Griffith, 1–15 (London: Routledge, 1995), here 1.

34 Omaima Abou-Bakr, “Gender Perspectives in Islamic Tradition,” <http://www.minaret.org/gender.htm> (accessed December 4, 2011).

35 Clenora Hudson Weems, *Africana Womanism: Reclaiming Ourselves* (Troy, MI: Bedford Publishers, 1995), 154–155.

36 Debra Mubashshir Majeed, “Roundtable Response to Monica Coleman’s ‘Must I Be Womanist?’” *Journal of Feminist Studies In Religion* 22, no. 1 (2006): 118.

The cultural and moral contexts of the local mosque and the larger *ummah*, or body of believers, represent the third sphere of influence. The Islamic house of worship is called the masjid or mosque and is situated as the core of communal life and ritual practice for the world's 1.2 billion-plus Muslims—at least half whom are estimated to be women. Most African American Muslims “seized upon Islam as a moral, psychological, and spiritual jacket in the stormy sea of American racism.”³⁷ That is, the fight for social justice and equality that their moral sensitivities discharged in the societal arena, came with African American Muslim women into the mosque, and into their homes. Muslim womanist philosophy recognizes that the mosque experience of African American and other women is routinely viewed in monolithic terms, though in reality the difference can be substantial. Descriptive narratives of their mosque experiences and family lives and critical analytical accounts of what the religion and Muslim leaders say about women have much to teach us. They suggest that the historical lives and historical memory of African American Muslim women deserve a framework that enables a more authentic understanding of the physical connections that African American Muslim women share with their house of worship and the ritualized activities that they experience. Unlike many of their immigrant sisters, most African American Muslim women choose their religion for themselves in a secular Western environment, rather than adopt the traditions of their parents who were raised in a society of Muslims. American Muslim women also differ in how they choose or are permitted to participate publicly in the practice of their faith.

In African American Muslim communities, women traditionally attend the Friday congregational prayers, or *Jum'a*, and generally experience their mosques as accessible spaces in which they comfortably and visibly exercise religious leadership, albeit not usually as prayer leaders. Indeed, for African American Muslims, the mosque can resemble the “invisible institution”—the communal structure that later evolved into the Black Church—as space in which they educate themselves, strategize about politics and survival, consider scriptural interpretations, feed each other emotionally and spiritually, develop and exercise marketable skills, and meet potential life partners. This real-

37 Sulayman S. Nyang, “The Muslim Community in the United States: Some Issues,” *Studies in Contemporary Islam* 1, no. 2 (1999), <http://www.as.yzu.edu/~islamst/sample2.htm> (accessed May 11, 2011).

ity, however, is rarely visible in popular and scholarly reports about the widespread marginalization of female Muslims in mosques in the United States.

Furthermore, many African American Muslim women argue that their mosques would not be communal centers of prayer and social interaction in their absence. Indeed, they say, if their presence was restricted, so too would be the quality and the number of necessary mosque functions that could be addressed. Their experiences clearly demonstrate that just as the identities of Muslim women reflect contextual and relational positionings on a global scale, so does the interchange between religious spatiality and gendered mobility speak to the gendered politics that African American Muslim women continue to shape, conform to, and resist. So to be Muslim for African American women is to battle multidimensional forms of oppression, especially in terms of their race, gender and religion. That is, to paraphrase Deborah K. King, there is a difference in being African American and a female adherent of a particular faith, and in being Muslim and a female with a particular cultural experience.³⁸ Neither the generic African American woman nor the generic Muslim woman exists in real time.

Indeed, the *body* of African American Muslim women displays meaning and value, through the ways these female Muslims dress, embody the Islamic mandate of modesty, interact in mixed gendered settings, and situate themselves in particular spaces in the mosque. As Rouse discovered, the mosque is the space in which African American Muslim women subvert hegemony.³⁹ And, as Jane I. Smith notes, “women [in the United States] have the chance to participate in the public observance of Islam in ways never available to them in a number of other countries.”⁴⁰ Understandings of the embodied realities of African American Muslim women are limited when the center of discourse is a religious perspective other than Islam, or is one that universalizes Muslim female reality. Muslim womanist philosophy is a non-universal alternative that offers prospects for not only the re-

38 Deborah K. King, quoted in Janice D. Hamlet, “Assessing Womanist Thought: The Rhetoric of Susan L. Taylor,” *Communication Quarterly* 42, no. 4 (2002): 420.

39 Carolyn Moxley Rouse, *Engaged Surrender: African American Women and Islam* (Berkeley: University of California Press, 2004), 164.

40 Jane I. Smith, “Women’s Issues in American Islam,” <http://macdonald.hartsem.edu/smithart1.htm> (accessed March 15, 2006?).

examination of Islam in the world of African Americans, but the opportunity to hear anew the moral voices of African American Muslim women as well.

Finally, the social activist scholarship and other public forms of expression of Amina Wadud, Aminah McCloud, Asma Barlas, Leila Ahmed, Fatima Mernissi, Riffat Hassan, and Azizah Y. al-Hibri represents a significant base of influence.⁴¹ Though none of these female Muslim scholars identifies herself as womanist, each brings a womanist-sensitive approach to the study of Islam, drawing attention to the “divergences between theoretical statements about the rights and status of women in Islam and the actual implementation or application of these rights.”⁴² The primary mechanism of these scholars of Islam is Islamic exegesis, and with it, they place the beliefs, moral reasoning, and lived realities of Muslim women in a larger context. Through their publications, lectures, and other activist engagements, these scholars consistently demonstrate “the centrality of an antipatriarchal Qur’anic hermeneutics” as a multidialogical activity.⁴³ They also draw attention to and diligently strive to address the reality that, in the words of Hassan, “the vast majority of Muslim men and the vast majority of Muslim women actually believe that men are superior to women and women are inferior to men.”⁴⁴

Through their efforts, these Muslim scholars raise global consciousness regarding issues that are central to the well-being of Muslim women. In the process, they oblige Muslims to rethink their relationship to the Qur’an by challenging them to approach what they accept as divine speech as that which “itself enables a continually evolving

41 See Amina Wadud, *Qur’an and Woman: Rereading the Sacred Text from a Woman’s Perspective* (New York: Oxford University Press, 1999); Aminah Beverly McCloud, *African American Islam* (New York: Routledge, 1995); Asma Barlas, “Believing Women” in Islam: *Unreading Patriarchal Interpretations of the Qur’an* (Austin, TX: University of Texas Press, 2002); Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven, CT: Yale University Press, 1992); Fatima Mernissi, *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society*, rev. ed. (Bloomington, IN: Indiana University Press, 1987). One of Riffat Hassan’s more noteworthy essays is “Religious Human Rights in the Qur’an,” which appeared in *Religious Human Rights in Global Perspective: Religious Perspectives*, eds. John Witte, Jr. and Johan D. van der Vyver (The Hague: Martinus Nijhoff Publishers, 1996). Hassan also co-edited *Women’s and Men’s Liberation: Testimonies of Spirit* (Westport, CT: Greenwood Press, 1991). Al-Hibri writes extensively dealing with issues of women’s and human rights in Islam. She co-edited the section on Islam in *Sex, Marriage and Family in World Religions* (New York: Columbia University Press, 1996).

42 Omaina Abou-Bakr, “Gender Perspectives in Islamic Tradition,” http://www.crescentlife.com/thisthat/feminist%20muslims/gender_p (accessed May 10, 2011).

43 Asma Barlas, “Hold[ing] fast by the best in the precepts: the Qur’an and method,” paper read at the Conference on The Changeable and Unchangeable in Islamic Thought and Practice, Sarajevo, Bosnia and Herzegovina, May 7–9, 2005, http://www.asma-barlas.com/PAPERS/Holding_Fast.pdf (accessed May 11, 2010).

44 Riffat Hassan, quoted in “The Role of Women in Islam,” *Religion & Ethics Newsweekly*, January 25, 2002.

thought and practice as long as they read it in contextually appropriate ways.⁴⁵ Beyond revelatory considerations of the Qur'anic vision of gender-justice and equity, their work also challenges non-Muslims to think differently about Muslim women by considering the ways in which popular perceptions of Islam in relation to the dominance of Christianity in the West, foreign policy decisions of the United States government, and media portrayals of Muslim life further serve to objectify Muslim women as Other in need of a masculinist and/or Western liberator.

With intentional particularity, Muslim womanist philosophy integrates and appropriates the reflections and critical theorizing of Wadud, McCloud, al-Hibri, and others as a means of assigning authoritative status to the wisdom and experience of African American Muslim women. Until 1999, Wadud and McCloud, both African American, were most likely the only scholars of their gender, religion, and race to give voice in the academy to the experiences of African American Muslim women.⁴⁶ The significance of al-Hibri, a Lebanese-American lawyer and scholar of Islamic law, derives from the moment in one of her numerous speeches that she first voiced a potential connection between womanist thought and Muslim women.⁴⁷ As the leading Muslim scholars who draw attention to the inadequacies of research on Muslim women that ignore the African American experience, the contributions of this trio join, in my view, the more recent work of Jane I. Smith and Carolyn Moxley Rouse to offer a Muslim contextualization of, what womanist Delores Williams labels the “survival, quality-of-life tradition.”⁴⁸ Although Williams’s focus is the biblical appropriation of Hagar, her language is instructive for my work and the contributions of these scholars because they extend conversations about the ways in which African American Muslim women do and should exhibit survival strategies as they seek to live healthier lives.

45 Barlas, “Hold[ing] fast by the best in the precepts.”

46 As an ABD student at Northwestern University and Garrett-Evangelical Theological Seminary, and a first-year faculty member at Beloit College, I presented “Sitting at the Feet of the Long Distance Runners: Black Women, Black Church, Black Islam, and Embodied Black Agency,” at the 1999 Annual Meeting of the Society for the Scientific Study of Religion.

47 Azizah Y. Al-Hibri, “The Quranic Worldview: A Womanist Perspective,” Rice Webcast Archive 2003, 1 May 2003, <http://www.rice.edu/webcast/speeches/20030421alhibri.html> (accessed May 11, 2011).

48 See Delores S. Williams, “Hagar in African American Biblical Appropriation,” in *Hagar, Sarah, and Their Children: Jewish, Christian, and Muslim Perspectives*, eds. Phyllis Trible and Letty M. Russell, 171–184 (Louisville: Westminster John Knox Press, 2006), 171.

Even more specifically, Wadud and McCloud bring to the forefront the under-examined world of African American women from the rare perspective of an insider who also possesses outsider sensibilities. Their contributions enable Muslim womanist philosophy to function as a paradigm that moves beyond the race analyses of black male intellectuals, the gender analyses of many feminist (predominantly white female) intellectuals, and the faith analyses of Christian womanists in its attention to questions of knowledge, history, and human existence that form African American Muslim family life. They unashamedly travel to mosques and other gatherings to raise the issue of gender bias that some African American Muslim women experience particularly from their male leaders and/or husbands. Their global visibility has drawn added attention to the place of women in Islam, even, at times, to the accompaniment of cries against the dangers of “modernism.”⁴⁹

Conclusions

Let me now summarize my motivation for the consideration of a new method. I am an African American Muslim scholar trained as a gender and religion historian whose interpretative skills use the conventional tools of the Western Academy.⁵⁰ My intellectual and religious journey to Islam has convinced me that these tools were inadequate for any meaningful description of what I observe in Muslim communities. Muslim womanist philosophy creates space for Muslim women to situate themselves and, through their own lived realities, articulate who they are, what they value, and where they belong. It demonstrates the diversity and complexity of the *African* and the *female* and the *American* experience of Islam, and situates the lived realities of African American Muslim women as central resources for analyzing Mus-

49 Amina Wadud (Muhsin) delivered the “presermon” lecture from the main floor of the Claremont Main Road Mosque in Cape Town, South Africa, on August 12, 1994. Both women and men were seated in the same area. Some Muslims characterized the event as evidence that “the West had achieved another victory, this time not on the battlefield but in the innermost sanctuary of Islam.” See Abdulkader Tayob, *Islam in South Africa: Mosques, Imams, and Sermons* (Gainesville: University Press of Florida, 1999). Six years later, on International Women’s Day, I delivered the presermon at Claremont, but this time from the balcony where women gathered.

50 Aware of arguments such as one posited by Jualynne E. Dobson against “an ethnocentric reference” to Muslims of African ancestry living in the United States, I intentionally employ this label because it is the one with which my subjects most identify. See Anthony B. Pinn, *Varieties of African-American Religious Experience*, reviewed by Jualynne E. Dodson, *The North Star: A Journal of African American Religious History* 4, no. 2 (2001), <http://www.princeton.edu/~jweisenf/northstar/volume4/pinn.html> (accessed May 11, 2011).

lim life in the United States and for explorations of African American Muslim communities. I position this framework within an emerging field of religious, cultural, theological, and ethical reflection in which “the historic and present-day insights of African-American women are brought into critical conversation” with Muslim traditions and the teachings of Islam.⁵¹ Even at this early juncture, the positionality of Muslim womanist philosophy is comparable to that held in 1985 by womanist thought, when Cannon and other African American seminarians first raised the possibility of such discourse as they began to construct the “womanist house of wisdom.”

Finally, Muslim womanist philosophy adds a Muslim voice to proclamations that the multiple identities of African American women may include a plurality of faith experiences. Acting as if “Christian” or “Church” equates authentically with “woman,” observers of African American female spirituality have done a disservice—even if only from the chair of naivete. Such practices cannot sustain and enable inter-faith, multi-dialogical conversations among the intellectually and religiously diverse cadre of womanists. But they can challenge us to remember that a non-Christian crafted the term, and in spite of the Christology that pervades its use, *womanism* was never meant to “remain a fixed identity to whose bones [only Christianity and Christian scholars] could give flesh.”⁵² I acknowledged at the outset that Muslim womanist philosophy is a *developing* category, whose time for unveiling is now. While critical responses are invited, I contend that this method deserves time to be further defined and clarified by both those who employ it and those whom they represent with it. To declare that “time” is warranted is appropriate in light of the magnitude of the mission. In this regard, I echo the sentiments of one reviewer of womanist theology when he writes:

When a group’s voice has been effectively silenced, or at best muted for several years, it is reasonable to allow time and space for them both to find their own voice, and to express all that has been pent up for so many years, without being menaced by external criticism.⁵³

Muslim womanist philosophy can awaken a new awareness of the role of African American Muslim women in the production of knowledge about them. By resisting the veil of universalism, scholars who chronicle the lives of African American Muslim women can shift the

discourse on African American religiosity to the domestic struggle of black Americans striving to frame for themselves a legitimate sphere of faith outside of Christianity. As Gloria Bashir, Dorothy Rahman, Minnie Shabazz, Latifah Wangara, and others reached out to me when I first became Muslim, they modeled for me a type of Muslim womanhood that challenges the authenticity of conventional portrayals of their communities and their realities. Not only did they defend the prophetic voices of Sister Clara Muhammad and her generation, they freed me decades later to establish a religious and intellectual identity with which I could claim a place in Sister Clara's legacy of activism. Thus, mine is an identity that illustrates the creative possibilities when an academic journey and spiritual odyssey merge. Finally, as a lens for authentic representations of African American Muslim women, Muslim womanist philosophy offers a doorway to the understudied contours of African American Muslim life.

