

A JIHAD FOR JUSTICE

HONORING THE WORK AND LIFE OF AMINA WADUD



Edited by Kecia Ali, Juliane Hammer, and Laury Silvers

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A Jihad for Justice

DEDICATIONS

For my beloved teacher and friend Amina. You remind me that I have a heart, a voice, and a body for knowing and living the truth.

Laury Silvers

For Amina whose courage, faith, and integrity continue to inspire me.

Juliane Hammer

For Amina, who has boldly shared with us the fruits, both bitter and sweet, of her extraordinary journeys.

Kecia Ali

ACKNOWLEDGEMENTS

This volume would not have come together without the generosity of our contributors who gave of their ideas, time, and patience to make this possible.

Special thanks to Atiya Husain who worked on the list of academic engagements with Dr. Wadud's work and to Matthew Hotham for his invaluable help with the cover design.

INTRODUCTION

*Hear our song, and when the words become familiar, sing along,
for ours has too often been the silence that sustained and
nurtured the background.*

Amina Wadud

It all started with a workshop fittingly titled: “Constructing Muslim ‘Feminist Ethics: Gendered Power Relations in the Qur’an and the Prophetic Example.” In October 2010, the three of us, Kecia Ali, Laury Silvers and Juliane Hammer, along with Fatima Seedat, invited a group of Muslim women scholars to George Mason University in Fairfax, VA, to discuss our shared and longstanding interests in questions of Qur’anic hermeneutics, gender roles, and the ethics of rethinking both. We invited Hina Azam, Aysha Hidayatullah, and Saadia Yacoob. Amina Wadud was our guest of honor. Our conversations were honest, wide-ranging, and productive. And it was at the end of the workshop that the idea for this volume was born.

We wanted to find a way to honor Amina’s influence on our ideas and trajectories and her important and lasting contribution to Qur’anic hermeneutics, gender studies, and the academic study of Islam. But hers was a contribution that did not fit into existing molds as it explored new frontiers of Qur’anic exegesis, advanced and nuanced gender conscious approaches to the Text, and provided a model for women scholar activists in and far beyond our fields of study. It was Laury Silvers’ idea to create a new mold for an old concept and tradition: the (German) *Festschrift*, historically, and occasionally still published, a collection of academic essays by students of a significant scholar upon his (more often than her) retirement from the academy. Ours would not only invite a much broader range of friends, students, colleagues and fellow activists to contribute text or art, but it would also transcend the traditionally narrow and well-guarded boundaries of knowledge production and access to publications still common in academia. The volume at the end of the collecting and editing process, this volume, would be accessible online, as a “Webschrift” to all those with an interest in Amina Wadud’s impact and legacy. This alternative range of contributors, the format, and the accessibility of the volume set it apart from the traditional *Festschrift*. This e-book thus reflects both the reach of Amina Wadud’s work and honors her commitment to expanding and transcending the boundaries that separate scholarship from activism, ideas from politics, and women’s experiences and perspectives from male normativity.

In this volume, 33 contributors -- who in diverse and profoundly different ways have been touched and affected by Amina -- share their reflections and thoughts on her work, both activist and scholarly, and the many ways in which she has left an imprint on their own endeavors. The volume includes academic essays, personal reflections, letters, poems and one piece of visual art, all written for and dedicated to Amina Wadud with respect, admiration, and love. The contributors come from within and outside of academia, from North America, Egypt, Spain, Malaysia, Germany, and the United Kingdom. There are those who were inspired by Amina's courage and ideas, those who have taken and carried her ideas further in their intellectual and academic endeavors, and those who have applied her wide-ranging thoughts to their equally wide-ranging activist projects and commitments. The volume reflects, in a small way, that the efforts, seat, and energy, not to mention heart and soul, Amina has poured into her writings, lectures, speeches and conversations, as well as her actions, have already secured her a lasting place in the history of the struggle for justice in its many forms.

Part 1 - Readings

Juliane Hammer situates Amina Wadud's thought and activism in "Painful, Personal, Particular: Writing, Reading, and Representing Her(self)" by asking about the role of personal experience in a critical analysis of gender. She argues that women's articulation of experience does more than make these stories available for women to share and develop a critical consciousness; they act as sources for scholarly analysis and as scholarly analysis itself and encompass and nourish the struggle for gender justice. Mohammad Fadel writes in "Amina Wadud: A Guide to the Perplexed and a Model of Engaged Scholarship" about the transformative effect that Wadud's encounter with the Qur'an had on his life, its lasting impact in bringing to light the internal coherence of the Qur'an's development toward a more gender-neutral vision in the Medinan period, and its proof of the necessity of female voices in the interpretation of the Qur'an and Islamic jurisprudence. In "Building and Destroying," Michael Muhammad Knight describes how Wadud's generative ethics of *tawhid* destroys not only sexual hierarchies but all imaginations of difference in Muslim and non-Muslim communities through the extraordinary humility of equal service to God. Starting with Wadud's observation about the human responsibility of interpretation, Abdennur Prado offers a feminist ethics of interpretation, in "Qur'anic Feminism: The Makers of Textual Meaning," that is rooted in the fundamental principle that the Qur'an does not justify patriarchy. In "Owning Terms of Leadership and Authority: Toward a Gender-Inclusive Framework of American Muslim Religious Authority," Zahra Ayubi reflects on Wadud's "tawhidic paradigm" as an empowering framework for religious authority that moves beyond classical

models of charismatic leadership and religious scholarship that exclude or marginalize women's participation on the whole.

Part 2 - Inspirations

Debra Majeed opens Part 2 with her piece “Amina Wadud and the Promotion of Experience as Authority” which explores Wadud's insistence that debates about and struggles for social justice are meaningless without recognizing the authority of experience. Majeed explains how Wadud has changed her sense of the legitimacy of women's experience in speaking to the Qur'an both in her own life and in her work on women's diverse experiences of plural marriage in North American Islam. In “Amina Wadud and Sisters in Islam: A Journey Towards Empowerment,” Zainah Anwar and Rose Ismail recall how Amina Wadud led them in learning to read the Qur'an through their own concerns for the first time demonstrating to them that women are legitimate interpreters of the Qur'an and thus agents of their own change through it. In “Why Masculinity Matters in the Study of Islam and Muslims,” Amanullah De Soudy reflects on the need to study not only women but men's subjectivity in the struggle against gender and sexual injustice. In honor of Wadud's role in this struggle he offers her a famous *nazm* by Faiz Ahmed Faiz written for the illustrious Noor Jehan on the loss of idealized love in the face of the harsh realities of male-female relationships. Rabia Terri Harris dedicates “Permission to Think” to Wadud and makes an impassioned call for American Muslim scholars to serve the needs of justice by breaking through the boundaries of the unthinkable in their work and so in the world. Celene Ayat Lizzio draws on Amina Wadud's insights into “double-talk” in her piece “Courage at the Crossroads” where she critiques the paternalism of gender equity in difference so often found in popular Muslim literature.

Part 3 – Continuations

Riem Spielhaus opens Part 3 with “Gender Justice as a Common Value? Configurations between Victim and Authority,” a discussion of the paradoxical effect the 2005 woman-led Friday prayer had in Germany where the overwhelmingly negative responses to the event only served to demonstrate the incompatibility of Islam and gender equality thus reinforcing the victimhood of women and the religious authority of men. In “The Emergence of Islamic Feminism in the Euro-Mediterranean Region” M. Laure Rodriguez writes the theoretical and practical steps that brought together continental feminist thought and engaged Muslim gender critique to in turn not only develop Islamic feminism but see it become an intellectual and activist movement with influence in the political and social spheres. In her essay, “Just Say Yes: Law, Consent, and Muslim Feminist Epistemology,” Kecia Ali looks for a space in which partners might say “yes” to one another in the discussion of consent to marriage, and thus

sex, that by necessity began with an affirmation of a woman's right to say “no.” Hina Azam questions the marginalization of women from legal procedure—and by the fact of her own work, women's marginalization from legal interpretation itself—through a constructive intervention into the rulings concerning women's ability to give evidence in “The Exclusion of Women's Testimony in the *Hudud*: Toward a Rethinking.” In “Seismic Shifts from Patriarchy to Equality: Amina Wadud on Reading the Qur'an and Revolution,” Margot Badran finds echoes of Amina Wadud's revolution in reading the Qur'an in the ongoing struggle of the revolutionary youth in Egypt in fighting the injustices sustained by patriarchy.

Part 4 – Imprints

Opening Part 4, Sarah Eltantawi reflects on the transformation of Wadud's thought over time in “Finding ‘Yes’ by saying ‘No’: A Tribute to Amina Wadud,” and thanks her for being a model of the courage to change with one's convictions as she moved from a qualified “no” to verse 4:34, which rationalized men's violence against women, to an unequivocal “no,” which denied the possibility of a God-given right to beat women. In “Treading the Path of Faith: Amina Wadud, a Pioneering Theologian,” Saadia Yacoob points to Wadud's guidance in uncovering the gendered theology that underpins Islamic jurisprudence and offering a model for “re-theologizing” the Qur'an and the Sunnah of the Prophet toward a gender-just ethical system. Sharifah Zuriah Aljeffri pays tribute to Amina Wadud's character and activism with a calligraphic work of the divine attributes “Peace,” “Justice,” and “Compassion.” El-Farouk Khaki reflects on Wadud's commitment to the LGBTQI Muslim community, in “Expanding the Gender Jihad: Connecting the Dots,” which he finds rooted in her “tawhidic paradigm” that demands the equality of all human beings before the total greatness of God. Madhavi Sunder describes Wadud's notion of engaged surrender to God in terms of “Democratizing Islam” in which one's humanity requires the free exercise of interpretive agency and details the real world effects this kind of agency presented to patriarchal power in Malaysia.

Part 5 - Encounters

Mohja Kahf opens Part 5 with her poem “The Water of Hajar.” Written in the Qur'anic register, the poem voices Hajar's alienation and suffering then ease through water that moves “between thorns and rocks.” In “A New Interpretation,” Tayyibah Taylor recalls the threat that Wadud and her groundbreaking work pose for those who hold onto social and religious power through the inertia of the community. Daayiee Abdullah gives an account of shared experiences in the struggle for gender and sexuality justice in “Getting to know Amina Wadud” showing that the discussion in the Muslim community has grown more inclusive because of her willingness to risk speaking the truth. In “An Intellectual Mentor,” Fatima Seedat discusses the impact Amina Wadud had on

her when she saw Wadud give her famous khutba at the Claremont Main Road mosque. In the position of her body and self, and in the language and meaning of the sermon, Wadud stood to the side of the minbar; and in doing so, she made it clear that male power and authority are not the goal of the struggle for gender justice. In “Encounters with Amina: Some Reflections on Vulnerability and Authority in Islam,” Shanon Shah remembers the time when Wadud provoked outrage at an HIV/AIDS conference in Malaysia by daring to call attention to the burden placed on women who must always be sexually available to their HIV positive husbands. Homayra Ziad honors Amina Wadud’s theology of justice and ethics of compassion in “A Timeline of Loving Encounter,” through her own theology of “a loving encounter with the other” where she finds that differences do not need to be transcended in an honest embrace of each other’s “thou.”

Part 6 – Embraces

Part 6 opens with a letter from Sa’diyya Shaikh in which she lovingly details the transformative power of Amina Wadud’s vision and courage arising from her love of God and humanity. We must agree when Shaikh writes, “It is a privilege to know a rare and unique soul whose contribution to the world is so significant that she will be remembered by the Muslim *ummah* for centuries to come.” Echoing Mohja Kahf’s poem, Aysha Hidayatullah writes in “Our living Hagar” that Wadud’s vision of an Islam without patriarchy cannot be separated from her “*black-woman-ness*.” She observes that Wadud never allows us to disembodify her struggle for justice; just as there is no turning away from the brutal abandonment in the desert of a black slave named Hagar and her child, there is no turning away (although her antagonists on the left and the right have tried) from the Muslim community’s injustice in perpetuating white supremacy/anti-black racism within itself. In “Walking with Amina,” Omid Safi speaks about the layers of injustice that Wadud has faced in the academy and in the Muslim community because she is a faithful black woman with the uncomfortable habit of telling the truth. In a word, a man who discreetly calls for “a conscientious pause” in one’s encounter with difficult verses in the Qur’an is more likely to be rewarded with an academic chairship than a black woman who affronts -- and saves -- with a “No.” Amina Beverly McCloud makes a similar point in “Amina Wadud – Scattered Thoughts and Reflections,” where she describes how the Muslim community makes space for the intellectual growth of men and treats women on the same path as anomalies or outright threats; so much so, that even women prefer the scholarship and leadership of men and treat these sisters with disdain and take part in the call for their removal. Muhsin Hendricks in “To Amina with Love,” likens Wadud to the famous Rabi`a al-`Adawiyya whom he does not see as a saint without sin but a woman who in her engulfing love of God looked at her community with a critical eye, and who refused to be enslaved by men ever again.

This book in honor of Amina Wadud ends with a grouping of poems written by *Azza Basaruddin* and inspired by Amina's work and activism. They give voice to the tension and the breakthroughs of what have come to be defining moments in the struggle for gender justice in Islam.

The volume ends with two lists: one reflecting Amina Wadud's extensive writing and publishing career, and the other -- by offering a selection of academic publications that directly engage with her published works -- a testament to her impact within the academy which is bound to further grow in the near and distant future. We hope that this volume is a humble step on the path to full recognition of Amina Wadud's courageous, painful, and honest contributions to the struggle for justice in all its forms.

Kecia Ali, Juliane Hammer, Laury Silver
March 2012

A NOTE ON CITATION STYLES AND TRANSLITERATIONS

It was the expressed intent of the editors to not police standards of citation, transliteration, and formatting. Contributors have determined which citation style, italicization policy, and transliteration system to adopt in their pieces; the resulting diversity is a reflection of the diversity of academic fields, genres, and personal expressions represented by the authors.

Part 1
READINGS

A Jihad for Justice

1

**PAINFUL, PERSONAL, PARTICULAR:
WRITING, READING, AND REPRESENTING HER(SELF)**

Juliane Hammer

First name? Last name? Both? Dr. Wadud? Professor Wadud? Would it be too personal to call her Amina in an academic piece, too involved? Why does it sound so impersonal, and somehow rude to reduce her name to “Wadud” in my academic writing? I certainly do not like to see my own last name representing me in this way, despite the fact that it is accepted academic convention. “Hammer seems to suggest...” somehow is not me, and if it is then I do not like it. At least Amina chose her own name, for its meaning, when she became a Muslim in 1972. Flouting academic convention in a piece written for an electronic book intended to challenge the narrow boundaries of academic publishing, scholarly recognition, and showcasing the many intersection of scholarship and activism, not to mention “the personal” is not all that daring. Does having met Amina give me the right to call her Amina in this piece? Should I intentionally confuse things by going back and forth between Amina, Amina Wadud, and Wadud? We will see.

In what follows I want to reflect on the ways in which the representation of someone else’s persona, academic, feminist, Muslim, and otherwise intersect with the ways in which that person, in this case Amina Wadud, has represented herself through sharing autobiographical detail, and in the process has challenged me to think critically about feminist and academic practices of writing, reading and representing her. It is also a reflection on the feminist debate about experience, the personal as political, and the limits of feminist discourse as an alternative in an academic world dominated by male power to determine ‘the norm.’ In an added twist to be mostly left unexplored, I also wonder about the significance of being woman AND being Muslim when negotiating personal experience, search for religious truth, feminist theory, and space in the secular academy.

WRITING AMINA

In an essay I wrote in 2008, I struggled with the question of how to describe Amina as an introduction to a longer discussion of her work:

A few paragraphs earlier I had hesitated in deciding how to introduce Wadud, for my description carries the power of

words, categories and boxes we all use to organize the world. One could describe Wadud as African-American, convert to Islam, scholar of Islamic studies, woman, single mother of five children, Muslim woman scholar-activist and/or Islamic scholar. Some of these markers of identity, Wadud has used herself in her writings, others are found in texts about her. Inevitably, they assume knowing something about her will explain or qualify what she has to say. If we, as I do, work with the assumption that knowledge is produced in context by individuals, then the multiple facets of their identities matter.¹

Back then I considered cutting and pasting her ‘description’ from the Virginia Commonwealth University website, assuming that Amina had had some say in how she was represented there. None of this really helps in avoiding the politics of representation, but sometimes it does help being aware of those politics, or calling them out as I want to do here.

Here is another paragraph introducing Amina in an article I wrote reflecting on identity, authority, and activism in the work of Amina Wadud, Asma Barlas, and Nimat Barazangi:

Amina Wadud is perhaps the best known American Muslim woman to have engaged in a gender-inclusive reinterpretation of the Qur’an. A professor of Islamic studies at Virginia Commonwealth University from 1992 until 2007, she holds a PhD from the University of Michigan which included Arabic language study in Cairo. She is the author of *Qur’an and Woman: Rereading the Sacred Text from a Woman’s Perspective* (Oxford University Press, 1999), as well as her more recent *Inside the Gender Jihad: Women’s Reform in Islam* (Oneworld Publications, 2006). Beside (or despite) her academic achievements and her involvement in international and communal activism, she is most widely known for leading a mixed gender congregation in Friday prayer in New York in 2005, an event that sparked national and international media attention and a host of both supportive as well as disapproving responses from Muslims worldwide. She has presented her

¹ Juliane Hammer, “Reading Gender in the Qur’an: Text, Context, and Identity in the Work of Amina Wadud,” in *Between Orient and Occident: Studies in the Mobility of Knowledge, Concepts and Practices (Festschrift for Professor Peter Heine)*, Riem Spielhaus et. al. (eds.) (Freiburg: Herder Verlag, 2009), 128-145, 132.

work and furthered her activist agenda in many parts of the world as well as across the United States.²

Of course I am not the only scholar to have written extensively about Amina's work as well as her life. When Asma Barlas contributed the only essay on a Muslim woman scholar to Suha Taji-Farouki's edited volume on *Modern Muslim Intellectuals and the Qur'an*³ she based the first part of her essay on one of Amina's most autobiographical pieces then available: "On Belonging as a Muslim Woman."⁴ According to Barlas' presentation, Wadud's experience of growing up in difficult circumstances mattered, and caused her, among other things, to learn "to mask her 'inner' self."⁵ Barlas goes on to describe Amina Wadud's conversion, pointing out that it is unclear how it came about, but also formulating that Amina "found the answers she had been looking for."⁶ Discussing Wadud's experiences of rejection (of her ideas and her person) by some as well her warm welcome by others in Muslim communities, Barlas goes on to celebrate the impact the sum of these biographical experiences has had on Amina:

The hardest lesson Wadud has had to learn as a Muslim, then, is that as long as she continues to engage in her gender jihad, there will be no place for her in mainstream Muslim communities. However, rather than being discouraged by this realization, she has come to appreciate the differences between Islam and Muslims on the one hand, and the rectitude of her own ethical and intellectual choices on the other. She now knows that tranquility and belonging can only be found in God ... She has chosen to claim a fully actualized Muslim identity by arguing against the injustice of projecting sexual oppression and inequality into the Qur'an, regardless of the personal cost to herself.⁷

Especially this last sentence indicates to me where Barlas and Wadud meet in their intellectual projects as Muslim women scholars and writers, and where

² Juliane Hammer, "Identity, Authority and Activism: American Muslim Women's Approaches to the Qur'an," in *The Muslim World* 98:4 (October 2008): 442-463, 443.

³ Asma Barlas, "Amina Wadud's Hermeneutics of the Qur'an: Women Rereading Sacred Texts," in Suha Taji-Farouki ed., *Modern Muslim Intellectuals and the Qur'an* (New York: Oxford University Press, 2006), 97-123.

⁴ Amina Wadud, "On Belonging as Muslim Woman," in *My Soul is a Witness: African-American Women's Spirituality*, ed. Gloria Wade-Gayles (Boston: Beacon Press, 1995), 253-265.

⁵ Barlas, "Amina Wadud's Hermeneutics," 98

⁶ Barlas, "Amina Wadud's Hermeneutics," 99

⁷ Asma Barlas, "Amina Wadud's Hermeneutics," 100.

Barlas' appreciation and admiration seem most profound. Arguably, Barlas has herself experienced some of that same rejection, except that in her case, such rejection could not be linked to being African-American and a convert to Islam.

Since then, Amina has written more about herself, her life experiences, and her reflections on how those experiences have shaped her thinking and practice, especially so in her second book, *Inside the Gender Jihad*.⁸ Without discussing Amina's ambivalent relationship with the label 'feminist' (this is a discussion for another place and time), how can we make sense of the feminist slogan that the "personal is political"?⁹

FEMINIST SELF, PERSONAL EXPERIENCE, AND POLITICS

When Carol Hanisch wrote her influential essay "The Personal is Political" in 1969, as part of a group of radical American feminists, she was writing to explain and defend how the groups of women she was meeting with in those years were not therapy or self-help groups despite the fact that the women activists were talking about themselves and their personal experiences. Rather, as Hanisch explains, the conversations helped them realize that "personal problems are political problems. There are no personal solutions at this time. There is only collective action for a collective solution."¹⁰ And more importantly, she points out, rather than blaming themselves (here women, but she points to the comparable experiences of blacks and workers in her essay) women need to recognize the institutional and systematic nature of their marginalization and oppression as the source of their 'problems.'

Twenty years later, the Personal Narratives Group, a group of feminist scholars, published a collection of essays under the title *Interpreting Women's Lives: Feminist Theory and Personal Narratives*. Clearly, much had happened in feminist theory and practice as reflected in the essays in the book. For one,

⁸ Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld, 2006).

⁹ Carol Hanisch, "The Personal is Political," was published in 1970 in the pamphlet/magazine *Notes from the Second Year: Women's Liberation: Major Writings of the Radical Feminists*, edited by all its contributors: Meredith Tax, Joreen, Ellen Willis, Suzie Olah, Pamela Kearon, Carol Hanisch, Bonnie Kreps, Barbara Mehrhof, Irene Peslikis, Kate Millet. Hanisch recalled in a 2006 reflection on her 1969 piece that she did not formulate the title of the piece, and that it was not the first time someone used the slogan. Rather, the essay made it stick. See Carol Hanisch, "The Personal is Political" (2006), posted on her website: <http://www.carolhanisch.org/CHwritings/PIP.html>, last accessed February 6, 2012.

¹⁰ Carol Hanisch, "The Personal is Political," p. 4.

Hanisch's tentative as well as radical discourse on the significance of the personal for political struggles and projects had been refined and complicated. Take its introductory paragraph as an example:

Traditionally, knowledge, truth, and reality have been constructed as if men's experiences were normative, as if being human meant being male. Interpreting Women's Lives is part of a larger effort to undermine this partial construction and to create a more inclusive, more fully human conception of social reality. This process of reconstruction challenges what has been defined and taught as our common intellectual and cultural heritage.¹¹

The essays in the volume speak to the scholars' struggles with ethnographic research and historiography as well as the possibility of reading and analyzing personal narratives of literary figures. In writing about the East German writer Christa Wolf (familiar to me having grown up in East Germany) the authors formulate this particular insight as follows: "Personal narratives such as these allow us to see lives as simultaneously individual and social creations, and to see individuals as simultaneously the changers and the changed."¹²

Another five years later, an essay by Karen and Sonja Foss in the *Western Journal of Communication* demonstrates the continuous need for feminist scholars to 'prove' that women's personal experiences matter as a source of knowledge.¹³ Fittingly titled "Personal Experience as Evidence in Feminist Scholarship" the essay discusses the merits of utilizing and analyzing women's personal narratives as 'data' without forgetting the power dynamics inherent in selecting and representing other women's experiences. The authors argue not only that there are immeasurable benefits to recognizing women's narratives as a source of multiple truths, but also point to the benefits of prompting women for their narratives in allowing them to reflect on their experiences which, as they assert, leads to the development of critical consciousness.¹⁴

How then do we move from feminist scholars writing about women's narratives and experiences to writing their own? What mode of writing can a scholar, activist and woman assume in order to do more than share experiences (if that is even possible)? Many examples of such writing could be cited here, but

¹¹ Personal Narratives Group, "Origins," in *Interpreting Women's Lives: Feminist Theory and Personal Narrative*, ed. Personal Narrative Group (Bloomington: Indiana University Press, 1989), 3-15, 3.

¹² Personal Narratives Group, "Origins," p. 6.

¹³ Karen Foss and Sonja Foss, "Personal Experience as Evidence on Feminist Scholarship," *Western Journal of Communication*, 58 (winter 1994): 39-43.

¹⁴ Karen Foss and Sonja Foss, "Personal Experience," p. 42.

perhaps one of the most powerful to me is Judith Butler's introduction to the 1999 republication of her seminal work *Gender Trouble*. After engaging with theoretical and scholarly responses to the original book, Butler (whom I have never met so I will not call her Judith here) proceeds to point out what is obvious as well as deeply significant to her: her writing is as much the product of her academic engagements as it is a product of her investment in social movements, and what is more, her personal, and sexual experiences on the way. She writes: "Despite the dislocation of the subject that the text performs, there is a person here: I went to many meetings, bars, and marches, and saw many kinds of genders, understood myself to be at the crossroads of some of them, and encountered sexuality at several of its cultural edges. ... That I can write in an autobiographical mode does not, I think, relocate this subject that I am, but perhaps it gives the reader a sense of solace that there is someone here."¹⁵

Is Butler's concern in demonstrating that "there is someone here" my concern as well? I think it is rather the acknowledgement that the subject is an integral if dislocated part of the process of thinking, writing, and speaking as a scholar, feminist, and gendered person. More importantly though, my concern is how foregrounding and/or sharing such experiences and thus personal sources for truth and reality can be read.

Once established as central, the idea of women's narratives as a source for scholarly analysis and the aforementioned project of reconstructing intellectual and cultural heritage in a gender-sensitive as well as gender-inclusive fashion seems rather self-explanatory. And it is indeed standard practice to assume this dynamic as central and significant in feminist circles and women's and gender studies.

Aside from the still quite prevalent dual gender assumption in such thinking, what is it that makes women's experiences significant? In the words of Christa Wolf: "To what extent is there really a thing as 'women's' writing'? To the extent that women, for historical and biological reasons, experience a different reality than men. Experience a different reality than men and express it."¹⁶ It is this 'difference' both in nature and nurture, as Wolf says, that concerns me in the more personal writings of Amina Wadud.

¹⁵ Judith Butler, "Preface (1999)," in *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1999), xvii.

¹⁶ Christa Wolf, *Cassandra/Conditions of Narrative* (New York: Farrar, Strauss, Giroux, 1984), 259; cited in Sandra Frieden, "Transformative Subjectivity in the Writings of Christa Wolf," in Personal Narratives Group eds., *Interpreting Women's Lives: Feminist Theory and Personal Narrative*, ed. *Personal Narrative Group* (Bloomington: Indiana University Press, 1989), 172-188, 178.

WOMEN'S PAIN AND EXPERIENCE

Amina has written in many ways about her personal experiences, with other academics, feminists, progressive Muslim men, and about the very personal experiences that only a woman can describe and share in this particular way. I remember being touched, in a womanly kind of way, by her reflections on childbirth and motherhood in *Inside the Gender Jihad*. In the chapter on Hajar, motherhood and family, she writes about Hajar's struggles as a single mother, and about the haunting grip of the famous Prophetic hadith that "paradise lies at the feet of the mother." Amina pushes back against the strain of upholding the dignity of Muslim women in public, and being the sole provider of care and nurture for her children. The passage is worth copying in its full length:

In my life, as a five-times-over mother, I have opened my body to receive the sperm of men as celebrations of love I thought we shared – and perhaps we did, for a moment or two, perhaps even at the moment of conception. After carrying the seed of that act for nine months until its fullest fruition – for not all such seed reach completion – I opened my body again in surrender to Allah's call. It yielded up the fruit that was planted between my legs, not in pain but in labor. I have been transformed in the act of delivery. The moment of crowning is better than orgasm itself, well worth what might have proceeded – be it real or illusion of the love I covet.

The fathers meanwhile were present at both moments of opening. They also cry out in both, but for each a different manner of abandonment: the one, abandonment of their ego self into my body; the other, an acknowledgement of my body-self as it opens to bring forth the fruit of the seed, a new life, in the act of delivery. But, no matter what, on both occasions, and in no time at all, they wipe away the sweat from their brow and walkaway. Sometimes they never come back. And I am alone, the mother.¹⁷

I am touched, nay struck, by the beauty and immediacy of these words, the poetic rendered physical and relatable, at least for me who has also given birth. But those same words are also bitter, relating the hurt and disappointment she has felt when her struggles were far too real and immediate to reflect on lofty ideas. In the paragraphs and pages that follow, Amina Wadud links her own sense of abandonment, the hardship she experienced as a single mother of five, to important reflections on how Muslims, men especially, have discussed family and

¹⁷ Amina Wadud, *Inside the Gender Jihad*, 125-26.

marriage, and how often those outside the normative family model, like her, have simply been ignored. She later argues that Muslims have both resources and commitments available to them that could help transform Muslim family models to account both for egalitarian gender structures and the broader concept of justice for all. She does then make her experiences work, for the reader and for herself, by transforming their immediate pain (and pleasure) into powerful arguments for transformation, for justice and equality.

Dr. Wadud had at least once before, in August 1994, when giving the khutbah at Claremont Main Road Mosque in Cape Town, South Africa, chosen to focus her reflections and thoughts on this same experience particular to women.¹⁸ In her talk, focused on engaged surrender to God's will, she introduced this important concept through the act/experience of childbirth:

I will talk about this from a woman's perspective, starting with an important part of many women's lives: giving birth. A woman carries her child under her heart for nine months. ... She carries that child for nine months and this is an act of surrender. She is following the will of Allah. This is a marvelous example of engaged surrender. The mother cannot take a day's rest. She cannot lay the child down beside her on the bed and say 'just for today, I think, I will not be pregnant.' But, even more importantly, after the nine months is over, she may not hold onto that child. She must surrender the child and give in to Allah's will. For, just as Allah commanded her to hold on to that child for nine long months, so must she engage in the act of surrender when it is time to bring the child forth. ... This image of a mother carrying her child under her heart, then bringing that child forward consciously as she participates in labor, is not only a reflection of engaged surrender, it is also not unlike Allah Him/Her/It Self, who describes himself before every *surah* (save one) as *al-Rahman, al-Rahim*.¹⁹

When I first read those words, as transcribed later by Soraya Bosch from the Muslim Youth Movement in South Africa, I was again struck by how powerful but also exclusive the description of women's experiences appeared to me. Even though they are framed as any woman's experience, they can clearly only be described by her through her own. When I analyzed her words, in my work on woman-led prayer and women as khatibs, I worried, at least for a little bit, about

¹⁸ Amina says she gave the khutbah, and I intentionally privilege her perspective here, despite later attempts to turn her talk into a 'pre-khutbah lecture.' See Amina Wadud, *Inside the Gender Jihad*, 162-173

¹⁹ Amina Wadud, *Inside the Gender Jihad*, 158-159.

how men could possibly relate? But then I also wondered whether men have ever worried about the reverse?

And on at least one other occasion Amina referenced women's experience in this way, during the khutbah on March 18, 2005 in New York City, when explaining her Tawhidic paradigm, the idea that God's omnipotence and distinction as the creator necessitates horizontal reciprocity on the human plane of existence. This time, she phrased it as a rhetorical pun:

...every man in relationship to every woman can only exist on a line of horizontal reciprocity because Allah is the greatest and Allah is always present whether we acknowledge it or not, whether we agree with it or not, and whether it is convenient for us or not, women and men both are necessary and essential to Allah's plan for creation and women and men both have the capacity to reach moral excellence and to demonstrate that excellence by reciprocally participating in every action that they can. Sorry, you guys can't have kids but you can't have everything...²⁰

What do we make of these reflections of experiences, the experiences of women, and most particularly, Amina's in a struggle, as an intellectual, activist, and everything in between whose ultimate purpose is so much more than to share them with a reading public? How can the experiences of women, women scholars, women activists, Muslim women be more than the important but insufficient step of formulating our experiences, sharing them with each other, and 'developing a critical consciousness'?

INCLUSIONS, EXCLUSIONS - AND JUSTICE

Are we stuck with these questions? I often seem to be stuck with questions that do not have answers, but at the very least, like my reading of the ideas at the core of Edward Said's *Orientalism*²¹, they make me conscious of the issues, the problems, the traps inherent in the production of knowledge, my profession, and in the activism I aspire to.

²⁰ Transcript from video footage of the woman-led prayer event/khutbah on March 18, 2005. Provided by Brittany Huckabee, director of documentary *The Mosque in Morgantown*. See also, Juliane Hammer, *American Muslim Women, Religious Authority, and Activism: More Than a Prayer* (Austin: University of Texas Press, 2012)

²¹ Edward Said, *Orientalism* (New York: Vintage Books, 1979)

And why would we worry so much about excluding men from conversations that are framed by women's experiences? Are we concerned that they may not understand? Or should we worry because not much will and can change if half of society is not part of the conversation? Are women's experiences really 'different' from men's per se and incomprehensible in both directions? Or has feminist scholarship already succumbed to putting women's experiences into men's linguistic frameworks? Do we speak about women's experiences in men's words? What do men see, hear or perceive when a woman writes about sex, conception, and labor?

I have another concern, one I have voiced before: In an academic environment in which male normative perspectives still dominate intellectual inquiry, it seems to me, women scholars risk being reduced to and read through their personal experiences when they decide to share them like Dr. Wadud has done. Interestingly, in western academia, there is on the one hand a reluctance to acknowledge personal identity matters as significant for intellectual endeavors (for male scholars), while on the other hand, (and for women scholars) it is common and acceptable to explain and often reduce their ideas to a function of their identities. For Amina Wadud, and for other Muslim women scholars, every discussion of their ideas is contextualized by their identities. Ostensibly, this is done to 'understand' better where they are coming from and why they may seem so engaged in their professional work. It may ultimately be a factor limiting both their academic success and the reception of their ideas. Even when their ideas are celebrated as having transcended their backgrounds and marginalization, there is a patronizing undertone to such celebration.

José I. Cabezón reminds us in his discussion of identity politics in the study of religion of the fact that "(e)specially when a particular aspect of one's identity has served as the basis for persecutions on the part of the dominant culture, it is natural for those who share such an identity and who hence experience such persecution to turn their intellectual gifts to the analysis of the aspects of their identity that is the basis of their subjugation."²² I would argue that in combination with religious affiliation or color, the issues of exclusion and pre-determination by others are exacerbated. For Wadud this has to be described and acknowledged as triple persecution: as African-American, Muslim, and woman.

Wadud's criticism of the ways in which Muslim women have been studied and the power dynamics at work in such studies is blunt and scathing, towards non-Muslim western scholars as well as towards male Muslim scholars:

²²José I. Cabezón, "Identity and the Work of the Scholar of Religion," in *Identity and the Politics of Scholarship in the Study of Religion*, ed. José I. Cabezón and Sheila Greeve Davaney (New York: Routledge, 2004), 43-61, 57.

The neo-Orientalist propensity toward academic hegemony has allowed non-Muslim male and female scholars to give the determinations of what qualifies as academically acceptable within the Muslim women's studies context while bold-facedly constraining the diverse intra-Muslim academic contributions. Overwhelmingly, Muslim male academics participate in or agree with this hegemony, because it justifies their own limited efforts to radically interrogate gender as a category of thought in the Islamic studies areas of the academy, which still privileges them over Muslim women scholars.²³

In a critique as scathing as Wadud's, Cabezón calls out the liberal academy and its agenda of pretended inclusion of those previously persecuted and excluded:

With the mainstreaming of subaltern discourses, these voices have become commodities that need to be offered for sale in universities if these institutions are to remain competitive. At the same time, the liberal ethos of the academy requires the physical presence of subaltern bodies. Any ideology that promotes a coincidence of minority bodies with minority discourses, as the segregationist ideology does, is to the economic advantage of our employers. Under such a program, diversity of identity and of discourse are achieved simultaneously...²⁴

Wadud has discussed her position in the American academy and questions of identity in several places in her work, and does not spare academic institutions, the American Academy of Religion, or her students in her multiple critique of the way in which she has experienced discrimination and prejudice because of her openly being Muslim and wearing Hijab. She describes her distinction between a purely confessional approach to the teaching of Islam in a public university, her concerns with being judged by who she is rather than by what she says, and the myriad ways in which others have attempted to define and evaluate her expertise and her knowledge.²⁵

Taken together, the ideas in this essay reflect questions and concerns more so than aspiring to provide definite answers. What is required of us, as scholars, women, Muslims, and human beings, is no less than an honest engagement with these issues, with the hope that dialogue, debate, and change are possible, and indeed, mandated for those in search of justice.

²³ Amina Wadud, *Inside the Gender Jihad*, 85.

²⁴ Amina Wadud, *Inside the Gender Jihad*, 51.

²⁵ Amina Wadud, *Inside the Gender Jihad*, 55-74.

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AMINA WADUD: A GUIDE TO THE PERPLEXED AND A MODEL OF ENGAGED SCHOLARSHIP

Mohammad Fadel

I cannot recall precisely when it was that I first encountered Professor Wadud and her work. What I am certain of, however, was its transformative effect upon me. As a young Muslim-American who grew up in the American South, I had precious few independent sources of Islamic learning available to me. And while I consider myself lucky in that I received a good religious education from my parents, as well as meeting many inspiring figures whom my parents had befriended over the years, as a young man I was generally dissatisfied with the depth of the religious teachings that I had received. Issues regarding gender, moreover, had begun taking on a life of its own in our small Muslim community once we had successfully built a mosque. As the numbers of local Muslims grew, and as the existence of a religious community had become more formalized, our local community was not immune from global debates about gender, women and Islam. The mosque became a battleground between radically different conceptions of gender and Islam. Issues such as gender segregation, dress, obedience of wives to their husbands, etc. caused regular controversy and even ill-will within the community.

Having grown up in the United States, I found these debates strange and even alienating. I grew to resent foreign-born Muslims who espoused doctrines regarding gender that I found completely alien to the Islamic values which I had learned as a child as well as plain common sense. What was particularly disturbing was the all-too-frequent citation to religious texts whose apparent sense was to demean women, not with the intent of qualifying them, or otherwise instructing the audience that these are not to be understood in isolation or in their literal sense, but rather with the intent to *affirm* the inferiority of women and the superiority of men. Like many Muslims of my generation, my strategy when faced with such rhetoric was limited largely to one of coping, with my ambition limited primarily to escaping these diatribes as much as possible. I had no positive strategy of responding to these discourses, and could only passively hope that they would disappear. I can only imagine the grave damage that such rhetoric caused to young Muslim women of my generation given its negative effects on me, a young Muslim male.

Into this breach came Professor Wadud, along with her immensely valuable book, *Qur'an and Women*. This work, despite its brevity, played an important role in my own intellectual journey as a Muslim, not only for its

substantive interpretations, but more importantly, because of her willingness to stand up bravely and openly for an egalitarian conception of Islam. Almost twenty years after I first encountered this work, I now would approach some of her arguments more cautiously than I did as an enthusiastic and alienated graduate student who was striving to come to terms with his identity as a Muslim and make his way as a scholar in the secular academy. Whatever shortcomings I may find in the book today, however, do nothing to detract from my judgment that this was for me a transformative book, and I suspect that it has the potential to remain transformative for scores of young Muslim men and women all over the world. And to be clear, whatever shortcomings I may now direct toward some of her arguments have nothing to do with the moral direction of her argument, something on which she is indisputably correct, but rather the technical form that her arguments took.

I recognize that this obsession with form may be peculiar to my craft as a lawyer, but it raises the question of what will be enduring about *Qur'an and Woman*? As previously mentioned, I believe it can still play the healing role it played in my life for countless other young Muslims who have been taught to believe that Islam is about gender hierarchy, although I hope that we are nearing the day when overt doctrines of gender hierarchy will be abandoned. Professor Wadud's analysis of various legal provisions in the Qur'an, and how modern Muslims committed to gender equality should understand them, although not free of difficulty represent important contributions to how modern Muslims think of these issues and will likely continue to be influential among modern Muslims.

Nevertheless, the book's lasting impact, I think, lies more in its ethical analysis of the Qur'an's treatment of women. Professor Wadud's analysis of the Qur'an's language describing the hereafter, and her successful demonstration of the development from concrete, culture-specific and male-centered descriptions of Paradise in the Meccan phase of revelation, to its adoption of more universal and gender-neutral language in its Medinan phase was a brilliant application of the concept of the Qur'an's internal development which, while routinely applied in matters of law, was rarely applied to theological teachings. The part of the book that made the greatest impression on me – and continues to do so to this day – is her discussion of the Qur'an's treatment of Umm Mūsā (Moses' mother) and Maryam (Mary), however. While I had read the verses dealing with the stories of both women several times, it was only after I read Professor Wadud's analysis of these stories that I realized the powerful, female-centric imagery of the Qur'anic version of these stories. Her analysis of these stories is powerful evidence of the need we Muslims have for more female voices in Qur'anic interpretation in order to achieve a deeper understanding of revelation. And what is true in *tafsir* is also true in other Islamic disciplines, particularly, *fiqh*.

My greatest hope is that Professor Wadud's ground-breaking work will inspire other Muslim women to pursue Islamic studies, including *fiqh*, with passion, commitment, and fidelity to careful argumentation, just as successfully as she did in *Qur'an and Woman*.

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A Jihad for Justice

3

BUILDING AND DESTROYING

Michael Muhammad Knight

At the famous Prayer, I worked security and then joined one of the back rows. I remember the date of the Prayer because I had broken it down using Supreme Mathematics, the Five Percenters' sacred algebra. It was March 18, and 18 breaks down as Knowledge (1) Build or Destroy (8). When you have knowledge, you can use it to build righteousness or destroy wickedness. Either way, $1 + 8 = 9$, which corresponds to the attribute of Born, meaning that your work of building/destroying gives birth to something as it serves to manifest your knowledge in the world.

When Amina Wadud stood before us, and we—all of us, women and men together—stood behind her, our imam's act of building and destroying manifested a vision of *tawhid*, the unity of God, reflected in the unity of humanity. She built a new possibility and destroyed impossibility. She built humanity and destroyed hierarchy, destroyed our hurtful pasts and built a future Islam. From her work, something new was born or reborn. For some of us who were there, Islam is seven years old.

The Prayer reminded me of Malcolm X's experience at Mecca, the story of which many have treated as Islam's definitive offering to America. During his pilgrimage, Malcolm built and destroyed particular notions of God, Devil, and self. He found the unity of God mirrored by a universal brotherhood that transcended color. In my journey to Islam, like the journeys of so many American converts, I sought that same brotherhood. *Brotherhood*. The word appears three times in Malcolm's short letter from Mecca. Amina Wadud retains the truth of Malcolm in Mecca, but broadens its scope. Malcolm observed Islam erasing racial hierarchy, making us all *brothers*; the Malcolm-in-Mecca moment that Amina Wadud gave us promised to destroy sexual hierarchy, making us all *human*. I remembered both Malcolm X and Amina Wadud during my own pilgrimage to Mecca, when—with varying success and some failure, because humans are still human—I found both my whiteness and my maleness dissolving in the face of our shared humanity.

Wadud's argument for ritual equality is not, as some have charged, simply an injection of Western liberalism into Islam; it claims Islam as its origin. In what she calls the *tawhidic* paradigm, humans—as God's representatives on earth—are called to match God's absolute oneness in our treatment of each other as equal representatives of God without regard for race, gender, sexual orientation,

religion, class, national origin, or any other imaginations of difference. It's not only an argument about ritual equality, but serves as a guiding ethos founded upon the first article of Islamic belief. While some in the Progressive Muslim scene emphasized this ethos when it came to issues of gender or religious difference, however, some of us forgot that it can—and must—also speak to relations between Muslims and Muslims.

In the months leading up to the Prayer and the corresponding launch of PMU, the Progressive Muslim Union, I was already feeling doubts about the progressives' ability to balance building and destroying. We did a lot of righteous destroying at *MuslimWakeUp!*, PMU's propaganda wing, but it wasn't always clear that we could build. Many of us in the scene subscribed to a dualistic view in which we as "progressives" were defined by our opposition to "conservatives," who were clearly marked by their beards and hijabs. In our own imagination, we were the advanced critical thinkers on the right side of history, proud vanguards of Future Islam, and those other Muslims were scary traditionalists holding onto the premodern world.

Many Muslims who were marked as "conservative," putting their own value judgment on this binary opposition, also endorsed it. In the Muslim blogospheres, I saw opponents of the Prayer accusing us of serving a neoliberal imperialist project; in their view, we were only softening Islam to make it fit more comfortably in the place assigned to religion by Western discourses of secularism and "modernity." I can't say that the charge was completely invalid, because so many of us shoved any Muslim who actually cared about tradition or placed stock in *fiqh* into the same corner. Some of us had been so wounded in our experiences of Islam, and silent about our wounds for so long, that when we found a new forum and chance for belonging, we turned out to be no less exclusivist than those who had excluded us. I'll admit that in my own *MuslimWakeUp!* stink-palming days, I was part of the problem. I sometimes fell into that trap of imagining all "conservative" Muslims as constituting one massive, unvaried body to which I could never be reconciled.

On top of that, some of Progressive Islam's more public voices aimed their demands for freedom, justice, and equality only at the so-called "Muslim world," but never at the West. The problem with Afghanistan, if you asked them, was only the religious oppression taking place on the ground, rather than the bombs falling from above; the *trouble with Islam* anywhere was the mentality of Muslims. As we issued our grievances within the Muslim community without any regard for how these grievances might be picked up and used for anti-Muslim discourses, it seemed that our call for a new reading of Islamic tradition could be dismissed as an act of cheerleading for the West. *Yes, Euro-American power,*

Muslims need what you have. Come save the brown women from the brown men, and help us save Muslims from Islam.

One of Amina Wadud's major achievements during this period is that she never took the bait. She did not bask in the cameras, but if she had been more willing to rip on Muslims and sell Islam as easy "spirituality" and a fashion choice, she could be a millionaire. If she wanted to be the star, she could have had it. But she didn't want it. While so many looked to the Prayer as a public performance, Wadud still took it seriously as an inner act, and did not appreciate the inner act being disrupted by journalists' stares and flashbulbs. The worst hero to put on a pedestal is the one that wants the pedestal, or worse, has become convinced that s/he *deserves* the pedestal. Wadud never asked for the pedestal, but she made the right choices with what she had been given.

At PMU's first and only board meeting, I heard one of the board members read a letter from Wadud in which she announced her walking away from us. She still upheld her support for woman-led prayer, and would still lead intergender congregations, but had no interest in our publicity stunts. I remember our stunned silence; she had swung the *Haqq* hard and smashed us to bits. "Wadud had drawn a clear line between the Truth and the media whores," I have written elsewhere, "and we knew that PMU was on the wrong side."

PMU was plagued with issues, in part because everyone seemed to have a different idea of what "Progressive Islam" meant. Within the scene one could find Muslim Republicans who were cool on gender issues but also supported the war in Iraq. That summer, I resigned from PMU and predicted that it would be dead in a year, and I was right. PMU's demise also seemed to confirm the promises of conservative Muslims as well as Islamophobes who saw Progressive Islam as perpetually doomed to a negligible misfit fringe. For Wadud to distance her own thought and activism from PMU actually redeemed the movement for Islamic gender equality, and helped woman-led prayer survive the train wreck that PMU had brought.

Today, establishment-type authorities such as Hamza Yusuf, who wouldn't have pissed on PMU to put out a fire, are at least treating ritual equality between women and men as a legitimate question. The El-Tawhid Juma Circle has emerged as a new movement of gender-inclusive prayer congregations, originating in Toronto and now branching out to other cities, manifesting the spirit of the Prayer of 2005. If what was once "fringe" is now slowly finding a place, and the "slowly" is becoming less slow, it is in no small part due to Amina Wadud saving Progressive Islam from its own neoliberal stink.

Wadud accomplished this not only with her distancing from PMU, but even more importantly through the Islamic foundation for her ethics, the

tawhidic paradigm, that she lays out in *Inside the Gender Jihad: Women's Reform in Islam*. The *tawhidic* paradigm also draws from the unique history of an American Islam in which the answer could never be to simply put Muslims on an Americanization path; Islam in the United States boasts a long tradition of speaking truth to Western white supremacy. "I have never been a Muslim except as an African-American," she writes in *Inside the Gender Jihad*. "I am part of the awesome legacy of the soul and survival of African slaves brutalized by the dehumanization of the institution of slavery in its peculiarly cruel American racist form." As opposed to some self-appointed champions of Islamic reform, Wadud was never merely calling Muslims to Western values; she also stood for Islam's answer to the Western values of racism and exploitation, and a vision of Islam to which many Americans, herself and myself included, converted in part because it healed the pain of being American.

The American Muslim community, to the extent that there is such a thing as a "Muslim community," is more morally complex than either "conservatives" or "progressives" might allow. Some Muslims could be stellar on issues of racial justice while remaining blind to gender issues, and others might be the opposite; it can be tempting to draw these differences along the conservative/progressive line, though this wouldn't always hold up. Wadud's ethics of *tawhid* embrace all freedom struggles while resisting the pressure to turn these struggles against each other. In the nineteenth century, this pressure had broken the *tawhid* of America's freedom struggle, as the question of allowing suffrage first to white women or black men, with neither side promising the vote to black women, caused a permanent rift between Frederick Douglass and Susan B. Anthony—as well as the later movements that would draw from their legacies. In Wadud's application of God's unity to life here on the ground, our duty as God's moral agents demands that we remain vigilant against these traps.

In the documentary *The Noble Struggle of Amina Wadud*, we see Wadud alternately wearing and not wearing *hijab*. At the end of the film, she removes her *hijab* while addressing the camera. People can read this in several ways—Wadud explains that we invest too much meaning in mere fabric when Allah looks at intention—but I also take it to mean that Wadud's ethical stands are not about cheerleading for one team against another, neither those who demand *hijab* to be worn nor those who demand its removal. It is a difficult place to occupy, undermining the artificial distinction between conservative and progressive while speaking truth to both sides.

This difficult place is marked by *tawhid* in action. It is a place at which many of us have found ourselves, though Wadud saw it when so many were still choosing teams. Back when I was stink-palming people, Wadud not only hit a

target that I couldn't hit; she hit the target that I couldn't see. Wadud made it possible to destroy with one hand and build with the other.

She was a real imam, standing steady while we fidgeted behind her. While some of us remained unsure whether to surrender to pressures for false unity under a monolithic, unchanging and unchangeable Islam or an equally false unity under a shallow pluralism on Western terms, Amina Wadud helped us towards a real unity, a unity that could embrace both courage and respect. She said *Allahu Akbar* and moved first and I am thankful for those who followed.

MICHAEL MUHAMMAD KNIGHT became Muslim in 1994. He is the author of eight books, including *Why I am a Five Percenter*, an engagement of whiteness, Islam, and masculinity in America, and *Journey to the End of Islam*, a narrative of his pilgrimage to Mecca. His debut novel, *The Taqwacores*, became the basis for two films, a fictional adaptation and a documentary. He received an MTS (Master of Theological Studies) degree from Harvard Divinity School and is presently a doctoral student in Islamic studies at the University of North Carolina at Chapel Hill.

A Jihad for Justice

4

QUR'ANIC FEMINISM: THE MAKERS OF TEXTUAL MEANING

Abdennur Prado

Bismil-lâhi ar-Rahmani ar-Rahim

QUR'ANIC-BASED FEMINISM

I am going to defend the centrality of Qur'anic revelation in Islamic feminism, in a radical sense. Not only as a text that has been revealed and fixed many centuries ago, but as a revelation that is happening here and now. Anyone who has studied or even smelled the Qur'an knows that the concept of revelation in Islam goes beyond the image of a fixed text. The last part of the title is a quotation from Amina Wadud's *Inside the Gender Jihad*. This essay is dedicated to her.

In the last years some Muslim intellectuals have developed a Qur'anic hermeneutics with a gender perspective. I am referring particularly to the works of Asma Barlas, Amina Wadud, Sa'diyya Shaikh, Riffat Hassan, Azizah al-Hibri, Musdah Mulia, Ali Asghar Engineer and Na'eem Jeenah. Basically, the feminist readers of the Qur'an consider the Qur'an to be essentially a non-patriarchal text, although they admit that there are certain verses and elements that can be read in a patriarchal way, and that these patriarchal readings have dominated Islamic theology and sexual politics for centuries, and in fact are still dominating.

Seen from the outside, this insistence on "saving the Qur'an" may seem disconcerting. However, it is a constant in the movements to which we are referring. It means then that there is an absolute belief that the Qur'an does not justify patriarchy. Indeed, patriarchal readings of the Qur'an have resulted in the patriarchal structure of most Muslim societies. On the basis of this certainty, a deconstruction process is needed, a form of hermeneutics with a gender perspective by which the message of the Qur'an can be regained, along with its call for an egalitarian society. We, then, in the expression of Asma Barlas, need to unread patriarchal interpretations of the Qur'an.

First, we have to put emphasis on a range of theological and ethical values established in the Qur'an, as the foundation of equality between men and women. These fundamental principles are: *tawhid*, *taqwa*, *'adl*, *khilafa*, *wilaya* and *shura*. Of course, I do not have time to develop them as they deserve. In any case, I am going to present a few quick points about them, as a framework to be able to explain my thesis.

1) *Tawhid* is the basic principle of the Islamic worldview, the idea that everything is united in Allah and that there is no reality other than the unique Reality. *Tawhid* outlines the integration of the multiplicity in the unity: all in the creation is joined by its origin in Allah, so it is not appropriate to establish a hierarchy on the basis of physical or political characteristics such as race, nationality, or gender. We cannot distinguish the humanity of one person from another person's humanity. That means that we cannot create an artificial hierarchy between men and women, which would break with the principle that all creatures are linked directly with the divine.

2) *Taqwa* is sometimes translated as 'piety,' but also has the meaning of 'protection, to be careful.' Muhammad Asad translates *taqwa* as 'consciousness of God.' I had a master in al-Andalus who used to say that to understand *taqwa* you have to think of a cat walking quietly in the middle of the fire, and to understand the absence of *taqwa* you have to think of a foolish dog in the same situation. The fire is the *dunya*, the burning of this world. The Qur'an states that the only principle that distinguishes some people from others is his or her *taqwa* (Qur'an 49: 13). If we apply this principle to gender relations, it seems clear that it eliminates any possibility that men are superior to women, simply by virtue of being men. That would negate the ethical message of the Qur'an, imposing a biological consideration that is not in the text.

3) Justice (*adl*) is not a mere juridical concept, but a cosmological one. According to the Qur'an, the world has been created in justice, in a permanent equilibrium. The balance of forces is at the axis of God's Creation: the balance between active and passive, heaven and earth, expansion and contraction, change and permanence, male and female, and so on. Here comes the idea of Islam as a religion of moderation that searches for the harmony between the price and the object, between reason and instinct, between corporal and spiritual needs, or between the individual and the collective. Any excess in favor of one of these poles is at the expense of the other, resulting in deformed beings and societies. A perfect balance and balancing forces are what gives happiness/serenity, both in this world and in the other. Within this vision, balance between the two poles of the couple (male and female forces) is crucial. Masculine and feminine attributes do not correspond exclusively to men and women; both of them are internal to each creature. The feminine must be in a perfect equilibrium with the masculine in men as in women. Trying to limit the feminine to women and subordinating it to males as the sole essence of man is to break the internal equilibrium of men and women, the polarity that is present in each one of the creatures.

4) In the Qur'an, all human beings are seen as potential caliphs of God on earth, responsible for the care of the world, of themselves, their immediate environment and of the creation as a whole. The caliphate (*khilafa*) implies that everyone has a

responsibility, not transferable to other human beings, in front of Allah, who has given to each one of us the government of our lives, without making any distinction between men and women. So we need to recuperate the consideration of women as the caliphs of Allah.

5) *Wilaya*. Along with the deconstruction of the concept of female dependency and male protection, Islamic feminists go back to the idea of mutual support and protection of men and women, included in the Qur'anic notion of *awliya*. The Qur'an says that "*The believers, men and women, are protectors (or supporters) one of another*" (Qur'an 9:71). This verse establishes cooperation and equality between men and women, and cancels any possibility of male dominance. We are again presented with a non-hierarchical and egalitarian statement.

6) The last principle is *shura*, or mutual consultation. The Qur'an establishes that the believers, men and women, are those who conduct their affairs by mutual counsel. This is a democratic principle that we must apply to marriage, to break with male dominance and its pretensions of superiority.

Once established these fundamental principles of the Qur'anic world-view and anthropology, feminist hermeneutics show that Qur'anic theology is a non-patriarchal theology. In the Qur'an, God is neither a father nor a male. Of course, to attribute to God a gender is a form of *shirk*. The Qur'an states ontological equality between men and women. It talks about the creation of men and women from a single *nafs* (soul), from a unitary and undifferentiated principle from which emerged men and women. In the Qur'an there is no distinction of values or characteristics between the sexes, and its spiritual and ethical message is addressed equally to men and women. The Qur'an does not establish parental authority. At no time is the father presented as the head of the house. There is not the slightest reference to the segregation of the sexes. I am not able to find in the Qur'an any reference that justifies the social distinction of roles for men and women for biological reasons.

Only when these premises are established, is it possible to tackle the controversial reading of certain verses, which, isolated from the rest of the Qur'an, seem to support the subordination of women to men and even the right of men to beat the rebel women.

THE MAKERS OF TEXTUAL MEANING

We have seen some of the foundations of reading with a gender perspective, in a very basic way. Now, I want to talk about some of the implications of this kind of approach to the Qur'an. First, it has to be noted that we are talking about some of the most powerful values established in the Qur'an. We are not talking of making

bizarre interpretations which will lead us to the point we want, but to recover the Qur'an as an eternal message to all humankind. I say this because some time ago the Egyptian secular feminist Nawal al-Sadawi said she did not believe in Islamic feminism, and compared it with the theology of a Christian African-American feminist who interpreted the Gospel under the premise that it had been manipulated, and that in fact Jesus was a black woman.

On the contrary: it seems evident that feminist readings of the Qur'an focus more on the text itself than on the context of the revelation or on extra-Qur'anic considerations. This means not only to interpret the Qur'an by the Qur'an, in a self-referential manner and with the subsequent displacement of Hadith. This means to go beyond the text and to interpret the Qur'an according to the central values and Qur'anic worldview. In other words: feminist readings move from what is contingent or scriptural to what is structural, from the normative to the ethical principles, considering that the norms of conduct stipulated in the Qur'an can only be understood in relation to the spiritual and ethical worldview that supports it. That is: not only does it move the Hadith in favor of the text, but it even moves the text in favor of a holistic understanding. We could say that we are moving from the text of the Qur'an towards the heart of the Qur'an and, we could even say, towards the matrix of the Book.

In that sense, feminist readings of the Qur'an differ from the approaches of other intellectuals who are often qualified as liberals, modernists or progressives, according to fashionable adjectives. And it is precisely this perspective that helps us to respond to the criticism of Islamic feminism realized by some Muslim intellectuals, such as Ebrahim Moosa¹, Rashid Benzine² and Nasr Abu Zayd³. Basically, these authors have accused feminist readings of constituting a mere subjective projection of a previous ideology upon the text.

Asma Barlas and Amina Wadud have answered this criticism. According to Asma Barlas, there is no possibility of a non-subjective interpretation, as she considers that "to be human is to live a life that is politically, economically, sexually, culturally, and historically situated."⁴ So Barlas proposes to be open and

1 Ebrahim Moosa, "The Debt and Burden of Critical Islam", in *Progressive Muslims: On Justice, Gender and Pluralism* (Oneworld Publications, 2003), 111-127.

2 Rachid Benzine, *Lire le Coran autrement* : <http://oumma.com/Lire-le-Coran-autrement-partie1>

3 Nasr Abu Zayd, *Reformation of Islamic Thought: A Critical Historical Analysis* (University of Amsterdam Press, 2006).

4 Asma Barlas, "Still quarrelling over the Qur'an: Five theses on interpretation and authority," Conference on *Redefining Boundaries: Muslim Women and Religious Authority in Practice*, Institute for the Study of Islam in the Modern World, Amsterdam, June 24, 2007.

honest about that. Amina Wadud not only does not deny her involvement as a subject, but also claims to be co-agent of Allah in the realization of the Qur'an:

What I am proposing is that the collective community has always manipulated the text in concert with civilizational, or, better still, human development. We must now simply acknowledge that it has always been done and accept the responsibility of agency in doing so openly and in consultation with the community. I have already argued that the text can be interpreted with egalitarianism in mind: I now propose a step that some consider as beyond even that. We are the makers of textual meaning. 5

All this deserves some clarification, as it affects the very basis of Islamic feminism. A feminist theology is always a critical one, a hermeneutic of suspicion originated in an experience of contradiction and it shows that those traditional interpretations that were supposed to be neutral (simply objective translations of the message of the Qur'an into rules, laws, customs and ideas) in fact were influenced by the previous ideology of its interpreters. Every human community is doomed to interpretation, debate and social construction of consensus among different subjectivities. In this sense, the pretension of absolute objectivity tends to become orthodoxy and is suspected of totalitarianism. Here emerges the concept of an Islamic community as an interpretive one, based in mutual consultation and cooperation, a community in which all members are considered potential caliphs of God, as Allah proposes to humanity in the Qur'an.

Does this, then, mean to accept that Islamic feminism is a projection of feminist ideology onto the Qur'an? My thesis is that feminist readings of the Qur'an are not merely subjective, but the result of an experience of revelation. The experience of revelation is in a deep sense the experience of *tawhid*, the Unity of Reality, the inner connection between the Creator and the creation. The experience of *tawhid* is the spiritual basis of Islamic feminism, and it is this experience that moves us to the deconstruction of patriarchal readings of the Qur'an, as those readings introduce a gender-based fracture in the Reality.

And here we are ready to answer the question: Are feminist hermeneutics purely subjective? Yes and no. They are subjective to the extent that the hermeneutical circle requires an individual who received the Qur'an. Any experience is interpretative; any interpretation belongs to the subject. But this does not necessarily refer to the individualist subject, seen as a being separated from the rest of beings. The subject that is in the position to receive the Qur'an is a subject that has recognized his dependence on the Source of all creation. It is

5 Amina Wadud, *Inside the Gender Jihad* (Oneworld Publications, 2007), p.189.

not a subject who has barricaded himself in his miserable certainties, but a creature of God, aware of his limits and in fraternal unity with the rest of the living. It is a subject oriented to the everlasting life. And this opening makes possible embodied interpretations, emerging from between the cracks of a dialogue between the subject and a Reality that embodies his subjectivity, a dialogue in which the subject is the agent of revelation. Revelation breaks with the limits in which the creature lives locked up. The duality between the subject and the object is transcended.