51 Katie G. Cannon, "Roundtable Response to Monica Coleman's 'Must I Be Womanist?'" *Journal of Feminist Studies in Religion* 22, no. 1 (2006): 96–98; see description of the pioneering womanist scholarship of Emilie Townes, "Scholar of womanist theology and expert on preaching to join Divinity faculty," *Yale Bulletin & Calendar* 33, no. 28 (May 6, 2005), 1.

52 Ariska Razak, "Roundtable Response to Monica Coleman's 'Must I Be Womanist?'" *Journal of Feminist Studies in Religion* 22, no. 1 (2006): 99–107; Debra Mubashshir Majeed, "Roundtable Response to Monica Coleman's 'Must I Be Womanist?'" *Journal of Feminist Studies In Religion* 22, no. 1 (2006): 113–118.

53 Rufus Burrow, Jr., "Enter Womanist Theology and Ethics," *The Western Journal of Black Studies* 22, no. 1 (1998): 27.

Sa'diyya Shaikh

*In Search of al-Insān:
Sufism, Islamic Law,
and Gender*

Submission to God is the ultimate point of Islamic law. Hence, Islamic jurisprudence is primarily about the search for God's law. A fundamental dimension of such an inquiry concerns understandings of the God-human relationship, conceptions of the nature of God, of human nature, and of the purpose of human existence. These constitute the foundational conceptions upon which Islam's juridico-ethical legacy is built. *Taṣawwuf* or Sufism has over the centuries both theorized and provided detailed methods for understanding and cultivating the self and community, so that they may properly surrender to God. The pivotal contribution of Sufism to these foundational conceptions and to jurisprudence (*fiqh*) was already convincingly made by none other than the great classical scholar Abu Ḥāmid al-Ghazālī (d. 1111).

In this paper, I argue that there is an organic and dialogical relationship between Sufism and Islamic law that remains relatively unexplored in terms of its potential to enhance a rethinking of gender ethics. Within this dialogical relationship, it is possible to critically engage the ontological assumptions that underpin dominant Islamic ethical notions and legal positions on gender. Some of the central tenets of Sufism, in particular, allow contemporary Muslims an invigorating and ontologically faithful means to interrogate a number of primary assumptions on the nature and purpose of men and women as reflect-

ed in the historical *fiqh*. As such, particular readings of Sufism provide a resource to develop alternative faith-based ways of approaching gender issues within Islamic law. These understandings of Sufism when combined with a feminist lens have much to offer in the way of developing a comprehensive framework for an egalitarian politics of gender. By drawing on some of the nuanced and detailed elaborations of Sufi ontology, a feminist critique of the Muslim legal canon (*fiqh*) grounds itself firmly within an Islamic ethical paradigm.

I am certainly not making claims that Sufis have a monolithic position on gender or that Sufism is an ahistorical panacea of all things beneficial for women. The same al-Ghazālī, a central Sufi thinker who was able to expose the limitations of a law not based on ethical praxis, simultaneously conceptualized an ethics of justice that is comfortable—even at times complicit—with male domination. Sufism in its historical development and its multiple contexts, like all other areas of Islamic thought, has been characterized by tensions between patriarchal inclinations and gender-egalitarian impulses.

While negative understandings of women have been evident in some strands of Sufi thought and practices from its inception, particularly its earlier ascetic variety, Sufism in other instances has provided gender-egalitarian spaces. Primary sources document cases of the diverse ways in which the early Sufi women pursued the path of piety.¹ On the one hand, recent research suggests that most early women who pursued varying degrees of asceticism and spiritual discipline were also in fact subject to the normative social constraints—they lived typical lives, married, and had children.² On the other hand, one simultaneously finds cases of independent female mystics whose lives appear to be relatively free from much of the androcentric gender role expectations otherwise evident in their broader socio-historical milieu.³ Some of these Sufi women, like their male contemporaries, lived in-

1 Abū 'Abd al-Rahmān al-Sulamī, *Dhikr an-niswa al-muta'abbidāt aṣ-ṣūfiyyāt* (*Early Sufi Women*), ed., trans., and comm. Rkia E. Cornell (Louisville, KY: Fons Vitae, 1999).

2 Laury Silvers makes this case convincingly in "Statistical Analysis, Comparison, and Close Readings: Getting at the Data on Early Pious and Sufi Women," 2005, paper delivered at the American Academy of Religion, Philadelphia, forthcoming as a chapter in *Simply Good Women: The Lives, Thought, Practices of Early Pious, Sufi Women*. Maria Massi Dakake demonstrates how early Sufi women often used the language and metaphor of domesticity in describing their relationships to the divine Beloved in ways that were distinctive from their male counterparts in "Guest of the Inmost Heart': Conceptions of the Divine Beloved among Early Sufi Women," *Comparative Islamic Studies* 3, no. 1 (2007): 72–97.

3 See entries on Sufi women in al-Sulamī as well as Muḥyi al-Dīn Ibn 'Arabi, *Rūḥ al-Quds and al-Durrat al-Fākhiraḥ* (*Sufis of Andalusia*), trans. R. Austin (Gloucestershire: Beshara Publication, 1988).

dependently, traveled on their own in search of knowledge, and had teachers and disciples of both sexes.⁴ Perhaps in these instances, the diminished significance of gender identity on the path is related to the greater priority Sufism accords to the individual's inner state. In some cases, Sufi practices have subverted traditional patriarchal religious anthropology in ways that might provide contemporary Muslims with creative resources to expand the paradigm for gender justice in their societies.

I suggest that these egalitarian possibilities within Sufism are a product of radically different readings of human nature within certain narratives of Islam. Since jurisprudence is always premised on specific understandings of human nature and its "genderedness," these Sufi narratives have potentially profound implications for Islamic feminism and the law. In this paper, I envision how contemporary feminist approaches to the law might be enhanced by particular Sufi discourses. By discussing specific understandings of human nature reflected in Sufi psychology and narrated through Sufi stories, I critically examine how gender is defined in the Muslim imaginaire. The works of the extraordinary thinker and visionary Muḥyī al-Dīn Ibn 'Arabī (d. 1240), who was both Sufi and jurist, require closer scrutiny. His cosmology presents us with a vision of an ideal ethical self that explicitly engages gender and, I suggest, presents openings for reconceptualizing equality in ways that are both spiritually and socially relevant to contemporary Muslim societies. I argue that these Sufi constructs provide theoretical and methodological resources that are very helpful to contemporary Muslims committed to transforming the dominant gender paradigm characterizing the Islamic legal canon.

4 More generally, the debate around premodern Muslim women's participation in various facets of social life is complex and nuanced. The works of Ruth Roded, *Women in Islamic Biographical Collections: From Ibn Sa'd to Who's Who* (Boulder: L. Rienner Publishers, 1994); Gavin Hambly, ed., *Women in the Medieval Islamic World: Power, Patronage and Piety* (New York: St. Martin's Press, 1998); and Amira Sonbol, *Women, the Family and Divorce Laus in the Islamic History* (New York: Syracuse University Press, 1996) all illustrate that women in varying periods and contexts of Muslim history were often engaged both directly and indirectly with the social sphere and in public discourses in ways that challenge commonplace assumptions about Muslim women's historical silence and invisibility. In reflecting on Ruth Roded's assessment that "female seclusion was an ideal that may have been more honored in the breach," Laury Silvers, however, argues that the relevant historical reports might suggest that realities of relative freedom and mobility did not apply to the average woman in average circumstances. Rather she argues that the women who enjoyed these freedoms were "either exceptional women or average women in exceptional circumstances" (in "Statistical Analysis, Comparison, and Close Readings," 11). Yet other studies show that lower-class women have historically enjoyed greater freedom and mobility than upper-class women. See Hambly, *Women in the Medieval Islamic World*.

Methodological Caveats

Clearly, traditional discourses have not applied the Islamic ethics of justice to gender issues in the revolutionary ways that Islamic feminists are currently doing. This sharpening of gender-egalitarian perspectives is in my view a natural and necessary development that both engages the tradition creatively while responding to the changing sensibilities on gender present within some twenty-first century Muslim communities.

While Ibn 'Arabī and Sufi discourse in general offer us some exciting possibilities to creatively and critically engage questions of gender ethics, neither the individual nor the discipline is monolithic. I fully recognize the polyphonous and contradictory currents of gender running through Sufi thought and practices. There are a number of hermeneutical and ideological complexities involved in a feminist reading of a tradition characterized by multiple and sometimes contrary economies of gender. In engaging a complex and ambivalent religious canon, I am genuinely inspired by the works of two feminist scholars: the Talmudic scholar Daniel Boyarin and the Buddhist scholar Rita Gross. My reflections in this section draw deeply on some of the nuanced and sophisticated methodological insights offered by these contemporary scholars who are each also deeply invested in their respective traditions.

My reading of Sufi texts is invariably informed by my particular historical and personal positioning which include my own interlocking commitments to Islam and feminism. It is by now a truism that all readers bring their assumptions, ideologies, and worldviews to their interpretations of texts as debates in the field of hermeneutics and cultural criticism have indicated. In this paper, I focus on a particular current of gender within traditional Sufi narratives that I find particularly compelling, and I foreground it as a potential trajectory that might be developed by contemporary Islamic feminists. In doing so, I am not denying that there are other ways of reading the tradition or that there are other contrary elements in the tradition. My approach represents one among a number of different contemporary readings of gender in the Sufi legacy, no more or less "authentic" than others; nonetheless, in the course of this paper, I illustrate how my particular reading of

gender draws on traditional Sufi resources in ways that are consistent with central concepts within Sufism.

Following Boyarin's refreshing lead, I frankly recognize that my selection of particular Sufi narratives reflects my own identifications and my desire to foreground, highlight, and amplify one set of compelling possibilities extant within the tradition. In tracing these feminist narratives, I am not claiming dominance or exclusivity for these possibilities, but merely pointing out that "this particular voice can be found in the texts and saying that I like it and wish to strengthen its presence and influence" in contemporary Muslim societies.⁵

My approach by no means suggests a blindness to the systematic history of male domination that has constantly rendered women the objects of male subjectivities in so much of the Islamic tradition, including Sufism. There is a vital need for a solid critique of this history; this has been done by many other scholars, and I have attempted that in other works (and do so to a more limited extent in this paper).⁶ Here, however, I aim to explore a particular set of gendered understandings present within traditional Sufi discourses that I believe offer great value to contemporary Muslims, and to provide some reflections on what such Sufi resources might imply for an Islamic feminist trajectory.

A feminist reading of the past always raises the methodological specter of anachronism. The question arises as to whether it is really illuminating to discuss the past in terms of contemporary frames of reference, such as "patriarchy," "feminism," or "gender equality." In response to this legitimate question, I borrow some related theoretical insights culled by Rita Gross regarding a "usable" past.⁷ Noting the partial and selective nature of all historical memory, Gross alerts us to the importance of uncovering marginalized liberatory gender models that can empower contemporary struggles for justice. This type of "usable" past, she notes, is important precisely because "a religious communi-

5 Daniel Boyarin, *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Berkeley: University of California Press, 1997), 25.

6 For contemporary critical readings of gender within the Islamic tradition, see Jamal Elias, "Female and the Feminine in Islamic Mysticism," *Muslim World* 78 (1988): 209–224; Rkia Cornell, "'Soul of a Woman was Created Below': Woman as the Lower Soul (*Nafs*) in Islam," in *World Religions and Evil: Religious and Philosophical Perspectives*, ed. Hendrik M. Vroom, 209–224 (New York: Rodopi Press, 2007); Sa'diyya Shaikh, "Exegetical Violence: Nushuz in Quranic Gender Ideology," *Journal for Islamic Studies* 17, no. 1 (1997): 49–73; and Sa'diyya Shaikh, "Knowledge, Women and Gender in the *Hadīth*," *Islam and Christian-Muslim Relations* 15, no. 1 (2004): 99–108.

7 Rita Gross, *Buddhism after Patriarchy* (Albany: SUNY Press, 1993).

ty constitutes itself by means of its collective memory, the past that it recalls and emulates.”⁸ A feminist politics of recovering marginalized histories is invaluable to those living religious communities who want to create new, expansive visions and future possibilities for their own humanity within their traditions. Moreover in doing feminist readings of the past, Gross notes,

the assessment of history as androcentric in its thought-forms and patriarchal in its institutions is an *analysis*, an *accurate description*, not an accusation ... We would be guilty of an inappropriate projection of feminist values onto the past only if we did not stop with an analysis of its thought-forms and institutions, but also railed against the humans who participated in those modes of thinking and living.⁹

These carefully nuanced modes of feminist critical scholarship as well as broader methodological insights offered by Gross and Boyarin inform some of the ways that I navigate a gendered exploration of Sufism and Ibn ‘Arabī’s ideas. My approach highlights voices of dissent to patriarchy extant in the plethora of Islamic tradition, and what possibilities these ruptures of the dominant gender ideology may hold for contemporary Muslim debates on Islamic law.¹⁰ It is noteworthy for our purposes that while contemporary Muslims might articulate concerns with gender in the language of justice and human rights, gender norms were in fact always contested in varying ways within the Islamic tradition—sometimes even by male thinkers in the premodern period.

The rest of this essay is divided into four parts. I begin with an overview of contemporary feminist debates on Islamic law. Here I outline some of the limitations characterizing many right-based approaches, and suggest that an engagement with Sufism might enable more radical transformations. In the section entitled “Sufi Psychology and *Jihād al-nafs*” I look at ways in which Sufi narratives of the self and the spiritual path enable critical discourses on gender hierarchy. In the next part, “Ibn ‘Arabī: Ontology and Human Purpose,” I introduce Ibn ‘Arabī’s cosmology and religious anthropology. The section on “Divine Attrib-

⁸ Ibid., 20.