Then, is it objective hermeneutics? Yes and no. Feminist hermeneutics are a form of critical thinking, arising from an experience of contradiction that can only be surpassed in Allah. As such, it appeals to a new objectivity, but refuses to become an orthodoxy, and it appeals to believers, as persons endowed with reason and the capacity of decision making. This has important theological implications, in the sense that the objectivity that seeks to achieve a feminist reading of the Qur'an does not purport to establish itself as an orthodoxy that can be imposed. A feminist reading of the Qur'an is not posited as a dogma. It is offered to all Muslims as a potential trigger of the Qur'anic revelation, here and now. One possibility for the spiritual regeneration of the *ummah* is to overcome the prejudice that traditional Muslim societies have positioned between themselves and the Qur'an, a gender bias that does not belong to the text and that has led to limiting the scope of the Qur'an.

At this point we can ask ourselves: what is the criterion that validates an interpretation? First, we could say that internal consistency is the minimum requirement that we must demand from a critical perspective, coherence with regard to the Qur'an as a whole. And yet, we must recognize that there are classical interpretations of certain verses, which have become part of the Islamic tradition that do not hold up to the slightest analysis; and a critical look reveals that they are inconsistent with other Qur'anic passages. So why have these interpretations become part of the canonical closure that is nowadays defended so intransigently by traditionalists?

My answer is that consistency or textual coherence is not all, and that there are other factors. On many occasions, the validity of an interpretation is measured in relation to its social and vital implications. If an interpretation or a reading of the Qur'an does not move us, if it is not rooted in our daily lives, then, why should we accept it? What argument could convince us? If an interpretation is not presented as a possibility of liberation from the shackles of this world, if it does not help us to get rid of *shirk* and our personal veils, what matter if it is coherent or incoherent?

One interpretation of the Qur'an is valid to the extent that is consistent with the semantic possibilities of Qur'anic language. But that does not mean that

all possible interpretations of the Qur'an are legitimate, much less that they are *hassan*, beautiful and good. If the interpretation is *hassan* it generates life. It is inserted into the lives of the people and moves people to the realization of good deeds. An interpretation is *hassan* if we improve through it, if we open ourselves to Allah and towards our fellow men and women, if it increases our *iman* and our *taqwa*, if it inspires believers and non-believers to grow as human beings. This is the real test for validation; this is the approach that I believe is in accordance with the message of the Qur'an, and not a supposed objectivity as claimed by philologists and experts, an objectivity that ossifies the text as a reflection of the arrogance of the human mind.

The experience of revelation is the foundation of Islamic feminism. It is not a pun, and it is not merely political or sociological. The foundation of Islamic feminism is spiritual; it is an experience of God as the overcoming of opposites. It has more to do with the mystical experience of *tawhid* than with secular feminist ideology. We are fully within the prophetic paradigm. This is not only to reinterpret certain Qur'anic controversial verses. This is about living and updating the eternal message of the Qur'an, here and now, in our concrete circumstances.

If you consider quietly the contents of this text, you will come to the conclusion that from this perspective, the Qur'an is no longer a book of laws or a catechism to be interpreted by the religious experts or scholars, but a revelation which speaks directly to believers in their individuality. We are therefore seeing a democratization of religious knowledge; the recognition of the spiritual needs of believers and of their moral agency, as individual persons, beyond the collective. It is, then, the recognition that we all are potentials caliphs of Allah, responsible for the care of the world, of ourselves and our immediate environment.

And it is precisely this experience that enables us to do politics, not from the perspective of achieving power, but from the ethical imperative of confrontation with an order of things that we recognize as unfair. It is this experience of *tawhid* which leads us to political and social activism, according to the example of Prophet Muhammad, *sala allahu alayhi wa salam*.

We, as believing men and women committed with the understanding of the word of Allah; we, as believers who open our hearts and ask Allah for the revelation of better meanings of the Qur'an, and who try to embody ourselves the message of Qur'an and who accept the responsibility that Allah has given to every human being; we, as believing women and men, as protectors and companions, sisters and brothers in Islam, in the hope of justice and a new equilibrium in the *ummah*, we are the makers of textual meaning.

Wa Allâhu 'alim.

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**OWNING THE TERMS OF LEADERSHIP AND AUTHORITY:
TOWARD A GENDER-INCLUSIVE FRAMEWORK OF AMERICAN MUSLIM
RELIGIOUS AUTHORITY**

Zahra Ayubi

In the United States and Canada, notions of Muslim women's religious authority are often conflated with women's potential for leadership and to hold religious offices. The question of whether women can lead often pertains to two types of scenarios. The first, and increasingly common, is whether women can lead religious institutions or organizations such as Muslim Student Associations (MSA), Islamic schools, and serve as leaders of mosque boards, communities, or even national organizations that represent Muslims.¹ The second scenario, in which the question of whether women can lead arises, is the performance of rituals and acts of worship, such as leading *salat* or *imamat*, delivering sermons or *khutbahs*, and officiating marriages. Both scenarios, women's appointment or election to office of religious leadership and women's *imamat* are most often articulated in terms of women's capability or potential in Islam to lead.² Seldom is the issue articulated in terms of the more basic issue of women's religious authority. Although often it goes without saying that the issue at stake in women's leadership is their religious authority, the choice of terms, leadership or authority, inspires very different conversations about women's increased participation in roles of power.

The emphasis on women's leadership, whether of *salat* or holding religious office, has shifted the legal debates away from discussions over religious authority, and toward the public nature of leading. Leadership is a public act. Accordingly, following Qur'an and gender scholar, Amina Wadud's 2005 *imamat* of mixed gender Friday congregational prayers, the most prominent American Muslim legal debates concerned the public nature of the act and women's

¹ Although this question probably arises at the local level frequently, the debate over whether or not women can lead Muslims in any capacity took place on a national level only after two noteworthy elections of women to American Muslim institutions took place: Hadia Mubarak's election as president of MSA-National in 2004 and the 2006 election of Ingrid Mattson to the presidency of the Islamic Society of North America.

² Women's *imamat* is most commonly articulated as the issue of "Women leading prayer," (as in Khaled Abou El Fadl's Scholar of the House fatwa or Hamza Yusuf's recent speech on the topic) or as "Woman-led prayer" (as in a report by Women Living Under Muslim Laws about Pamela Taylor's leading of prayers on International Women's day in 2007).

physicality in public. The discussions focused on the potential for unwelcome mixing of genders in public, including at the mosque, the gender arrangement of mosque spaces, the physical act of women's prostration in prayer as potentially alluring to the general male public, women's bodies and voices as 'aura' or nakedness in public that need to be covered, or finding "safe" public leadership roles for women such as chaplaincy or leading only women in *salat*.³ In contrast, an emphasis on religious authority, as opposed to leadership, opens the conversation up to the more fundamental issues of what creates or instills authority within a person, how authority and expression of agency are related, and whether and how that is gendered. In this essay, I present theories and discussions of the terms of leadership and authority by four scholars, Max Weber, Khaled Abou El Fadl, Catherine Wessinger, and Amina Wadud, in order to distinguish the two notions and critique formulations of leadership and authority in terms of the American Muslim context. I argue that while conversations about leadership are valuable, recognition of women's full potential for any role of religious leadership comes through thoughtful reflection on a framework of what constitutes authority.

A common starting point for theories on the origin and nature of religious authority is German sociologist Max Weber's work. For Weber authority is created through charismatic ideal types (archetypes found in human society) and taboos or bans of certain behaviors. Magicians, prophets, and priests are examples of these ideal types who through their charisma, power, or exemplary behavior compel people to be religious. He writes in *The Sociology of Religion*, "faith loses its intellectual character" with a "declaration of confidence in and dedication to a prophet or to the authority of a structured institution."⁴ This means that the authority figures in religious communities are the intellectual stewards of the community in matters of faith and command submission. People must submit themselves to an authority and let that entity think for them. Submitting one's self to religious authority, however, is not the same as completely leaving rationality behind on the part of the believer. Rather, for

³ Ingrid Mattson, "Can a Woman be an Imam?: Debating Form and Function in Muslim Women's Leadership," accessed June 1, 2009, <http://macdonald.hartsem.edu/muslimwomensleadership.pdf>;
Zaid Shakir, "An Examination of the Issue of Female Prayer Leadership," In *The Columbia Sourcebook of Muslims in the United States* edited by Edward Curtis. (New York: Columbia University Press, 2008), 239-246;
Khaled Abou El Fadl. "Fatwa by Dr. Abou El Fadl: On Women Leading Prayer," " accessed May 5, 2010, <http://www.scholarofthehouse.org/onwolepr.html>;
Muzammil Siddiqi, "Woman Imam Leading Men and Women in Salat," last modified March 20, 2005, <http://www.islamicity.com/articles/Articles.asp?ref=IC0503-2646>

⁴ Max Weber, *The Sociology of Religion*, (Boston: Beacon Press, 1993), 194.

Weber it is entirely reasonable that people submit to figures of authority in matters of belief because of their charisma, specialization of knowledge, and establishing of societal norms that need to be enforced through the institution of authority. It is a matter of trust. From Weber's definition we are left with authority being equivalent to the power of ordering or deciding for a group based on specialized knowledge of the origin of social norms and ethics which is displayed through charismatic leadership that draws in believers.

Closer to the contemporary American Muslim context, scholar of Islamic law, Khaled Abou El Fadl is more interested in what comprises *legitimate* authority, rather than authority itself. Abou El Fadl's idea of authority is consistent with Weber's in that specialized knowledge is required for authority. Abou El Fadl says that historically text-based legitimacy, that is — extraction of Divine intention from the Qur'an and Sunnah, has always rested with jurists and other scholars in Muslim societies. For Abou El Fadl, legitimacy comes about in two ways. The first is through proper training and scholarship and the second is through the support of an interpretive community.

In contrast to how authority has been constructed and legitimized throughout Muslim history, he states that in the United States “it has become common for one to read a few hadith and declare oneself qualified to render judgment on an issue that has engaged Islamic thinking for centuries.”⁵ Although specialized knowledge is a necessary prerequisite, in the United States claims to authority are made freely, even without proper qualifications. Furthermore, Abou El Fadl states that these kinds of authorities, who lack training and therefore legitimacy, also create social norms for American Muslim society with respect to gender relations, often originating from outside the United States:

Most of the determinations of the various hadith-hurling parties in the United States mirrored and relied on the discourses of various factions in the Muslim world as a whole. So, for instance, legal determinations by some organizations in the United States that exhibited a psychotic contempt of women were mere transplants of the determinations of influential Muslim organizations in some Muslim countries.⁶

In his view, because in modern Muslim countries, Islamic law has been bound with state authority as a result of post-colonial movements, there is a vacuum in Islamic authority left by the diminished power of traditional institutions. He

⁵ Khaled Abou El Fadl, *And God Knows the Soldiers* (Lanham: University Press of America, 2001), 61.

⁶ Khaled Abou El Fadl, *Speaking in God's Name: Islamic law, Authority and Women* (Oxford: Oneworld, 2001), xi.

asserts that jurists are now self-taught and Islamic authority has been popularized to the point that “every Muslim with a modest knowledge of the Quran and the traditions of the Prophet was suddenly considered qualified.”⁷ He states that Islamic law “was now a field ripe for pietistic fictions and crass generalizations, rather than a technical discipline of complex interpretive practices and sophisticated methodologies of social and textual analysis.”⁸

Unfortunately, Abou El Fadl neglects to evaluate the legitimacy of women’s own exercise of religious authority. Certainly women’s participation in Islamic discourses is an exercise he has supported; however, one of the most common arguments for delegitimizing Muslim women’s participation in leadership roles is to criticize their qualifications or lack of classical training. While it is true that there is no standardized training for figures of religious authority in the United States, women continue to be excluded from the kind of classical training that Abou El Fadl argues is required to make legitimate authoritative claims. If one is interested in promoting American Muslim women’s leadership, then one needs to reevaluate basing the source of legitimate authority on classical training that is unavailable to women. However, since expertise and scholarship remain essential to religious authority, the training that American Muslim women scholars, with diverse outlooks on Islam, pursue in various Islamic Studies programs in higher education ought to be assessed in a gender-inclusive American Muslim framework of authority.

The second component of legitimate authority according to Abou El Fadl, namely the support of an interpretive community for an authority figure, is also an important issue to consider. The receptiveness of the community, which adopts or attempts to embody the textual interpretation of an authority figure, is essential for authority to be authoritative or exercised. He says, “the meanings produced by the interpretive communities have become firmly established to the point that they have become a part of the authorial enterprise.”⁹ In other words, similar to Weber’s element of trust as a maker of authority, the interpretive community itself becomes a legitimate source of authority under the auspices or guidance of the original interpreter.

Therefore, with respect to the context of this essay, according to Abou El Fadl, the American Muslim community itself determines the currency of authority. As such, the demographic currents, attitudes on gender relations, and gender inclusivity, or lack thereof, in Muslim communities across the United States all matter when discussing the potential for women’s religious leadership.

⁷ Abou El Fadl, Khaled, *The Great Theft: Wrestling Islam from the Extremists* (New York: Harper Collins, 2005), 38.

⁸ Abou El Fadl, *The Great Theft*, 39.

⁹ Abou El Fadl, *Speaking in God’s Name*, 107.

However, as much as a following is necessary to transform religious authority into practical leadership of a community, it is still rare for women to have that community support to begin with. In this model, if they do not have that support, then their self-expressions of authority cannot become authoritative. Ultimately, Abou El Fadl's theory of how authority is legitimized, through classical training and support of an interpretive community, functions well as a model for how leadership works, rather than as a gender-inclusive framework of what constitutes religious authority.

Religious historian, Catherine Wessinger, who has studied women's religious authority across various religious traditions and locations, including the United States, distinguishes between leadership and authority in her discussion of Protestant American women's transitions from playing authoritative roles in the 19th and early 20th centuries to later assuming roles of leading rituals and ordained positions. With respect to American women's religious leadership, Wessinger agrees that charisma brings authority. More than an affable personality trait, charisma "enables women to found religious institutions and inspire movements that are outside the patriarchal mainstream religions."¹⁰ Charisma is the ability to found an empowering discourse within a community. However charisma as the source of women's authority does not usually encourage organized work to reform social structures that oppress women and other groups. Unless additional factors are present, the increased institutionalization of a religious group, founded by a charismatic woman results in a shift to male leadership.¹¹ In other words, the elements of leadership that I have discussed so far such as charisma, expertise, and an interpretive community are not enough or lasting without a discourse of empowerment.

According to Wessinger, even if the notion of empowerment is foundational to a social movement, a "social expectation of equality" is necessary to sustain women's religious authority.¹² The ability to shape social expectations in any direction is then what underlies what we can call leadership. Leadership relies on popular acceptance, is practical, and can be located in time and place, while authority remains intellectual or theoretical, based on the strength of the discourse it produces. The success of leadership can always be measured but the popularity of an authority figure is fleeting. Wessinger treats religious authority as an individual's claim to religious agency and it need not be legitimized as Abou El Fadl theorizes, or popular, as described by Weber. According to Wessinger's

¹⁰ Catherine Wessinger, "Women's Religious Leadership in the United States" in *Religious Institutions and Women's Leadership: New Roles Inside the Mainstream*, ed. Catherine Wessinger (Columbia, South Carolina Press, 1996), 5.

¹¹ Wessinger, 5.

¹² Wessinger, 6.

model, the sources of religious authority for women are responsibilities placed on them by God and scriptural knowledge.¹³ The sources of leadership are the office, institution, and formalized recognition. Neither of these conforms to the issue of popularity or widespread approval. The distinction between authority, which potentially any person can possess, and leadership, which only those in office can possess, is entirely appropriate for the American Muslim context in which traditional frameworks of leadership exclude women.

Amina Wadud's formulation of the *tawhidic* paradigm is useful in expanding upon Wessinger's framework of authority from an American Muslim perspective. She translates *tawhid*, or the unity of God, as an ethical term in a *tawhidic* paradigm, which "relates to relationships and developments within the social and political realm, emphasizing the unity of all human creatures beneath one Creator."¹⁴ In other words, *tawhid* is oneness of the creator as well as unity (and therefore equality) of humans under the creator. Wadud argues that in order to avoid violation of *tawhid*, I and Thou must be on an equal plane beneath Allah — that is in order for all human beings to believe in *tawhid*, no one person can have a rank above another.¹⁵ A hierarchy among human beings would cause those of lower social rank to treat those above them as their lords. Therefore, for *tawhid* to be true, human beings must be equal to each other. Further, for Wadud human equality is intimately connected with awareness of the unity of God. She defines this awareness or *taqwa*, not as God-consciousness as is commonly done in American Muslim discourse, but as "moral consciousness in the trustee of Allah. It is the motivating instinct to perform all actions as though they are transparent."¹⁶ Every human being is a *khalifa*: "being Khalifa is equivalent to fulfilling one's human destiny as a moral agent [...] In respect to society, [this] means working for justice."¹⁷

Wadud envisions the *tawhidic* paradigm to be implemented as "the inspiration for removing gender stratification from all levels of social interaction: public and private, ritual and political."¹⁸ Further

[n]ot only does it mean that I and Thou are equal, but also it means that I and Thou are one within the ones of Allah. Social, liturgical, and political functions become determined by the capacity of both women and men in a larger realm of

¹³ Wessinger, 9-10.

¹⁴ Amina Wadud, *Inside the Gender Jihad: Woman's Reform in Islam* (Oxford: Oneworld, 2006) 28.

¹⁵ Wadud, 30-31.

¹⁶ Wadud, 40.

¹⁷ Wadud, 34.

¹⁸ Wadud, 32.

education, dedication, and contribution with no arbitrary exclusion of women from performing any of these functions.¹⁹

For Wadud, as an extension of belief in *tawhid*, men and women of appropriate qualifications have equal access to religious authority and leadership.

Ultimately Wadud presents us with a framework of religious authority that is gender inclusive: men and women are not just equal, but they are all also equally endowed with moral agency. Preserving the notion of *tawhid* requires that all human beings are equal. Women possess, just as men do, among other things, spiritual autonomy, rationality, and the potential to learn and lead. God's endowment of *khilafa*, or human moral agency, extends to women as it does to men. Similar to Wessinger, her vision is individualistic in the sense that authority is generated within a person's relationship to God, rather than through community affirmation. It is this element, which recognizes spiritual agency that makes it appropriate for the American Muslim context.

American Muslim women who have exercised religious authority, either in playing momentary or continuous roles of religious leadership, or through their scholarship of scriptures and Islamic discourses have done so through the expertise of Islamic learning in various settings of higher education and exercise of their agency as legitimate interpreters of Islamic sources.²⁰ As such, they may not fit into the traditional frameworks of religious leadership that demand charismatic oration, classical *madrassa*, or seminary training, or a congregational or community following. However, they do possess expertise and religious agency. A move toward a gender inclusive framework of American Muslim religious authority emphasizes an individual's potential for acquiring religious knowledge, having religious understanding, and possessing rationality. While religious leadership remains to various extents a public exercise of authority, religious authority itself is men's and women's moral and spiritual agency.

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¹⁹ Wadud, 32.

²⁰ Aysha Hidayatullah, "Women Trustees of Allah: Methods, Limits, and Possibilities of 'Feminist Theology' in Islam," (PhD diss., University of California, Santa Barbara, 2009), 6.

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Part 2

INSPIRATIONS

A Jihad for Justice

6

**AMINA WADUD & THE PROMOTION OF EXPERIENCE AS
AUTHORITY**

Debra Majeed

With the 1995 publication of “Towards a Qur’anic Hermeneutics of Social Justice: Race, Class and Gender,” Amina Wadud all but admitted that developing a theory of social justice predicated by personal experience had caused her sleepless nights, just like other gifts her body has helped bring into existence. By then, the mother of five was about to become a junior faculty member at Virginia Commonwealth University’s School of World Studies. VCU, her first teaching post in higher education at a U.S. institution, would serve as her primary intellectual home until retirement in 2008. Other international and domestic lectureships would follow, all the while the nascent social justice theory would accompany her on a journey replete with intellectual and ethical struggles with which she would wage her personal gender *jihad*.

During the succeeding decades, promoting the linkage of personal experience and social justice theory would become to Wadud like “a sixth pillar,” an intellectual practice with self-inscribed meaning without which her surrender to Allah would be incomplete.¹ Pursuit of social justice has become for Wadud (as well as her students and mentees) “a kind of good work that benefits the soul.”² Indeed, she has bequeathed this sense of *ibadah* to the next generation of Muslim female (and male) scholars, and with it she has inspired us to strike a balance between social activism and rigorous scholarship, as we strive to become “care workers of intellectual excellence.”³ Debates about and struggles for social justice are meaningless in the Wadud world, unless the cogency of experience as a form of authority is recognized. I have become one of her students; she, my mentor and friend. I have come to appreciate the merits of experience in the work of textual exegesis, whether the text is the divine word as revelation or the divine word as embodied human reality.

¹ I compare the pursuit of social justice that fuels Wadud’s activism to her analysis of the hijab’s relationship to discourse about Islam and gender. See Amina Wadud, “Head Scarves, Hijab and Broomstick,” *Amina Wadud Blog*, August 13, 2008,

<http://alivemindandspirit.com/index.php?d=04&m=12&y=08&category=6>.

² Amina Wadud, “The sun of my sons,” *Amina Wadud Blog*, May 29, 2008,

<http://alivemindandspirit.com/index.php?d=04&m=12&y=08&category=6>.

³ *Ibid*.

The former Mary Teasley took her *shahada* in 1972 and began a journey that transformed the daughter of a Methodist minister into an internationally acclaimed Muslim scholar, foremost Qur'anic exegete and advocate for gender justice. A passion for religious diversity and curiosity about other faiths helped to fuel Wadud's consideration of Islam. Our paths were destined to merge. When she began her doctoral work, the number of African American female Muslims in the academy could be counted on fewer fingers that comprise a human hand. I, too, graduated college in 1975, but my journey to Islam consisted of additional twists and turns. A former Christian pastor who delivered the 3 p.m. St. George's Day sermon at Westminster Abbey in 1995, I was set to start a church in a north Chicago suburb three years later when I realized I had unconsciously embarked on a spiritual odyssey. I was not an unsatisfied Christian when I walked into a Nashville mosque on May 1, 1998 to declare my faith in Islam. I had decided to transition from Christianity, and the United Methodist Church, after my dissertation research about African American Muslims compelled me to actually meet some of them. Once I did, I was convinced that Christianity was not the sole path to G'd for this African American. Becoming Muslim, for me, meant the loss of a \$10,000 renewable scholarship, close friends, and planned career trajectory. Thus, becoming Muslim, for me, constituted a *jihad*, but I did not know it then. Nevertheless, I could appreciate the value of my own personal story, the authority of one person's experience.

Like many others, I first met Amina Wadud through *Qur'an & Woman*. Her re-reading introduced me to an inclusive Qur'an, a text that is reconcilable with the liberation of women everywhere; a morally enriching scripture to which it is permissible for me to bring my own historical context and experience as an African American, a woman, a former Christian, a descendent of slaves, a Muslim, a scholar, and an advocate. When I later encountered Wadud at a session of American Academy of Religion (AAR), I approached her with trepidation and with profound admiration. Yet, it was she who made me feel at ease.

Over the years, Wadud has been instrumental in both my spiritual and intellectual progression. My forthcoming book on plural marriage in Islam and African American Muslims builds upon her insistence in the efficacy of female experience as a type of authority and as a weapon against "intra-Qur'anic considerations that deconstruct [polygyny] as an unbridled right" of Muslim men.⁴ The textual interpretations she and others advance lead, in my view, to a new *tafsir* that legitimates experience and enables the realities of Muslim women married to polygynous men to speak to the text and to G'd. The manuscript also

⁴ Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: Oneworld, 2006), 114.

distinguishes itself by demonstrating why four types of plural marriage in Islam – the polygyny of coercion, choice, oppression, and liberation – look alike when considered through the experience of polygynous husbands rather than through the realities of their monogamous wives.

Intellectually and through her faith, Amina Wadud embodies a scholar who promotes an epistemological framework that opens authority to female *and* male Muslims. Her social justice work continues, as does her celebration of experience as authority. Through her, more Muslim women are *experiencing* the Islam in which they *believe*. Allahu Akbar!

DEBRA MAJEED is Professor of Religious Studies at Beloit College. She is the first African American female and first Muslim to be tenured in the 166-year history of Beloit College. Majeed received her doctorate in Religious & Theological Studies from Northwestern University in 2001. She has published in *the Journal of Feminist Studies in Religion*, *the Encyclopedia of Women and Religion in America*, *the Encyclopedia of Women in Islamic Cultures*, and *Delving Deeper Shades of Purple: Charting Twenty Years of Womanist Approaches in Religion and Society*, among others. She is completing a manuscript on polygyny and African American Muslims that is forthcoming from University Press of Florida.

7

**AMINA WADUD AND SISTERS IN ISLAM— A JOURNEY TOWARDS
EMPOWERMENT**

Zainah Anwar and Rose Ismail

It started with a question: If God is just — if Islam is just — why do laws and policies made in the name of Islam create injustice?

This was the burning question faced by the founding members of Sisters in Islam (SIS). All around us was the widespread but hardly-examined problem of discrimination against Muslim women. Both insidious and overt, these acts were carried out in the name of Islam. We felt we had to begin looking for solutions.

Initially, we worked with lawyers, looking at problems with Muslim family laws, its implementation, and the solutions needed to remedy shortcomings within the Shariah judicial system.

It did not take long for some of us to realise that dealing with the law alone was nowhere near enough. More and more, Islam was vociferously used to justify why the law could not be changed to recognise equality between women and men.

We were all professional women. Three of us were writers who covered women's rights. Two were academics, one a lawyer, one an artist and another, a women's health activist. Each of us had a wide circle of friends and acquaintances.

Women were telling us how they were suffering in silence: They had been taught that Islam demanded complete obedience to their husbands, even in instances when the men in question deserved no such consideration. Over and over they were told in religious lectures and sermons; in private gatherings; over radio and television; at mosques, and in the courts that all men were superior to all women; that the evidence of two women equalled that of one man; that the husband had the incontrovertible right to beat his wife or to take a second wife; and that the only place for a disobedient wife in the hereafter was hell.

The writers among us heard stories of how courts condoned the shameful behaviour of husbands towards their wives. One woman going through protracted divorce proceedings said she had reported her husband's abusive behaviour twice. No one took her seriously-- until he broke her leg with a golf putter. When she appeared in court on crutches and a cement cast on her leg, the judge said patience was a virtue.

Another woman said she was always made to feel she was the cause of the problem when the husband refused to pay maintenance. Even female court and religious department officers treated her as if she was in the wrong.

Surely this was not meant to be. How could God be unjust to half the human race? This was the question we asked ourselves as we observed the unconscionable behaviour of many men.

We felt an urgent need to go back to the Qur'an. We had to read for ourselves what God actually said about contentious issues like these, which cause lasting misery to many women. Was it really possible that the Text supported the oppression and ill-treatment of women?

The need for Textual insight was nothing less than crucial. These events took place in the context of 1980s Malaysia, when women's groups were campaigning to make domestic violence a crime.

But resistance came from many sources, not least from patriarchs in government and religious authorities who asserted that the new domestic violence law had no business being applied to Muslims. A Muslim man, they claimed, held the divine right to beat his wife, and no human law could deny him that.

More than ever, there was a pressing need to go back to the Qur'an. We needed to find out for ourselves what the Qur'an really said. But we could not go through the same blind reading we had done as children. At that time, emphasis was given primarily to proper pronunciation, and whether we understood the meaning of the Text mattered little. Given all the injustice we were witnessing, we knew that this time, we had to take a very different path to approaching the Qur'an.

Now adults, confronting so much injustice against women practised in the name of religion, we had many questions about God's message to humankind.

What did God really say about domestic violence? Polygamy was allowed during the early period of Islam but did that mean it ought to be practised in perpetuity? Why should men always have authority over women? What were the examples given in the Qur'an about authority and leadership? When it came to witnesses, why were two women needed as compared to one man? Surely it could not be that a woman's brain worked only half as well as a man's? If a family only had daughters, why then should property automatically be inherited by the closest male relative, even if that relative was a distant cousin and virtual stranger?

Call it divine intervention or serendipity. Just when we decided to study the Qur'an again to look for answers, we heard that Amina Wadud had arrived in Kuala Lumpur to teach the Qur'an at the International Islamic University. A founding member of Sisters in Islam, Rose Ismail, had met Amina earlier in Michigan and was fascinated with the work she was doing.

A reporter in an English-language Malaysian newspaper, Rose went to Ann Arbor in 1988 to do a journalism fellowship at the University of Michigan. When she heard about Amina, she at once thought that this was someone who could help Sisters. She proceeded to make contact. Amina and Rose only managed two short meetings as both had young children and a full schedule. But it was enough to make Rose realise that Amina had the ability to reach into the Qur'an and provide the explanations Sisters needed, so that we could advocate to set the balance right between men and women in Islam.

We would not have been able to do this on our own. Among the seven Malaysian founding members of Sisters, none knew Arabic. Amina had a stellar academic background in linguistics and had just completed her masterful doctoral thesis, later published as *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*¹. She was heaven-sent. She brought with her a new world of epistemology and hermeneutics to help us understand the Qur'an, how knowledge and meanings develop and how words and verses are interpreted within a particular context.

Through methodological foundations grounded in *Iqra'* ("Read," the first word revealed to the Prophet Muhammad (p.b.u.h.), our Textual studies with Amina broke open a world of light. We discovered an Islam based on the principles of mercy, equality, justice, all adding up to a universal, conscience-based love of humankind.

It became patently clear that it was not Islam that oppressed women – it was male-centric interpretations of the Qur'an influenced by cultural practices and values of a powerful patriarchal society. Throughout much of Islam's history, the realities, voices and experiences of women have been largely silent – and silenced – in the reading and interpretation of the Text.

This human-devised silence, Amina taught us, had been erroneously interpreted as the silence of the Qur'an, a dangerous assumption if there ever was one. But this new light was also filled with hope.

It was an uplifting, exciting process. We learnt about *asbab al-nuzul*, where we needed to examine the socio-historical context of revelations as a whole – and that of the respective Qur'anic verses – in order to understand the meaning of the revelation.

Amina taught us a combined methodology approach. Besides placing verses in an historical timeline, we also examined the language of the Text and its syntactical and grammatical structure. This helped us access the psyche of the time and possible meanings of words. We looked at the Text as a whole to understand its

¹AminaWadud, *Qur'an and Woman*. PenerbitFajarBakti, Kuala Lumpur, 1992

worldview and with this multi-faceted approach, we deduced what was universal and what was particular to 7th- century Arabia. This allowed an interface to emerge between theology and interpretation on one hand, and daily realities of Muslim women within the contemporary socio-legal context on the other. It was hugely energising because we finally felt an authentic, authoritative link between a just God and a merciful, compassionate practice of Islam.

To tighten our focus in this complex process of understanding, we decided to begin with trying to understand the Qur’anic message on two major issues concerning women’s rights.

The first was the popular belief that men had the right to beat their wives.

Those supporting the rights of men to this violence sought justification in the Qur’anic verse on *nushuz*, commonly interpreted as ‘disobedience.’ As stated in *Surah An-Nisa*, 4:34: “...As for those from whom you fear *nushuz*, admonish them, then banish them to beds apart and ‘strike’ them.” (Yusuf Ali).

It seemed an impossible paradox. How could Islam, firmly founded on the principle of justice, also hold that God would sanction injustice, oppression and violence towards women?

It was Amina’s pioneering work which enabled us to argue that wife-beating was *not* a God-given right in Islam. She pointed out to us the context of revelation. For example, the word “*daraba*” was most commonly translated as “beat,” “strike,” even “scourge.” But examining the context showed that it was a word with many meanings: *daraba* could also mean “to set out on a journey” or “set an example.” We also looked at the Hadith literature, which had no record of the Prophet Muhammad ever beating any of his wives or supporting any incident of domestic violence.