⁹ Ibid., 23.

¹⁰ Mohammad Fadel, in a finely honed analysis of premodern Sunni legal discourses expertly demonstrates the tensions and ruptures within dominant gender ideology among medieval jurists in relation to questions of female participation in the law. See “Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought,” *International Journal of Middle East Studies* 29, no. 3 (1997): 185–204.

utes and the Gendered Insān” explores some of his conceptual and personal approaches to gender relations. In the final part, “The Tawhīdic Whole: Spiritual and Social Integrity,” I present some of Ibn ‘Arabī’s gendered legal positions and how his approach provides a model of engagement between ontology, law, and gender ethics.

Feminist Debates in Islamic Law

Many contemporary feminist scholars espouse a “rights” discourse in their critique of gender inequality in Islamic law. Some of these feminist reformers highlight that traditional *fiqh* discourse offers women more rights than the ones their societies confer on them, and selectively deploy the *fiqh* tradition to counter particular androcentric cultural norms.¹¹ Others argue that premodern interpretations of the law were characterized by a flexibility that often favored women, and that modernity disrupted this pattern.¹² Yet others prioritize traditional legal rulings that seem to benefit women pertaining to a husband’s maintenance of his wife, and the provision of dowry at the time of marriage.¹³ In short, proponents of rights discourse generally retrieve rights for women that have been marginalized within dominant interpretations of the Qur’an and shari‘a. This effectively translates into a discourse of competing equalities: men and women are granted rights by traditional approaches to the shari‘a, but men have generally been granted their rights and women have not always been allowed theirs. Hence, the goal is to resolve this disparity and to accord to women parallel, if not always equal, rights owed to them by established traditions of the law.

The right-based approaches of many feminist Muslim scholars are strategically and pragmatically necessary. However, scholars also urgently need to engage in a comprehensive structural critique that actively interrogates the foundational premises and nature of dominant *fiqh* structures. A pure rights discourse is limited by the fact that it often deals with the symptoms of inherited structures of patriarchal dis-

11 Asifa Quraishi, “Her Honour: An Islamic Critique of the Rape Laws of Pakistan from a Woman-Sensitive Perspective,” in *Windows of Faith*, ed. G. Webb, 102–135 (New York: Syracuse University Press, 2000).

12 Sonbol, *Women, the Family and Divorce Laws*.

13 See Azizah al-Hibri, “Introduction to Muslim Women’s Rights,” in *Windows of Faith*, ed. G. Webb, 51–71 (New York: Syracuse University Press, 2000).

course without necessarily or rigorously interrogating the very nature, roots, and assumptions of the structures themselves.¹⁴ Often a rights discourse inadvertently internalizes the hegemony of inherited structures. In developing a more structural critique, it is crucial to foreground the constructed nature of *fiqh* as a historically evolving interpretation of *sharī'a*—one that is intended to actualize particular ideals and visions of reality and that is not an end in itself.

A structural critique of the established *fiqh* canon would involve asking some fundamental questions relating to the nature of *sharī'a* and its historical interpretations. These include: What are the ideological implications of using the terms “sharī'a” and “*fiqh*” interchangeably? What is the continuing impact of context and historical circumstance on the formation of Islamic law? In particular, what are the notions of “human being,” “society,” and “God” that underlie dominant positions in the *fiqh* literature? Most significantly, it is imperative to look at the very nature and constitution of *fiqh* in relation to a deeper vision of ultimate reality and human purpose. Such a re-evaluation needs to ask how the inherited *fiqh* as a discourse manifests and enacts that reality, and if in fact it does so.

Particularly in relation to issues of gender, we must ask critical questions about the nature of human beings and gender differences assumed within the traditional *fiqh* discourse. Since the established legal canon implicitly operates on particular understandings of the nature of men and women and their relationships, it is necessary to interrogate the basis of such understandings. In doing so, it will become clear that many of the specific understandings of gender relationships assumed by dominating discourses in the *fiqh* canon reflect the contingent and contextual constructs of their premodern formulators. As such, these need to be re-examined and reformulated.¹⁵

Any such rethinking cannot develop exclusively on the basis of contemporary social sensibilities. It also has to be informed by metaphysical sensibilities that foreground the God–human relationship in its development of ethics. As I illustrate, Sufism by its very nature addresses

14 Kecia Ali lucidly makes this case in her analysis of contemporary “feminist—apologist” approaches to Islamic law. See “Progressive Muslims and Islamic Jurisprudence: The Necessity for Critical Engagement with Marriage and Divorce Law,” in *Progressive Muslims: On Justice, Gender and Pluralism*, ed. O. Safi, 163–189 (Oxford: Oneworld, 2003).

15 For the problematic nature of premodern legal formulations of gender, see Kecia Ali, *Sexual Ethics in Islam: Feminist Reflections on Qur'an, Hadīth and Jurisprudence* (Oxford: Oneworld, 2006).

reality and the nature of human beings, society, and God precisely at this foundational ontological level. In order to comprehensively analyze and critique social structures, it is imperative to focus on both the types of prevalent gendered practices and their underlying religious rationale. Asking the core perennial religious questions, namely “Who am I? Why am I here? How do I live correctly? How do I attribute value?” allows one to engage gender at a foundational level of religious meaning. Doing this afresh makes it possible to arrive at very different answers than the ones proposed by dominant paradigms.

Having said this, I differ from the approach of some contemporary scholars of Sufism who present spiritual equality between men and women as unrelated to social realities. Sachiko Murata exemplifies such an approach in *The Tao of Islam*, a pioneering and comprehensive work on gender in classical Islamic thought. While exquisitely illustrating a variety of complex gender mappings that characterize the Islamic tradition, Murata explicitly identifies an eternally gendered separation between the socio-legal arena on the one hand and the spiritual realm on the other, as central to the Islamic tradition. She objectively describes much of the established legal canon as characterized by hierarchy and strictly defined gender roles which, she adds significantly, are established by God.¹⁶ Accordingly, freedom, liberty, and dynamic relational gender configurations are rather to be found in the realm of the spirit. Murata states, “In the Islamic perspective, the revealed law prevents society from degenerating into chaos. One gains liberty not by overthrowing hierarchy and constraints, but by finding liberty in its true abode, the spiritual realm.”¹⁷ While this view might accurately reflect some perspectives within the Islamic intellectual tradition, other alternatives are extant in the tradition—alternatives that suggest the realm of spirituality is intimately linked to issues of social and legal equality.

The debates on the relationship between shari‘a and *ṭarīqa* have a long history in Islamic thought. In some Sufi groups, adepts with

16 Sachiko Murata, *The Tao of Islam: A Sourcebook on Gender Relationships in Islamic Thought* (Albany: State University of New York Press, 1992), 174.

17 Ibid., 79. Murata’s deep commitment to this distinctive separation between the spiritual and the legal realms is also reflected in the ways that she engages Ibn ‘Arabī’s ideas. While she extensively discusses his cosmological views of gender that reverberate in every realm of existence, including intimate relationships between men and women, she excludes all references to his fairly radical legal discussions on gender that I outline later on in this paper.

advanced capacities for ethical judgment exercised their discretion in observing the law. Others insisted that religiously acceptable behavior should always be determined by the letter of the law; in fact, within the modern period contestations on the nature of what constitute proper Sufi teachings and practice resulted in an intensified focus by some major Sufi groups on asserting the primacy of the shari'a in relation to Sufi practice.¹⁸ Most of these discussions, however, by and large accept the dominant *fiqh* canon, with all of its gendered assumptions, as accurate expressions of shari'a. I question such assumptions, particularly some of the problematic presuppositions on the nature of men and women that underlie much of the inherited and socially conditioned *fiqh* canon. While for most legal scholars it is a theoretical commonplace that the *fiqh* canon represents limited human attempts to express the shari'a and that the former is the product of dynamic human processes, one often finds more ideologized and simplistic conflation between shari'a and *fiqh* in popular discourse and among some religious leaders within Muslim communities. This continues to have detrimental consequences for gender justice and women's rights in many contemporary Muslim societies.

My paper also challenges dominant gender constructions underlying much of the traditional *fiqh* canon as deviating from the ontological assumptions intrinsic to the shari'a. Hence, I am not engaging in the older debate regarding whether the shari'a has primacy over the *ṭarīqa* or vice versa. Rather, I am arguing that certain Sufi discourses possibly present more faithful readings of the shari'a and the related assumptions of human nature, as reflected in the Qur'an, than the dominant *fiqh* discourses. By exploring Sufi metaphysics, this paper suggests a different nexus between *taṣawwuf* and shari'a offering an ontological ground for re-shaping gender ethics in emerging feminist *fiqh* discourses.

18 Elizabeth Sirriyeh, *Sufis and Anti-Sufis: the Defence, Rethinking and Rejection of Sufism in the Modern World* (Richmond: Curzon, 1999). For contestations of notions like Sufi "reform" and neo-Sufism see R. S. O'Fahey and Bernd Radtke, "Neo-Sufism Reconsidered," *Der Islam* 70 NO. 1 (1993): 52–87, and F. de Jong and Bernd Radtke, *Islamic Mysticism Contested: Thirteen Centuries of Controversies and Polemics* (Leiden: Brill, 1999).

Sufi Psychology and Jihād Al-Nafs

Since the goal of the Sufi path is to deepen the God–human relationship, meticulous attention is given to removing spiritual obstacles within the individual that may impede progress on the path. As such, the focus on purifying and disciplining the self has resulted in an elaborate and detailed inquiry into the mechanics of personality. The prioritization of the inner state that assumes the same spiritual imperatives for all human beings, irrespective of whether one occupies a male or female body, signifies one of the organically genderless assumptions within Sufism.¹⁹ In principle, Sufism presupposes that every human being can pursue and achieve the same ultimate goals, and that gender does not constitute an impediment or an advantage to these ends. These assumptions potentially pose a direct challenge to the very basis of patriarchy where the male body is the signifier of social and ontological superiority. By exploring Sufi constructs of psychology and personality, we also discover the inherent wariness that this discourse promotes toward any person’s assertion of superiority over another. Such suspicion toward the underpinnings of social power opens up spaces for a feminist critique of social hierarchies including gender discrimination. Exploring notions of personality and psychology within Sufism provides a necessary starting point in the exploration of its gender ideology.

The components and dynamics of personality in Sufism may be conceptualized in relation to the tripartite relationship between the soul (*nafs*), the heart (*qalb*), and the spirit (*rūh*) as identified in the Qur’an.²⁰ The *nafs*, which can be identified as the soul or one’s self-awareness, is a dynamic entity determined by the spiritual state of the individual.²¹ It can range from being dominated by base instincts to being characterized by a state of peace and submission to God, with varying intermediate possibilities. Its most unrefined state is what the Qur’an calls *al-nafs al-ammāra bi-lsū’*, the commanding soul or “the

19 Cornell, “Soul of a Woman was Created Below,” demonstrates how some male Sufis have ignored these basic genderless assumptions and integrated misogynist views of the self into their works.

20 Annemarie Schimmel, *Mystical Dimensions of Islam* (Chapel Hill: The University of North Carolina Press, 1975), 191.

21 William Chittick, *The Sufi Path of Knowledge: Ibn Al-‘Arabī’s Metaphysics of Imagination* (Albany: SUNY Press, 1989), 17.

soul that incites to evil” (Q 12:53). In this sense, it is defined by self-centered, egoistic, and compulsive tendencies. Drawing a person to the realm of selfhood and transient desires, the *nafs al-ammāra b-il-sū'* is responsible for the separation and dispersion from the original unitive state between God and humanity. In its blindness to the true nature of reality, the *al-nafs al-ammāra* perceives worldly attractions such as power, fame, wealth, or physical gratification as meaningful in themselves. Thus it has an inordinate love for the ephemeral attractions of the world.

On the Sufi path, the greater jihād against the inclinations of the *nafs al-ammāra* is reflected in the statement of the early Sufi woman Umm Ṭalq, who said “The *nafs* is king if you indulge it, but is a slave if you torment it.”²² The well-known Sufi, Ḥujwīri, compares the *nafs* to an animal such as a wild horse or dog that needs to be trained or even enslaved in order to change its nature and teach its place on the spiritual path.²³ Subduing the instinctual elements of self is seen as essential to spiritual purification, which in turn facilitates a deeper knowledge of God. Another early Sufi, Umm 'Alī, reflects this insight in the view that “[o]ne who is confirmed in the knowledge of true servitude will soon attain the knowledge of lordship.”²⁴ Thus, the first step in spiritual practice relates to the subjugation of the commanding self. Only after this first step is it possible to attain knowledge of lordship, that is, the realization of the complete divine imperative of vicegerency that exists latently within all humanity.

The entity that represents the opposite of the “lower soul” is the spirit (*rūḥ*) which is a subtle, life-giving entity blown into every human being from God’s self (Q 15:29). While the lower soul is associated with the self-centeredness and blindness of the devil, the *rūḥ* has been associated with the angelic qualities of luminosity and discernment.²⁵ The Qur’an states that “the spirit is of the command of my Lord and you (humanity) have been granted but a little knowledge of it” (Q 17:85). Suffice to say that the *rūḥ* is that which pulls one toward God and the higher echelons of spiritual awareness. The opposing spiritual forces activated by the respective inclinations of the *nafs al-ammāra* and the

22 Al-Sulamī, *Dhikr an-niswa al-muta'abbidāt aṣ-Ṣūfiyyāt*, 118.

23 'Alī bin Uthmān al-Ḥujwīri, *Kashf al-Mahjūb (Revelation of the Mystery)*, trans. R. Nicholson (New York: Pir Press, 1999), 202.

24 al-Sulamī, *Dhikr an-niswa al-muta'abbidāt aṣ-Ṣūfiyyāt*, 244.

25 Chittick, *The Sufi Path of Knowledge*, 7.

rūḥ struggle for supremacy within the individual's heart (*qalb*) and give rise to various thoughts, ideas, and impulses known as *khawāṭir*. Moral choice for the early adepts depended on a careful analysis and discernment of these forces, the resultant *khawāṭir*, and the response of aspirants to these.²⁶

The third constituent, the *qalb*, is the center of human spiritual receptivity in the Sufi schema and is not to be confused either with the physical heart or with emotions. The level of receptivity of the heart is contingent on the spiritual state of the individual. Through succumbing to evil *khawāṭir* and the torpor of earthly desires, most hearts become rusted or opaque.