The other issue we studied concerning women’s rights was the so-called Islamic notion that entitled men to marry up to four wives. Re-examining the verse on polygamy in the Qur’an gave us another burst of hopeful revelation.

We had grown up aware that a man had the right to four wives. But we never knew that the verse on polygamy continued to explicitly state “...if you fear you shall not be able to deal justly with women, then marry only one.” There it was, stark in the Qur’an, but because we did not know Arabic, we never knew it existed. Never before – in our past readings of the Qur’an or in public discussion around us – had this been pointed out to us.

It was a light bulb moment. Everything started to make sense and our minds glowed with the excitement of discovery. A whole barrage of questions was directed at Amina: Why was only one half of the verse that said a man can have up to four wives universally known, accepted as a right in Islam, *and* codified into

law? Why was the other half of the very same verse – the half that that promotes monogamy –largely unheard of?

With Amina’s skillful and scholarly guidance, we realised that the second half was muted *until women began to read the Qur’an for ourselves*. It dawned on us then that when men read the verse, only the phrase “marry up to four wives” seemed to stand out. In that phrase was the validation of their desires and experiences by the word of God, no less – or so they felt.

But when women read the verse, we clearly saw “... if you fear you cannot deal justly with women, then marry only one.” Those were the words of Allah, plain as day in the Qur’an – words that spoke to our long-held fears of injustice with no recourse. We saw that the right to polygamy was highly conditional, and if a man could not fulfill those conditions of equal and just treatment, it was Allah’s decree to marry only one. In fact the verse goes on to say “... this will be best for you, to prevent you from doing injustice.” (Yusuf Ali). What further validation was needed to argue that polygamy was not a right in Islam, but a responsibility allowed only in exceptional circumstances?

The question that arose became obvious: Who decided which interpretation, which juristic opinion, which Hadith or which traditional practice would prevail?

Who decided which components would become the source of codified law in this modern world, law that would govern our private and public lives and punish us if we failed to abide?

Who decided which components would be ignored, to be eventually buried and forgotten?

On what basis were these decisions made?

And at the heart, this crucial question: *Whose interests were protected and whose denied?*

It became patently clear to us that the outcome of this process was far more about power and politics than living the divine will on earth.

As feminists, as believers, and as activists living within a democratic constitutional framework that guarantees equality and non-discrimination, we decided to assert and claim our right to have *our* voice heard in the public sphere. We intended action by intervening in the decision-making process on matters of religion. After all that we had learnt – and were continuing to learn – we felt that these matters had to take into consideration the realities of our lives and the justice enjoined by the Qur’an.

It is this awareness brought on by our engagement with Amina in weekly study sessions that gave us the courage to speak out in public. Knowledge, as they say,

is power. Even in our personal lives, the lessons taught by Amina were empowering. They encouraged deeper introspection. It formed the basis for deeper inquiry into the Malay-Muslim psyche. It made advocacy more urgent and exciting because we were now engaged directly with the Qur'an.

KNOWLEDGE AS THE BASIS FOR ACTION

As we grew in confidence, we felt compelled to share our findings with the public. Our mission was to break the dominant belief that Islam discriminated against women and the idea that only the ulama had the right and authority to speak on the religion.

As citizens and believers in a just Islam, we wanted to create a new public discourse. We felt that in a country which used Islam as a source of law and public policy, everyone had the right to speak about the religion and how it impacted all lives. We refused to accept that Malaysians, and women in particular, had no authority to define our own realities. These realities needed to be considered in the drafting of laws and policies in the name of Islam – we would not sit by and watch this right being denied.

A prime opportunity arose in 1990 when, in the case of *Aishah Abdul Rauf vs. Wan Mohd Yusof Wan Othman*, the Selangor Shariah Appeals Court decided that the husband did not have the right to take a second wife as he had not fulfilled the four conditions under Islamic Family Law that sought to ensure that justice would be done.

The judgement – and the ensuing debate on the right of men to enter polygamous relations – created a fertile atmosphere for SIS to write letters to the editors of all major newspapers. This was the beginning of a strategy for an alternative voice to be heard in the public space.

The letters created a buzz. People wondered about us. Who were these “Sisters in Islam” who dared assert that polygamy was not a right in Islam? In composing our letter, we employed the methodologies that Amina taught us. Pointing out the socio-historical context of revelation indicated that polygamy was not for the purpose of satisfying men's lust for multiple sexual partners, but to ensure that justice was done to orphans in times of war. Islam did not introduce the practice of polygamy – it in fact restricted it.

Amina's engagement with SIS enabled her to translate theory into practice to bring about change. It was her first experience with activism in a Muslim context. The realities of living Islam in a contemporary Muslim society such as Malaysia, and the challenges that this brought, provided her a fresh context in which to understand the meaning of God's message, and to ensure that justice continues to

be done in the name of God. Was it possible to bring about change to women's lives by using a gender-just alternative interpretation of the Qur'an? Could this affect conditions for change in the relationship between women and men in modern Muslim societies? When Sisters in Islam wrote that first letter to the media in 1990, it would be safe to say that most Malaysians were not aware that the verse on polygamy actually went on to state that monogamy was a more just form of marriage.

Today, this is common knowledge. So common, in fact, that a later edition of the Yusuf Ali interpretation and commentary of the Qur'an, published by the Washington-based International Institute for Islamic Thought, saw fit to remove his note on verse 4:3, where he said the Qur'an recommended monogamy as the ideal form of marriage.

That letter to the editors was just the beginning. We continued our intensive study sessions with Amina and research into the Qur'an, *tafsir* literature, Islamic laws, and women's rights. Given the complexity of the scholarship on Islam and the parallel abundance of simplistic, misogynistic and low-priced popular literature on the religion, we felt it important to provide alternative empowering readings of the Qur'an for women.

We decided to produce Question & Answer booklets to counter the all-too-popular belief that men and women were not equal in Islam. The first booklet, *Are Women & Men Equal Before Allah?*, was intended to provide a basic understanding of the message of equality in the Qur'an, and how human understanding of God's intent in a patriarchal world has led to inequality.

The second booklet, *Are Muslim Men Allowed to Beat Their Wives?*, was part of SIS' efforts to build a Muslim constituency that supported the national campaign by women's groups to make domestic violence a crime. There was a common belief then in Malaysia that Muslim men had the unequivocal right to beat their wives. Hence, a law against domestic violence could not be extended to them as that would be seen to be against God's teachings.

These two seminal booklets on women's rights in Islam were launched in 1991. For the first time, the eight members of Sisters in Islam, including Amina, revealed ourselves to the public. We were filled with trepidation at public condemnation, possible threats, even potential physical harm.

Instead, we were overwhelmed by the positive response to our work. We were deeply gratified to hear from so many Muslim women, who told us that they were finally learning about an Islam that spoke to them and their realities. We also received telephone calls from women in different parts of the country, asking for our help to resolve marital and legal problems with their husbands, the religious departments and the Shariah courts.

Our voice and our actions gathered momentum over the years.

In 2009, Malaysian model Kartika Sari Dewi Shukarno was sentenced under Shariah law to whipping and a fine of MYR5000. Her crime? Drinking a glass of beer.

The story spread like brush fire in online, offline and electronic media all over the world. Predictably, the issue went beyond news writing and commentary, and became an infamous discussion point in popular culture.

There was much outrage amongst many members of the Malaysian public and activists, not least because Muslim men at the same outlet had also been consuming alcohol, but had not been charged.

The Joint Action Group for Gender Equality – a formidable network of women NGOs – submitted a memorandum to the Prime Minister, stating “the implementation of these shariah laws continue to raise numerous profound and controversial issues at the Islamic, constitutional, and human rights levels.”

SIS, a member of JAG, had already been petitioning the government since 2005 to outright repeal Shariah criminal law in Malaysia, on the basis that it was not founded in Islamic legal theory or practice, and was unconstitutional. When the Kartika case emerged, SIS filed a separate application for revision and stay of execution of the whipping.

By law, all such applications must be heard once filed and dues paid. It is a simple socio-legal course of action. Imagine our shock when we were promptly denied the right to apply. An official at the *filing* stage returned the documents and fees to SIS, thereby randomly assuming the authority to decide which cases could be heard and which could not. It had never happened before and was clearly a mangling of due process.

The Kartika case was punctuated by such incidents. SIS issued a strongly-worded press statement criticising the murky manner in which these decisions were being made. We also extended this to question once again the notion of whipping as a penalty for crime.

For many reasons, including the obvious, Kartika stayed in international news cycles for weeks. A searing beam was shone on Malaysia: were we really the modern, moderate Muslim nation we claimed to be?

There is no simple answer. But one question remains pertinent, and publicly so. It was the question that led us to Amina in the first place: If Islam was founded firmly upon justice, how could God sanction violence and oppression?

Our study sessions with Amina clearly showed an Islam based on justice, mercy and compassion. When Kartika's case came up 19 years later, SIS' action was clearly and confidently based on those same principles.

Kartika also had the active backing of a strong civil society comprising groups and individuals. In the event, with continuing public pressure and international scrutiny, the whipping was commuted to community service.

Since those early days, SIS has evolved and grown from strength to strength. It still writes letters to the media, issues press statements and submits memorandums for law reform to the government. Over the past 10 years, activities expanded and it now also conducts public education programmes, runs a free legal clinic, and in 2009, initiated the launch of Musawah, a global movement for equality and justice in the Muslim family.

When we invited Amina to join us and conduct weekly study sessions almost two decades ago, it felt like the most natural thing to do. We didn't realise how rare it was at that time for women's groups or NGOs to work hand in hand with scholars. This potent cooperation was a fine formula for building new knowledge and analysis to support advocacy for change. Even more rare was for a group of women who saw themselves as feminists to want to engage with religion, and to see it as a source of liberation, not oppression.

From that one letter, written by eight women, SIS is now one of the main advocates of justice and equality in Islam, not only in Malaysia but throughout the world. For Muslims and citizens affected by unjust Muslim laws and the rise of conservatism and extremism in their societies, SIS has successfully created a public voice and a public space that enable Muslims to engage with their faith in the struggle for justice, equality, human rights and democracy in the 21st century.

Amina Wadud and her pioneering work on the Qur'an and women's rights gave us the knowledge and firm belief that change is possible in Islam. This in turn created a resilient courage and confidence to speak out, to reclaim an Islam that upholds equality and justice for women.

Over the years, Amina has continued to play a significant role in the work we do. Each time she comes to the Southeast Asian region, she tries to stop by to meet up with us and we organise study sessions with her. We often get the opportunity to see her at meetings in Indonesia where she does more work now. We continue to invite her to be a resource person in our international training sessions on women's rights in Islam and in the knowledge-building research projects of Musawah.

Amina may not realise the full extent of her contribution to SIS – but we know that she gave us the means to fight for a just Islam. And that has made all the difference.

ZAINAH ANWAR is a founding member and former Executive Director of Sisters in Islam (SIS), a non-governmental organisation working on the rights of Muslim women within the framework of Islam. She is now on the Board of SIS and is the Director of Musawah, the SIS-initiated Global Movement for Equality and Justice in the Muslim Family. She also writes a monthly column, *Sharing the Nation*, for the *Star*, the largest English- language daily in Malaysia.

ROSE ISMAIL is one of the founders of Sisters in Islam, and a current member of its board of directors. She is a graduate of the University of Melbourne (Political Science) and holds a Master of Science in Journalism from Boston University, US. She attended the Poynter Institute of Media Studies, Florida, US, as a graduate intern, and was Fellow of the School of Journalism at the University of Michigan, US. She was the 1988 Malaysian Press Institute Journalist of the Year. In 2005, she was honored by the Institute for Islamic Understanding for promoting a balanced understanding of Islam in her writings, and was elected Senior Fellow of the Institute of Strategic and International Studies and headed the Institute's Centre for Social and Cultural Development. In 2006, she became Managing Director of Salt Media Consultancy, which has played an integral role in producing several federal government documents and is a keen supporter of SIS. She currently serves Salt Media as Executive Chairman.

WHY MASCULINITY MATTERS IN THE STUDY OF ISLAM AND MUSLIMS: A LETTER

Amanullah De Soudy

Dear Professor Wadud,

I write to you today on this auspicious occasion celebrating your contribution to the study of Islam. I have sat pondering and reflecting on your work, exploring the many directions in which your work has lead many of us.

As a man, I cannot speak for women. For this reason I am interested in pushing forward discussions on why masculinity matters in the study of Islam and Muslims in the academy. Women's and gender studies is now seriously deliberating the significance of continuing those discussions by studying men and their subjectivity. I must confess that my interest in gender and sexuality studies began through the exploration of that age-old subject, or appendix, that one finds in Intro to Islam courses – 'Women & Islam.' I am now proud of being unable to dislocate discussions on gender and sexuality in anything I learn, teach and write about in the study in Islam. Religions of the world, including Islam, are inextricably bound to the human condition. I was once at a conference in Jerusalem as a young student and had made a comment about masculinity at which a senior scholar shouted out, 'why is everything about gender for you?' I have no idea where I plucked up the courage to retort, 'Because we've lost sight at how much it is ALL about gender!'

When I started my doctoral work on Islamic masculinities at the University of Glasgow the very first book given to me by one of my advisors was titled 'Refusing to Be a Man' by John Stoltenberg. I remember being unable to put this book down and read it cover to cover in a space of twenty-four hours. I rushed back to discuss what I had read with my advisor who smiled and told me to get ready for a long journey. Not a day goes by when I am not thinking about what it means to be a man in the world. What are the obligations of being a man? Blame my Scottish enlightenment upbringing but I'm not one to wallow in the doom and gloom of what men have done (and some continue to do) to Islamic traditions, societies and cultures but I'm interested in moving the debate forward through awareness, reflection and practical progress. As you have continually reminded us, it is time for us all to move forward with an iron mantle against gender and sexual injustice. Rome wasn't built in a day but brick by brick, piece by piece we can move forward in hope for without hope there may be very little.

My journey begun during my undergraduate studies at the University of Stirling where I had studied gender, race and ethnicity with Mary Keller and Jeremy Carrette. During my masters work I studied with Anne Sofie Roald, who could well be classified as one of the earliest writers of Muslim women in the west before the wave of Muslim feminist writers such as yourself, Asma Barlas, Riffat Hassan, Kecia Ali, Sa'diyya Shaikh, which is, of course, a limited list that should highlight the voices of women involved in this project. It was at a public lecture on women in Islam presented by Professor Roald that I asked, 'Do you think the time has come for men to stop talking about Muslim women and for them to point the finger at themselves and study their own masculinity?' There was a hushed silence and Professor Roald smiled and said, 'I totally agree.' Men must stop strengthening their own cosy construction of masculinity through an interrogation of women in Islam. Men must stop trying to 'support' Muslim women and continue to be blind to their own hegemony.

I am now committed to the study of Islamic masculinities that challenges hegemonic masculinities and begins to explore and critically analyse the variety of forms that men find themselves in. It should come as no surprise that this work fully complements yours in making us all think closely about gender issues.

And to end I present to you the famous *nazm* by Faiz Ahmed Faiz (b.1911-d.1984), the Pakistani poet known for his challenging Marxist/socialist views. Faiz once said, "The self of a human being, despite all its loves, troubles, joys and pains, is a tiny, limited and humble thing." The *nazm* is said to have been gifted to Madam Noor Jehan (b.1926 - d.2000). Noor Jehan has been understood as the jewel of the Indian Subcontinent as she encapsulated her audiences with her mesmerizing voice. Singing both film songs and ghazals, she has become a household name amongst many who continue to appreciate her inimitable pitch and tone.

This *nazm* follows me around as a reflection on the reality in which men and women find themselves. Love is the language of theology, faith and practice, but at times lost in the sea of our own delusions. The challenge is often navigating between romanticised love and the harsh reality that surrounds us. The letter of the text and the flesh of the body for women and men are constantly trying to make sense of the two paradigms. The desire of men and women to find that true love, or possibly God, is never far from the harsh realities and brutalities of abuse against women, against men. Love is a great vehicle to shape this. Love brings with it its own challenges that we must all consider. That when one realises harsh realities one is unable to return back to the utopia of love or absolute ideals, that love cannot prosper in isolation to all that surrounds it. The imperative is on all of us to develop a wider understanding of what it is to talk of men and women. Thank you for opening channels to that discussion. God bless you.

Mujh se pehli si mohabbat meray mehboob na mang¹

*That which then was ours, my love, don't ask me for that love again
The world then was gold, burnished with light –
And only because of you. That's what I believed.
How could one weep for sorrows other than yours?
How could one have any sorrow but the one you gave?
So what were these protests, these rumours of injustice?
A glimpse of your face was evidence of springtime.
The sky, wherever I looked, was nothing but your eyes.
If you'd fall into my arms, Fate would be helpless.*

*All this I'd thought, all this I'd believed.
But there were other sorrows, comforts other than love
The rich had cast their spell on history:
Dark centuries had embroidered on brocades and silks
Bitter threads began to unravel before me
As I went into alleys and open markets
Saw bodies plastered with ash, bathed in blood
I saw them sold and bought, again and again
This too deserves attention. I can't help but look back
When I return from those alleys – what should I do?
There are other sorrows in this world,
comforts other than love.*

¹ Translated by Agha Shahid Ali in 'The Rebel's Silhouette – Selected Poems'
(University of Massachusetts Press, 1991)

Don't ask me, my love, for that love again...

Respectfully yours, in warmth, in smiles

Aman

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In the name of God All-Compassionate Most Merciful

PERMISSION TO THINK

dedicated to Amina Wadud, lion of Islam

Rabia Terri Harris

THE DILEMMA OF THE AMERICAN MUSLIM INTELLECTUAL

Back in 1997, Edward Said wrote,

As our world grows more tightly knit together, the control of scarce resources, strategic areas, and large populations will seem more desirable and more necessary. Carefully fostered fears of anarchy and disorder will very likely produce conformity of views and, with reference to the “outside” world, greater distrust: this is as true of the Islamic world as it is of the West. At such a time — which has already begun — the production and diffusion of knowledge will play an absolutely crucial role. Yet until knowledge is understood in human and political terms as something to be won to the service of coexistence and community, not of particular races, nations, classes, or religions, the future augurs badly. (*Covering Islam*, p. 151)

Said was prescient. He lived until 2003, plenty of time to see the mutual madness of the 9/11 attacks and their bellicose aftermath fulfill his unhappy predictions. Yet no one can see all. As a Palestinian exile, Said naturally focused his vision on his lost homeland, the center of such bitter conflict, as the core of the issue. And as a Christian, he could have had only a background awareness of the slow emergence of American Islam. He would not have noticed American Muslims gradually entering into the sort of difficult transitions that the foresighted among us began to hope for decades ago. And he certainly would not have seen in us a boundary-spanning bridge community of significant potential. It takes the visionaries of our own community to see that, and to act upon it. And among these, our own producers and diffusers of knowledge are the keepers of the keys.

Although quite a few Islamic knowledge-workers are keenly aware of the brooding presence of history, it is good for our humility that the world's attention is, currently, decidedly elsewhere. Good, but hard. For American Muslim intellectuals labor over great issues at the obscure meeting point of two huge

oceans of public disdain; the sweet and salt torrents of American and Muslim anti-intellectualism. It's a lonely place to sit apart and wait.

American anti-intellectualism famously has populist roots. It is based on the sturdy democratic notion that my view of life is as important as yours, complicated by the dangerous fallacy that an ignorant opinion is as good as an informed one, if only the ignorance be passionate enough. This passion, which is a characteristic of anti-intellectualism everywhere, should not be underestimated. Neither should it be disrespected. It is an outcry of the heart, and when it comes to human welfare, the heart is the central matter of concern...or ought to be. I would argue that through neglecting the heart of the opposition, American intellectuals have cooperated in their own isolation. For the language of the heart is very often the language of religion, and the contemporary academy has exiled religion to the outermost fringes of its discourse.

American Muslim academics find ourselves besieged in the same ivory tower that defends and imprisons the rest of our colleagues. The irony of our professional lives is that we see a way past the standoff, but are rarely in a position to take it, let alone lead others to it. Islam is exotic and globally important, so these days progressive schools like to adorn themselves with our presence, without feeling under any obligation whatsoever to take us seriously. Inside the castle, our religious commitment is tolerated as a glamorous eccentricity. Outside the castle, in the American mainstream, it is suspected as a threatening aberration. Even in the tiny and fragmented American Muslim world to which we devote so much of our own heart, our commitment remains problematic. For American Muslim intellectuals think about religion, and thinking about anything challenges its ultimacy, as a matter of course. The tiny community, beset on every side, does not exactly welcome further challenges. Perhaps it inevitably falls to the Muslim intellectual to teach her community to differentiate the challenge of a friend from the challenge of a foe.

Muslim anti-intellectualism is more complicated than the American kind, because we mostly deny that we suffer from it. Muslims proclaim Islam a religion of knowledge as loudly as we proclaim it a religion of peace -- and with just as little reflection upon what such a claim requires. When we boast of our achievements, we point only to those of the past. And when we dream of remedying the present, it is to the past that we aspire. If only we could be again what we were before! Conveniently it slips our minds that yesterday was fully as ambiguous, complex, and conflicted as today, and that all its resolutions were as approximate and conditional as our own. Instead, we venerate the shadows of carefully selected ancestors, peeked at through a golden haze of awe. We have made demigods out of our early teachers. In such an atmosphere, the commitment of workaday intellectuals to the uncovering of new perspectives

appears to many religious Muslims as very foolish, or very arrogant. Who do we think we are, to compete with the great?

It is hard to communicate that contemporary thinkers are simply in the same business as the thinkers of the past, because, as a community, we have lost track of what the business of thinking is all about. Overwhelmingly, we prefer the practical. On the secular front, immigrant Muslim parents push their children by the tens of thousands into medical arts, IT, and engineering. Research science is barely comprehensible as an intelligent goal of study, while the humanities and social sciences are wholly beyond the pale. And should religion be considered, then it is the family practice of piety that counts; knowledge is the satisfactory acquisition of the approved body of lore. Even among African-American Muslims, acquisition of an approved body of lore presents itself as the open path to the enviable status of scholar. It holds out the possibility of an intellectual achievement free of taint from the hostile, dispiriting and sometimes unattainable world of majority education. It provides a satisfying sense of solid achievement, and a fair shot at an eminence that would otherwise be difficult to reach.

What is nowhere to be found in this model of learning is that mastery of lore, while an honorable accomplishment, is not the end of the road. It is only a prerequisite for effective critical thinking. It was *ijtihad*, critical thinking, that made the early scholars great. Until our community widely appreciates the cultivation of critical thinking as a precious inheritance, Islamic education will remain a travesty of its former self. For the missing element required for the long-sought revivification of religion is permission to think.

Marginalized in the academy and banned from the madrasa, American Muslim critical thinkers have nowhere to call home. We exist in a wilderness. But the wilderness is where new life begins. And for the sake of that new life, we can offer permission to think to one another, in the name of Allah.

TO IDENTITY AND BEYOND

In this era of identity wars, people routinely kill and die to defend what they have imagined themselves to be. For identity is the greatest investment a human being makes, and as the world grows smaller, all our investments are at risk.

I prefer to look out at the world from a safe position that I call "myself." Now I discover strange eyes peering in at me. Your vision feels disconcerting. I do not like to think about this too much: reflection makes me nervous. But if I have power, I will assert my subjectivity, I will make a demand of you. Treat me properly! Stop looking! See me only as I would prefer to be seen!

Identity is a product of encounter. We learn ourselves through the mirror of those around us. Our social immersion tells us what we are, and to a great extent it makes us what we are. There is no “I” without its surrounding “Thou”s. As the “Thou”s around us change, our “I” changes; our sense of self re-forms. This can be an alarming affair. We take ourselves as given until a stranger comes over the hill. Now suddenly a boundary imposes itself on the comfortable, on what can be taken for granted. The unconsidered presents itself. Who is that: friend or foe? And in this new arrangement, who am I?

As an automatic psychological process, identity formation closes with the attainment of adulthood. Reopening the question places adults, yet again, in the vulnerable condition of children. How we feel about such openness depends on how we felt about childhood, about the gauntlet of learning we originally ran through. Many people would rather reject a new idea than face again the agonies of that time. We cling to what fragile habits we have developed, and call them what we are. Maintaining our identity as a stable center in this fashion thus depends very largely on not hearing what new voices have to say.

So the dangerous alien must be thrown out of our private house, which we dream once harbored an ideal life that at all costs must go on as it did before. Only thus is our identity, our adult dignity, assured.

This primal situation is a major subtext of our times. All the to-do about “authenticity” and “foreign influences” abroad, all the fear of “illegals” and creeping Islamization at home, our subcommunity’s multiple forms of dysfunction, all come down to a decentered sense of self. Were the unease not so terrifyingly personal, the projected image of the enemy would not loom nearly so large.

But keeping the alien out of the global household is impossible: everyone’s a native. We are stuck with each other. We increasingly discover that we are all here together, fixed in each other’s gaze. And as long as we cannot tolerate scrutinizing ourselves, the scrutiny of the Other will remain a monster to be fought.

The decentering of the communal self is a global phenomenon, hundreds of years along in its unfolding, and American Muslims are presently located at an interesting nexus within it. Americanness and Muslimness as communal identities are now profoundly disturbed by one another. In order to claim them both, yet still survive as functioning human beings, American Muslims must find ways to make peace between the two, to get them to work together. Each one of us is an alchemical vessel containing a slightly different version of the same experiment. The intellectuals among us keep an eye on this experiment, comment

on it, draw deductions from it. By articulately claiming both identities, we set up a synapse across which new consciousness may be transmitted.

We are scarcely the first people to have been forced into such a corner and made to fire up a new planetary brain cell with the substance of our lives. But we may be among the first to be able to see ourselves this way, to locate ourselves as playing a role in a new global story: the glacially slow but infinitely important rise of conscious self-awareness in the human race.

The guiding thread of consciousness is story. Human beings use stories to organize our encounters, to “make sense” of them, so our identity is also a product of our stories. Some of those stories are explicit: they are carefully tended instruments of our being. Others are implicit: they are sucked up in childhood as a sponge sucks water, imprinted and never reflected upon. Implicit stories are by far the most powerful determinants of our continuing sense of personal existence. We are unlikely even to notice them until our sense of existence becomes uncomfortable for us, until for one reason or another we don't like who we are.

Among the myriad causes of people not liking who they are, internalized social conflict must be somewhere near the top of the list. We suck up all the declarations that we ought to be this, that, and the other, as well as the constant suggestions that we essentially are (or can never be) this, that, and the other. We bow beneath them, rebel against them, lament our failure to live up to them, fear they may really be true. But if we live at the intersection of two conflicting identities, then we have two sets of automatic “I”-defining voices in our heads. This is the painful condition that W.E.B. DuBois referred to as “double-consciousness.”

American Muslims know double-consciousness very well, whether or not we are of African descent. So does any marginalized or persecuted group. It makes us suffer, and, once recognized, it inclines us to social change. We want to do away with the accusations that bedevil us. We want to make peace, in order to have peace. We want the scary stories to stop. Sometimes we fight to make them stop, or to override stories that make us feel worse with stories that make us feel better. The work of change does not bear fruit within us, however, until we begin to hear all the stories that we tell ourselves in a radically different way. Only then does the paradigm shift. At that point being at the margin, being decentered, being double, turns into an advantage. We can see things much more clearly from the edge. This shift in the level of human function is the divine preference for the oppressed on which liberation theology rests. We need only embrace it.

Human beings cannot do without our stories as forms of knowing: we have few other tools to think with. But for human freedom to have room to exist, stories must lose their capacity to contain us. The elixir brewed in the alembic of

double-consciousness is the knowledge that every story has a limit, and that no one story is ever enough. Yet stories taken together can correct and enrich each other. The undertaking is liberating. It breaks through locked doors. It makes things move. It is fun to do.

DuBois called this elixir “double-sightedness.” As the resolution of double-consciousness, its realization is fully as joyful as the conflict that gave birth to it was hard. It is imbued with the finest quality of childhood, the spirit of serious play. Double-sightedness provides the ability to shift frames, to see things in different ways, to transpose, to translate, to choose the song we’ll sing today, and to riff on it. It generates vitality from the presence of paradox. Maria Rosa Menocal, in her meditation on the glory of al-Andalus, *The Ornament of the World*, identified just such a capacity as the hallmark of a “first-rate” civilization. We could certainly use more such civilizations. Perhaps the championship of the first-rate is where American Muslim intellectuals should set their sights.

There are impediments, of course. As we have already considered, critical thinking and double-sightedness are not beloved of all. People who have invested themselves fully into a single story – the masters of lore who wish to put their student days behind them – often have little love for the existence of other stories, and may put great effort into invalidating what they do not comprehend. When their persuasive power is uncontested, such people consign large territories of human experience to the realm of darkness Muhammad Arkoun termed “the unthinkable.” And when coercive power is in the hands of rigid persons whose certainty has been challenged, the consequences can be brutal for whoever poses an awkward probing question. For to people who seek order by controlling identity, the mere possibility of double-consciousness feels like death, or worse than death. When we have made it a habit to tell lies about ourselves, it can be terrible indeed to view those lies with the eyes of others.

For there are truths to be revealed. There is more to who we are than what we think we are, or what we may become in others' presence. Beyond these, there is the raw reality of our existence in the world. Identity is also a product of the body. The body, in all its mystery, is an objective fact. Encounters and stories assign a wide range of meanings to this fact. Through the assignment of such meanings, the capacities of our bodies are restrained or expressed. These restraints and expressions constitute human acts, and we are responsible for them all. Our identity emerges, finally, from what we do. Who we are is not an idea. It is an event.

The process of discovering or assigning the meaning of events is the special concern of the intellectual life. That process needs thinking about. It needs *fikr*, reflection. Only reflection allows us to approach identity as a process in the first place. Only reflection allows a human being some conscious

participation in the processes of the world. In order to empower human action, critical intellectuals must be, first and foremost, students and teachers of the art of reflection. Only then can we hope for a positive yield from our ideas on who we are.

WHAT DO WE SERVE?

Let's consider again the observation with which we started. Said remarked:

...until knowledge is understood in human and political terms as something to be won to the service of coexistence and community, not of particular races, nations, classes, or religions, the future augurs badly.

A clear choice is now before us between serving my idea of God and serving the God of all: between the name and the Named. The question is not whether one is real and one is not, but which of the two is greater. God is greater.

Allahu akbar. Nothing is more fundamental to Islam. But if we mean to take on the identity of Muslims, and of people of faith, then we need to talk about God by means of some name or another. A religion is a conversation, and in conversation there is no escaping from ideas, because there is no escaping from words, and their contexts. To the extent that we are anything, we must be something in particular, but a reality beyond grasping is not subject to such constraints. That is the field beyond the world where Rumi invited us to meet. We are all natives of that place, too.

But in this world we have a problem, and the problem is translation. Our conversations have developed separately. They are mutually unintelligible. In them, speakers quite often make ridiculous statements about those who are not speaking, statements easily transformed into dangerous acts. In order to hold onto our sense of dignity, we attack whatever might view us as less than central. In so doing, we permanently marginalize others. But we are less than central – all of us – while human dignity is an inalienable gift of God. If we are to grow identities, and theologies, that are adequate to our experience of the world, then our conversations themselves must learn how to converse. We must consent to be seen, even as we see; to listen, even as we are heard. This is one of the great spiritual works of our time, and only critical intellectuals are in a position to undertake it.