This rust, or veil on the heart, can only be removed by persistent remembrance and invocation of God, abstinence from incorrect behavior, performance of good actions, including service to other human beings, and other rigorous spiritual practices.²⁷ As the aspirant pursues such spiritual disciplines, the commanding soul is weakened and instead transforms into the *nafs al-lawwāma*, "the blaming soul" (Q 75:2). This marks the emergence of the conscience, where the striving for good has been integrated and internalized. Thus the soul, aware of its own imperfections, reprimands the person if he or she inclines toward anything that constitutes spiritual negligence.

With consistent striving and purification, the heart is cleansed and illuminated by the divine light, and the soul of the seeker is satisfied. It is then that the *al-nafs al-muṭma'inna*, "the soul at peace" (Q 89:27), dominates the individual. This state is described in the *hadīth qudsī* where God states, "The heavens and earth contain me not, but the heart of my faithful servant contains me." In order for the mystic to fully realize the presence of God in the heart, it is necessary to entirely subdue and surrender those individualistic instincts that battle to remain sovereign. For Sufis, it is through the complete submission of the self to the Creator, through a pervasive state of "*islām*" (submission), that real human potentiality can be attained. The inherent critique of egotism within Sufi psychology presents an opportunity for challenging notions of male superiority. Here, the commitment to a constant

26 Al-Muḥāsibī (d. 857) developed a complex moral psychology that provided the seeker with ways to understand egoism and vigilantly monitor one's responses. For selections from his writings, see Michael Sells, *Early Islamic Mysticism* (New York: Paulist Press, 1996), 171–195.

27 For a discussion on early Sufi practices, see Sells, *Early Islamic Mysticism*.

awareness of God's absolute sovereignty counters the human instinct to claim power, including male claims to authority over women.

Within this framework, any such claim demands interrogation and may be suspected as a potential trap of the lower self (*al-naḥs al-ammāra*). We find this reflected in a number of classical Sufi narratives where interactions between women and men effectively constitute a penetrating spiritual and social critique of their normative gender assumptions.

An anecdote reported by Ibn Taymiyya concerning a Sufi woman, Umm Zaynub Fāṭima bint Abbas al-Baghdadiyya (d. 1314), is illustrative. Umm Zaynub Fāṭima was not only the spiritual leader (*shaykha*) of the Ribat al-Baghdadiyya, but renowned among the religious divines of Cairo as a jurist (*faqīha*) and one who provided practical legal responses to people's questions (*muftiyya*). Having studied with him, Ibn Taymiyya had on occasion praised Shaykha Fāṭima in public circles, not only for her intelligence and knowledge but also for her personal qualities of enthusiasm and excellence. She is also known to have delivered public sermons in the mosque and it was in relation to her role of leadership that Ibn Taymiyya reports his unease:²⁸

It unsettled me that she mounted the pulpit to deliver sermons and I wished to forbid her until one night I beheld the Prophet Muhammad in a dream and he rebuked me saying "This pious woman performs good works."²⁹

Another story of a powerful ninth century Sufi woman, Fāṭima of Nishapur, also illustrates a similar gender motif. Apparently Dhū an-Nūn al-Miṣrī had, in his early acquaintance with Fāṭima, rejected a present from her on account of her being a woman. She responded by saying that the true Sufi is one who does not focus on the secondary cause—in this case a woman—but rather on the Original Cause and the Eternal Giver.³⁰ Instead of disputing with him about the relative merits of women and men, she incisively transcends superficial ego-based discussions invoking questions of ultimate reality onto the horizon.

28 Irfana Hashmi's excellent paper, "The Women of the Medieval Minbar," 2006, paper delivered at the American Academy of Religion, Washington, DC, analyzes the complex roles and social relationships in the lives of women religious leaders including Fāṭima in premodern Islam.

29 Khalil ibn Aybak al-Ṣafadī, *A'yān al-ʿaṣr wa-a'wān al-naṣr* (Beirut: Dār al-fikr al-mu'āṣir, 1998), 4:28.

30 Annemarie Schimmel, *Mystical Dimensions of Islam* (Chapel Hill: The University of North Carolina Press, 1975), 426.

Yet another narrative involves the legendary Rābi‘a al-‘Adawiyya (d. 801). She was possibly among the first Sufis to advocate the doctrine of pure, disinterested love of God for God’s own sake, unattached and disinterested in its outcome—combining this with a doctrine of *kashf* or unveiling of the divine Beloved.³¹ Rābi‘a was apparently visited by a group of religious men who tried to goad her into responding inappropriately. They declared to her, “All the virtues have been scattered on the heads of men. The crown of prophethood has been placed on men’s heads. The belt of nobility has been fastened around men’s waists. No woman has ever been a prophet.” To this Rābi‘a calmly replied, “All that is true, but egoism and self-worship and ‘I am your Lord’ have never sprung from a woman’s breast ... All these things have been the specialty of men.”³² Here she astutely points out how the *al-nafs al-ammāra* has conquered men through their chauvinism and male ego, thus blinding them to the real nature of power and truth. More especially, Rābi‘a articulated the quintessential Sufi principle that the ultimate concerns are the state of one’s soul, and one’s correct orientation to God. Everything that detracts from this orientation, such as social power, gender differences, or prestige, may be spiritually detrimental to the individual.

These narratives present us with woman savants who have truly internalized the essential dimensions of Islam, which are singularly concerned with purifying the God–human relationship through diminishing the *al-nafs al-ammāra* so that eventually the heart can reflect the realities of the divine. In these stories, the men are depicted as conceited and chauvinistic, creating gender hierarchies that veil them from perceiving the true nature of Reality. Men’s assumptions of superiority are depicted as reflections of their spiritual inadequacies and are confronted as such. The women in these stories appear to be free from the delusions of self-importance and thus have attained more profound insights into the real power that animates all beings. Significantly, in these tales, women articulate central Sufi principles that simultaneously constitute for our purposes, compelling challenges to the very basis of gender discrimination.

31 Ahmet Karamustapha, *Sufism: The Formative Period* (Berkeley: University of California Press, 2007), 4.

32 Rābi‘a’s reproach echoes the Qur’anic condemnation of Pharaoh’s statement, “I am your lord” (Q 79:24). See Farīd al-Dīn ‘Aṭṭār, *Tadhkhirat al-Awliyā (Muslim Saints and Mystics)*, trans. A. J. Arberry (London: Routledge and Kegan Paul, 1966), 48.

Elsewhere, however, misogyny is reflected in Sufi literature where, for example, womankind is associated with the destructive attractions of the commanding soul.³³ Some Sufi men linked the dangers of an overwhelming sexual drive to women, relegating both to the realm of the *al-nafs al-ammāra*. However, their wariness toward women clearly represented an outward projection of the inner struggles that these men were having with their own desires and desiring selves. As such, these reflect the partiality and limitations of a particular type of male subjectivity. Nonetheless, the above narratives on Rābi'a and Fāṭima illustrate that core assumptions within Sufism itself may provide resources to challenge patriarchy inasmuch as patriarchy reflects humanity's baser inclinations of the *al-nafs al-ammāra*. If interpreted in this manner, progress on the spiritual path can imply directly challenging patriarchal impulses as they arise.

Yet other Sufi narratives reflect unconventional relationships between men and women in contexts that appear to be otherwise fairly restrictive. They often describe egalitarian and intense relationships based on spiritual vocation between unrelated Sufi men and women. Sufi literature also recognizes women as accomplished spiritual savants who were teachers to men and women alike in stories that are rather evocative and suggestive.

The first narrative—one of the most well known—reflects the superior spiritual attainment of a woman Sufi vis-a-vis her male counterpart. One day Ḥasan saw Rābi'a near a lake and wanting to impress her, he threw his prayer rug on the surface of the water calling to her to join him in prayer.³⁴ She responded by saying, “Ḥasan, when you are showing off your spiritual goods in the worldly market, it should be things that your fellow-people are incapable of displaying,” and she threw her prayer mat into the air, and flying up to it she asked Ḥasan to join her. Since Ḥasan's spiritual powers did not extend to this station, he was silenced. Rābi'a used this as a teaching moment, saying, “Ḥasan, what you did, fish also do, and what I did, flies also do. The real work transcends both these tricks, one must apply oneself to the real work.”³⁵

This anecdote ironically illustrates that Rābi'a's “spiritual goods” are in fact of a superior nature and capacity to that of Ḥasan, one of

33 Schimmel, “Eros in Sufi Literature and Life,” 124.

34 While it is unlikely that Ḥasan and Rābi'a ever met since their historical dates do not coincide, the endurance of these narratives is significant in providing some indication of the gender imaginaire present in Sufism.

the foremost male Sufis of the time. However, far more significant spiritually is that Rābi‘ā unmasks the fruitless nature of spiritual conceit and sensationalist miracles. She teaches that spiritual progress is about stripping the self of delusions of superiority; that ego-based desire for social recognition can insidiously penetrate spiritual pursuits; and that the focus on God is never to be compromised by such inclinations. The story by clearly depicting Rābi‘a’s greater wisdom over Ḥasan illustrates that spiritual attainment is not determined by gender. In such narratives about interactions between Sufi women and men, men exhibit the baser spiritual vices of arrogance, vanity, and self-importance, and women emerge as witty, wise, and spiritually advanced, displaying superior insights into mystical realities.

Another account, relating to Umm ‘Alī Fāṭima (d. 849), reflects unconventional gender power relations characterizing the life of this accomplished Sufi woman. She consulted with some of the most prominent mystics of the time, including Abu Nafs al-Nīsāburī and Bāyazīd al-Biṣṭāmī. Fāṭima is reported to have initiated a marriage proposal to her future husband, the Sufi aspirant Aḥmad Khaḍrawayh and pursued him when he did not immediately accept her offer.³⁶ On an occasion when Fāṭima lifted her veil in the presence of Bāyazīd, with whom she conducted extensive spiritual discourses, her husband expressed some consternation and jealousy. She consoled him with the following comment:

You are intimate with my physical self. Abu Yazīd is intimate with my spiritual way. You rouse my passion. He brings me to God. The proof of this is that he can dispense with my company, whereas you need me.³⁷

Given that her husband too was a spiritual aspirant, one of course wonders how reconciliatory such a comment actually was. However, her sincerity is evident in a subsequent event reported by Ḥujwiri: Fāṭima continued to treat Bāyazīd with the same boldness until the day that he commented on her henna-stained hands. At this point, she summarily terminates their relationship saying, “Oh Bāyazīd, so long as you did not see my hand and henna, I was at ease with you, but now that your eye has fallen on me our companionship is unlawful.”³⁸

35 ‘Aṭṭār, *Tadhkhirat al-Awliyā*, 45.

36 *Ibid.*, 173–174.

37 *Ibid.*

Fāṭima's comment is revealing and compelling: Sufi friendships between men and women had to navigate the complex and at times contradictory and fraught realm of materiality and sexuality. When Fāṭima perceived a shift in awareness in Bāyazīd—a preoccupation with the realm of the body—she unceremoniously reinstated socially appropriate boundaries.

Other stories concerning Umm 'Alī Fāṭima and her husband, Aḥmad, suggest that they were fellow travelers on the mystical path and that her husband acquiesced to her in decisions on various matters.³⁹ The narratives surrounding Fāṭima present us not only with a self-assured and spiritually developed individual, but with a woman who single-mindedly determines the contours and parameters of her interactions with men, be it her husband or a fellow spiritual aspirant.

Another Sufi woman, Fāṭima of Nishapur, mentioned previously, was the teacher and peer of some of the most prominent mystics of the time including Bāyazīd and Dhū an-Nūn al-Miṣrī. They fully recognized her spiritual mastery: when Dhū an-Nūn was asked by an older male Sufi who was the most excellent person he knew, he responded that it was Fāṭima, adding, "She is a saint from among the friends of God, the Glorious and Mighty. She is also my teacher (*ustādhi*)."⁴⁰ Bāyazīd al-Biṣṭamī is reported to have said of her, "In all my life I have only seen one true man and one true woman. The woman was Fāṭima of Nishapur. There was no station about which I had told her that she had not already undergone."⁴¹ Fāṭima was not only a spiritual teacher to male Sufis but was also described by her male disciples as the most excellent among *all* Sufis, reflecting counter-normative gender positions within mainstream Sufi discourse. Bāyazīd, describing Fāṭima's spiritual status said, "If any man desires to see a true man hidden in women's clothes let him look at Fāṭima."⁴² This ideologically loaded manner of describing spiritually accomplished women as male is not uncommon in Sufism. We noted Dhū al-Nūn's earlier description of Fāṭima as his teacher using the masculine form of the word (*ustādh*).

Farīd al-Dīn 'Aṭṭār (d. 1221), a Sufi poet and biographer, in describing Rābi'a al-'Adawiyya, states that God does not look at the out-

38 Al-Hujwiri, *Kashf al-Mahjūb*, 119.

39 'Aṭṭār, *Tadhkhirat al-Awliyā*, 174–175.

40 al-Sulamī, *Dhikr an-niswa al-muta'abbidāt aṣ-Ṣūfiyyāt*, 144.

41 Javed Nurbaksh, *Sufi Women* (New York: Khaniqahi-Nimatullahi Publications, 1990), 162.

42 'Aṭṭār, *Tadhkhirat al-Awliyā*, 174–175.

ward form or gender but at the intention of the heart and that “when a woman becomes a man in the path of God, she is a man and one can no longer call her a woman.”⁴³ He adds that the first *man* to enter paradise will be Mary, the mother of Jesus. Thus some Sufis have used this type of gender discourse where spiritually advanced women are described as either being quintessentially “male,” that is, a man sent in a female form, or women who have, through their unusual progress, attained the status of “male.”

Rkia Cornell⁴⁴ suggests that masculine descriptions of Sufi women signified that they were considered as equal to the male Sufi masters of the time, a linguistic device that also characterized other areas of Islamic learning. In this androcentric symbolic system, social constructions of maleness with its attendant associations of agency and excellence have been mapped onto a religious phenomenon. Here the sign “male” is not restricted to men but rather signifies spiritual aspirants, including women. Such views on accomplished women are double-edged. On the one hand, this religious classification undermines some of the social realities that circumscribed women. By these shifting significations of gendered language, male Sufis theoretically incorporated the full spiritual agency of women in contexts otherwise characterized by masculinist assumptions. On the other hand, this language reflects the pervasiveness of patriarchal ideology where spiritual mastery is fundamentally connected to men. As such, iconoclastic women can only be understood if they are somehow seen to abandon their womanhood and take on male personae. The metaphor of “becoming male” used for spiritually enlightened women is premised on an anthropology that cannot assimilate the category of femaleness into its ideal of human perfection. In these instances, “maleness” as an ontological category is still the *de facto* norm and point of departure for spiritual perfection. This type of language can be seen to re-inscribe male normativity.