Labbayk, Allahumma, labbayk. We are here, O God, we are here: at Your service.

May our prayers be accepted. May truth open the road to justice, and justice the road to mercy. O Lord, make us neither oppressor nor oppressed!

Rabia Terri Harris
Elkins Park, PA
6 January 2012 / 11 Safar 1433

RABIA TERRI HARRIS, Muslim Elder at the Community of Living Traditions (<http://communityoflivingtraditions.org>), is a teacher and theoretician of transformational Islam. She founded the Muslim Peace Fellowship in 1994. A practicing Muslim chaplain holding credentials from Hartford Seminary and the Association for Clinical Pastoral Education, she serves as president of the Association of Muslim Chaplains. Harris is the beneficiary of over 30 years of traditional Sufi education through the Jerrahi Order of America. She has a BA from Princeton in Religion and an MA from Columbia in Middle Eastern Languages and Cultures, and works as an Adjunct Professor of Intellectual Heritage at Temple University.

10

COURAGE AT THE CROSSROADS

Celene Ayat Lizzio

INTRODUCTION

Over the years, as a scholar of religion, and as a convert to Islam striving to comprehend more fully the path that I have embraced, the scholarship and example of Amina Wadud have been simultaneously my inspiration and my intellectual outlet. I admire her strength in the face of threats from bigoted and chauvinistic opponents, and it is her characteristic ability to name and honor the intrinsic beauty in scripture and Islamic devotions, while maintaining a critical lens, that causes me to gravitate toward her volumes. Time and time again, I have seen this synergy, and her larger than life presence, give my colleagues courage at the crossroads of scholarship and activism, to probe topics of gender and social justice, and to speak efficaciously about their experiences as women and Muslims. Much in this spirit, the reflection below draws on the words of Amina Wadud, next to those of Simon de Beauvoir, to critically examine an account of women's roles in society as delineated by *Why Islam*, a project that supports an extensive website, call center, billboards and advertisements in Muslim community publications, and other such forms of proselytization.

CRITICAL PERSPECTIVES ON THE SO-CALLED STATUS OF WOMEN IN ISLAM

In the entranceway to my hometown mosque, a glossy pamphlet entitled: "The Status of Women in Islam"¹ calls my attention from a side table that is strewn with brochures. On a whim, I search the array of offerings for a comparable pamphlet entitled something akin to: "The Status of Men in Islam." As I rummage around in vain, the highlighting in my well worn copy of Simone de Beauvoir's seminal work, *Le Deuxième Sexe*,² coalesces in my mind. In it, de Beauvoir observes how the conception of masculine and feminine "are used

¹ The full text of the publication is available online at: <http://www.whylslam.org/FamilyandGender/StatusofWomen/tabid/95/Default.aspx>.

² In 1949, Simone de Beauvoir published, *Le Deuxième Sexe*, (*The Second Sex*), an extensive volume analyzing male-female dynamics in society, a classic work in feminist theory. I cite the 1974 edition published in New York by Vintage Books, a reproduction of the 1st American edition (copyright 1952), translated and edited by H. M. Parshley.

symmetrically only as a matter of form,” whereas, “in actuality the relation of the two sexes is not quite like that of two electrical poles, for man represents both the positive and the neutral.”³ In sync with de Beauvoir’s observation, I notice that the *Why Islam* pamphlet discussion of femininity and womanhood happens to exhibit this very tendency. For example, the publication asserts that: “women are considered *as vital to life as men*” and “a woman’s life, her property and her honor *are as sacred as those of a man.*”⁴ Here, female dignity and worth are defined vis-à-vis the male correlative unit, a dynamic that is not without its implicit value judgments. Masculine value and sanctity are assumed, and the notion that feminine value and sanctity are wanting of affirmation is implicit. Albeit arguably well-intentioned, as I peruse further, I note that woman’s integrity and the full range of her potential is limited in additional and significant ways.

For instance, the pamphlet addresses the normative male-female division of labor in marriage, wherein the economic dependences of wives on husbands is identified as Islam’s “special blessing” for women. Yet for de Beauvoir, women’s socially-conditioned reliance on men for economic security and material sustenance readily facilitates the “Othering” of women. As de Beauvoir avers:

Man-the-sovereign will provide woman-the-liege with material protection and will undertake the moral justification of her existence; thus she can evade at once both the economic risk and the metaphysical risk of a liberty in which ends and aims must be contrived without assistance...woman may fail to lay claim to the status of subject because she lacks definite resources, because she feels the necessary bond that ties her to man regardless of reciprocity, and because she is often very well pleased with her role as the *Other*.⁵

In direct concordance with these observations, within the *Why Islam* pamphlet there is no ambiguity about husbands’ responsibility for “the maintenance, protection *and overall leadership* of the family within the framework of consultation and kindness.”⁶ The pamphlet then affirms “the mutuality and complementarity of husband and wife,” which “does not mean ‘subservience’ by either party to the other...” I pause, attempting to ascertain the internal logic of these bizarre, seemingly contradictory passages about the nature of the ideal marital relationship. A clear gender hierarchy is constructed by venerating male gender roles, and then this hierarchy is couched in the rhetoric of consultation,

³ de Beauvoir, *The Second Sex*, xviii.

⁴ Emphasis is my own.

⁵ *Ibid.*, xxiv.

⁶ Emphasis is my own

mutuality, and so-called complementarity. The value of assets a wife could bring into the partnership remains unacknowledged.

De Beauvoir is not without her own notions of what this (pseudo)-complementarity entails; she argues that when rhetoric of “equality in difference” is deployed, it is often simply a form of paternalism. Not surprisingly, this notion of equality in difference is strewn throughout the *Why Islam* pamphlet on the status of women. At one point, the publication asserts:

The rights and responsibilities of women are equal to those of men but they are not necessarily identical. This difference is understandable because men and women are different, in their physiological and psychological make-up. With this distinction in mind, there is no room for a Muslim to imagine that women are inferior to men. Thus it is perhaps more apt to refer to the Islamic approach on gender relations, as one of “equity” rather than the commonly used word “equality,” which could be misunderstood to mean equality in every minute aspect of life, rather than overall equality.

The notion of equity in difference is reinforced again at the conclusion of the publication when the author/s of the publication claim that: “Islam has granted them [women] rights that match beautifully with their duties...what Islam has established for women is that which suits their nature.” I allow myself good chuckle as a feeling of solidarity with de Beauvoir yet again arises. According to the logic within the *Why Islam* pamphlet, Islam becomes its own agent, ordains an overarching division of labor based on sexual anatomy. Then, this division of labor dictates an individual’s standing in a hierarchy where men are *de facto* leaders. Clearly, de Beauvoir’s observations transcend her social location, and her insights have a wider applicability for discerning how the “status” of a gender is constructed and propagated.

Yet, where does this construct leave Muslims who are not willing to endorse the vision of gender that *Why Islam* publications constructs so cogently for mosque-goers, highway-drivers, and newspaper-readers? It leaves me, for one, reading classic works of feminist literature, composing sardonic articles, and striving to construct alternative visions of Muslim spiritual and ethical living. It is here that the work of Amina Wadud offers revolutionary and scripturally grounded critiques of such hierarchical gender-based divisions of rights and privileges.

Wadud extensively critiques such a deployment of the rhetoric of complementarity,⁷ identifying this “double-talk” as a manipulation of the power of language to yield multiple meanings in order to “reflect and maintain male legitimacy and hierarchical privilege over women.”⁸ According to Wadud’s analysis, the complementarity discourse, “rhetorically and actually constructs an unequal relationship which, if disrupted, destroys something inherent to ‘Islam,’ for the neo-traditionalists and neo-conservatives.”⁹ As Wadud explains at length, this rhetoric emphasizes the value of relationships while maintaining inherent inequality and disparate standards. Power and privilege are endowed to male roles and to men, while women and feminine roles, particularly caretaking and nurturing functions, are unevaluated. The end result, as observed by Wadud, is that men gain autonomy and women are left with an overblown duty to protect the honor of the patriarchal family.¹⁰ What paradigm can replace this double-talk and unequal sharing of power and privilege with reciprocity and substantive equality and between genders in the marital relationship and beyond?

A potential solution is grounded in what Wadud terms the *tawhidic* paradigm, i.e. the recognition on theological and ethical levels of the unity of all human beings. In the words of Wadud, “the *tawhidic* paradigm becomes the inspiration for removing gender stratification from all levels of social interaction, public and private, ritual and political.”¹¹ Here, it is the unicity of God that, again in the words of Wadud, “forms a trajectory organizing Islamic social, economic, moral, spiritual, and political systems...under a single divine reality.”¹² Here, for human communities to bring this divine reality to the fore, and for Muslims to “deconstruct gender hegemony in form and substance,”¹³ a partnership between the will of God and human agency is needed.¹⁴ Yet, how do humans begin to comprehend the Divine will with regard to gender relations?

For Wadud, “the Qur’an acknowledges the anatomical distinctions between male and female,” and at the same time, it “does not propose or support a singular role or single definition of a set of roles, exclusively, for each gender across every culture.”¹⁵ It is within this context that, as Wadud argues, Qur’anic

⁷ Amina Wadud, *Inside the Gender Jihad: Women's Reform in Islam* (Oxford: OneWorld Publications, 2006), 24-28.

⁸ *Ibid.*, 26.

⁹ *Ibid.*, 28.

¹⁰ *Ibid.*

¹¹ *Ibid.*, 185-6.

¹² *Ibid.*, 29.

¹³ *Ibid.*, 183.

¹⁴ *Ibid.*, 191.

¹⁵ Amina Wadud, *Qur’an and Woman: Rereading the Sacred Text from a Woman’s Perspective* (Oxford University Press, 1999; 1st ed. 1992), 8.

guidance must be continually re-approached and re-examined by each subsequent society.¹⁶ While she understands “compatible” and “mutually supportive” relationships between men and women to be a key aim of the Qur’anic guidance on gender relations, Wadud argues at length that constructing hierarchical relationship between genders is antithetical to the theological and metaphysical worldview of the Qur’an. Gender hierarchy must be replaced with paradigms that acknowledge and reinforce reciprocal and egalitarian relations.

The realization of such a bold vision for gender parity will undoubtedly require tremendous persistence and creative spirit at the junctures of Islamic scholarship and community activism. Amina Wadud has unremittingly modeled this courage and she continues to exude leadership for a generation of women and men vested in justice within an Islamic paradigm. Her works are classics to which later generations will no doubt continue to turn seeking models for authentic partnerships as well as profound insights into the Divine Will for human flourishing.

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¹⁶ Ibid.

Part 3
CONTINUATIONS

A Jihad for Justice

11

GENDER JUSTICE AS A COMMON VALUE?

CONFIGURATIONS OF ISLAM IN GERMANY

Riem Spielhaus

The scholarly work and activism of Amina Wadud and particularly the 2005 mixed-gender prayer which she led in New York had a global impact that also reached Germany. Especially with her Quranic hermeneutics from a woman's perspective, Amina Wadud became a reference point for especially young Muslim women in their engagement with Islamic sources. Apparently, she became not only an intellectual mentor but also a powerful role model, frequently mentioned as an example for the possibility to reconcile the struggle for gender equality and Islam. In spite of this, there are no signs to indicate that a considerable debate within Muslim communities in Germany about the mixed prayer under the leadership of a female Imam in New York ever took place. What concerns me more in the following reflections on debates in Germany, however, is that the initiative seems – even without being mentioned explicitly – to have contributed to the emergence of a demand for gender equality in priesthood¹ as a major corner stone in the integration discourse directed at Muslims in the country.

Increasingly Muslim participants in interreligious dialogues, formal negotiations with government representatives and in the course of public debates on the presence of Islam in Germany have been confronted with the demand for equality of gender concerning spiritual and religious leadership positions, particularly the function of the imam. Herein, Amina Wadud is highlighted as a good example for how a few exceptional Muslims are moving into the 'right' direction of enlightenment and gender equality. At the same time, the Federal German government supports and directly funds the establishment of four centers for Islamic Studies with all in all sixteen chairs at public universities in different regions of the country² while reinforcing male dominance in the

¹ I consciously use the term priesthood from the Christian tradition instead of Imamāt, since the Christian discourse clearly serves as the main reference point of this demand. This has further implications for how imams in the course of this debate are imagined as the counterparts of priests. Muslim women in Germany have argued that the imam does not play the same role as the priest in Christianity and they therefore prefer to concentrate on other positions that need to be accessible for women. For a detailed discussion see Spielhaus, *Making Islam Relevant* (2012).

² C.f. Albrecht Fuess, *Introducing Islamic Theology at German Universities*, Aims

production and distribution of Islamic knowledge in the academic realm. In a seemingly paradoxical move the broadly publicized event in New York has triggered a perception of female imams as being essentially against Islamic rules. In its uniqueness which is constructed and highlighted whenever the mixed-gender prayer is mentioned, this event became yet another symbol of the backwardness of Islam concerning gender relations.

The following presentation of Amina Wadud's role in the mixed prayer in 2005 in three articles and an interview shall exemplify this.³ Under the title "Female prayer leader provokes the Islamic world. University professor leads as the first woman a Muslim Friday prayer in New York - Troubled legal scholars and angry protests" the conservative daily newspaper *Die Welt* reports on the mixed-gender prayer. Before giving detailed information about scholarly responses from the "Islamic world" the article characterizes Wadud while emphasizing the exceptionality of the event:

Amina Wadud polarizes. For her supporters she is somewhat of a freedom fighter while for her critics - and they are clearly in the majority - a heretic. Her for the time being last public appearance was a deliberate provocation: the professor of Islamic Studies at American Virginia Commonwealth University in Richmond and author of books (*Quran and Women: Reinterpretation of Holy Texts from a Female Perspective*) led as the first and only woman in a traditional Friday prayer in front of an approximately 100-person mixed Muslims community of both sex. About one-third were men.⁴

Years later, when Wadud attended a conference on feminist approaches to Islamic sources, the left-leaning newspaper *Die Tageszeitung* follows a similar notion in its presentation of the American scholar and activist again pointing out the disagreement of Muslim scholars with Wadud's initiative for female leadership of the prayer:

and Procedures. Lecture manuscript. Copenhagen.

<http://islam.ku.dk/lectures/Fuess.pdf/> (accessed February 2012).

³ Compared to Juliane Hammer's detailed analysis of the media coverage for the prayer led by Amina Wadud in 2005 in New York this is a cursory review of media representation in German media. See in detail Hammer, *Performing Gender Justice* (2010).

⁴ Dietrich Alexander, Weibliche Vorbeterin provoziert die islamische Welt Universitätsprofessorin leitet in New York als erste Frau ein moslemisches Freitagsgebet - Verstörte Rechtsgelehrte und wütende Proteste, in *Die Welt*, 21.03.2005 (translation by the author).

Wadud's research on the Quran belongs to the standard work of Islamic feminism. From Indonesia to Egypt it provides believers who want to reform Islam from within with a basis. For many conservative Muslims, however, women's rights activists have long since moved outside of Islam. The public Friday prayer that she led three years ago in New York was for most Muslim scholars a complete scandal.⁵

On one hand, Wadud is inseparably connected to the symbolic prayer; on the other hand, the articles hardly ever give details about the content of her academic work or thinking. The plug in all these portrayals is that Amina Wadud acted as the *first female* imam and that Muslim scholars around the world protested against the initiative eventually conveying the message that a woman leading a mixed-gender congregation in prayer is somehow un-Islamic.⁶ Muslim scholars who substantiated the legitimacy of female prayer leaders have been completely left out of these reports.⁷ Media reports in German highlight the fact that this event set a precedent, even though Amina Wadud had pointed out, that she was not the first woman to have led a mixed congregation in prayer whenever possible. A striking example of this is Wadud's interview with *Qantara*, an online portal publishing articles about global issues on Islam in German, English and Arabic language that is financed by the German Foreign Office with the aim "to promote dialogue with the Islamic world."⁸ In the English version, the interview begins with Wadud's statement: "First of all, I wasn't the first Muslim woman to lead a mixed prayer. But the Sharia has determined by majority opinion that men should be the leaders of all rituals in public."⁹ In the German and Arabic translation the first remark disappears and the interview begins with a statement by Wadud that could be re-translated: "According to Islamic orthodoxy, women are allowed to lead only women in prayer."¹⁰ Here, any reference to previous incidents of female prayer leaders are simply left out in the translation of

⁵ Mona Naggari, Kopfstoß für die Emanzipation, in *die Tageszeitung*. 14.06.2008 (translation by the author).

⁶ Becker, *Feministische Koraninterpretation*, 2006:2.

⁷ See in detail Silvers and Elewa, *Women-led Prayer in Islam*, 2010.

⁸ http://en.qantara.de/wcsite.php?wc_b=585 (accessed February 2012).

⁹ Martina Sabra, Interview with the Muslim Reform Thinker Amina Wadud: The Koran Cannot Be Usurped, 14.09.2009. <http://en.qantara.de/The-Koran-Cannot-Be-Usurped/9552c96511p225/index.html> (accessed February 2012).

¹⁰ Martina Sabra, Interview mit der Reformtheologin Amina Wadud: Der Koran kann von niemandem vereinnahmt werden, 4.11.2009, <http://de.qantara.de/Der-Koran-kann-von-niemandem-vereinnahmt-werden/796c7591p99/index.html> (accessed February 2012) (translation by the author).

Wadud's explanation and quite the opposite namely the precedent, the outrageousness and hence the 'norm' become the main message of the interview.

SEMANTICS OF THE 'ACTUAL' ISLAM

This incident, I would argue, is far from being random. It is rather embedded in a discourse on Islam that often obscures initiatives for reinterpretations of the Qur'an from a female perspective, while highlighting the dichotomy between conservative male representatives of Islamic organizations and 'liberated' and 'emancipated' women like Ayan Hirsi Ali, Necla Kelek or Seyran Ates with a critical attitude towards Islam, as Yasemin Shooman observed in the media coverage of negotiations between the German state and Muslim spokespersons¹¹. Female representatives are revered in many TV-Talk shows, interreligious events, and podiums discussions, yet at the same time male voices – favorably those who support the stereotype of the misogynist Islam – are quoted as opinion leaders and 'real' interpreters of Islam.

Correspondingly, the many people who consider themselves Muslim and at the same time commit themselves to the principles of the free and democratic constitution, who realize this commitment "in their daily life with total naturalness," are pushed out of the centre of awareness by the dominant concept of the 'actual' Islam as anti-liberal, the German philosopher Heiner Bielefeldt points out. "This semantics of the 'actual' [orig.: *Semantik des Eigentlichen*] in the discourse on Islam," Bielefeldt continues, "is a major drawback for a differentiating perception of Islam and of Muslims."¹² However, it seems to be a functional tool in upholding Islam as this "amorphous container into which have been placed all those values and characteristics" that are found unsavory and that defines the "not-U."¹³

Lamya Kaddor, co-founder of the Liberal-Islamic Association, observes that Muslims who advocate Islam interpretations that are compatible with democracy and changes in their own midst not only have to face Islamic 'fundamentalists', but

In a remarkable intellectual fraternity they are supported by so-called 'Islam critics,' who are eager for Islam to keep its fundamentalist and reactionary outlook. Progressive Muslims are then either labeled as hypocrites, who do not treat the

¹¹ Shooman, Zur Rolle muslimischer Sprecherinnen in aktuellen Islam-Debatten, 2011:340.

¹² Bielefeldt, *Das Islambild in Deutschland*, 2008:15 (translation by the author).

¹³ Hughes, *Situating Islam*, 2007.

Islamic tradition truthfully, or as helpless voices in the wilderness. The dogma that principally Islam is not to be integrated must not be shaken.¹⁴

Since Islam is associated with anti-liberal attitudes and practices, Muslims experience again and again that either their liberalism or their Islamic identity is questioned. Often in an implicit, sometimes in a very explicit way, media reports, talk show moderators or dialogue partners assume that the 'liberal' attitude or life style of a Muslim must be doubtful or potentially endangered, or the Muslim is suspected of not being a 'real' Muslim, an exception at best. In this understanding, only 'extremist' or at least 'conservative' Muslims, recognizable as anti-liberal according to the figuration of the liberal in this context, can function as representatives of Islam.¹⁵ Any other Muslim is described as not-anti-liberal (i.e. *moderate, liberal or progressive*) or his or her Muslimness is highlighted (as surprising). This understanding is prevalent even though symbolic figures like Amina Wadud and many more live and preach an Islam that has not fit these dichotomies for several decades. They are still referred to as the exception whereas the norm, the 'actual' Islam is embodied by the Taliban or the most misogynist preachers from Saudi Arabia.

LIBERATING MUSLIM WOMEN?

As the German researchers Birgit Rommelspacher and Schirin Amir-Moazami point out, these discursive twists do not only contribute to a certain image of Islam but also construct a notion of the 'liberal' or respectively 'enlightened' West that Muslims are only conditionally a part of. One of the basic assumptions of these kinds of debates is that Muslims should get used to and eventually acquire 'western gender norms' *and* – this is decisive – in order to do that Muslims needed to apply a revision of basic values and norms to Islamic 'tradition,' since these were not compatible with the 'enlightened' and 'emancipated' 'Western' or 'European' values.¹⁶ Amir-Moazami notices such an attitude as a guiding principle of the formal exchange between governmental representatives and Muslim interlocutors in the *German Islam Conference (DIK)* about the accommodation of Islam in Germany. In the course of meetings in the first phase (2006 – 2009), participants were asked to renounce certain phrases of the Qur'an in order to comply with German values. Leading issues in this long-term negotiation have been especially gender-related questions like coeducation,

¹⁴ Lamyä Kaddor, Warum es mich nicht geben darf, in *Süddeutsche Zeitung*, 28.8.2010.

¹⁵ Bielefeldt, *Das Islambild in Deutschland*, 2008:14-15.

¹⁶ Amir-Moazami, Pitfalls of Consensus-Orientated Dialogue, 2011a:2-15.

swimming classes and normative gender roles. "That which has been identified as Islamically based ideas of gender", Amir-Moazami notices, forms a core theme which touches upon virtually all DIK working groups. The current second phase of the DIK (since 2010) even devotes a whole workshop to 'Gender Justice as a Common Value.' Albeit gender equality and other 'basic values of German society' are thereby continuously highlighted as values that are strange or contradictory to Islam, nothing seems to stand in the way of still perceiving and presenting these 'Western' values as 'universal.' In this narrative, the 'West' stands for both the place and the culture that enabled the development of these values and is upholding an aura of supremacy that is so often to be felt at interreligious dialogues when Muslims are given a chance to learn from a more advanced religion and civilization respectively.

There are several points in this configuration that are disturbing, not only for Muslim women, but for German women in general. German psychologist with a focus on gender relations, Birgit Rommelspacher, argues that not only the Muslim woman is fixated in a certain – and certainly uncomfortable – role as the victim that has to renounce her religious or cultural affiliation before being able to enjoy the *universal* good of gender equality, but it is also the *woman* as such that is betrayed. The issue of gender inequality within German society has been largely abandoned in public debates while discrepancies between men and women within the dominant society are proclaimed minor discrepancies in relation to the main difference of culture.¹⁷ The discourse on the oppression of Muslim women – exactly in this manner of generalization – lets 'Western' women appear as emancipated and therefore able and obligated to rescue the *Muslimwoman* from oppression. I find it useful here to employ the neologism coined by miriam cooke that highlights how intertwined, how inseparable gender and religion have become in European and North American debates about Islam in recent years, that *Muslim* and *woman* melted together to become one, the *Muslimwoman*.¹⁸ The term is "not a description of a reality; it is the ascription of a label that reduces all diversity to a single image" that in an ambivalent process of attention and ascription contributes to the visibility of Muslim women and finally to the creation of this "*visually enforced collective identity*." This collective identity is simultaneously serving as a stereotypical ascription and a

¹⁷ Rommelspacher, Zur Emanzipation der muslimischen Frau, 2009:34-38.

¹⁸ cooke, The Muslimwoman, 2007:140. Margot Badran describes how the Muslimwoman is employed by Islamists while reminding us of the many other possible labels that the focus on Muslimwomen misses. Badran, Between Muslim Women and the Muslimwoman, 2008.

model of self-identification.¹⁹ In Germany, the *Muslimwoman* has become the obsession of all engagement against the oppression of women.

Thereby the focus on gender inequalities in Europe and North America can be easily diverted. While some feminists – those who submit to the rules of the dominant discourse – still are invited and publicly included in debates that openly exclude non-Muslim men and women who continue to address deficits concerning gender equality in 'western' societies like different payment of women for the same work, of forced prostitution and trafficking or structural exclusion of women from leading positions in academia, economy and politics.²⁰ Especially conservative politicians, who for decades refused to engage in discussions on issues of gender equality, now, take the opportunity to present themselves as the saviors and most of all pedagogues of liberal gender norms towards Muslims, which are correspondingly portrayed as backward.²¹

This makes it even more puzzling that, while speaking of the *Muslimwoman's* suffering, *women's* suffering is in many cases put aside and even victims of domestic violence and oppression in Muslim families are not always helped by the activities undertaken in their name. As Gökce Yurdakul and Anne Korteweg demonstrate, debates about honor killings and forced marriages in the UK, the Netherlands and Germany have led to very different policies. In some cases they have served as legitimation to further limit immigration.²²

USING DOMESTIC VIOLENCE TO TIGHTEN IMMIGRATION LAWS

This way, not only are cases of domestic violence instrumentalised to support anti-immigrant policies, these limitations can also tangibly exacerbate the situation of the victims. The latest bill that was introduced (allegedly) in favor of

¹⁹ cooke, *The Muslimwoman*, 2007:140.

²⁰ Cf. Der Deutsche Frauenrat, <http://www.frauenrat.de/deutsch/frauenrat/aktivitaeten.html> (accessed February 2012).

²¹ Rommelspacher, *Emanzipation als Konversion*, 2010:23. A similar logic is described by activists concerning the issue of homophobia, see Yilmaz-Günay, *Sexualpolitiken seit dem 11. September*, 2011.

²² Yurdakul and Korteweg also present cases of policies that counter violence against Muslim women in an effective way, with examples from the Netherlands and Canada. These two countries engaged in constructive dialogues with Muslim women's organisations and accompanied the enforcement and tightening of laws against domestic violence with the support for community based activities that were often combined with the empowerment of women and Muslim communities. See Yurdakul and Korteweg, *Politicization of Honour-Related Violence*, 2010.

Muslim women in Germany, the 'Law against Forced Marriage' from 2011 (Gesetz gegen Zwangsheirat) is such a case. By changing the penal code this law introduces *forced marriages* as a separate criminal offence, and – like the previous regulation on coercion – calls for up to five years in prison for anyone forcing a person into marriage. The new law also gives non-German citizens who were forced by their spouses or families to leave the country after their marriage a legal right to return to Germany, being a significant improvement to earlier regulations. But the parliament also increased the period of time a foreigner wedded to a German citizen has to live with his partner in Germany before obtaining an independent residence from two to three years. Even though included in the "Law against Forced Marriage," this is explicitly called a countermeasure to *marriages of convenience*. As women's rights activists pointed out to policy makers this measure could reinforce the reluctance among victims of domestic violence to oppose their situation.²³ Furthermore foreigners may now get an unlimited residence permit only, when they have successfully completed an integration course, which includes language instruction and a proficiency exam. This too is presented as a measure in favor of for women's liberation.

Here, domestic violence, sham marriages and the need of immigrants to be subjected to pedagogical measures that would – if necessary by force – acquaint them with liberal values²⁴ are in a rather typical way presented and dealt with as connected. Restriction of immigration laws and the establishment of rules for exceptions are discussed and presented as part of the discourse against the oppression of women in immigrant/Muslim families. This pedagogical approach as Schirin Amir-Moazami so convincingly demonstrates in her analysis of the German Islam Conference, runs through the dominant discourse about Islam and women in Germany. It formulates as the core problem that Muslims can adapt to existing gender norms only with great difficulties and therefore must be disciplined or educated. Therefore just, or at least especially, Muslims have to be confronted with this subject, while it is taken for granted that the non-Muslim population has already internalized gender equality.²⁵

[I]t remains questionable as to why the topic of gender equality has not been taken as a reason to ask about the state of affairs across the whole social spectrum and to stimulate a general discussion on the contours and nature of this same value. But

²³ Verband binationaler Ehen und Partnerschaften "Stellungnahme zum Gesetzentwurf der Bundesregierung zur Bekämpfung der Zwangsheirat und zum besseren Schutz der Opfer von Zwangsheirat sowie zur Änderung weiterer aufenthalts- und asylrechtlicher Vorschriften." 18.1.2011.

²⁴ Amir-Moazami, Die Produktion des Tolerierbaren, 2009:158.

²⁵ Amir-Moazami, Managing Gendered Islam, 2011b:8.

instead, with the one-sided concentration on Muslims, a concept, which is anything but clear and not always necessarily accepted by non-Muslims, is simply being laid down as a yardstick; and by applying it, a whole religious community is being assessed and measured.²⁶

Together with the pedagogical attitude reflected this implies that German society has achieved gender justice and consequently does not intend to engage any longer in substantial discussions about gender inequality within dominant structures. The focus on the oppression of the *Muslimwoman*, hence, allows preserving the status quo. This feature of the discursive 'actual' Islam covers up an ongoing exclusion of women. Let me end with an example from the academic sphere, which also brings us back to Amina Wadud's struggle for women's participation in intellectual endeavors of the Muslim community.

ESTABLISHING AN 'ACTUAL' ISLAM FOR THE FUTURE

In 2010 and 2011 the Federal Ministry for Education and Research selected six German universities as homes to new centers of confessional 'Islamic Studies' (orig. *Islamstudien*). In a rather typical way for German Universities women make up the majority of students and can be found among the academic staff as well as in the secretariats but – at least not yet – on professorial chairs. All professors who had been appointed by the end of 2011 happened to be male. As usual in the German academic system, these professors have life time appointments and can be expected to occupy the chairs for the next three decades. This genuinely German feature of university politics meets and joins forces with a similar male dominance among Islamic scholars. The professors are supposed to educate teachers for confessional Islamic instruction in state schools and thus will provide future teachers and community leaders with Islamic knowledge. Yet, by officials and politicians these centers are promoted as places for the education of imams for Germany. This is how we can understand why even though Catholic and Protestant faculties of theology went through the process of including (a few) female scholars before, the chance to come up with a new inclusive structure for Islamic Theology is wasted. As if it was necessary to make sure that the departments of Islamic studies were not, after all, more inclusive than departments of Christian Theology. Remember, according to the semantics of the 'actual,' Islam does not even allow women to become imams, how could they teach them? Of course this notion ignores examples of female teachers and community leaders from Islamic history. And here the detrimental perception of Wadud's proof of the possibility of a female Imamât is crucial.

²⁶ Amir-Moazami, *Managing Gendered Islam*, 2011b:8.

The 2005-prayer, because of its emblematic and media compatible message, is used in a paradoxical way as a symbol of the backwardness of Islam. The dominant understanding among actors (Muslim and non-Muslim), who portray female imams as an impossibility in Islam, seems to support the marginalization of Muslim women in the course of the establishment of Islamic chairs at German universities – which are conceptualized as the basis for an education for imams from and for Germany. It is to be expected, therefore, that the current framing of debates around female imams and the participation of women in the production and dissemination of Islamic knowledge will have long-term effects. Amina Wadud has engaged in a lifelong struggle for equal participation of believers regardless of their gender. Nonetheless, Muslim women will have to keep fighting to be heard in German auditoriums and continue to face the dilemma that the configuration of the *semantics of the actual* either questions their intentions or utilizes their activities to portray Islam as misogynist. It seems that only taking 'actual' Islam seriously could lead to the understanding that the whole range of Amina Wadud's theological thinking is in fact an expression of actual Islam, thus challenging the dominant configurations of Islam and paying justice to her authority.

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**LA EMERGENCIA DEL FEMINISMO ISLAMICO EN EL ESPACIO
EUROMEDITERRÁNEO**

M.Laure Rodriguez Quiroga

En torno al feminismo

Otra forma de mostrar el Islam genuino

A propósito del feminismo islámico

Interlocución desde el feminismo islámico con otros grupos de mujeres

RESUMEN

El siglo XXI se ha definido como el proceso histórico de relevancia en las reivindicaciones y consecución de los derechos igualitarios entre los sexos. Desde el interior de las comunidades musulmanas, mujeres y hombres se implican en este proceso de cambio, adhiriéndose al compromiso incondicional en la lucha contra las injusticias de género.

Es así, que el Feminismo Islámico se ha convertido en un referente a nivel mundial, a través de discursos y acciones que se suman a la lucha contra la violencia y discriminaciones de género. En los últimos años, este movimiento está tomando un protagonismo merecido introduciéndose no solo en el activismo, sino incluso en las políticas sociales de las Administraciones Públicas o en los espacios académicos.

EN TORNO AL FEMINISMO

¿Qué es el feminismo? ¿Por qué se excluyen a las mujeres? ¿Dónde radica el origen de tal discriminación? ¿Qué se puede hacer para combatir esta pandemia mundial como lo es la violencia de género? Un sinnúmero de preguntas que vienen sucediéndose en los distintos puntos del planeta desde hace siglos y que permiten seguir la brega en pro de la justicia de género.

Amelia Valcárcel se refirió al feminismo como el “hijo no querido de la Ilustración”¹, cuando en el devenir del siglo XVIII la Revolución Francesa

¹ VALCÁRCCEL, Amelia (2001), *La memoria colectiva y los retos del feminismo*, Naciones Unidas, Santiago de Chile, pág. 8

proclamaba las ideas de igualdad, libertad y fraternidad. Es en ese contexto europeo concreto donde comienza a reclamarse el principio de igualdad de los ciudadanos (y no tanto de las ciudadanas), relegándolas a ellas a una subordinación desmedida. A partir de ahí, empieza a surgir un movimiento crítico de mujeres que cuestiona el orden establecido, reclamando una serie de derechos legítimos, algunos no conseguidos todavía hasta la actualidad.

Así, la teoría feminista se introduce en las fuentes históricas, antropológicas, culturales, económicas, políticas, científicas, filosóficas o religiosas, con el único propósito de desmontar al sistema patriarcal.

El feminismo es un discurso político que se basa en la justicia. El feminismo es una teoría y práctica política articulada por mujeres que tras analizar la realidad en la que viven toman conciencia de las discriminaciones que sufren por la única razón de ser mujeres y deciden organizarse para acabar con ellas, para cambiar la sociedad. Partiendo de esa realidad, el feminismo se articula como filosofía política y, al mismo tiempo, como movimiento social. ²

De esta forma, el feminismo se cimienta sobre los principios de igualdad, de ciudadanos y ciudadanas, libres e iguales ante la ley. Un equívoco recurrente, es el considerarlo como el antónimo del machismo, obviando que éste se edifica sobre la discriminación basada en la creencia de que los hombres son superiores a las mujeres. Por lo tanto, no solo no es lo mismo, sino que son posturas totalmente contrapuestas.

OTRA FORMA DE MOSTRAR EL ISLAM GENUINO

El Islam, surgido en la Península Arábiga hace catorce siglos, se constituyó como una forma de vida espiritual de conexión directa entre el individuo y la Divinidad³. Trajo consigo importantes cambios en una sociedad denominada “de la ignorancia”, precisamente por su alto grado de analfabetismo, corrupción y desigualdad social. Sin duda alguna, el discurso característico del Islam es el de la lucha contra todas las injusticias sociales y en consecuencia, las de género.

² VARELA, Nuria (2008), *Feminismo para principiantes*, Ediciones B, Barcelona, pág. 14

³ Utilizo aquí la traducción de Allah como Divinidad expresamente, siendo consciente de que la elección del concepto Dios contiene, en el imaginario colectivo europeo, una connotación masculina y humanizada a raíz de las interpretaciones cristiano-católicas. Debe quedar claro que, en el islam, Allah no tiene ni número ni género.

El Islam suele presentarse como un todo unívoco, ahistórico y monolítico, como si de antemano existiera una respuesta cerrada a la definición. De esta forma, no se tendría en cuenta si se está haciendo referencia a una exposición en base a la dimensión espiritual, social, cultural o política.

El Islam es una forma de vida, a través de la cual se cimienta una fuente de orientación y desarrollo interior. Reducirlo a la categoría de religión, es totalmente erróneo, ya que solo reconocería a un sistema de dogmas como doctrina única, y por lo tanto, dirigiéndolo hacia la ortodoxia. La revelación coránica alienta a unos principios éticos coherentes dirigidos a la consecución de sociedades justas y cohesionadas.

Existe la tendencia a cosificar la experiencia espiritual de los maestros de la humanidad, como si su mensaje fuera demasiado abierto para ajustarse a un ejercicio de poder. Habría que diferenciar, en este sentido, entre espiritualidad y religiosidad, entre una experiencia genuina de la trascendencia y su cosificación en dogmas y doctrinas, formas transitorias demasiado apegadas a intereses mundanos como para pasar por inocentes. ⁴

La razón juega un papel crucial en la existencia humana y el Islam no es ajeno a su significado, lo cual otorga a cada individuo su responsabilidad en el gobierno de su propia vida, tanto en el terreno individual como colectivo.

Un cuidadoso estudio del Corán también deja claro que la revelación en modo alguno contradice a la razón. Ambas, de hecho, son complementarias. Mientras la razón nos ayuda a comprender los aspectos físicos de este universo (todo el desarrollo de las ciencias naturales depende de la inteligencia humana), la revelación nos ayuda a encontrar las respuestas definitivas a nuestro origen y destino. Mientras la razón es una importante fuente de enriquecimiento en nuestra vida material, la revelación es necesaria para nuestro crecimiento espiritual. ⁵

Es preciso mostrar sin timidez la riqueza que el Islam posee en su pluralidad interpretativa. Los valores democráticos están íntimamente relacionados a la revelación coránica y supusieron un giro histórico frente a los postulados preislámicos. El Islam como constructo teórico recoge el deber de dar la voz a su

⁴ PRADO, Abdennur (2006), *El Islam en Democracia*, Junta Islámica, Almodóvar del Río, pág. 1

⁵ ALI ENGINEER, Asghar (2010), *Teología Islámica de la Liberación*, ADG-N Libros, Moncada (Valencia), pág. 29-30

ciudadanía, basándose en el consenso y la participación de todos sus miembros. Implica necesariamente el pluralismo, la libertad de expresión, de conciencia, de derechos humanos, etc.

A PROPÓSITO DEL FEMINISMO ISLÁMICO

La asociación de los términos “feminismo” e “Islam” producen un sinnúmero de reacciones, mayoritariamente de perplejidad e incredulidad, como si la unión de ambos vocablos fuese un oxímoron, algo difícil o imposible de conjugar. Por ello, en el inicio de este capítulo es de obligado cumplimiento un intento de aproximación terminológica que permita alcanzar una comprensión de sus significados y de los presupuestos ideológicos en los cuales está inmerso.

Existen diversos intentos en definir la expresión “Feminismo Islámico”. El propio término ha sido, y sigue siendo, objeto de debates, controversias y discordias en el interior de las comunidades musulmanas. ¿Existe el feminismo islámico? ¿Pueden realizarse lecturas feministas de los textos sagrados de referencia? ¿Es necesario etiquetar de “feminista” al Islam? ¿Puede considerarse el feminismo como un discurso occidental secular y por lo tanto, una intromisión impositiva a las praxis islámicas?

La tarea no es fácil, pero los propios intentos de poner sobre la mesa éstas y otras cuestiones, ya suponen en sí un ejercicio de dialéctica que obliga a las personas musulmanas a pensar, reflexionar y analizar cuál es la realidad en la que viven y comprobar si han existido injerencias del patriarcado en sus formas de vida, introduciéndose discursos y praxis ajenos al Islam genuino. De entre todas las definiciones posibles, destacaré la que, a mi modo de ver, es la más completa y exacta, aportada por Valentine Moghadam:

El feminismo islámico es un movimiento reformista centrado en el Corán, realizado por mujeres musulmanas dotadas del conocimiento lingüístico y teórico necesario para desafiar las interpretaciones patriarcales y ofrecer lecturas alternativas en pos de la mejora de la situación de las mujeres, al mismo tiempo como refutación de los estereotipos occidentales y de la [pretendida] ortodoxia islamista. Las feministas islámicas son críticas con el estatus legal y la posición social y reconocen que las mujeres están situadas en posiciones subordinadas -por ley por costumbre- en la familia, la economía y la política. En particular, ellas son críticas con los contenidos de las “leyes de familia musulmanas” y con los modos en los cuales estas leyes restringen los derechos humanos de las mujeres y privilegian a los hombres. Y ellas rechazan la idea de que el Islam esté

implicado en este estado de cosas. Su argumento alternativo es que el Islam ha sido interpretado a lo largo de los siglos (y especialmente en los tiempos recientes) de un modo patriarcal y a menudo misógino, que la llamada ley islámica o sharia ha sido mal comprendida y mal aplicada, y que tanto el espíritu como la letra del Corán han sido distorsionados. Su insistencia en que aquello que es presentado como “ley de Dios” es de hecho una interpretación humana que constituye un audaz desafío a la ortodoxia contemporánea⁶.

En resumen, podría decirse que el Feminismo Islámico es un movimiento basado en el Corán, que reivindica la posibilidad de alcanzar la igualdad de derechos entre las mujeres y los hombres en el marco del Islam. Es preciso recalcar que la expresión “Feminismo Islámico” es utilizada en su uso genérico, a sabiendas de que existen un amplio abanico de sensibilidades, realidades y prioridades, por lo tanto, debería tener cabida la contextualización de los distintos feminismos islámicos existentes, algo que debería dedicarse en otro capítulo aparte. De esta forma, se recogería el dinamismo y cambios concretos que se producen en el interior de las comunidades.

SURGIMIENTO DEL FEMINISMO ISLÁMICO

Tomando como referencia las fuentes originales, parto de una base fundamental al considerar que los presupuestos ideológicos feministas están intrínsecamente ligados a la cosmología islámica. Capturo de Joan W. Scott la referencia a esas varas de medir la historia considerando que ante la llegada de la revelación coránica, en aquel contexto espacio-temporal concreto, el discurso islámico supuso una irrupción en un sistema patriarcal, otorgando una liberación para las mujeres y una ruptura de aquellas formas de vida que subyugaban los derechos fundamentales del género femenino.

Desde los inicios hasta nuestros días, los discursos feministas han estado presentes en los distintos escenarios en los que el Islam se ha desarrollado, aunque hasta hace unas décadas no ha adquirido tal denominación. La historia y la tradición islámica recogen ininidad de acciones simbólicas en la promoción y puesta en práctica de una igualdad latente. Entonces, ¿por qué surge el término de Feminismo Islámico? ¿dónde se producen los discursos? ¿en respuesta a qué se consolida esta corriente? ¿Estamos hablando de algo distinto al Islam?

⁶ PRADO, Abdennur (2010), *El lenguaje político del Corán. Democracia, pluralismo y justicia social en el Islam*, Editorial Popular, Madrid, pág. 192

Realizar una revisión histórica del feminismo es un ejercicio necesario para comprender cómo la cronología de la existencia humano-feminista, ha tomado como referencia un punto de vista eurocéntrico. Así, la práctica totalidad de los textos, publicaciones y estudios relacionados con el feminismo toman como protagonista el contexto europeo-occidental.

Aun así, no se puede negar, que el hecho colonial tuvo un peso fundamental en el surgimiento de lo que hoy en día se entiende por Feminismo Islámico. Desde los inicios del siglo pasado, la existencia de lazos de unión entre las mujeres de ambos lados de la orilla del Mediterráneo, permitieron la formación de alianzas transnacionales en las luchas feministas. El año 1923 se marcará como un hito histórico, tras la celebración del Noveno Congreso de la Alianza Internacional de Mujeres, que luchaban por los intereses comunes de género. Egipto fue sin duda alguna el punto de partida en las sociedades musulmanas en la creación de esas construcciones teóricas netamente feministas, fruto de las constantes relaciones con el feminismo secular europeo.

En las primeras décadas del siglo XX, las egipcias secundan una corriente ideológica mayoritaria amparada en un feminismo de corte euro-secular y colonialista. De esta forma, las feministas de origen musulmán asumen que no existe otra posibilidad de alcanzar la igualdad de género que desprendiéndose del hecho religioso, y por lo tanto, secularizando la sociedad y sus políticas.

Como respuesta a esta postura, surge otro movimiento de mujeres culturalmente musulmanas que reconocen al Islam como parte de su propia identidad y de la que pueden obtener beneficios, pero que al igual que la corriente anterior, se amparan en culpabilizar al Islam como el causante de las discriminaciones de género y como religión patriarcal, por lo que se deben emprender acciones para combatirla.

En la década de los 70-80 se empieza a producir el giro de la conciencia feminista, a través de lecturas inmanentes de los discursos desarrollados hasta ese momento y realizando una genealogía de sus propios postulados y una crítica a los dispositivos de poder promovidos por el “feminismo tradicional”. La visión universalista y totalizadora del concepto de “mujer” no tenía en cuenta a esas otras mujeres periféricas que no se sentían identificadas con los postulados defendidos.

El Feminismo Islámico se encuadra dentro de la tercera ola del feminismo denominado posmoderno. Se subdivide a su vez en corrientes contemporáneas, en ocasiones divergentes, cada cual encargada de analizar y revisar conceptos. Dentro de esta ola, se afilian diversas formas de reflexión, como es el caso del pensamiento poscolonial en la que estaría inmerso el movimiento que nos ocupa.

Los presupuestos ideológicos que el feminismo secular europeo mantiene dan por sentado que el islam como religión, es el causante de la opresión de la mujer, por lo que el único camino para la salvación femenina será el abandono de su fe. Se promueve de esta forma una universalización del concepto feminista cuya lectura unidireccional es la secularización.

En ese contexto, surge el Feminismo Islámico como el movimiento que reivindica la posibilidad de lograr la igualdad entre mujeres y hombres en el marco del islam, en un intento de validar y reconocer las luchas contra la discriminación de género a partir de la esencia coránica. Finalmente, es en la década de los 90 cuando se acuña el término de Feminismo Islámico, como forma de visibilizarse y adquirir voz propia.

Shirín Ebadi, Premio Nobel de la Paz, afirmó que para ser feministas no era necesario dejar de ser plenamente musulmanes y que era desde esa condición de musulmanes que se denunciaba el patriarcado como un sistema de opresión de una parte de la humanidad sobre la otra.

De esta forma, se reconoce la degradación de la tradición islámica y la tergiversación de los textos sagrados que se ha producido. Por ello, es preciso aferrarse a las herramientas coránicas para combatir la intromisión del sistema patriarcal en el seno de las sociedades musulmanas.

Los continuos ataques al Islam y a la necesidad de “occidentalización”⁷ de los derechos de la mujer, están generando una respuesta por parte de los movimientos fundamentalistas, que ven en el género femenino la barrera de contención de esos ataques externos a la “modernización”⁸. Toda presión europea a la liberación de la mujer se siente como una imposición colonial, por lo que los movimientos fundamentalistas apelan al islam como signo de identidad de las comunidades musulmanas, en base a una ideología de resistencia ante el imperialismo occidental. De esta forma, todo lo que tenga que ver con la modernidad tal y como se defiende desde el corte occidental (entre ellas la democracia), tiene que ser brutalmente expulsada y rechazada.

De esta manera, se conforma un círculo hermético ante el cual es preciso generar una separación estricta de los sexos y definir de manera diferenciada los roles de género. Esta reacción a lo que se considera una injerencia y penetración occidental, reproduce múltiples discriminaciones hacia las mujeres, las cuales a su vez son presentadas en el contexto secular/católico como una muestra latente de su condición oprimida a causa del Islam.

⁷ Entendiéndose como tales la secularización y abandono de la fe

⁸ Desde esta percepción ortodoxa, el concepto de modernidad responde a una injerencia occidental ajena al Islam.

No cabe duda de la estrecha relación existente entre el fundamentalismo de corte islámico y la violencia de género. Desde los postulados fundamentalistas promovidos por comunidades musulmanas, todo lo que tenga que ver con “modernidad occidental” debe ser rechazado y combatido. En este contexto, las mujeres musulmanas en todo el mundo están siendo las portadoras de la modernidad y, por lo tanto, si la mujer se moderniza, también lo hace el conjunto de la sociedad.

De esta forma, la mujer es convertida en el chivo expiatorio sobre el que ejercer todas las presiones, marginándola e incapacitándola para desarrollarse con total independencia. A pesar del mensaje liberador del islam, exportan del patriarcado los roles históricos que han definido a las féminas: sumisión; disposición a la renuncia individual para el beneficio familiar/colectivo; abnegación; bondad; etc.

Empieza a surgir un discurso de confinamiento como precepto religioso, subyugando a las mujeres y confinándolas en el espacio vital finito del hogar. Contrariando las enseñanzas coránicas, expanden y promueven una serie de directrices que coartan la emancipación de las mujeres, tanto a nivel psicológico, social o económico como espiritual. Así, predicán la obligación de permanecer en el hogar, no salir salvo lo estrictamente necesario, entregarse y dedicarse de manera absoluta a la familia, prohibición del uso de anticonceptivos, restricción del trabajo fuera del ámbito doméstico, limitaciones al acceso a la educación, separación visceral de espacios, entre otros puntos.

En definitiva, se perfila una mística de la femineidad deforme, potenciándose el hogar como respuesta al mensaje de liberación de la mujer occidental. Así, la teoría de la domesticidad de las mujeres parece que empieza a acaparar las bases ideológicas de estos grupos que quieren, irrefrenablemente, evitar el “contagio” de las ideas liberadoras occidentales.

Es aquí donde recobra especial protagonismo la obsesiva mirada a la vestimenta femenina. De esta forma, no solo se postula un rechazo a la vestimenta occidental, sino que se impulsa una vez más, la excusa del mandato divino para imponer una forma de ataviarse que la separe aún más del espacio público, en el caso de estar circulando por él. Es aquí donde entra en escena el uso del Niqab, ya que supondrá un freno para las relaciones sociales, para el acceso al mercado laboral, y en definitiva para un aislamiento con el exterior y un impedimento a su pleno ejercicio político de ciudadana de pleno derecho.

De esta forma, esta construcción innovadora del ser humano mujer en el Islam, es excluyente con las musulmanas, por lo que es preciso deconstruir esas interpretaciones erróneas del Corán, para recuperar ese mensaje liberador que hace catorce siglos garantizó un estatus social, económico y legal de pleno derecho entre mujeres y hombres.

BASES TEÓRICAS DEL FEMINISMO ISLÁMICO

A pesar de lo que se cree, el eje transversal del Islam radica en reconocer a las mujeres un posicionamiento en igualdad de condiciones, y por lo tanto elevar su estatus a ciudadanas de pleno derecho, en equilibrio con el género masculino.

Fue así, como el Profeta Muhammed se postuló como un hombre defensor y promotor de los derechos igualitarios de la mujer. Durante las primeras décadas, a medida que iba desarrollándose el Islam, se iban corrigiendo las desigualdades heredadas del Antiguo Régimen (era preislámica) y afianzándose un mayor empoderamiento del género femenino.

La llegada del Islam supuso, para las mujeres, el reconocimiento de una serie de derechos revolucionarios para un contexto patriarcal, en el que las féminas carecían de un estatus propio e igualitario.

El Corán reconoce la diferencia biológica entre el hombre y la mujer, pero no asigna estas diferencias a ningún simbolismo de género. De esta forma, no vincula a hombres y mujeres a roles de género específicos, por lo tanto, los roles sociales de los sexos no responden a su biología. Tampoco dice que las diferencias biológicas les hace desiguales. De esta forma, no queda regulado que las funciones sociales de las mujeres estén centradas en el ámbito doméstico. Ambos, hombres y mujeres son un pilar fundamental de la sociedad, por lo que son tan capaces los unos como las otras para desempeñar cualquier tarea.

Así por ejemplo, Muhammed trabajaba con sus propias manos sin dejar para otros sus responsabilidades domésticas. “Se le veía a menudo ordeñar, remendar sus sandalias, zurcir ropas, alimentar a los camellos, levantar la tienda, etc., sin aceptar ayuda de nadie”⁹.

Si se toma como ejemplo la primera sociedad islámica, Medina, se apreciará la biografía de mujeres que desempeñaron funciones tanto en la esfera pública como doméstica, reconociéndose el derecho al trabajo femenino en cualquier ámbito social¹⁰.

Otra mención, de vital importancia, se centra en la educación de los seres humanos. La creencia islámica se apoya en que antes de que la Tierra fuese habitada por seres humanos, la Divinidad creó el cálamo para que escribiera, ésa fue su primera creación. Sin duda alguna, esta historia constata la vital importancia que para el Islam tiene el conocimiento. Desde la cosmovisión

⁹ Hadiz transmitido por Al-Bujari

¹⁰ Se recomienda la lectura: BEWLEY, Aisha (2001): Islam: el poder de las mujeres, Palma de Mallorca: Kutubia Mayurqa

islámica, la educación y la búsqueda del conocimiento, es considerado como un deber de carácter religioso, tanto para mujeres como para hombres. Es preciso insistir en el concepto de deber religioso y no de un mero derecho reconocido. A través de la educación se edifica el carácter como ser humano, independientemente del sexo al que se pertenezca. Una persona que ha estudiado, que ha buscado el conocimiento, es libre y capaz de tomar las decisiones por sí misma, sin necesidad de intermediarios y por lo tanto, capaz de discernir lo correcto de lo incorrecto.

Desde la concepción islámica, los seres espirituales -la mujer y el hombre- son iguales, porque la experiencia espiritual de la mujer no es diferente a la del hombre.

El nivel máximo de yihad (esfuerzo) que toda persona tiene que desarrollar es la búsqueda del conocimiento. Existen ejemplos de mujeres eruditas en la tradición islámica, que desde los inicios del islam, alcanzaron fuertes posiciones de conocimiento. La Madre de los creyentes, Aisha bint Abi Bakr, es sin duda alguna el referente histórico por excelencia, al haberse destacado por su extenso saber en la Jurisprudencia islámica, Medicina y literatura, entre otros.

La aportación de Aisha a las ciencias religiosas islámicas es vasta y considerable. Sobresalía en todos los campos, tanto en el ámbito de las ciencias coránicas y de la Tradición del Profeta como en la jurisprudencia islámica (*fiqh*).¹¹

A modo de resumen, se exponen algunos de los derechos femeninos y que forman parte de las bases teóricas del Feminismo Islámico:

- Derecho a la vida y a un trato digno: La práctica habitual de enterrar a la niña recién nacida en las arenas del desierto por considerarla inferior al varón fue tajantemente prohibida y condenada. De igual forma, no se permite ningún tipo de maltrato hacia la mujer. Las últimas palabras del Profeta Muhammed antes de su muerte fueron: “Tratad bien a las mujeres”, lo que sin duda alguna transmite el grado de compromiso de éste hacia la causa femenina.
- Participación igualitaria en la vida social, política y económica: Las compañeras del Profeta participaron activamente en el desarrollo de la vida pública. Existe constancia de mujeres gobernantas, funcionarias, juezas, doctoras, sabias, imamas, comerciantes, etc. participando al 100% en igualdad de oportunidades que los hombres.

¹¹ LAMRABET, Asma (2008), *Aisha Épouse du Prophète ou L'Islam au féminin*, Éditions Tawhid, Paris, pag. 69

- Reconocimiento del divorcio: Una de las formas de trato indigno a una mujer es el de obligarla a estar casada en contra de su voluntad. Si ella lo requiere, podrá divorciarse como podría hacerlo el hombre. El incumplimiento de alguna de las cláusulas del contrato matrimonial es razón suficiente para justificar la ruptura del enlace conyugal.
- Derecho a la propiedad: Poder directo e inmediato sobre objetos y bienes, por la que se atribuye a su titular la capacidad de disponer del mismo.
- Personalidad jurídica: Reconocimiento que le otorga para contraer obligaciones y realizar actividades que generan plena responsabilidad jurídica, frente a ella misma y frente a terceros. Por lo tanto, tiene derecho a desarrollar contratos de manera autónoma e independiente del marido, padre u otra persona.
- Derecho a la sexualidad: Uso y disfrute de su propia sexualidad, pudiendo ser incluso causa de divorcio la insatisfacción sexual. El marido tiene la obligación de complacer sus necesidades siempre que ella lo solicite. En la relación sexual de pareja, está permitido todo acto siempre y cuando cuente con el consentimiento de ambas partes. De igual forma, queda reconocido el derecho a la anticoncepción como una forma de control de la sexualidad libre al igual que evitar los embarazos no deseados. De la misma manera, queda reconocido el derecho al aborto.
- Derecho al trabajo: Una mujer, si así lo desea, podrá trabajar, por cuenta propia o ajena, siendo los beneficios íntegros de su actividad para ella, para su uso y disfrute personal. El marido no se podrá negar a su ejercicio laboral ni podrá exigirle el dinero que ella gane. Esta medida, que podría considerarse de acción positiva, supuso en el origen una forma de independencia económica para la mujer, evitando de esta forma las consecuencias que pueden acarrear para una mujer la dependencia económica del hombre. En caso de divorcio, ella tendrá sus propios recursos económicos para salir adelante y la experiencia necesaria para incorporarse al mercado laboral.
- Derechos de la Mujer en la Mezquita: La mujer tiene reconocido el derecho a la entrada de las Mezquitas siempre que ella lo disponga, en espacios mixtos y por la puerta principal.

Declaración Islámica de los Derechos de la Mujer en la Mezquita¹²

1. Las mujeres tienen el derecho islámico a acceder a la mezquita
2. Las mujeres tienen el derecho islámico a entrar por la puerta principal
3. Las mujeres tienen el derecho islámico a acceder visual y auditivamente al *musala* (oratorio principal)
4. Las mujeres tienen el derecho islámico a rezar en el *musala* sin separaciones, y pueden situarse en el frente y en las hileras que forman los creyentes mezcladas con los hombres
5. Las mujeres tienen el derecho islámico a dirigirse a cualquier miembro de la congregación
6. Las mujeres tienen el derecho islámico a ocupar cargos de responsabilidad, como el de imam, y formar parte del consejo directivo y del comité de gestión
7. Las mujeres tienen el derecho islámico a participar plenamente en todas las actividades
8. Las mujeres tienen el derecho islámico a dirigir y participar en reuniones y sesiones de estudio sin ningún tipo de separación
9. Las mujeres tienen el derecho islámico a ser tratadas con cordialidad
10. Las mujeres tienen el derecho islámico a ser tratadas con respeto y sin rumores ni calumnias.

Desde la esencia islámica, la mujer no proviene del hombre, tal y como ocurre en el relato bíblico. De igual forma, el ser humano tiene un valor espiritual, por lo que no existen diferencias entre hombres y mujeres. Cualquiera que sean sus atributos, todas las personas son iguales, así, la base donde el islam distingue entre seres humanos se centra en su praxis moral.

¹² Asra Q Nomani, redactó la Declaración Islámica de los Derechos de la Mujer en la Mezquita tras su regreso de la peregrinación a la Meca, en Morgantown, el 1 de marzo de 2004. NOMANI, Asra Q. “Rebelde en la Mezquita”. En *La emergencia del feminismo islámico. Selección de ponencias del Primer y Segundo Congreso Internacional de Feminismo Islámico*. Barcelona: Oozebap - Colección *Asbab* (vínculos) - 02, 2008, pág. 75-83

Afirmar y repetir insistentemente que el islam es una religión patriarcal es un grave error. Es conveniente aclarar que, aunque sea cierto que surgió en el núcleo de una sociedad anclada en el patriarcado, no justifica en absoluto que el islam defienda y abogue por el patriarcado. Por lo tanto, la epistemología islámica es intrínsecamente contraria al patriarcado.

INTERLOCUCIÓN DESDE EL FEMINISMO ISLÁMICO CON OTROS GRUPOS DE MUJERES

Poder participar en espacios en los que compartir las distintas formas de entenderse mujer y feminista, es una oportunidad indiscutible para contribuir en el refuerzo de lazos de amistad, de complicidades, generando sinergias entre personas que compartimos valores fundamentales, como pueden ser la igualdad de género y el pluralismo.

La comunicación es un instrumento fundamental para el cambio del modelo del mundo que ha mostrado su fracaso. Todas las mujeres, en mayor o menor medida, independientemente de la cultura, sociedad o contexto, han sufrido a lo largo de su vida algún episodio de violencia y una desigualdad que subyuga sus derechos más fundamentales.

Por eso, considero imprescindible la creación de eventos en el que se permita no solo reunirse, compartir experiencias y crear redes, sino también disponer de un espacio para que desde las diversas propuestas, sueños y necesidades, se oferten opciones para diseñar un modelo distinto, removiendo y revolviendo la sociedad actual.

¿Pero ante qué retos se encuentra el Feminismo Islámico en la interlocución con otros grupos de mujeres/feministas? ¿Con qué obstáculos se encuentran en otros discursos feministas para poder desarrollarse en igualdad de condiciones?

De manera caricaturesca, intentaré mostrar esas barreras con las que el Feminismo Islámico se encuentra en su interlocución con otros grupos de mujeres/feministas.

Es indudable que existen resistencias en el interior de las comunidades musulmanas, pero también se producen oposiciones exteriores para aceptar la posibilidad de que una persona musulmana (sea mujer u hombre) pueda ser feminista al mismo tiempo. Nos encontramos, tal y como se recogió en el IV Congreso Internacional de Feminismo Islámico, ante la persistencia de un discurso eurocéntrico que piensa que el feminismo es una propiedad de Occidente y que no se puede reivindicar la igualdad de género desde otro marco cultural o de referencia que no sea la cultura ilustrada europea, y ante todo, secular.

A lo largo de todos mis años de experiencia tanto en las conferencias como en la participación en debates mediáticos, he venido recogiendo las frases y fórmulas más repetidas a las que se recurre para combatir el Feminismo Islámico, y que no son sino una muestra de la fobia hacia las religiones y un rechazo a otras maneras de entenderse mujer.

La “ley del privilegio”

Tendencia a hacer sentir afortunadas a las musulmanas europeas por haberse desarrollado en sociedades más o menos democráticas. Señalar con ese dedo inquisidor que “culpa” por haber nacido en un contexto geográfico concreto, supone una minusvaloración de sus luchas y lo que es más grave, a una constante victimización de las “pobres musulmanas sumisas” a las que se tiene que salvar del sometimiento de la barbarie de los hombres fanáticos.

“El feminismo islámico no existe”

Hace unos meses, Wassila Tamzali aparecía en los medios de comunicación con un titular fulminante: *“El feminismo islámico no existe”*¹³, afirmación que se reitera entre determinadas feministas que no hacen sino negar la propia existencia de las islámicas y en consecuencia haber caído en la trampa del patriarcado al conseguir invisibilizar a otras mujeres, denigrando, excluyendo, privando de la voz, del derecho legítimo a la libertad de conciencia, de expresión y en definitiva, usurpando el derecho a ser y a existir.