For our purposes, it is necessary to acknowledge the pragmatic, historical, and contextual nature of such Sufi language. It reflects the gendered symbolic world of a premodern Sufi milieu that comprises varying and ambivalent notions of gender. Furthermore, the repeated use of such gender categorizations that speak about spiritual perfection,

43 Ibid., 40.

44 Cornell, “Soul of a Woman was Created Below,” 59–60.

even if only symbolically, as a “masculine” or “male” reality, is ideologically problematic. It implies an insidious othering and marginalization of women and their realities. These Sufis within their particular contexts use accepted, dominant, androcentric language to express unacceptable, marginalized, gender-egalitarian realities of women’s full access to perfection. Their symbolism creates critical openings to transform dominant patriarchal conceptions of gender within the Muslim legacy. In fact, al-Biṣṭamī’s recognition that Fāṭima, the “one true woman,” had full access to all spiritual stations presents a linguistic counter-narrative to masculinist Sufi language on gender. The Sufi narratives discussed are not dense theoretical treatises on gender. Nevertheless, they constitute clear, sophisticated articulations of Sufi principles in ways that interrogate gender constructs at a foundational level. They assertively challenge gender-biased formulations on the nature of self and submission in Islam.

*Ibn ‘Arabī:
Ontology and Human Purpose*

Next, I will focus on the teachings of Ibn ‘Arabī, a pivotal figure in Sufi thought whose ideas elicited varied responses and who occupies an ambivalent status in the history of Muslim orthodoxy.⁴⁵ In many of his teachings, Ibn ‘Arabī asserts women’s equality with men in both ontological and social terms in ways that are illuminating for contemporary Muslim gender debates. Amidst the rich panoply of his mystical insights, one discovers some very radical conceptions of gender, atypical among thirteenth-century male scholarly elite. Nonetheless, it is important to remain aware that these “egalitarian” narratives were at times interwoven seamlessly with hierarchical and patriarchal elements more typical within his context. Ibn ‘Arabī’s Sufi works, like so much in the Islamic legacy, reflect the tension between patriarchal formulations and gender-egalitarian impulses. While some contemporary Ibn ‘Arabī scholars focus on elements of his work that point to essential gender differences and a paternalistic vision of gender comple-

45 For a fascinating history of the contestations of Ibn ‘Arabī’s legacy amongst premodern Muslim scholars, see Alexander Knysh, *Ibn ‘Arabī in the Later Islamic Tradition: The Making of a Polemical Image in Medieval Islam* (Albany: SUNY Press, 1999).

mentarity, his more radically egalitarian positions on gender and the nature of human perfection have not received sufficient attention.⁴⁶ Nonetheless, even while recognizing the ambivalent gender voices in Ibn ‘Arabī’s legacy, it is my concerted view that he remains at the deepest level one of the early dissidents to patriarchy, a view that I substantiate in the rest of this paper.

When situating Ibn ‘Arabī’s ideas within his personal and historical context, there are a number of significant considerations. In perusing the biographical material on Ibn ‘Arabī’s life from a gender lens, one aspect stands out quite starkly: there is a distinct and large presence of women in his life, not only in terms of his family but also in his religious and social circles. Ibn ‘Arabī had close relationships with two of his female teachers, to whom he refers with great love and reverence; he also appears to interact with a number of his female Sufi contemporaries, one of whom he even accompanied on a journey from Mecca to Jerusalem;⁴⁷ he mentions a significant number of his female disciples whom he nurtures and mentors carefully on the Sufi path;⁴⁸ and finally, there is his intense and enigmatic relationship to the beautiful Niẓām who is the inspiration for some of his most spiritually exalted love poetry expressed in his work entitled *Tarjumān al-Ashwāq*.⁴⁹

The extent of Ibn ‘Arabī’s interactions with unrelated women is particularly noteworthy in light of recent scholarship on premodern Andalusian social norms. On the one hand, we certainly find interesting indications that there were perhaps a few other Andalusian think-

46 See for example, Seyyid Hossein Nasr, *Traditional Islam in the Modern World* (London: KPI, 1987) and Zailan Morris, “The Sufi Perspective on the Feminine State,” *Islamic Quarterly* 36 no. 1 (1992): 46–57. Nasr’s approach in this article reflects most starkly a broader trend of interpreting Ibn ‘Arabī’s gender writings in ways that reinforce gender hierarchy with a romanticized version of patriarchal complementarity as does Zailan Morris who draws heavily on Nasr’s work. While Murata, *The Tao of Islam* provides a far more sophisticated and nuanced reading of Ibn ‘Arabī and Sufi discourse, her approach remains characterized by a view of gender complementarity that effectively echoes many patriarchal stereotypes. All these interpreters of Ibn ‘Arabī are in fact adherents of the “traditionalist school” and a Perennialist worldview, which are characterized by a strident critique of modernity and a concomitant idealization of the past in ways that have profound implications for gender relations. Their readings of Ibn ‘Arabī translate into fairly conservative and traditional ideas on gender roles. A similar type of conservative and traditional approach is also evident in the nonetheless compelling writings of Abdul Hakim Murad, “Islam, Irigaray, and the Retrieval of Gender,” 1999, <http://www.iol.ie/~afifi/Articles/gender.htm>. In *Sufi Narratives of Intimacy: Ibn Arabi, Gender, and Sexuality* (Chapel Hill: University of North Carolina Press, 2012), I focus on the tension between egalitarianism and patriarchy in Ibn ‘Arabī’s works. While recognizing the boundaries of Ibn ‘Arabī’s historical sensibilities, in the manuscript I also demonstrate how he uses mystical paradoxes to “unsay” many of his seemingly patriarchal positions on gender.

47 See Ibn ‘Arabī, *Rūh al-Quds and al-Durrat al-Fākhira*, 155.

48 See Muḥyi al-Dīn Ibn ‘Arabī, *Diwān Ibn ‘Arabī* (Būlūq, 1855), 54–57.

49 Muḥyi al-Dīn Ibn ‘Arabī, *Tarjumān al-Ashwāq. A Collection of Mystical Odes of Muḥyidīn Ibn al-‘Arabī*, trans. R. Nicholson (London: Theosophical Publishing House, 1911b).

ers who also appear to be sensitive to issues of gender in their works: for example, Ibn Ḥazm in a juristic work titled *al-Muḥallā bi-l-Āthār* argues in a number of cases in favor of women's participation in public rituals. This included allowing women to pray at the mosques, for women to be allowed to perform *i'tikāf*, a form of devotion that involves seclusion in the mosque for prayer or fasting, and for women to be allowed to participate in funeral processions and visit cemeteries.⁵⁰ However, one cannot read these legal positions as necessarily reflective of properly egalitarian social spaces. Historian Maria Luis Avila suggests that despite some scholarly assertions about the freedom enjoyed by Andalusī women, such freedom is not reflected in the biographical dictionaries between the ninth and eleventh centuries.⁵¹ By analyzing data on women in those dictionaries, Avila makes the following assertions: there were relatively few women involved in the acquisition of scientific and religious knowledge in al-Andalus. Most women were active in the sphere of the family exclusively, and when in the few exceptional instances women were active outside of this sphere, social norms dictated that they stayed away from men as far as possible.⁵² If Avila is correct about these gender norms, then Ibn 'Arabī's intense relationships with numerous non-kin women as well as the very powerful and socially visible Sufi women he describes become even more meaningful.

An incident in Ibn 'Arabī's life adds support to Avila's contention regarding fairly conservative gender constructions in premodern Andalusia. Ibn 'Arabī was compelled to produce a judicious commentary on his *Tarjumān* explaining how all his references to love in this poem alluded to the spiritual realm. This commentary was in fact a response to accusations that his *Tarjumān* was scandalously erotic and sensual. Such an outcry from the religious establishment suggests a context where representations of women and sensuality in relation to a discourse of spirituality were considered controversial and cause for censure. Unlike Ibn 'Arabī, it appears that some of his contemporaries found it difficult to see the relationship between female embodiment, sensuality, and spiritual truth.

50 Camilla Adang, "Women's Access to Public Space according to al-Muḥallā bi-l-Āthār," in *Writing the Feminine: Women in Arab Sources*, eds. M. Marin and R. Deguilhem, 75–94 (London: I.B. Taurus, 2002).

51 Maria Luis Avila, "Women in Andalusī Biographical Sources," in *Writing the Feminine: Women in Arab Sources*, eds. M. Marin and R. Deguilhem (London: I. B. Taurus, 2002), 151.

52 *Ibid.*, 159.

Intriguingly Ibn ‘Arabī informs us that when he first embarked on the spiritual path, he intensely disliked women and sex. His instinctual aversion to women caused him great consternation, since it was contrary to a prophetic tradition that states that God made women lovable to the Prophet Muhammad. Ibn ‘Arabī deeply feared incurring the wrath of God for despising what the Prophet loved and thus beseeched God to intervene with his paltry state. As a result Ibn ‘Arabī found that his condition of aversion was dissipated and he informs us exuberantly that “God made them [women] lovable to me and I am the greatest of all creation in compassion towards them and in guarding their rights because in this matter I am acting on insight (*baṣīra*) and it is from them [women] being made lovable to me [by God] and not from love that proceeds from my own nature.”⁵³ While a cynic might simply interpret this comment as a retrospective defense against the controversy stirred by Ibn ‘Arabī’s *Tarjumān*, this comment is replete with meaning.

Ibn ‘Arabī informs us that his gender lenses are in fact directly informed by mystical insights and a desire to emulate the prophetic example. Significant in this comment is Ibn ‘Arabī’s claim that love, compassion, and justice toward women are divine mandates upon men, based on prophetic example. They are not to be seen simply as the product of individual disposition or natural propensities in some men. Despite what might sound in a modern context as a condescending and paternalistic attitude toward women, Ibn ‘Arabī in a dominantly patriarchal context is making a sweeping assertion. Claiming religious authority on the basis of both inspiration and prophetic example, he demands that the men in societies characterized by gender asymmetry are obliged to relate to women with love and benevolence. This comment by Ibn ‘Arabī also highlights another significant point for feminist readers: within privileged classes in Islamic intellectual history, one also finds men who have resisted and contested patriarchy in some or other manner.

While accepting Ibn ‘Arabī’s claim about his changed state toward women in his own terms, his larger biography suggests a more complex relationship between his views on gender and different dimensions of his experience, both mystical and mundane. In my view, Ibn

53 Muḥyī al-Dīn Ibn ‘Arabī, *Al-Futūḥāt al-Makkiyya* (1911a), 4:84.

'Arabī's involvement with and exposure to female spiritual authorities in his formative period, and his later relationships with women like Niẓām and his female disciples, certainly influenced his ability to relate to women as fully fledged aspirants on the Sufi path. In my estimation, his egalitarian views on gender were not only informed by mystical insights but also his lived experiences. Having provided some biographical and historical context for Ibn 'Arabī's ideas, I now explore his worldview and understandings of human nature.

Discussions about the nature and purpose of human beings constitute central dimensions of Ibn 'Arabī's complex cosmology. In explaining the ontological basis of human nature, he draws on the hadith that "God created Adam in His own form," and on the Qur'anic verse that God taught Adam "all of the names" (Q 2:30). Here, the "names" refer to the attributes (*ṣifāt*) or qualities of God, what the Qur'an also describes as the beautiful names (*al-asmā' al-ḥusnā*). Traditionally, it is held that God has ninety-nine names, qualities, or attributes that reside within His state of unity (*tawḥīd*) and creation occurs through a manifestation of these attributes from the original state of oneness.

Ibn 'Arabī states that among all creation, humanity uniquely reflects the potential to comprehensively manifest the totality of God's attributes (*al-kawn al-jāmi'*). This comprehensive capacity is what defines the human being as a microcosm of the divine names.⁵⁴ Humanity unifies and concentrates all God's attributes that are reflected in a more differentiated manner in the rest of the universe or the macrocosm. With the human being, the universe becomes "ensouled" and transformed into the polished mirror of the divine attributes. The human creature is the ultimate link in the great chain of being which brings all previous links of the entire cosmos into manifest existence.⁵⁵

Here, Ibn 'Arabī speaks of humanity in its archetypal capacity, what he calls the *al-Insān al-Kāmil* (The Perfect Human) who integrates all forms of the divine names.⁵⁶ This term, therefore, does not signify all actual individuals but rather the ideal or the potential that *all* humans do in fact possess, which is realized in some beings and not others. As such, it represents the ideal ethical self and the exemplary standard for

54 Muḥyi al-Dīn Ibn 'Arabī, *Fuṣuṣ al-Ḥikam* (*The Bezels of Wisdom*), trans. R. Austin (New York: Paulist Press, 1980), 50.

55 Ibid.

56 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 1:216.

human beings to strive toward. Those who realize and embody this archetype in their historical actualities are the prophets and the friends of God (*awliyā'*), as Sufi adepts are called.

Ibn 'Arabī provides an extensive discussion of the nature of the divine attributes (*ṣifāt*) as the ontological link between the unknowable essence of God (*al-Dhāt*) and creation—and humanity in particular. There are complex inter-relationships between the divine names and humanity, both perfect humans and the vast majority who are less than perfect. For all of creation, the divine names or attributes are not fixed entities, but relationships that link the Creator with the created. “The divine names,” notes Ibn 'Arabī, “are the mediators or isthmus (*barzakh*) between us and the One named.”⁵⁷ Invoking the trope of prosopopoeia and personification, he explains that the Divine Names behold the Divine: “They [the names] look to Him in as much as they name Him.” When the Divine Names gaze upon humans, they perform a different function. At that moment, the names unload the effects of the divine predicates on the human subject and thus “... they make the One named known and they make us known.”⁵⁸

In this cosmology, human beings all embody the divine names—this forms the basis of their existential identity and self-knowledge. God and humanity paradoxically constitute a mirror to one another. However, human beings cannot lay claim to these names autonomously, but always only in relation to God. In this regard, Ibn 'Arabī points out that:

This locus of witnessing demonstrates that the root of every name held by created existence belongs in reality to the Real. When applied to the creatures, the name is a word without meaning, even though the creatures assume its traits.⁵⁹

Human beings are thus rooted in God through the divine names. Applying this understanding to the spiritual path suggests that a person strives to purify the self from all false deities and to realize one's state of ontological dependency on God. Given this model, the question about process becomes all-important in the human spiritual journey. How does one proceed along this primordial trajectory of return to our true source and nature? What is the method for embodying the divine

57 Ibid., 2:203.

58 Ibid.

59 Ibid., 2:350.

names that will take one from the periphery to the center? It is here that one requires some clarity about the nature and qualities of the names, their inter-relationships, and how humanity is to engage them.