“El feminismo no tiene apellidos”

Muestra de rechazo a poner “apellidos” al feminismo. Soy de la opinión de la necesidad de añadir el adjetivo al feminismo para contextualizar su lucha, no para ser excluyentes. El trabajo dentro de un marco religioso intenta deconstruir las exégesis patriarcales que se han hecho del Corán. Se condena los abusos cometidos en nombre del Islam y se exige la libertad de todas las mujeres, en base a lecturas immanentes para cambiar su propia realidad.

“Agenda política única”

Efectivamente, el feminismo/s se define dentro de una agenda política en su lucha contra la discriminación y desigualdad de género. Dentro de los diferentes feminismos existe un gran abanico de sensibilidades, de realidades y prioridades. No se pueden aportar soluciones homogéneas en contextos diferentes. No solo no es eficaz sino que incluso puede llegar a ser contraproducente.

“No es compatible la religión con la libertad de la mujer”

¹³ Doria, Sergi (2011). “El feminismo islámico no existe”, en ABC, 27 de marzo (en línea) <http://www.abc.es/20110327/internacional/abcp-feminismo-islamico-existe-wassyla-20110327.html>

Es cierto que el Islam es utilizado como el paraguas protector para llevar a cabo todo tipo de discriminaciones, pero si se identifica como el origen de estas barbaridades, entonces se estará dando la razón a los fanáticos y se incurrirá en el error de lecturas esencialistas de la religión. Y es ahí donde el enfoque del Feminismo Islámico difiere.

Partir de la idea de considerar a todas las religiones misóginas por naturaleza supone como única vía de liberación el abandonando de la creencia. Pero ¿por qué se tiene que aceptar que sean las únicas interpretaciones posibles? ¿por qué no se puede tener el derecho a interpretarlo desde una perspectiva de género?

“Yo promuevo un Estado laico”

Existe un movimiento cada vez más unánime en alcanzar Estados laicos de verdad, al menos en el contexto europeo, en el que se respeten las libertades individuales sin que los gobiernos, administraciones y servicios no tengan cortes o deferencias hacia determinadas creencias. En pocas ocasiones se observa un discurso feminista islámico proclamando la Sharia como forma de gobierno.

A MODO DE CONCLUSIONES

- En pleno siglo XXI, se está produciendo una adhesión por parte de mujeres y hombres musulmanes al feminismo islámico. Es una gran noticia, que hay que divulgar y visibilizar.
- Se parte de la base de la conciencia de que la igualdad de género es un valor absolutamente irrenunciable y que como ciudadanía musulmana se tiene la obligación de luchar por la justicia de género.
- Los medios de comunicación se recrean en las actitudes patriarcales, misóginas y machistas, como si fuera la única realidad existente.
- Existen interpretaciones que no tienen su fundamento en el mensaje igualitario del Corán, sino en la tergiversación de las lecturas desde una perspectiva patriarcal.
- El modelo secular de emancipación de la mujer ha sido un fracaso en los países/comunidades musulmanas, que se percibe como una manifestación del colonialismo.
- Se debe superar el escepticismo, apoyando al movimiento del Feminismo Islámico. Si no se consigue la igualdad de género dentro de las comunidades musulmanas, se está gestando un handicap para lograr sociedades más cohesionadas.

- Es preciso afrontar la apuesta y la necesidad de recoger el Feminismo Islámico como un imperativo moral.
- Se debe reclamar el manto de las autoridades políticas, intelectuales, religiosas y sociales para luchar contra la violencia de género.
- Para poder luchar de manera eficaz contra el sistema patriarcal, se debe entender cómo funciona en cada contexto, y a partir de ahí, se podrán aportar las mejores soluciones, vengan de los sectores que vengan, seculares y/o religiosos.

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JUST SAY YES:

LAW, CONSENT, AND MUSLIM FEMINIST EPISTEMOLOGIES¹

Kecia Ali

In their book *Intimacies*, Adam Philips and Leo Bersani write:

Every theory of love is, necessarily, a theory of object relations. Love is transitive; to conceptualize it is to address not only the question of how we choose objects to love, but also, more fundamentally, the very possibility of a subject loving an object.²

This statement speaks explicitly of subjects and objects and implicitly of active and passive. Absent are reciprocity and consent, though Philips and Bersani do gesture toward the role of choice on the part of subjects. Similar questions about subjectivity arise in considering consent to marriage. In this essay, I explore how one early Muslim thinker, ninth-century jurist and legal theorist Muḥammad ibn Idrīs al-Shāfi‘ī, works toward, but never quite arrives at (female) agency, (individual) subjectivity, and (meaningful) consent. Like feminist legal theorist Catharine Mackinnon³ – though to very different effect – Shāfi‘ī operates with a deeply gendered and largely unidirectional notion of agency: marrying and having sex, both meanings of the Arabic word *nikāḥ*, are things men do to women. Considering Shāfi‘ī’s work provides a chance to reflect on how we as scholars in the academy approach agency, subjectivity, and consent – and how we approach the texts that are our subject matter. My perspective here is thus dual: how Shāfi‘ī reads his sources and how I read Shāfi‘ī. For those of us in Islamic Studies, the question of what to read and how to read it, as well as how we want to be read and by whom, is of central significance.

To speak of sources and reading implies texts. My main text here is Shāfi‘ī’s *Kitāb al-Umm*, a massive compendium of substantive jurisprudence.⁴ In

¹ An earlier version of this paper was presented as the keynote address for the Duke-UNC Chapel Hill Graduate Student Conference in Islamic Studies in February 2010. I am grateful to the conference organizers for that invitation.

² Leo Bersani and Adam Phillips, *Intimacies* (Chicago and London: University of Chicago Press, 2008), 72.

³ Catharine A. MacKinnon, “Feminism, Marxism, Method, and the State: An Agenda for Theory.” *Signs*, Vol. 7, No. 3 (Spring 1982), p. 541.

⁴ Muḥammad b. Idrīs al-Shāfi‘ī, *Al-Umm*. Beirut: Dār al-Kutub al-‘Ilmīya, 1993.

it, and with reference to both Qur'an and prophetic sunna, Shāfi'ī tackles the question of female consent to marriage, especially where it concerns fathers and daughters. Here I highlight his attention to when and why consent is necessary as well as gradations of coercion that might vitiate consent. Shāfi'ī's treatment of female consent and its lack acknowledges particular scriptural texts and cultural scripts, partially validating and partially contesting them. His work subsequently becomes the basis for further authoritative enactments of them as well as critiques from within the Muslim legal tradition and, later, Western scholarship. In emphasizing Shāfi'ī's attention to consent, I choose to approach him as a valuable resource for considering substantive consent, rather than a retrograde patriarch, intent on affirming a father's power to compel his daughter's marriage. I want to, first, suggest the relevance of his struggle to carve out a domain for meaningful consent within an overarching framework of paternalistic familial structures and, second, note the crucial role of his reading strategies to that process. It is not my aim to set him up as an authoritative precursor for contemporary declarations of the necessity of consent. Rather, I think his struggle can show us something useful about the limits of law and the need to interrogate our own ways of reading authoritative texts.

As I reject mimicry, I must also jettison a pretense of detached objectivity. My purpose is a creative intervention in the world of ideas and – deeply enmeshed with it – the world that we inhabit as real people with real bodies. How can one reframe female agency in a way that goes beyond assent to or dissent from a pre-established range of options to constructive participation in defining desiderata? Both saying no and saying yes presume that someone else has already asked the question. And, as Rachel Adler has pointed out with regard to rabbinic treatments of marriage, legal discourse makes certain questions unaskable.⁵ Of course, to some extent we all participate in conversations that we did not begin, guided by rules we did not ourselves define. Yet some situations permit greater deviations from an established script than others – and some people stray from an established line more than others.

Contemporary conversations about Islam tend to focus on dissent or departure from established norms. Whether treated in condemnatory terms or laudatory ones, transgressions preoccupy us. And to transgress, there must be a line, a limit, a *ḥadd*. Terms like *ḥudūd* and *ḥarām* are tossed about gleefully by those both within and outside. Shāfi'ī, too, is interested in divine prohibitions (and commands), not only for what they say about which rules must be followed but also as a crucial topic for his legal theory. God's imperative statements connect in direct and indirect ways to Shāfi'ī's discussions of female consent. As

⁵ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics*. Boston: Beacon, 1998.

he theorizes in his famous treatise on legal method the *Risāla*, prophetic sunna – both deeds and utterances – complements Qur’anic revelation: both must be obeyed. He hinges this view, which of course also reflects an interpretive choice with far-reaching consequences, on a reading of a Qur’anic passage, which commands obedience to the messenger.⁶

At first glance, it seems a simple matter: If God says do, you must; if God says don’t, you mustn’t. But sometimes a command is a command and sometimes it is just a recommendation. Sometimes a prohibition is to be strictly obeyed and sometimes it is just good advice. Questions of grammar and usage take on vital significance when the utterances emanate from the Legislator. Imperative scriptural language demands a reaction from human subjects; for Shāfi’ī, that response must be obedience. The Qur’an famously says – and indeed, Shāfi’ī points out again in his treatment of consent to marriage – that when God and the messenger have decided a matter, it is not for believers to quibble but to obey.

Recently, two North American Muslim intellectuals, theologian Amina Wadud and legal scholar Khaled Abou El Fadl, have discussed the possibility of resisting or rejecting such imperatives. What latitude do individuals have to disregard or even disobey God’s utterances?⁷ Abou El Fadl’s notion of a conscientious pause before complying with a troubling text and Wadud’s seemingly audacious notion of “saying ‘no’” to the Qur’an – both framed with regard to the question of how husbands treat wives – have raised hopes and qualms.⁸ But what stands out most sharply for me, when I juxtapose their approaches to that of Shāfi’ī, is the very fact that they seek to justify noncompliance as a valid approach instead of reframing the problem. Rather than saying no to something, might one say yes to something else? Of course Yes is intimately related to No; they exist only in relationship. And yet, as I will suggest, the shift in emphasis is important: from negation to affirmation, away from deconstruction and rejection towards developing, building, nurturing. I will return to this point.

Assent and obedience to divine commands matter for understanding marriage, which involves obedience and consent in human contexts; there is a link between a hierarchical cosmos and hierarchical social structures, including

⁶ For a fuller treatment of this point, see Kecia Ali, *Imam Shafi’i: Scholar and Saint* (Oxford: Oneworld Publications, 2011).

⁷ See also the articles in the special issue of the *Journal of Religious Ethics* devoted to Hadith and Muslim Ethics, which center on “the disobedient prophet.” *Journal of Religious Ethics*, 39:3, September 2011.

⁸ Khaled Abou El Fadl, *Speaking in God’s Name: Islamic Law, Authority, and Women* (Oxford: Oneworld Publications, 2003): 211-14; Amina Wadud, *Inside the Gender Jihad* (Oxford: Oneworld Publications, 2006), 192.

or especially families. Gender is not only “the social organization of sexual difference” but also a crucial language used to discuss power.⁹ Just as notions about male dominance over females in the domestic sphere constitutes gender, so the relationship between a ruler and his or her subjects may be constructed in terms of male royal power and feminized subjects; likewise between an owner and slaves. These are not necessarily directly correlated with the biological sex of individuals exercising these functions, nor are they necessarily parallel but discrete structures. Dominant cosmologies place men below God but above women, who are then understood as subject to men, rather than directly to God.¹⁰ Of course there are limits on any such cosmology; women qua believers have a direct relationship with God also. This is a key point for feminist critiques of medieval models, but even the most hardened patriarchal jurists would and did affirm women’s individual obligations to God.

The relationship between humanity – male and female – and God is one of contract. The Qur’an records a primordial covenant with humanity in which God asks: Am I not your Lord? Humanity’s acceptance creates a valid contract. The power imbalance between covenanting parties does not vitiate human consent (though the problem of free will remains theologically and philosophically vexing). What about between people, though? Are there circumstances where consent obtained through coercive measures becomes unacceptable, legally void? And must coercion involve explicit threats or acts or is there a point at which unequal power relations suffice to make free consent impossible? If so, where does one draw that line and, short of reforming society so that interpersonal relations are sufficiently egalitarian, how does one mitigate hierarchy’s noxious effects on consent?

This is a hotly contested issue in feminist legal theory. Some, at one end of the spectrum, argue that in a climate of deeply unequal and unjust power relations, there can be no meaningful consent: women’s ability to really be legal subjects is compromised by existing power relations that subordinate women. (Catharine Mackinnon strongly advocates this view, which has implications for the legitimacy of the state.) Others counter, reasonably, that this defeatist reasoning elides vital distinctions between women’s responses: just because entirely free consent is impossible does not mean no meaningful agreement can be made.

⁹ Joan Wallach Scott, *Gender and the Politics of History*. New York: Columbia University Press, 1988.

¹⁰ See Ayesha S. Chaudhry, "*Domestic Violence and the Islamic Tradition: Ethics, Law and the Muslim Discourse on Gender*". Oxford University Press (Oxford, UK), forthcoming.

Here, then, I turn to Shāfiʿī. He inherited and contributed to a vision of legal subjecthood in which women could be in certain respects entirely equal legal subjects and in other ways, in other contexts, could not act at all in legally relevant ways. To draw a simple schematic, with property they were agents, with sex and marriage – their bodies – much less so.¹¹ Shāfiʿī himself was married, owner of a concubine, a father of daughters. He had vested interests in a father’s privileges as well as a husband’s and an owner’s. At the same time, he was committed to a logically consistent legal system and to a system of ethics. His discussion of consent to marriage inhabits the borderland between law and ethics. Shāfiʿī aims at just relations of consent, though in my estimation he falls far short. Just why, though, merits consideration. Is it something that is socially inevitable, given his patriarchal setting? Is it personal misogyny? Is it something technical about the law?

THE FATHER’S LAW

Shāfiʿī’s twin points of departure for discussing the marriage of daughters are, first, the marriage of the Prophet to Aisha, the daughter of Abu Bakr, and second, the prophetic statement that “A virgin is asked for her permission for herself, and the non-virgin has more right to herself (*aḥaqqu bi nafsihā*) than her marriage guardian.”¹² It is vital to note that the question of marrying off virgin daughters by their fathers only generates dispute among early legal thinkers when majority enters into the matter; it is universally agreed among Shāfiʿī’s peers that a never-married minor daughter need not be consulted at all. Shāfiʿī’s argument is geared toward proving that such paternal control extends into majority and only ceases after the daughter has been married – so, for second or later marriages. But Shāfiʿī is also concerned with the larger methodological issue of consistent obedience to divine commands. He must thus contend with the direct prophetic “imperative” to ask the virgin’s permission and explain why he considers it “optional” rather than “obligatory.” He does so by appealing to another characteristic of the Prophet’s speech: his “differentiat[ion] between the virgin

¹¹ See Kecia Ali, *Marriage and Slavery in Early Islam* (Cambridge, MA: Harvard University Press, 2010), especially chapters 1, 4, and 5.

¹² Shāfiʿī uses the example of Aisha’s marriage when she was six or seven, consummated when she was nine (and reported by her to ‘Urwa, whose son Hishām related it to Shāfiʿī’s Meccan teacher Sufyān b. ‘Uyayna) to affirm the permissibility of a father’s marrying off his minor virgin daughter and then to question whether or not such control should extend to a virgin daughter once she reaches the majority implied by menarche (or arrival at the age of 15). If majority were the key factor, he says, it would be impermissible to marry off a minor; the Prophet’s categories are virgin and previously married. On Aisha’s age, see Ali, *Marriage and Slavery*, pp. 31, 35, and 76.

and the non-virgin.” By maintaining the difference between them, he prevents the collapse of prophetic categories: “If it were the case that if [the virgin] disliked it he could not marry her off, she would be like the non-virgin. It would be as if ... every woman had more right to herself than her marriage guardian, [with the only difference being that] the non-virgin’s permission is spoken and the virgin’s permission is silence.”¹³ This, for him, would be an untenable state of affairs. He reframes obedience here so that it means keeping to a larger stance rather than fulfilling the command to ask for a virgin’s permission.

Shāfi’ī does recommend strongly, however, that the virgin daughter be consulted. He plays up the merits of consultation partly for practical reasons and partly out of the view that she could have relevant individual preferences. As an example of the former, she might have a disease that only she knows about that could affect marriage arrangements. As an example of the latter, she might dislike the suitor. Summing up, he declares, “Consulting her is better as a precaution, and more wholesome for her well-being, and a more beautiful manner of conduct.” (“Isti’ māruhā ahsanu fī’l-iḥtiyāt wa atyabu li-nafsihā wa ajmalu fī’l-akhlāq.”) And yet, despite his association of consultation with beauty and goodness, Shāfi’ī refuses to budge on the permissibility of marriage performed without consultation when the daughter is a virgin.

Shāfi’ī grapples here with legal categories central to his thought. Majority is normally significant – it is with regard to consent in all matters of property rights. He takes this very seriously: a father can never waive his minor daughter’s right to at least her fair dower. After majority she may agree to waive some portion of it, or all of it; she gains full control over her money but not her body. Thus, majority is irrelevant to consent to marriage, which involves bodily rather than financial control. Instead of intellectual maturity, sexual experience is vital for consent. He affirms in no uncertain terms the need for the explicit spoken agreement of a previously married woman: “No one marries off a *ṭhayyib* except with her permission (*idhnihā*), and her permission is speech (*al-kalām*), and a virgin’s permission is silence (*al-ṣamt*).” Shāfi’ī’s underscores here the contrast between the tacit assent expected of the virgin and what we can term the voice of experience.

As concerned as he is with affirming the rights of a father over his virgin daughter, Shāfi’ī is equally insistent on the need for a non-virgin or “previously married” (*ṭhayyib* or *ayyim*) woman’s spoken consent. The key here is not marriage, though, but sexual experience. A bride widowed or divorced before consummation of her marriage is susceptible to being remarried, again non-

¹³ Quotations from *al-Umm* are from the section of the “Book of Marriage” (Kitāb al-nikāh) entitled “Concerning marriage by fathers” (“Mā ja’a fī nikāh al-abā”), vol. 5, pp. 28-30. All translations are mine.

consensually. This is so even if she has claimed “her dower and her inheritance” and “whether her husband has gone in to her or not, so long as he has not had intercourse with her.” “She can be married off as a virgin,” Shāfi‘ī says, “because the name of virgin is not separated from her unless she is *thayyib*. It is the same whether she has come of age, gone out to the market, traveled, or supported her family or not done these things, because she is a virgin in all of these situations.” The legal status of *bikr* is not a social fact but a physical one, directly linked to intercourse. It is not social experience (travel, public activity, married life) that gives her a voice but an exclusively sexual initiation.¹⁴

Works of Islamic jurisprudence typically proceed casuistically, often by considering cases where believers do not follow rules. Shāfi‘ī discusses such a case concerning consent: “If a father marries off his *thayyib* daughter without her knowledge, then the marriage is annulled (*mafsūkh*), whether she agrees (*raḍiyat*) to it afterward or does not agree, and likewise the rest of the guardians in the case of a virgin or a *thayyib*.” Shāfi‘ī’s doctrine here owes in part to his general rejection of retroactive consent. But he also notes that there might be undue pressure to accept such a match if retroactive consent were permissible. If consent is needed – and though it isn’t for the virgin, it is for the *thayyib* – then it must be substantive not merely formal.

It is not the *thayyib*’s ability to speak that is crucial; it is the requirement that her audience attend to her. A virgin can speak – though undoubtedly there will be cultural barriers to her doing so – but she can be ignored. Shāfi‘ī holds that a virgin daughter’s objections to a marriage do not matter – even her spoken dissent need not be attended to; a marriage contracted despite it will be valid. If one can ignore her voiced objections, then, how much more can one proceed simply without asking her at all.

IGNORING COMMANDS

A virgin, perhaps, can be ignored; God, in theory, should not be. If one is going to not comply with a scriptural injunction (and for Shāfi‘ī, this includes by extension Muhammad’s dicta, since the Qur’an commands Muslims to obey him) one must justify this inaction. Let us see how Shāfi‘ī does it here. Muslim legal theory has dealt fairly extensively with interpretation of positive and negative injunctions as a matter of substantive law. Scholars disagree about what level of obligation (or prohibition) to attach to particular commands as a matter of rules, but there is broad agreement that one can and indeed must interpret commands. Shāfi‘ī does

¹⁴ Again signaling the crucial role of sexual intercourse rather than marriage itself, Shāfi‘ī also links the status change to illicit sexual relations. See *al-Umm*, 5:30.

not make a move to contest the legitimacy of the Prophet's order; instead he emphasizes the need to obey rather than question. And yet, he confidently relegates an imperative ("consult virgins") to the realm of the optional. Rather than assume a stance of resistance, he frames his interpretation as strict adherence to scriptural command. I would suggest that he shows his readers possibilities inherent in the tradition. He approaches his materials – and perhaps contemporary readers can approach him – not with fear and apprehension or anxiety but with confidence, political intent, and playfulness.

Roland Barthes' *The Pleasure of the Text* opens with a section entitled "Affirmation." We read, in part, an unattributed quotation: 'I shall look away, that will henceforth be my sole negation.'¹⁵ Affirmation appears only as the rejection of negation. There is no formal approval, only a refusal to deny. Is this helpful in our reading of virgin brides' silence, where failure to object verbally, when not married off by their fathers, constitutes sufficient consent to marriage? To what extent does this ruling result from the prevailing social context when the rule was formulated? In the hadith quoted by Shāfi'ī, Aisha reacts to the Prophet's statement that a virgin is to be consulted about her marriage by questioning whether her shyness would prevent her from responding. (Aisha, we note, is not so shy; she is also, here, no longer a virgin: her marriage to Muhammad – in which, as Shāfi'ī discusses it, she has played no active part except that of reporter – starts off the section.) He replies that "Her permission is her silence." Muhammad's affirmation that silence suffices as consent appears as a generous capitulation to virgins' delicate sensibilities, not a demand for female complaisance in the face of overbearing paternal machinations. Let us give the Prophet the benefit of the doubt and suppose for the sake of argument that such was indeed the case. But legal texts not only reflect social norms but in a roundabout way actively constitute them. Even if not universally enforced, the texts express norms. The normative nature of female silence in marital matters affects how marriages are conducted, and broadly how girls are raised. No is possible (in Shāfi'ī's opinion only if the virgin being married off is not daughter to the man making the contract), however unlikely; yes is only the absence of negation. If the message is no, "look[ing] away" as one's "sole negation" does not convey the desired message.

Might we spin an interpretation where silence is powerful? Whilst admitting that Muslim women do not consciously emulate her, Hibba Abugidier suggests that Hagar presents a potent model, even though she's barely present in

¹⁵ Roland Barthes, *The Pleasure of the Text*, trans. Richard Miller (NY: Hill and Wang, 1975), p. 3.

the sources.¹⁶ We can infer here that silence allows one to fill in the gaps oneself. This only works, though, where one can fill those gaps oneself, where someone else is not interpreting the silence. Refusal to participate in an unjust system, like boycotting an election where one is certain there will be voter fraud, makes a particular kind of statement. Playing by the rules does not guarantee a hearing. But turning away is a risky strategy when one has no voice in how one's silence will be interpreted and where, as with the virgin daughter, neither one's *yes* nor one's *no* carries force.

A 2008 American anthology on sexuality bears the title *Yes Means Yes!*, a deliberate inversion of the popular phrase “no means no.”¹⁷ Its editors and contributors seek to transform popular ideas about consent. They aim to move beyond the baseline right to say no, where women's sexual refusal must be respected, to an alternate space of empowered female sexuality, where not just meaningful but “enthusiastic consent” can be possible. Here I wish to digress briefly to think about “yes” in contemporary American contexts, and the relationship between no and yes.

BABY, JUST SAY YES.

Lest we imagine that cultural scripts – even distasteful scripts, scripts that seem to compromise female autonomy, that reveal and acknowledge and accept, however reluctantly, the pressures brought to bear on females when it comes to sex and marriage – are somehow unique to Muslim societies past or present, I want to shift the text under study. I move from obscure and erudite to ubiquitous and popular: Taylor Swift's 2008 song “Love Story.” At a critical moment in its lyrics, “Romeo” declares: *I talked to your dad; go pick out a white dress. It's a love story; baby, just say yes.*

Unlike “just say no” – which, at least as DARE (“Just say no to drugs”) would have it – ends whatever situation one finds oneself in, “just say yes” ends only the liminal state in which one cannot move forward because one is waiting for a decision. No is final. It brings a situation to an end, closing off possibilities. “Just say yes” aims for resignation, reluctant acquiescence. Go on. Give in. Accept what others want you to do. Just say yes is plaintive. It presses the listener to submit to what is being asked. Yes is a beginning.

¹⁶ “Hagar: A Historical Model for ‘Gender Jihad,’” in *Daughters of Abraham: Feminist Thought in Judaism, Christianity, and Islam*, Yvonne Yazbeck Haddad and John L. Esposito, eds. (Gainesville, FL: University Press of Florida, 2001), pp. 81-107.

¹⁷ Jaclyn Friedman and Jessica Valenti, eds., *Yes Means Yes! Visions of Female Sexual Power and a World Without Rape* (Berkeley, CA: Seal Press, 2008).

This musical plea to “just say yes” recognizes the necessity of consent. Even though Romeo has “talked to her [dad],” Juliet’s consent is a precondition for the further development of the love story. This is so even though a slightly fuller glimpse of the lyrics reveals no questions actually asked: “Marry me Juliet; you’ll never have to be alone. I love you and that’s all I really know. I talked to your dad, go pick out a white dress. It’s a love story; baby just say yes.” In these imperative and declarative statements, our protagonist Romeo commands Juliet (to marry him, to pick out a white dress, to just say yes), describes what has happened (he talked to her dad) and what will happen (she’ll never have to be alone), affirms his love for her, and characterizes the whole thing as a love story. This excerpt harks back to the discussion of love with which I began: loving is something *he* does to *her*; whether she reciprocates is immaterial.

Except, it isn’t. I’ve cheated: the primary narrator of “Love Story” is Juliet, who takes quite an active role throughout in encouraging Romeo’s advances (despite her father’s repeated warnings to him to “stay away from Juliet”); she entreats him three times, “Baby just say yes” prior to the “proposal,” and she defines their connection as a love story and affirms her feelings for him. These pointers toward reciprocity make the shift more dramatic: however active the prospective bride’s role in the courtship, the “proposal” takes place with Romeo on his knees with a ring. As a cultural artifact the song tells us more about what a proposal should be like than about what people actually do when they decide to marry. The expectation that a prospective groom will ask for the bride’s father’s permission before popping the “question” is deeply ingrained. Listeners know that Juliet proceeded with the courtship despite her father’s objections – are we to think that if he had not granted permission for the marriage, Romeo would have let the matter drop? Or, for that matter, that Juliet would have? The need for a father’s blessing or consent is reinforced continually through repeated elaborations through music, movies, and literature.

Of course, some people have Shāfi’ī and his ilk instead of, or in addition to, Taylor Swift. Despite the differences of genre, time, and tradition of origin, pop music lyrics and early Islamic law both present certain scripts. Refusing one’s cultural scripts – saying no to influences saturating the environment – is difficult. Of course, there have always been literary and cultural discourses that have existed alongside jurisprudence, and there has never been a direct relationship between scripts and people’s behavior. But is there something to be learned from both the similarities and differences in such different texts?

Without setting Swift and Shāfi’ī on the same plane – or even, if we’d like to look for early antecedents of Romeo and Juliet – Shakespeare and Shāfi’ī, we can make certain connections. One can find fathers and daughters and marriage in most human societies. That does not mean that the idea or ideal of paternal

power over marriages (however symbolic and residual in forms like “I talked to your dad”) is so obvious it ought to escape comment; just because it is shared behavior does not make it “natural” or exempt it from questioning. On the other hand, my juxtaposition of radically different texts requires some explanation beyond my whim or their seemingly common subject matter: marriage transacted or discussed between two males – in one case, Aisha’s marriage by Abu Bakr to Muhammad; in the other, Juliet’s by Abu Juliet to Romeo.

Trite but true: comparisons can help us recognize as noteworthy in our own climates what otherwise passes for natural or normal. Roxanne Euben suggests that

theorizing involves examining and making explicit the assumptions and commitments that underlie everyday actions, a practice on which no time, culture, or institution has a monopoly. Inasmuch as such examination requires a measure of critical distance, theory so defined entails a kind of journey to a perspective that makes larger patterns and connections visible. What this means, then, is that theory is not only embedded in actual practices and experiences, but that theorizing is an inherently comparative enterprise, an often (but not inevitably) transformative mediation between what is unfamiliar and familiar and, by extension, between rootedness and critical distance.¹⁸

As scholars it is part of our job to make these journeys -- across time, to be sure, for those of us who work with old books, and literal physical journeys for those of us who do ethnographic or historical work in Iran or Balochistan or Nigeria. It is true that the past is a different country but so, in a very concrete and sometimes overlooked sense, despite the increasingly global nature of cultural and religious discourses, is Indonesia. What are the “larger patterns and connections” that emerge here? And what might we do with them as scholars? This leads to more questions about both the texts and contexts we read, and the texts we produce.

FUNCTIONING OF LEGAL TEXTS

Let me return explicitly to legal texts and their production. Muslim legal texts do several things simultaneously, some on purpose, some unavoidably. They respond to and express the social assumptions of their authors. They address scriptural texts and precedent. They respond to real social needs. They try to

¹⁸ *Journeys to the Other Shore: Muslim and Western Travelers in Search of Knowledge* (Princeton, NJ: Princeton University Press, 2008), p. 10.

avoid internal contradictions – seemingly contradicting scripture, treating similar cases differently – in ways that leave their positions open to criticism and refutation. Because claims had to be logically defensible to opponents, who would seize any weak point, whether perceived weakness in transmission of a hadith text or a seeming contradiction with the principle applied in a different area of law, the jurists worked toward systematization. I do not mean to imply that systematization and consistency mattered only because they were necessary to hold one's own in debates; there was an impetus toward seeing systematization as the realization of a cosmic order resulting from a divine plan. But the argumentative and adversarial way legal development happened affected the conclusions scholars reached.

Knowing something about the processes through which texts like the *Umm* came into being affects – or at least should affect – how contemporary scholars read them. But reading is not a straightforward activity: as Pierre Bayard points out, the ways we read and don't read texts, not to mention which texts we "read," are complex.¹⁹ How do I, as a Muslim feminist academic, choose the *Umm*, and for what purpose? Although systems of (purportedly) Islamic family law are not entirely defunct, I am not searching for rules to advocate or reject. I am not seeking to implement, or dismantle, or simply understand. Though it is not the whole story, *enjoyment* is part of my rationale.

Barthes writes that "Neither culture nor its destruction is erotic; it is the seam between them, the fault, the flaw, which becomes so."²⁰ And later, "If you hammer a nail into a piece of wood, the wood has a different resistance according to the place you attack it: we say that wood is not isotropic. Neither is the text: the edges, the seam, are unpredictable."²¹ Texts have different resistances, the places where culture and the destruction of culture meet. The *Umm* weaves together culture and its destruction, in an intricate dance of affirmation and negation: it confirms paternal power over marriages of virgin daughters, it denies the possibility of coercing *thayyib* daughters. In choosing to emphasize the obligation to obey the dictates of the law as revealed by God and set forth by God's Prophet, there is affirmation; in Shāfi'ī's choice to interpret the Messenger's declaration that virgins must be consulted as saying something other than what seems obvious, he sidesteps rejection, instead shifting the meaning in such a way that the original sense is resisted. Shāfi'ī takes pleasure in the logic.