In this framework, the ideal state of the *al-Insān al-Kāmil* is a theomorphic microcosm that embodies a harmonization of all the divine qualities. However, in reality, people can embody endless variations of the divine names, accounting for the full range of human possibilities in existence from actions that are noble to those that are blameworthy.⁶⁰ At various points in one's life, these names manifest themselves in different configurations with shifting intensities and complex inter-relationships. Ibn 'Arabī reiterates that the critical enterprise of progress on the path of self-realization demands that the aspirant observes the precise limit of each attribute and does not step outside the related balance among the different names.⁶¹

For many Muslim thinkers, including Ibn 'Arabī, the divine names can be divided into two groups that set up several sets of corresponding relationships with one another and allow the seeker to focus on the appropriate balance. These are broadly categorized into names of majesty (*jalāl*) and those of beauty (*jamāl*). Moreover, names of beauty, like the Loving, the Merciful, the Beneficent, the Gentle, the Forgiver, are closely connected to the concept of God's similarity with creation, while those of majesty, like the Inaccessible, the Bringer of Death, the Overwhelming, the All-High, the Great, are connected to God's incomparability with creation.

Since the ideal of the *al-Insān al-Kāmil* is comprehensive in reflecting the divine names, the notions of incomparability and similarity are primarily aimed at providing an epistemological guide to the seeker. The notion that many of the majestic (*jalālī*) qualities belong to the realm of incomparability implies that epistemologically the sojourner should not make any claims to these qualities at the outset. In relation to God's *jalālī* qualities, human beings should adopt a relationship of receptivity and dependency. One cannot respond to God's *jalālī* names with one's own ego-based *jalālī* qualities since this will only further distance one from the source and result in misguidance. Iblīs (Satan) epitomizes this misplaced *jalāl* when he counters God's command to prostrate before Adam with the claim that "I am better than he." His

60 See also Chittick, *The Sufi Path of Knowledge*, 286–288.

61 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 4:3.

arrogance was born out of a misplaced sense of power and majesty resulting in a lack of receptivity to God's command and thus a refusal to submit to the Real. Blindness to the reality of his state of ontological dependency, a consequence of unaligned *jalālī* qualities, plunged Iblīs into a state of distance and expulsion from the realm of intimacy with God.

Similarly, for human beings, there is grave spiritual danger in assuming *jalālī* qualities, since this can very easily lead to a heedlessness of the real situation *vis-a-vis* God, and that ultimately spells failure and destruction for the seeker. It is only through receptivity and submission to God's *jalāl* that the servant can progress along the path of spiritual refinement. In this process, the seeker will experience increasing states of nearness to God and the reality of God's beauty (*jamāl*). Ibn 'Arabī suggests that love and submission are the ingredients that provide the possibilities for assumption of the divine attributes in the correct manner, "Sincerity of love causes the lover to become qualified by the attributes of the beloved ... As they loved God, they became qualified by His Attributes to the degree appropriate for them."⁶²

For Ibn 'Arabī, it is the devotion of the sincere lover, the recognition of one's own poverty and dependency upon God, the work of self-purification, and adherence to God's commands, that together facilitate a relationship of complete receptivity to God. In this process, the seeker grows increasingly closer to the Beloved, realizing the realities of the *jamālī* attributes. This epistemological priority accorded to the *jamālī* attributes for the seeker is linked to its larger ontological priority within God Himself who says in a *ḥadīth qudsī*, "My mercy precedes my wrath."⁶³ According to Ibn 'Arabī, life itself is a reflection of God's all-embracing compassion and is the premise of every other relationship and name attributed to God.⁶⁴ The Qur'anic invocation of the divine names *al-Raḥmān* and *al-Raḥīm* at the beginning of almost every *ṣūra* (chapter) indicates a similar preponderance of God's *jamāl* more broadly in Islam.

For Ibn 'Arabī, this pervasive mercy also travels between God and human beings through the realm of human interactions. He fore-

62 Ibid., 2:596.

63 Chittick, *The Sufi Path of Knowledge*, 23.

64 See also Pablo Beneito, "The Presence of Superlative Compassion," *Journal of the Muhyiddin Ibn 'Arabī Society* XXIV (1998): 2–26, for a beautiful exposition on the primacy of divine mercy in Ibn 'Arabī's framework.

grounds the primacy of realizing God's *jamāli* qualities in these realms. Reflecting on the magnitude of such *jamāli* qualities, Ibn 'Arabī observes that God chooses the merciful ones from among His servants as special recipients of His grace since "He knows that the compassion that they actualize by bestowing grace on someone [else] is the property of His Names. And the Most High alone rewards them according to the measure of the Name with which they bestow grace."⁶⁵

For the seeker, Ibn 'Arabī prioritizes the embodiment of the *jamāli* qualities of mercy, compassion, and love. These attributes of similarity between God and creation provide the furnace for the transformation of the self into the divine form of *al-Insān al-Kāmil*. This does not imply a disregard for Allah's *jalāl* but rather the seeker attempts to dissolve the unrefined *jalāli* instincts of her *al-nafs al-ammāra* in the ocean of God's *jamāli* attributes. Through this process, the individual's *jalāli* dimensions can be safely harmonized, having been purified by receptivity to God, and having maintained the limit demanded by God's incomparability. Hence, it can be inferred that God's *jalāl* in humanity emerges out of embodying God's *jamāl*. Human beings ascend through the grace of God to true vicegerency that entails a total and harmonious assimilation of all the divine qualities. Within this balance between *jamāl* and *jalāl*, the predominance of God's Mercy—a *jamāli* reality—is ever-present and constantly evoked.

For our purposes, what is also clearly illustrated in this ontological framework is that the assumption of *jamāli* attributes for human beings occurs in social contexts. A person's spiritual transformation occurs significantly through embodying certain types of behavior in relation to other people. Character is refined through cultivating social interactions based on love, mercy, compassion, and gentleness toward our fellow beings. In this framework, spiritual development demands an ethics of care that is socially engaged, and not a solitary, individualistic journey.

65 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 4:409.

Divine Attributes and the Gendered Insān

Ibn ‘Arabī’s foundational understandings of God and humanity have a number of implications for gender ideology. By foregrounding the *jamāli* aspects of humanity, this approach provides not only a general critique of social hierarchies and discriminatory ideologies; it also rejects social structures that prize aggression and other unrefined *jalāli* qualities. In our world, this critique is extremely pertinent, given that these unrefined *jalāli* ways of engaging the world characterize the prevalent masculinist ways of being—not just in Islam—and these continue to bring war, destruction, suffering, and death to human lives. Over and above providing a critique of these macho social norms, Ibn ‘Arabī’s framework directs one to the alternatives where qualities of mercy, compassion, care, justice, generosity, patience, forbearance, and forgiveness are to be prioritized as qualities that human beings should embody. It provides a rationale for cultivating societies that value peace and justice as a necessary context for, as well as a predictable result of, the cultivation of individual character.

At this level, Ibn ‘Arabī’s teachings provide possibilities for a powerful, organic, and ontologically grounded critique of patriarchal power relations, both in relation to the individual and to social formations. Particularly in relation to *fiqh*, Ibn ‘Arabī’s framework allows one to ask whether our formulations of the law reflect an engagement with the foundational metaphysical principles of Islam. Here, Sufism with its prioritization of *jamāli* realities, where majesty (*jalāl*) always needs to be contained within an encompassing mercy (*jamāl*), potentially offers a crucial contribution to the development of a humane legal system that genuinely marries justice with mercy.

At a more specific level, Ibn ‘Arabī’s core concept of *al-Insān al-Kāmil* presents a pivotal understanding of human purpose that is significant in terms of its explicit gender-inclusivity. Ibn ‘Arabī himself repeatedly says that *al-Insān al-Kāmil*, the standard for perfection, is ungendered, makes identical demands on men and women, and is attainable equally by both:

Both men and women participate in all of the levels, even in being the axial saint (*al-Qutb*). Do not let yourself be veiled by saying of the messenger of

God, on whom be peace and salutations: “A people who delegate governance to women will never ever prosper.” For we are speaking about God’s granting of authority, not peoples’ granting of authority (*tawaliyāt*). The hadith addresses one whom people have given authority. In tradition, if we received nothing concerning this matter except the saying of the prophet that “women are the same as men in heritage”, it would be enough. In other words, everything that a man can attain—spiritual stations, levels or qualities—can be attained by women if God wills, just as it can be attained by men, if God wills.⁶⁶

At first blush, Ibn ‘Arabī might be construed to be an apologist of the popular hadith report that purportedly states, “A people will never prosper that give a woman authority over their affairs.” For many classical and even modern Muslim scholars, this report serves to disqualify women from political leadership. Situated in the heart of the canonical hadith sources, this tradition has served to reinforce and buttress patriarchal limitations on women’s social power.

Here Ibn ‘Arabī offers a radical new reading of this insidious and pervasive hadith tradition. By summoning the powerful visage of a ruling female saint as a counterpoint, Ibn ‘Arabī opens up an unusual and refreshing ontological porthole on a hadith that has otherwise become a rather monotonous refrain among guardians of Muslim patriarchies. Given that *al-Qutb* or the axial saint is the spiritual pivot in the hierarchy of saints, Ibn ‘Arabī’s assertion that women can assume this station is formidable. In the process, he limits the relevance of the above hadith to the realm of social contingencies. Arguing that this hadith has no relevance at the level of ontological reality, since at this level yet another more comprehensive hadith is in fact relevant, the hadith that states, “[W]omen are the same as men in heritage,” which he argues, implies that *all* stations, levels, and attributes are accessible to both men and women equally. While remaining faithful to the textual canon Ibn ‘Arabī rather adroitly negotiates contradictory prophetic traditions in a way that foregrounds gender-inclusivity and women’s full participation in the work of human existence.

Ibn ‘Arabī’s interpretation of these *aḥādīth* is not simply a way of dichotomizing the social from the spiritual, granting women access to the latter while restricting them from the former. We know this from

⁶⁶ Ibid., 3:89.

examining his understanding of the role of the axial saint (*al-Quṭb*). The contemporary scholar Souad al-Ḥakīm succinctly encapsulates Ibn ‘Arabī’s view of the axial saint of the age, and what this would imply for a woman assuming this station:

[W]e can say that once [she becomes] a Pole [axial saint], a woman becomes possessor of the moment (*waqt*), master of the time, God’s vicegerent on His earth, representative of the Envoy in his community, heir to being chosen, cloaked ... [in] Adamic distinction. Around her the world turns: she arranges its governance and the needs of the entire world rest upon her. God is in solitude with her without the rest of His creation, and He beholds none but her during her time. She is the highest veil. In the Presence of *mithāl*, God erects for her a throne upon which He seats her, and then He bestows upon her all the Divine Names that the universe asks of her and she asks of Him/it. When she is seated upon the throne in the Divine Image, God orders the universe to pledge allegiance and to pay homage to her. Among her subjects are every being, high and low, except the highest of the angels, who are those lost in love (*muhayyamūn*), and the singulars (*qfrād*) of mankind, over whom she has no authority because they are like her, perfect, with the aptitude for what she has received of Polehood.⁶⁷

Clearly the encompassing, universal scale of the *Quṭb*’s role renders distinctions between the social and the spiritual realms irrelevant. The axial saint is the human being par excellence, the true vicegerent of God, and the leader of humankind at the cosmic level that pervades every other level of being.

By this deft ontological move, Ibn ‘Arabī effectively dislocates notions of female inferiority. Given the ultimate priority of the spiritual realm within the Sufi framework, by asserting women’s supreme spiritual capacities Ibn ‘Arabī combats prevailing beliefs that women’s purported social incapacities can be related to their ontological deficiency. Hence, in Ibn ‘Arabī’s passage above, his reference to the *hadith* functions to recognize normative gender imbalances at the social level, and to expressly illustrate that such hierarchical social dynamics can serve to blind people from the ultimate nature of human spiritual potentialities. In effect, his reading serves to restrict, limit, and even subtly critique the applicability of the *hadith* that condemns women’s

67 Souad al-Ḥakīm, “Ibn ‘Arabī’s Twofold Perception of Woman: Woman as Human Being and Cosmic Principle,” *Journal of the Muhyiddin Ibn ‘Arabī Society* XXXI (2002): 3.

leadership while reaffirming women's access to the highest of spiritual stations.

In another passage where Ibn 'Arabī is describing forty-nine types of sainthood based on the Qur'anic *Sūrat al-Aḥzāb*, he explicitly includes women as part of this discussion saying, "In each of these categories which we are speaking of there are men and women," and he later adds, "[T]here is no spiritual qualification conferred on men which is denied women."⁶⁸ In this section, after *each* of the saintly categories that he enunciates, Ibn 'Arabī consistently adds the phrase *min al-rijāl wa-l-nisa* (including men and women). In fact, he is clearly following the Qur'anic lead in this case where the relevant verse delineates the various virtues of believers in both masculine and feminine terms. Indeed, Ibn 'Arabī argues that the Qur'an itself confirms that each of the virtues that reflect varying forms of spiritual perfection is equally accessible to men and women. He points out that this inclusive verse reflects a central ontological teaching of the Qur'an relating to human nature and genderedness. Dominant *fiqh* discourses have neglected to integrate such ontological understandings of human beings in their interpretations of the *sharī'a*. Ibn 'Arabī's persistent reiteration of equal spiritual capacities suggests that he was speaking to an audience where such equality was also not assumed.

In addition to Ibn 'Arabī's explicit theoretical positions on the equal capacities of men and women, his autobiography reflects his experiential knowledge of such possibilities. In his writings, he discussed the spiritual authority of two of his female teachers and his devotion to them as a beloved disciple. Ibn 'Arabī reports that he frequently visited Yasmīnah or "Shams," a woman in her eighties who lived at Marchena of the Olives. Ibn 'Arabī proudly informs us that while Shams generally concealed her spiritual state from others, she would on occasion reveal it to him, since she considered him a student with unique capacities. He expresses his tremendous admiration for her many gifts, saying:

Among people of our kind I have never met one like her with respect to the control she had over her soul. In her spiritual activities and communications she was among the greatest. She had a strong and pure heart, a noble spiritual power and a fine discrimination ... She was endowed with many graces. I had

68 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 2:35.

considerable experience of her intuition and found her to be a master in this sphere. Her spiritual state was characterized chiefly by her fear of God and His good pleasure in her, the combination of the two at the same time in one person being extremely rare among us.⁶⁹

Ibn ‘Arabī proceeds to describe some of her supernatural abilities including her ability to perceive things and communicate at great distances as well as the power to voice people’s thoughts. He states: “ ... her revelations were true and I saw her perform many wonders.”⁷⁰

Ibn ‘Arabī accords full recognition to the spiritual mastery of a woman adept who he depicts as superior in ability and attainment to many of her contemporaries, including men. Here a woman is the model spiritual aspirant occupying the position of subject and role model in the discourse. There is nothing exclusively or traditionally female in his description of her spirituality. Her spirituality not only reflects the grace and mercy of God’s qualities but also reflects qualities of mastery, strength, nobility, fine discrimination, and control of her soul. She reflects a balance of *jamāli* and *jalāli* qualities. Among Sufi masters, she is one among equals and in fact supersedes many of her peers. Ibn ‘Arabī’s comment about his frequent visits to her and his deep pleasure that she privately revealed the secrets of her spiritual state to him suggests not only his high regard for her, but also reveals the intense interpersonal interaction among individual Sufi men and women in that context.

Ibn ‘Arabī’s position, that both theoretically and practically the cultivation and embodiment of a perfect balance between *jamāl* and *jalāl* is exactly the same for male and female aspirants, has very significant implications for our understanding of gender within Sufism. It challenges interpretations of Sufi ontology that suggest women are intended to primarily reflect *jamāli* attributes while *jalāli* qualities are chiefly the prerogative of men.⁷¹ These readings not only lend themselves to a view of gender complementarity that reinforces patriarchal stereotypes but also are theoretically inconsistent with basic Sufi assumptions on the nature of *al-Insān al-Kāmil*. Principally, they contradict the basic notion of *al-Insān al-Kāmil* as the unique human capacity to in-

69 Ibn ‘Arabī, *Rūh al-Quds and al-Durrat al-Fākhira*, 142.

70 Ibid., 142–143.

71 See, for example, Nāsī, *Traditional Islam in the Modern World*, 49.

tegrate *all* the divine names. If men were *jalāl* and women were *jamāl*, this would limit the possibilities for either men or women to embody the full array of divine attributes. In this case, where one half of the human species is predominantly associated with a *jamāli* divine mode and the other with the *jalāli* mode, then one could say that any gendered human being is only able to reflect divinity partially. As such, humanity would lack the capacity for embodying all divine attributes, the criterion of human perfection, denying both men and women the ontological completeness inherent in this cosmology. This type of gendered reading of Ibn 'Arabī is therefore conceptually untenable and contrary to his view of the holistic nature of human spirituality embodied by the concept of *al-Insān al-Kāmil*.

Using traditional gender categories to label visions of ultimate reality has substantial political and social repercussions. It reinforces the essentialist view that women are gentle and merciful human beings who inspire love, and that men are powerful and wrathful human beings who inspire awe. Simplistically, the implication is that women are to be loved and men are to be feared. These notions of fundamentally different spiritual and emotional capacities between men and women make relationships of mutuality between the sexes difficult, instead fostering hierarchical power dynamics. These interpretations also veil the importance of *jamāli* interactions between all human beings as a central spiritual practice.

The Tawhīdic Whole: Spiritual and Social Integrity

In addition to positing the equal spiritual possibilities for men and women, Ibn 'Arabī significantly connects women's ontological capacity for perfection to agency in the social realm and, specifically, in the law. For example, he presents the case of Hajar as the initiator of the *sa'y* rites during *hajj*, making her the creator of a legal precedent that is applicable to the entire Muslim community.⁷² This socio-legal capacity, he argues, emerges only as a consequence of women's potential

72 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 1:708.

for spiritual perfection. The gendered link between spiritual capacity and the ability to set communal legal precedents reflects an explicit connection between spirituality and socio-legal space in Ibn ‘Arabī’s framework.

In another discussion, Ibn ‘Arabī begins by informing us of a view not uncommon among other legal scholars that despite the normative position of restricted female legal testimony, there are situations where in fact one woman’s legal testimony is equal to that of two men, namely, in the cases of parentage and on the subject of the waiting period after divorce (*‘idda*).

In some cases, one woman can play the role of two men. Usually, a judge does not make a definite judgment except with the testimony of two men. Yet in some circumstances the testimony of one woman equals that of two men. For example, the judge’s acceptance of her testimony about menstrual cycles as it related to the waiting period after divorce (*‘idda*), or the husband accepting her statement about his paternity of the child—despite the uncertainty pertaining to such situations. [Another example of this] is the acceptance of her testimony that she is menstruating. So she occupies in such situations, the position (*manzalat*) of two reliable male witnesses just as the man occupies the position of two women in cases of testimony about debt.⁷³

Here Ibn ‘Arabī points out that context and experience are principal considerations when determining gender-specific legal capacity. Such an approach suggests that legal rulings appearing to favor men per se may, in fact, simply be responsive to the realities and pragmatics of the social arena.⁷⁴ Within his context, ordinary women’s experience was limited primarily to the private realm of their bodies while men were active in the public arena of commerce. The weight of their respective testimonies is related to these experiential and knowledge bases. Such a reading of the law resists the notion that there is an inherent superiority attached to male testimony. It invites us to think about the fact that legal capacity is linked to a person’s expertise, knowledge, and experience. With this type of pragmatic reading, Ibn ‘Arabī effectively destabilizes some of the normative gender assumptions within traditional Muslim legal discourses—within the con-

⁷³ Ibid., 3:89.

⁷⁴ For a thorough, considered and incisive analysis of the ways in which some premodern jurists negotiated the gendered component of women’s witness and other legal capacities, see Fadel, “Two Women, One Man.”

text of legal testimony he subtly unsays the dominant notion of male superiority. Moreover, his examples give salience to women's agency and legal capacity contrary to more patriarchal representations of men as primary agents.

The underlying logic of this argument suggests that law is to be responsive to and informed by changes in contexts, experiences, and knowledge. Ibn 'Arabī's approach to *fiqh* opens up ways to understand traditional legal rulings contextually and to continue dynamic, socially engaged methods to formulate the law in the contemporary period. Ibn 'Arabī continues this discussion on testimony revealing himself to be a hermeneutical acrobat presenting us with a unique, if somewhat unexpected and subversive reading of gender:

You may also want to mention that God justifies making the testimony of two women equivalent to that of one man because of forgetfulness (*nisyān*), since He says: "So that if one of them errs, the other can remind her." ... Forgetfulness however, is also a characteristic of men. God, exalted is He, reported that Adam also was a victim of oblivion. The Prophet (peace be upon him) also said: "Adam forgot, and so did his descendants" ... In the context of testimony, however, God described one of the two women with confusion (*ḥayra*) only and he did not describe her of entire forgetfulness. Confusion is only half of forgetfulness, not all of it. See that God attributed complete forgetfulness to man, despite his readiness to reach perfection, since he said about Adam: "But he forgot and we found no firm resolve on his part" (Q 20:115). Therefore man can forget the testimony entirely while one of the women cannot forget, since she is the one who will remind the confused one. God asserts that one of the two women will remind the other, then we must believe that at least one of them will not forget, for God speaks only the truth. This means that one of the two women is characterized by one of the Divine attributes, reported by Moses, and mentioned in the Qur'an (Q 20:52): "My Lord never errs, nor forgets."⁷⁵

Ibn 'Arabī, using a somewhat startling hermeneutic technique, completely reverses normative views of male superiority. By arguing that the Qur'an accuses men of being forgetful, while it states that one of the two women does not "err or forget" in the same way that God does not "err and forget," he is effectively making a Qur'anic argument for

75 Ibn 'Arabī, *Al-Futūḥāt al-Makkiyya*, 3:89–90.

the ontological superiority of women. This is a genuinely iconoclastic interpretation. Ibn ‘Arabī re-interprets a verse that historically and traditionally has functioned to diminish women’s legal capacity. He applies a revolutionary hermeneutic to it by drawing on the Qur’an more holistically, and argues that actually the verse illustrates women’s capacity for steadfastness—which is a divine attribute. He contrasts this with another Qur’anic verse that describes men as forgetful and heedless. His explanation demonstrates a deep faithfulness to the literal text of the Qur’an, reflecting Ibn ‘Arabī’s more mainstream or “orthodox” commitments. Yet he draws out hitherto unanticipated liberatory and heterodox meanings of law, gender, and human capacity that actively debunk normative notions of male superiority. Given that this entire discussion started off as a commentary on women’s restricted legal capacity—a topic generally invoked in assertions of women’s inherent deficiencies—it is significant that Ibn ‘Arabī has effectively turned the argument on its head and ended up asserting women’s ontological superiority.

On another topic, namely the religious requirements of physical modesty and the covering of nakedness (*‘awra*), Ibn ‘Arabī again articulates an egalitarian gender position. Rejecting discourses of fundamental gender difference in social responsibilities for physical modesty and the covering of nakedness (*‘awra*), he states:

Some people say that all of a woman’s body, with the exception of her face and hands, constitutes the *‘awra*. Another group excludes her feet from being *‘awra*, while a third group considers all of her body without exception to constitute the *‘awra* ... In our opinion, the only parts of her body that are *‘awra* are her genitals. God, the Exalted, says: “When they tasted of the tree, their shameful parts became manifest to them, and they began to sew together the leaves of the Garden over their bodies.” God put Adam and Eve on equal footing regarding the covering of their shameful parts, which are their genitals. If women are still ordered to cover their bodies, it is for the sake of modesty, and not because their bodies are shameful.⁷⁶

Again, with disarming logic and alacrity, Ibn ‘Arabī debunks pervasive notions that women’s bodies inherently and ontologically demand greater modesty than men’s bodies. He incisively reminds us that all

⁷⁶ Ibid., 1:408.

human beings are commanded to cover their genitals, these being the only part of men's and women's bodies that constitute the 'aura. His statement, "If women are still ordered to cover the rest of their bodies this is for the sake of modesty," implies that modesty requirements are not ontologically driven but rather socially based. This element of social contingency is also reflected in the conditional "if" with which he begins this statement regarding the command for modesty. Since his discussion addresses the essential religious rationale underlying the hijab debate, it offers contemporary Muslims a great deal of flexibility and dynamism to harmonize religious requirements with cultural and social sensibilities on questions of physical modesty. Islamic feminists, who condemn unfair social practices that require women to take on primary responsibility for containing public sexuality through their dressing, can draw powerfully on Ibn 'Arabī's interpretation.

Another particularly innovative position on women that Ibn 'Arabī takes relates to leadership of ritual prayers, an issue that has generated a great deal of debate in contemporary times:

Some people allow the imamate of women absolutely before a congregation of men and women. I agree with this. Some forbid her *imamate* absolutely. Others permit her *imamate* in a congregation exclusively of women. How to evaluate this? The prophet has testified about the [spiritual] perfection (*kamāl*) of some women just as he witnessed of some men, even though they may be more men than women in such perfection. This perfection is prophethood. And being a prophet is taking on the role of a leader. Thus women's imamate is sound. The basic principle is allowing women's imamate. Thus whoever asserts that it is forbidden without proof, he should be ignored. The one who forbids this has no explicit text (*naṣṣ*). His only proof in forbidding this is a shared [negative opinion] of her. This proof is insubstantial and the basic principle remains which is allowing women's *imamate*.⁷⁷

Here again, Ibn 'Arabī links a public communal role, in this case the position of *imam* (prayer leader), with an individual's spiritual capacity. By explicitly connecting the prophet's affirmation of women's spiritual capacity to religious leadership, Ibn 'Arabī de-legitimizes the position of those scholars that reject women's imamate. In this case, spiritual perfection implies equal and ungendered access to ritual

77 Ibid., 1:447.

leadership, a radically egalitarian position. While there were a few like-minded scholars on this issue of women's *imāma*, including the much earlier al-Ṭabarī (d. 923), this was certainly not a popular position. In fact, there are very few historically documented examples of women's *imāma*. Nevertheless, Ibn 'Arabī's discussion of this issue and his reference to other scholars' opinions prompt us to ask whether in fact women's *imāma* was perhaps an undocumented reality characterizing certain communities.⁷⁸ However, even if that was not the case practically, discussions of these possibilities by leading Islamic intellectuals illustrate that women's *imāma* was never in the realm of the unthinkable among Muslim thinkers. The Islamic legacy clearly contains counter-narratives of gender that destabilize patriarchal norms. In addition, implicit in Ibn 'Arabī's argument over women's *imāma* is the assumption and reality that communal prayer can and should occur in gender-inclusive spaces, a reality that is still contested in many contemporary Muslim contexts.

In reviewing these various legal positions, I am not simply making the case that Muslims have a precedent for electing gender-egalitarian ways for reforming the traditional law whether it relates to questions of women's testimony, dressing, or leadership of congregational prayers. While this might be very helpful for many, I think that Ibn 'Arabī's approach offers us resources to address deeper structural issues in the formulation of the *fiqh* in much more fundamental ways. Following his lead might suggest for us to take seriously the linkages between ontology and ungendered spiritual capacities on the one hand and particular legal positions on the other. For Islamic feminists working in the area of law and desiring to do so with fidelity to the tradition, this approach provides a way to ground expansive notions of legal equality within a deeply embedded Islamic metaphysics.⁷⁹

Drawing on some of the lucid theoretical categories outlined by Ebrahim Moosa in his study on al-Ghazālī, I suggest that Ibn 'Arabī is one of those "frontier thinkers" within the Islamic tradition, an intellectual luminary working on the threshold of multiple narratives,

78 Ibn Rushd, an Andalusian contemporary of Ibn 'Arabī in his *Bidāyat al-Mujtahid* also noted the view that among the various legal positions on women's leadership of congregational prayer was one that allowed women to lead mixed congregations.

79 In developing this approach more fully, it is possible to address some of the structural problematics of gender in the traditional law as outlined in the works of Kecia Ali, "Progressive Muslims and Islamic Jurisprudence," and *Sexual Ethics in Islam*.

and creatively weaving together a variety of genres.⁸⁰ The corpus of Ibn Arabī's work reflects not only an assimilation of the past but also innovative and creative contributions addressing the concerns of his time, an approach that often subverted and realigned the parameters of the dominant religious imagination in fundamental ways. His intellectual legacy provides us with vibrant "conditions of possibility" when addressing questions of gender, ontology, and feminism in the twenty-first century. Here Moosa's discussion of "future friendships" as originally outlined by Jacques Derrida is instructive.⁸¹ Innovative thinkers of the past, who might be marginalized or even exiled in their own time, through their creativity and intellectual precociousness, are able to speak to future generations in non-totalitarian ways resulting in an unpredictable and undeterminable impact of their ideas in the future. As such, they serve as heralds and precursors to intellectual communities of the future who expand and develop their ideas in novel and relevant ways. I would like to think of this Islamic feminist project as partially a spirited response to the hand of an "*Uwaysi*" friendship extended by Ibn 'Arabī some 700 years ago.⁸²

Ibn 'Arabī's conception of *al-Insān al-Kāmil* as representing a universal standard for human perfection, one of the most pivotal tenets in his mystical cosmology, is intimately linked to his vision of gender. It represents the universal and genderless ethical self toward which all aspirants, male and female, are to aspire. Ibn 'Arabī's consistent point that gender is irrelevant to the pursuit of human perfection reflects the normative Sufi assumption that one's inner state is the primary criterion of human worth, a view that we find reflected in earlier Sufi stories. As he illustrates, this view also resonates fully with Qur'anic teachings on human nature. As such, the exoteric dimensions of human beings, including gender and biology, are considered irrelevant to the goal of spiritual attainment. As mentioned previously, not all Sufis in all times have pushed these inherent gender positions to their logical conclusion. Since the central principles were mediated and articulated by people within particular contexts, their interpretations were

80 Ebrahim Moosa, *Ghazālī and the Poetics of Imagination* (Chapel Hill: The University of North Carolina Press, 2005), 38–63.

81 *Ibid.*, 40–45.

82 *Uwaysi* relationships are a developed trope in Islamic thought. They refer to inspirational relationships with someone who is not present physically possibly also involving relations across time. See a discussion of this concept in Moosa, *Ghazālī and the Poetics of Imagination*, 43.

subject to the limitations of a contextual or individual perspective. Sometimes it meant that their interpretations were sexist. As such, it is necessary to subject these discourses to critical inquiry, measuring them against some of the central principles of Sufism.

Conclusion

By analyzing a selection of Sufi discourses in this paper, I have tried to elucidate some pervasive and foundational Islamic principles relating to human nature, endeavor, and purpose that are explicitly gender egalitarian. First, there is a full recognition of the equal agency, ability, and value of men and women who alike can realize the ultimate goals of their religion. Second, the varying dynamics of personality and psychology, the “greater jihād” against the *al-nafs al-ammāra*, and the discipline necessary for the purification of the heart, are all ungendered and apply equally to men and women. Third, on the path of submission to God, a human being should be wary of all claims of social superiority, including those based on gender difference. These claims are seen to be potential traps set by the *al-nafs al-ammāra*, able to lead a person to spiritual destruction. Fourth, in relation to gender, ontological equality informs social equality.

These principles demonstrate that there is a dynamic and transformative gender symbolism residing at the very heart of Islam. The ontological equality of men and women, the universality of the ethical ideal, the equality of human religious endeavor, and the irrelevance of gender to humanity’s ultimate goals are core Islamic precepts. It is precisely these central Qur’anic assumptions about human nature foregrounded in Sufi discourse that have historically facilitated women Sufis attaining the heights of spiritual development and at times, assuming non-normative lifestyles. It also allowed some Sufi men to invoke, recognize, and celebrate the spiritual mastery of female adepts and to defend these positions religiously. It remains necessary to continuously translate these foundational teachings into social existence in all areas of Islam.

The defining dimensions of an Islamic ontological system, drawing on the Qur’an and articulated through Sufism, offer Islamic feminism both a theoretical and a methodological guide. By rigorously interro-

gating the ontological assumptions of law in relation to gender, and by engaging the law in ways informed by a holistic vision of submission that Sufism has so elaborately articulated, Islamic feminists can ensure that their search for Islamic ethics takes faith seriously. Taking faith seriously demands that we inform our socio-political lenses with a spiritual praxis that engages truth as an unfolding and dynamic process. Within this vision, law is about more than simple gender equality. It is about facilitating societies that foster the spiritual refinement of human character—a refinement to which gender equality is absolutely intrinsic. These rich resources within Sufism combined with feminist insights allow for a radical and organic critique of patriarchal societies. Such a contemporary engagement with Sufism also opens up spaces for prioritizing alternative modes of relationships—based on equality—between all human beings.

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Contributor Biographies

Zainab Alwani

received her Ph.D. in Islamic Sciences from the International Islamic University in Malaysia and has been teaching and researching Islamic law, gender relations, and Arabic and Middle Eastern Studies for over fifteen years. She currently teaches Arabic Studies at the School of Advanced International Studies at Johns Hopkins University. She is also the Program Director and an Adjunct Professor of Islamic and Arabic Studies at Northern Virginia Community College and teaches Islamic history, women in Islam, law, and comparative religion at a number of consortium institutions. Dr. Alwani has authored or co-authored numerous scholarly articles and book chapters on topics such as ‘Ā’isha’s commentaries on hadith, Islamic jurisprudence, conflict resolution in America, and Abū-Hāmid Al-Ghazālī and his methodology. She has several upcoming publications focused on Qur’an and gender relations, marriage, and divorce in the American Muslim Community, sharī’a and family law in America, Muslim women and economic challenges, and the ethics of disagreement.

Ndeye Andújar

is Vice President and Co-Founder of Junta Islamica Catalana (Catalan Islamic Board). She has been co-organizer of the International Congress on Islamic Feminism. Andújar is also member of international networks such as Women’s Islamic Initiative in Spirituality and Equality (WISE) and Muslim Leaders of Tomorrow. Ndeye Andújar is coordinator and lecturer at Camilo Jose Cela University in Spain and taught Spanish in France and Senegal. She has a B.A. in General Linguistics and post-graduate teaching certificates from the University of Barcelona and IUMF from Paris, France. She is finishing a Ph.D. in Foreign Languages and Literature from UNED (National University for Distance Learning). Andújar was one of the ten finalists announced for the European Muslim Woman of Influence Award in 2010. She has also co-authored several books and articles on Islamic feminism.

Etin Anwar

is Associate Professor of Religious Studies at Hobart and William Smith Colleges, Geneva, New York. She teaches introductory classes on Islam, gender, and comparative ethics. She is the author of *Gender and Self in Islam* (New York: Routledge, 2006). She has published several articles on Ibn Sīnā, Meister Eckhart, Ibn ‘Arabī, and the women’s movements in Indonesia in various journals including *Islamic Studies*, *Islam and Christian-Muslim Relations*, and *Hawwa*. Anwar was a contributor to the *Encyclopedia of Islam and the Muslim World*, Richard Martin, ed. (New York: Macmillan Reference USA, 2004), on “The Public Role of Women” and “Harem.” She has also been featured in the WXXI TV documentary, “Muslim Women in our Midst: The Path to Understanding,” in conjunction with *America at the Crossroads* (2006). Her research interests include Islamic feminism, Islamist anti-Americanism, feminist ethics and politics in Islam, and the Indonesian diaspora in America.

Hatice K. Arpağuş

is Associate Professor of Systematic Theology (Kalām) at Marmara University where she graduated from the Faculty of Divinity after receiving her M.A. from the Institute for Social Sciences. Arpağuş stayed in the United Kingdom from 2002–2003, and in Syria in 2010. She has contributed entries for the *Turkish Encyclopedia of Islam* and other journals. Her major interests are: Islamic Theology, Philosophy of Religion, Ottoman Culture and Islam, Modern Islam, and Women and Islam. Books (in Turkish) include: *Ottoman Conceptions of Traditional Islam* (2006); *God and Man According to Fazlur Rahman* (2008); and *Journal and Newspaper Debates about Women during the Ottoman Period* (forthcoming).

Ednan Aslan

holds the Chair of Islamic Religious Education in the Department of Education at the University of Vienna where he is responsible for teachers’ training in Islamic religious education. Professor Aslan is chairperson of various working groups on the development of curricula in Germany, Austria, and Southeast Europe and has published extensively on Islamic religious education in Europe. His research focuses on Islamic identity, the future of Islamic theology, and imam training in Europe. His books include *Islamic Education in Europe* (Böhlau, 2009); *Bildung und Religion im Wandel* (Abatab, 2010); and *Islamic Textbooks and Curricula in Europe* (Peter Lang, 2011).

Carolyn Baugh

received her B.A. in Arabic and Arab Literature from Duke University, then went on to complete both an M.A. and Ph.D. in Arabic and Islamic Studies at the University of Pennsylvania, where her work focused on early Islamic jurisprudence. She currently works as research assistant to Dr. Jane McAuliffe at Bryn Mawr College. In addition to her scholarly work on gender issues in Islamic law, she is the author of a novel, *The View from Garden City* (Tor/Forge, 2008).

Riffat Hassan

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Marcia Hermansen

is Director of the Islamic World Studies program at Loyola University Chicago where she is professor in the Theology Department. She received her Ph.D. from the University of Chicago in Arabic and Islamic Studies. Her books include *Shah Wali Allah's Treatises on Islamic Law* (Fons Vitae, 2010) and *The Conclusive Argument from God*, a study and translation (from Arabic) of Shah Wali Allah of Delhi's *Hujjat Allah al-Baligha* (Brill, 1996). She was an associate editor of the *Encyclopedia of Islam and the Muslim World* (2003).

Dr. Hermansen has contributed numerous academic articles in the fields of Islamic Thought, Sufism, Islam and Muslims in South Asia, Muslims in America, and Women and Gender in Islam.

Aysha Hidayatullah

is Assistant Professor of Islamic Studies and teaches undergraduate courses on Islam, gender, race, and ethics. She received her M.A. (2005) and Ph.D. (2009) in Religious Studies from the University of California, Santa Barbara. She earned her B.A. in Women's Studies in 2001 from Emory University, where she also served as the university's first Muslim Religious Advisor to the Office of the Dean of the Chapel & Religious Life from 2006 to 2008. She began teaching at the University of San Francisco in 2008.

Dr. Hidayatullah's research interests include Muslim feminist theology, modern and contemporary exegesis of the Qur'an, representations of women in early Islamic history, Islamic sexual ethics, constructions of femininity and masculinity in various aspects of the Islamic tradition, feminist methodologies in the study of Islam, and the pedagogy of Islamic studies.

Jerusha Tanner Lamptey

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Celene A. Lizzio

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Debra Majeed

is Associate Professor of Religious Studies and Chair of the Department of Philosophy & Religious Studies at Beloit College. A religious historian, Majeed has made the interconnection between religion, gender and culture central to her life's work. She is the first African American female and first Muslim to be tenured in the 175-year history of Beloit College. Majeed received her Ph.D. in Religious & Theological Studies from Northwestern University in 2001. Her research and writing reflect Majeed's concern with issues of social, political, racial and religious injustice, particularly in regards to women. She has published in CrossCurrents, the Journal of Feminist Studies in Religion, Teaching Theology and Religion, The Encyclopedia of Religious Freedom, The Encyclopedia of Women and Religion in America, The Encyclopedia of Women in Islamic Cultures, Pakistan Journal of Women's Studies, and Deeper Shades of Purple: Charting Twenty Years of Womanist Approaches in Religion and Society, among others. Her current project, "Encounters of Intimate Sisterhood? Polygyny in the World of African American Muslims," is forthcoming from University Presses of Florida. An international speaker, Majeed is actively engaged in interfaith dialogue. She also has served as a resource for several media groups including the Washington Post, and has appeared on NPR's "News & Notes."

Sa'diyya Shaikh's

research and teaching are focused in the area of Islamic Studies with a twin focus on Sufism and feminism. She has previously published on issues of Muslim women and gender violence, feminist approaches to hadith and Qur'anic exegesis, contraception and abortion in Islam, theoretical reflections on Islam and feminism, Sufism, gender, and Islamic law, and "Engaged Sufism." Currently she is completing a manuscript on gender and sexuality in the works of a 13th century Sufi thinker, Ibn Arabi. In collaboration with the Department of Psychology at the University of Stellenbosch and an NGO, "Positive Muslims," Dr Shaikh has initiated and is co-directing a research project that focuses on sexuality, marriage, HIV/AIDS, and reproductive choices among South African Muslim women.

Muna Tatari

studied Islamic studies, educational science and religious studies at the University of Hamburg IIS (Initiative for Islamic Studies) from 1994–1997. During 1992–1994 she was a visiting student at Amman University (language center and faculty of Islamic sciences) in Jordan. Since 1997 she has been a contributor to interreligious dialogue and since 2010 she has been a research assistant and Ph.D. student at the University of Paderborn, Germany. She is married and has two daughters.

Hidayet Sefkatli Tuksal

graduated from the Faculty of Divinity of Ankara University in 1985 and completed her Ph.D. in the Hadith Department of the same university in 1998. Tuksal's Ph.D. dissertation, which was an investigation of the hadith that provide the basis of a discourse against women, was published in 2000 under the title, "Reflections on the Discourse against Women within the Islamic Tradition." Tuksal has worked as a teacher and a columnist. Under the umbrella of the Capital City Women's Platform, which she co-founded in 1995, she has been working as a women's rights activist and mediator, not only among religious and conservative women, but also with socialist and feminist women's groups. Tuksal has continued to work on Islam, feminism, and democratization, and since 2008, she has been a consultant for the project on "the involvement of preachers in the struggle against violence against women" carried out by the UNFPA and the Directorate of Religious Affairs of Turkey.

Rabha Isa al-Zeera

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She has published many research papers and co-authored books that explore understandings of history, religion, the creation of humanity, and the rise and fall of various civilizations. In addition, she is conducting research that focuses on renewal and reform in Islamic religious thought.

She has been a weekly columnist in a local newspaper since 2002 through which she aims to raise awareness about ethical, social, and political issues, and to shed light on crucial subjects such as tolerance, freedom of thought, justice, human rights, and women's rights.

Wiener Islamstudien

Herausgegeben von Ednan Aslan

- Band 1 Ednan Aslan/Zsófia Windisch (eds.): The Training of Imams and Teachers for Islamic Education in Europe. 2012.
- Band 2 Ednan Aslan (Hrsg.): Islamische Theologie in Österreich. Institutionalisation der Ausbildung von Imamen, SeelsorgerInnen und TheologInnen. Unter Mitarbeit von Christina Lux, Sedef Sertkan und Khalid El Abdaoui. 2013.
- Band 3 Ednan Aslan/Marcia Hermansen/Elif Medeni (eds.): Muslima Theology. The Voices of Muslim Women Theologians. 2013.

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