¹⁹ *How to Talk About Books You Haven't Read*, trans. Jeffrey Mehlman (New York: Bloomsbury, 2007) xvi-xvii.

²⁰ Barthes, *The Pleasure of the Text*, 7.

²¹ Barthes, *The Pleasure of the Text*, 36.

And so do I, in reading him. Bayard points out that “the most serious and thorough reading quickly metamorphoses after the fact into summary.”²² My treatment of the *Umm* here has lapsed into recitation of its doctrines, analysis of its logical claims, explication of its allusions to other, usually scriptural, texts. It has not done and cannot do justice to the readerly pleasures of scenting the quotations, hunting down the connections to other, later and earlier discussions in the *Umm*, connections and allusions to his work on legal theory. There is something in reading beyond considerations of utility.

I have the pleasure of reading these texts and writing new ones but women were largely excluded from the practices of reading, writing, and talking that produced jurisprudential texts. The near-total exclusion of women from the processes whereby law was formulated is partly to blame for the fact that women’s basic rights are often sacrificed when dominant modes of argument press claims into their extreme form – for instance, men’s prerogatives in divorce or to sexual access are strengthened and women’s access to divorce (or sexual claims) restricted. Such rules could be moderated in practice, and bent by creative courts and judges; people often find ways to negotiate around substantive injustices. But had women been conversation partners, such doctrines would likely have looked very different.

By this, I do not intend to set up a dichotomy between a legalistic, male Islam and a fuzzy, ethical women’s Islam. Recall that Shāfi‘ī grapples with questions of ethics, of beautiful comportment. But had it been his wife, his concubine, or his daughters evaluating the relative beauty of various types of comportment when it came to seeking consent, I would expect to find different rules. Again, this is not to suggest that women as women have identical perspectives or interests: I suspect his wife and his concubine would have diverged in their positions on various matters; gender by itself does not exhaust the scope of individuals’ concern. But, broadly, I want to suggest that women’s participation in the pleasures of the text is an important route to women’s participation in the pleasures of life – including both speech and sex. Barthes, perhaps, knows this when he writes of the “simultaneously erotic and critical value of textual practice.”²³

Let me close with another lyrical allusion to Shakespeare’s star-crossed lovers – this time, the Dire Straits tune “Romeo and Juliet” covered to good effect by both the Killers and the Indigo Girls. Romeo’s offer, though still voiced by the male, stands devoid of traditional markers like kneeling, offering a ring, or obtaining paternal blessing. Instead, “He finds a convenient streetlight, steps out of the shade, says something like: ‘You and me babe, how about it?’” The merit of

²² Bayard, *How to Talk About Books You Haven’t Read*, 47.

²³ Barthes, *The Pleasure of the Text*, 64.

this informal proposition – it’s not quite a proposal – is that it opens the possibility of mutual participation in defining a project to be carried out. It demands collaboration not simple assent. It moves beyond “baby, just say yes,” from a subject loving or marrying an object, to an improvisational, creative, tandem step forward into an uncertain but hopeful future.

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**THE EXCLUSION OF WOMEN'S TESTIMONY IN THE *ḤUDŪD*:
TOWARD A RETHINKING¹**

Hina Azam

The Islamic legal tradition has traditionally regarded women's testimony as equivalent to half that of a man's in areas of the law pertaining to financial contracts and exchanges (*amwāl*). For the Sunni schools, this ratio essentially represents the most gender egalitarian end of the spectrum of witness criteria. In agreements over non-financial, bodily matters (*abdān*), such as marriage, divorce, and manumission of slaves, the jurists were generally less willing to accept women's testimony, even at the 2:1 ratio. The most extreme exclusion of women is found in the area of criminal law, that is the *ḥudūd* and *qīṣās*: In cases of theft, brigandry, fornication (including rape), slander, intoxication and murder, women's testimony was deemed entirely inadmissible for purposes of imposing the corporal punishments normally associated with these crimes. The number of women who might witness any of these acts was considered irrelevant in the traditional theory: a hundred women were as good as none. The definitive position this doctrine achieved in Islamic law is notably problematic because there is no clear textual basis, or *naṣṣ*, that supports such a rejection. The purpose of this essay is to explore the logical architecture supporting this exclusion as well as to provide a critique of this architecture, with the hopes of opening new avenues for constructing evidentiary principles within the general parameters of scriptural adherence.²

¹ I would like to thank the editors of the volume for inviting me to contribute, and to Laury Silvers for commenting on the draft.

² This work extends ideas introduced by a number of contemporary scholars of gender in Islam: Amina Wadud has questioned the way certain grammatical constructions in the Qur'an tend to be read in ways that favor males in *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (Kuala Lumpur, 1992). Asma Barlas has similarly drawn attention to way the Qur'an may be read selectively, and the need to explain the hegemony of patriarchal readings over more gender egalitarian ones. See Asma Barlas, *'Believing Women' in Islam: Unreading Patriarchal Interpretations of the Qur'an* (Austin, 2001). Kecia Ali has highlighted the way the marriage was constructed in juristic discourse through analogies to sale and slavery in "Progressive Muslims and Islamic Jurisprudence: The Necessity for Critical Engagement with Marriage and Divorce Law," *Progressive Muslims*, ed. Omid Safi (Oxford, 2003), and *Marriage and Slavery in Early Islam* (Harvard, 2010).

The starting point of this doctrine of exclusion of women's testimony in the *hudūd*, according to the jurists, is Q 2:282.³ The longest verse in the Qur'an, this verse establishes the principle of calling observers to witness the writing of debt contracts, as well as emphasizes the moral obligation upon witnesses to testify to what they observed should they be required to do so in future. The verse also sets forth a 2:1 gender ratio in witnessing to these types of contracts. Finally, the verse initiates the juristic principle of "preference and necessity" in seeking witnesses: *if two men are not available, then two women may take the place of one man*. The relevant section of the verse reads:

And call to witness two witnesses from among your men – and if there are not two men [to do so], then one man and two women – from among those whom you approve, so that if one of them [the women] errs, the other [of the women] can remind her. And let not the witnesses refuse whenever they are called upon [to testify]. And do not be averse to writing it, whether small or large, to its term.

This verse is of great significance in setting the terms of evidentiary law. While classical discourse reads this verse as impeding female testimonial capacity across all areas of the law, this is not the obvious or only reading. This verse was considered binding, but selectively so – not for its basic injunction to document debt agreements in written form, nor for its command to call upon witnesses to observe the establishment of the contract. Indeed, both the writing of the contract and the need for two witnesses to debt agreements are typically regarded in Sunni law as recommended only, not obligatory.⁴ Rather, the elements of the passage that were regarded as binding were those referring to a gender ratio and to the preference/necessity principle. But the effect of these two textual elements was considerably narrowed by the scope of the verse, which concerns only debt agreements. To enlarge the scope of the gender ratio and the preference/necessity principle required analogical extension from debt agreements to all financial transactions. Thus, this verse came to be regarded as

³ The centrality of this verse to juristic thought, both Sunnī and Shī`ī, has been highlighted by Abdulaziz Sachedina in "Woman, Half-the-Man? The Crisis of Male Epistemology in Islamic Jurisprudence," ch.10 of *Intellectual Traditions in Islam*, ed. Farhad Daftary (I.B. Tauris, 2001). An illuminating examination of Sunni exegesis on this verse, and the consideration of women's witnessing capacity, has also been presented by Mohammad Fadel in "Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought," *International Journal of Middle Eastern Studies* 29 (1997): 185-204.

⁴ Among many other aspects of classical Sunni law, this is one that Ibn Hazm vigorously criticizes. See his *Muḥallā*, 11 vols. (Idārat al-Ṭabā`a al-Munira, Egypt, 1347 AH) 9:401-02.

being not only about debt agreements, but all financial contracts. Both the gender ratio and the preference/necessity principle are thereby extrapolated to apply to the entire area of “moneys” (*amwāl*), which typically includes purchase, sale, lease, partnership, bequest, trust, and so forth.

The question remained, however: What did this verse mean for non-financial, non-contractual issues? What guidance did it offer about those areas of the law that it does not directly encompass? The analogical extension from debt agreements to all financial agreements, the inferred preference for male witnesses over female ones, and the 2:1 gender ratio set forth in this verse, were all building blocks for further juristic elaboration of evidentiary principles in those areas of the law that did not have a clear textual basis. The emerging category of *ḥudūd* crimes were one of these areas. A specific category of *ḥudūd* crimes is not present in the Qur’an and seems to have remained in flux through the first century and a half of Islam or even later. Lacking a clear scriptural foundation, the rules of evidence pertaining to what would become known as *ḥudūd* were likely constructed in parallel with, and perhaps in contrast with, evolving rules of evidence in the area of *amwāl*.

A few options lay before the early authorities as they sought to elaborate evidentiary rules for the *ḥudūd*. One was to regard the 2:1 gender ratio as applicable in all areas of the law, and therefore also in the *ḥudūd* crimes; such a reading, while not leading to gender parity, would have at least made women’s testimony permissible in criminal law. This option, however, seems to have gained little traction in the formative period, and is categorically disallowed in classical Sunni jurisprudence. In the minds of most authorities, the preference/necessity principle, whereby female witnesses were to be brought in only when male witnesses could not be found, acted over and against the universal applicability of the gender ratio. The reason for the Qur’an’s preferring male testimony to female testimony, argued the jurists, is that women’s testimony is always less effective than men’s in establishing certainty, and always more prone to doubt (*shubha*). At the same time, juristic thinking was that the *ḥudūd* should have higher evidentiary requirements than contracts, whether over property (such as loans) or bodies (such as marriage).⁵ Indeed, establishing of the *ḥudūd* penalties required *certainty* in testimonial evidence – an idea expressed in the maxim that the *ḥudūd* punishments were to be averted in cases of doubt.⁶ If women’s testimony was always susceptible to doubt, then it would be

⁵ This was likely due to the severity or corporal nature of the penalties associated with the *ḥudūd* and a desire to avoid imposing them where possible, and also due to the idea that special care should be taken in establishing the “rights of God,” yet another evolving category that came to be associated with the *ḥudūd*.

⁶ For the development of this maxim, see Intisar Rabb, “Islamic Legal Maxims As

particularly useless in the area of *ḥudūd*, where certainty was required, and should therefore categorically be excluded.⁷

According to the authorities, then, Q 2:282 was constructed as a gender-inclusive *exception* to the principles of evidence in Islamic law, which dictates that women’s testimony be rejected as a general rule, and only admissible where “necessity” required it. This exceptionalist reading of the verse, as well as the centrality of this verse in anchoring classical Sunni jurisprudence on this subject, can be seen across a variety of legal texts. In Sahnun’s *Mudawwana*, Ibn al-Qāsim cites Makhūl’s opinion that “their testimony is not permissible, *except* in debt contracts (*dayn*).”⁸ Malik also said, Ibn al-Qāsim states, that women’s testimony “is not permissible *except* in that which God has mentioned regarding debt contracts.”⁹ Al-Shāfi`ī likewise reads Q 2:282 as indicating exceptional contexts – *amwāl* – in which women’s testimony is permissible, along with men; in almost any other context – *abdān*, *ḥudūd* and *qīṣāṣ* – it is categorically rejected.¹⁰ To this effect, Shāfi`ī teaches that female testimony is not permitted *except* in two contexts: in the case of wealth owed by one person to another, in which two women must testify alongside one man, according to the verse; and in the case of things which men cannot witness of women’s intimate lives, in which case four women are needed on analogy from the Qur’anic verse to take the place of the ideal, which is two men.¹¹ The late Hanafi scholar Badr al-Dīn al-`Ayni summarizes the prevalence of the exceptionalist reading of this verse in Hanafi, Shāfi`ī and Hanbali thought: His section on the testimony of women begins with a partial quotation of the above verse, after which he writes, that this portion of the verse “points to the [general] permissibility of women’s testimony along with men. [However,] Ibn Baṭṭāl said: Most of the scholars have agreed that their

Substantive Canons of Construction: *Ḥudūd*-Avoidance in Cases of Doubt,” *Islamic Law and Society* 17 (2010) 63-125.

⁷ Mohammad Fadel has argued that the gender hierarchy present in Sunni theory of evidence is not entirely due to the idea that women’s witnessing capacity is inferior to men’s. According to him, it has also, or as much, to do with the socio-political nature of presenting testimony in court. See Fadel, 192ff.

⁸ Sahnūn b. Sa`īd al-Tanūkhī, *al-Mudawwana al-Kubrā*, 4 vols. (Beirut: Dār al-Kutub al-`Ilmiya, 1994) 4:26.

⁹ Sahnūn, 4:26. Malik goes on to say, “or in that which no one may see except them, out of necessity.” (26) This refers to a very narrow scope of private matters among women, such as breastfeeding or the end of postpartum bleeding. As this essay focuses on the logic behind excluding women’s testimony from the *ḥudūd*, I will not address this particular issue at present.

¹⁰ Muḥammad b. Idrīs al-Shāfi`ī, *Kitāb al-Umm* (Riyādh: Dār al-Afkār al-Duwalīya), 1372. Again, with the exception of those aspects of women’s bodily process, which are considered too intimate for men to witness.

¹¹ Shāfi`ī, *Umm*, 1372.

testimony is not permissible in the *ḥudūd* and *qisās* [that is, in intentional homicide]. And this is the opinion of Ibn al-Musayyab, [Ibrāhīm] al-Nakha`ī, al-Ḥasan [al-Baṣrī], [Ibn Shihab] al-Zuhrī, Rabī`a, Mālik [b. Anas], al-Layth [b. Sa`d], the Kufans, al-Shāfi`ī, Aḥmad [b. Ḥanbal] and Abū Thawr.”¹²

The objective of the foregoing discussion has been to briefly illustrate how Q 2:282 functioned in legal discourse, together with developing notions of gender preference versus necessity in witnessing, of the categories of *amwāl*, *abdān* and *ḥudūd*, and of levels of certainty versus doubt, to create legal consensus around the doctrine that women’s testimony be excluded from consideration in *ḥudūd* cases.¹³ Central to this discursive elaboration was the instrument of analogical extension, applied selectively, such that a command – or perhaps recommendation – regarding debt agreements came to be regarded as justification for this exclusion.

Although Q 2:282 is the main verse cited as bolstering women’s exclusion from the *ḥudūd*, it is not the only one. Q 24:13 also plays a supporting role, and is regarded as the legal basis for requiring four male eyewitnesses to testify to an act of fornication (*zinā*) before the punishment can be imposed. Q 24:12-13 read:

Why did not the believing men and women, when you heard about it, think well [of the slandered parties], and say, “This is clearly a lie”? Why did they not bring four witnesses (*arba`at shuhadā`*) to it? Since they did not bring the witnesses (*shuhadā`*), they are liars in the eyes of God.

The phrase “four witnesses” (*arba`at shuhadā`*) also appears in another verse, Q 24:4, which sets both the evidentiary standard for *zinā* and the legal basis for the *ḥadd* punishment for slander (*qadhf*), and reads:

Those who accuse honorable women (*muḥṣanāt*) but do not then bring four witnesses, flog them eighty stripes and do not accept their testimony thenceforth. It is they who are the wrongdoers.

These verses do not play nearly as prominent a role in juristic thinking as Q 2:282, but as they each address testimony to a *ḥadd* crime – fornication – it is important to address how they contribute to the exclusion doctrine. In both

¹² Badr a-Dīn al-`Aynī, *Umdat al-Qāri` Sharḥ Ṣaḥīḥ al-Bukhārī*, 20/286. At <http://islamport.com> (accessed 2/10/12).

¹³ While it is true, as Fadel points out, that later jurists no longer refer to the scriptural sources of Qur’an and *ḥadīths* to elaborate their jurisprudence, the role of these sources, as well as early interpretation of these sources, continued to function as the basic parameters and underpinnings of later discourse. (Fadel, 193-4)

these verses, the phrases “four witnesses” appears in a masculine form: *shuhadā'* is the masculine plural of the word for witness, or *shāhid*, as opposed to what would be a feminine plural (*shāhidāt*) of a singular feminine noun (*shāhida*). The argument is typically made that the masculine construction of the phrase “four witnesses” in these verses clearly indicates that each of the witnesses must be male.¹⁴ This reading, however, similarly depends on interpretive choices. Grammar rules dictate that the masculine plural may include females as well. The myriad occurrences of the word “believers” (*mu'minūn*) in the Qur'an, for example, are uniformly understood to include both male and female believers. Thus, to read these two verses as necessarily excluding women from witnessing to and testifying in *zinā* cases, and by extension from all other *ḥadd* cases, reflects a gender bias.¹⁵

The Prophetic *ḥadīth*s also play a critical role in juristic discourse on this topic. Most central is a widely reported and widely applied *ḥadīth* found in Bukhārī's *Ṣaḥīḥ*, Muslim's *Ṣaḥīḥ*, Nasā'ī's *Sunan al-Kubrā*, Aḥmad's *Musnad*, Abū Dāwud's *Sunan* and Bayhaqī's *Sunan al-Kubrā*, among others. It is transmitted by three high-profile narrators, Abū Sa'īd al-Khudarī, Abū Hurayra and `Abd Allāh b. `Umar. In short, it is a well-attested *ḥadīth* that is considered sound by its many collectors. The relevant portion of the *ḥadīth* as given in Bukhārī has the Prophet declaring:

“Give charity, O congregation of women, for I was shown that you make up the majority of the people of the Fire.” So they asked: “Due to what, O Messenger of God?” He said: “You curse much and show ingratitude to your husbands. I have not seen any more deficient in intelligence and religion than you. A single one of you could sweep away the mind of a resolute man.” They said: “And what is the deficiency in our religion and intellect, O Messenger of God?” He said: “Isn't the testimony of the woman like half the testimony of the man?” They responded: “Indeed.” He said: “So that is part of [due to?] the deficiency of her intellect. Isn't it that when she menstruates she does not pray or fast?” They said: “Indeed.” He said: “So that is part of [due to?] the deficiency in her religion.”¹⁶

¹⁴ Eg. Muwaffaq al-Dīn ibn Qudāma, *al-Mughnī* (Riyādh: Dār `Ālam al-Kutub) 14:125ff, #1882.

¹⁵ This sort of critique has been presented forcefully by Amina Wadud in *Qur'an and Woman*.

¹⁶ Al-Bukhārī, *Ṣaḥīḥ*, #304 in *Kitāb al-Ḥayḍ*. At <http://www.dorar.net/enc/ḥadīth> (accessed 2/10/12).

This *ḥadīth* is highly problematic for its overarching condemnation of women's intellectual and religious capacity, and is its own topic of study. What I would like to investigate here, however, is the function of this *ḥadīth* in legal discourse on the issue of women's testimony. Most prominent is the legal effect of this *ḥadīth* as a gloss on Q 2:282: In case there is any doubt as to the reason behind the gender ratio and the preference/necessity principle referenced in that verse, Sunnī jurists read this *ḥadīth* as identifying that reason as women's general intellectual deficiency in comparison with men.¹⁷ Once a reason, or *'illa*, for the Qur'anic rule was identified, it could be analogically extended to other areas of the law, such as the *ḥudūd*, as we have seen above.

What must be noted, however, is that as in the case of Q 2:282, the language of the *ḥadīth* itself does not refer to evidentiary standards in the *ḥudūd*, nor to the testimony of women in areas beyond the compass of the Qur'anic verse. Now it may be argued that this *ḥadīth* is more general in scope than the verse, and it certainly could be constructed that way – that is, as a general injunction to accept women's testimony in all areas of the law at the rate of two women to one man. But it should be noted that this is not how the *ḥadīth* was utilized in Sunnī legal discourse. Thus, the juristic restriction of the *ḥadīth*'s applicability to financial contracts (*amwāl*) mirrors the restriction of Q 2:282's applicability to financial contracts. This *ḥadīth*'s governance of rules regarding women's testimony in criminal matters was only achieved indirectly, through ratiocination: If women's testimony is worth only half a man's in *amwāl* due to intellectual deficiency, then women's testimony should be worth nothing of a man's in *ḥudūd*, where the evidentiary requirements are more stringent.

Aside from Q 2:282, the few references to “four witnesses” (*arba`at shuhud*) in Q 24 (see footnote above), and the Prophetic *ḥadīth* just mentioned, the remainder of juristic thinking on this topic seems to have relied largely on opinions of early authorities from the Successors' generations, with the rare reference to preceding generations. Ibn Shihāb al-Zuhri is the only one to state his opinion as traceable to the Prophet, but in a manner too vague to have possibly satisfied the *ḥadīth* scholars, as it lacks an *isnād*: “The *sunna* has been passed on from the Messenger of God and the two caliphs after him that women's testimony is not permissible in the *ḥudūd*.”¹⁸ Most other *āthār* do not name any predecessors, but simply show various early figures stating their opinions: “Ma`mar from al-Ḥasan and al-Zuhri: The testimony of women is not permitted

¹⁷ See Fadel, 192, for Shihāb al-Dīn al-Qarāfi's reference to this *ḥadīth* in evidence law.

¹⁸ Ibn Abī Shayba, *Muṣannaf*, 6:544. At http://www.islamweb.net/newlibrary/display_book.php?idfrom=4054&idto=4054&bk_no=10&ID=3854 (accessed 2/10/12).

in *ḥadd*, or divorce, or marriage, even if there is a man with them.”¹⁹ “From al-Ḥakam b. `Utayba: `Alī b. Abī Ṭālib said that women’s testimony is not permitted in divorce, marriage, *ḥudūd* and blood [i.e. murder].”²⁰ The same opinion is also transmitted by Ibn al-Musayyab from `Umar.²¹ Al-Sha`bī opined that women’s testimony is not permitted in the *ḥudūd*.²² Ibrāhīm al-Nakha`ī held that women’s testimony is impermissible in divorce or *ḥudūd*.²³ Al-Ḍaḥḥāk said that women’s testimony is not permitted in *ḥudūd* or murder.²⁴ Hammād b. Abī Sulaymān rejected women’s testimony in *ḥudūd*.²⁵ The above statements suggest that the doctrine of categorically excluding women’s testimony from the *ḥudūd* emerged primarily from opinions and practices of the early generations, who themselves did not necessarily seek to anchor those opinions and practices in either the Qur’an or Prophetic *sunna*, except in some very general manner as in the one opinion of al-Zuhrī.²⁶

Nor were the classical opinions about women’s testimony the only ones to be found among these early jurists and their legal *āthār*. Standard doctrine about women’s testimony in the classical Sunnī schools of law was built on the following triad: that women’s testimony is entirely excluded from *ḥudūd*, that it is

¹⁹ `Abd al-Razzāq, 8:329, #15401. At <http://islamport.com> (accessed 2/10/12).

²⁰ `Abd al-Razzāq, 8:329-330, #15405. At <http://islamport.com> (accessed 2/10/12).

²¹ `Abd al-Razzāq, 8:330, #15407. At <http://islamport.com> (accessed 2/10/12).

²² `Abd al-Razzāq, 8:330, #15412. At <http://islamport.com> (accessed 2/10/12).

²³ Ibn Abī Shayba, 6:544, #3. At

http://www.islamweb.net/newlibrary/display_book.php?idfrom=4054&idto=4054&bk_no=10&ID=3854 (accessed 2/10/12).

²⁴ Ibn Abī Shayba, 6:544, #7. At <http://www.islamweb.net> (accessed 2/10/12).

²⁵ Ibn Abī Shayba, 6:544, #8. At <http://www.islamweb.net> (accessed 2/10/12).

²⁶ The forwarding of legal maxims without clear transmissional bases should not surprise us. According to Scott Lucas’ study of the *Muṣannaḥ* of Ibn Abī Shayba (d.235/849), the *ḥadīth* transmitters of that era “had at their disposal relatively few prophetic *ḥadīths* on most legal topics.” [Scott Lucas, “Where are the Legal *Ḥadīth*? A Study of the *Muṣannaḥ* of Ibn Abī Shayba,” *Islamic Law and Society* 15 (2008), 284] Lucas’ findings mirror those of Harald Motzki regarding the *Muṣannaḥ* of `Abd al-Razzāq (d.211/827). [Harald Motzki, “The *Muṣannaḥ* of `Abd al-Razzāq al-Ṣan`ānī as a Source of Authentic *Aḥādīth* of the First Century A.H.,” *Journal of Near Eastern Studies* 60:1 (1991) 1-21] Susan Spectorosky has suggested a similar trend in the *fiqh* of Ishāq b. Rāhwayh (d.238/853), who was reputed for his *ḥadīth*-oriented jurisprudence. Her study of the author’s use of prophetic *ḥadīths* in his *Masā’il* indicates that “he depends more on the authority of the Successors and the scholarly community than he does on *ḥadīths* from the Prophet.” [Susan Spectorosky, “Ḥadīth in the Responses of Ishāq b. Rāhwayh,” *Islamic Law and Society* 8:3 (2001) 407-431] Rabb’s examination of one specific maxim suggests a post-prophetic consensus-based source in that case as well.

permitted in *amwāl* with men at a 2:1 ratio, and that it is permitted without men in certain intimate affairs of women.²⁷ Each element of this triad was interpreted variously among the early jurists, and there existed early outlying opinions that did not become standardized in any of the classical schools. Exhibiting a narrow construction of Q 2:282, for instance, Makhūl held that women's testimony is *only* permitted in debt agreements.²⁸ Similarly tending toward restriction is Ibrāhīm's opinion that women's testimony is not permitted in anything except manumission, debt agreements, and bequests.²⁹ Even more surprisingly, in the direction of gender equality, we find that Ṭāwūs permitted the testimony of women with men in all areas of the law – the *ḥudūd* included – except the one crime of *zinā*, and that this latter exclusion was not because he felt their intellectual or testimonial capacity to be deficient, but only because he felt it was inappropriate for women to see such things.³⁰ Similarly, `Aṭā' b. Abī Rabāḥ opined that women's testimony was permitted in all areas of the law, including *zinā*, as long as it was with men – that is, at the 2:1 ratio.³¹ These non-standard opinions are critical because they allow us to see that the categorical exclusion of women's testimony in *ḥudūd* cases, while dominant, was not unanimous, which in turn means that Q 2:282, other related verses and the “deficiency” *ḥadīth* were not as self-evidently monosemic as the classical tradition presents them to be. Indeed, among later scholars, Ibn Ḥazm's strident critique of the classical schools on this topic is quite instructive, for he points out the analogical bases and constructed nature of classical doctrine. His own doctrines, notably his argument for the acceptance of women's testimony in the *ḥudūd*, including *zinā*, at the rate of 2:1, show just how much flexibility there could be in interpreting the scriptural texts.³²

It is at this juncture that I wish to offer an avenue for reconsidering the role of women's testimony in the area of *ḥudūd*. The above review of texts and logics is meant to highlight a fundamental problem in the development of classical legal discourse on this issue: the sources present texts that address gender in witnessing and presenting testimony, but those texts do not address the *ḥudūd* in any clear manner; and they present texts that address evidence in certain *ḥudūd* (notably *zinā*), but those texts do not address gender in any clear manner. It seems that in order to develop doctrines on the role of women's testimony in *ḥudūd* cases (or to justify prevailing exclusionist doctrines) jurists had to rely on ratiocination (deciphering reasons for particular scriptural

²⁷ See Sachedina, 174, for a statement of the same triad.

²⁸ `Abd al-Razzāq, 8:330, #15408. At <http://islamport.com> (accessed 2/10/12).

²⁹ `Abd al-Razzāq, 8:330, #15409. At <http://islamport.com> (accessed 2/10/12).

³⁰ `Abd al-Razzāq 8:331, #15413. At <http://islamport.com> (accessed 2/10/12).

³¹ `Abd al-Razzāq, 8:331, #15414. At <http://islamport.com> (accessed 2/10/12).

³² `Alī b. Sa`īd Ibn Ḥazm, *al-Muḥallā*, 9:395-403.

injunctions) and analogy (extending rulings from one case to others based on a perceived comparability of reasons). Implicit in the doctrine excluding women's testimony in *ḥudūd* lies a problematic yet seemingly unchallenged comparison. This is the comparison – the conflation – between *crimes* and *contracts*, and the nature of witnessing (*taḥammul*) in each. Indeed, it is the conflation of witnessing to a contract and witnessing to a crime that is one of the driving forces behind all of the classical doctrines on this point. Entirely implicit and unspoken, the assimilation between the two types of witnessing is neither articulated nor questioned. And yet, it is one of the instruments that anchor this doctrine.³³ But this assimilation must be challenged, not only because it is faulty, but also because maintaining it runs counter to the pursuit of truth and justice, which are the very purposes of testimonial evidence in the first place.

Contracts and crimes are dissimilar in fundamental ways, and so witnessing one is entirely unlike witnessing another. The event of a contractual agreement is a premeditated act, and so there is little obstacle to finding witnesses to it, and those who serve as witnesses do so out of choice. Furthermore, as a contract is a promise of future action, the purpose of a contract is to enable enforcement in case of a later breach; so the two parties to a contract are presumably seeking the most clearly enforceable means of establishing terms, which entails seeking witnesses, ensuring their ability to witness the event, creating an atmosphere of openness, identifying the contracting parties, and so forth. A crime, on the other hand, is not an event whose occurrence is known in advance, except perhaps to the perpetrator. Neither the victim nor the witnesses

³³ Some contemporary feminists and scholars of gender in Islam have sought to challenge classical doctrines on women's testimony in *ḥadd* cases using a variety of strategies. The more common strategies are to argue that Q 2:282 should be confined to debt agreements, that only the first of the two women prescribed therein is the witness (and that the other is her "reminder" or corroborator), or that the verse reflects the original socio-historical context in which it was revealed (and can now be reinterpreted in light of new circumstances). [See, for example, Niaz Shah, "Women's Human Rights in the Koran: An Interpretive Approach," *Human Rights Quarterly* 28:4 (Nov 2006); Amina Wadud, *Qur'an and Woman* (cited above); Taj ul-Islam Hashmi, *Women and Islam in Bangladesh* (Palgrave Macmillan, 2000) 50-1;] These arguments are valid, and I reference some of them here. They are distinct, however, from the argument I seek to forward in this essay.

I would point out that the common reference to the Qur'anic narratives of Yusuf and Zulaykha in Q 12, or the verses on *li'ān* (Q 24:6-9), are not themselves helpful in challenging juristic doctrine on women's testimony in *ḥudūd*, nor in demonstrating the Qur'anic support for gender equality in witness testimony. [See Shah, 901-2;] This is because both passages address procedures for plaintiff and defendant, *not* for witnesses. Classical doctrine regards the two parties to a suit as equals, regardless of gender.

have the chance to prepare themselves for its occurrence or the witnessing process. Selection of witnesses, or witness self-selection or self-exclusion, are all impossibilities in the context of criminal acts. Furthermore, the would-be criminal does not seek openness and clarity, but rather secrecy and obscurity. He (or she) does not want anyone to, in future, substantiate any claims against him (or her) or enforce the law in his case. He most certainly does not want his identity to be known. Given all these differences, it is plainly unfeasible and detrimental to the cause of justice to apply witness standards as specified by Q 2:282 to the context of crimes such as theft, rape, brigandry and murder.³⁴

The single most important shared element between witness standards in contracts and crimes is the objective of establishing the facts of a case, such that rights may be upheld. Indeed, this is the underlying theme of all the Qur'anic verses that we have considered above: The overall purpose of Q 2:282 is to accurately designate the distribution of liabilities between contracting parties, and thereby to ensure just conduct and the upholding of rights. The verses from Q 24 that set forth evidentiary standards for *zinā* and *qadhf* have the same thrust – that is, to protect persons from false accusations and inaccuracy in the establishment of facts. The conflation of contracts and crimes, and the ensuing doctrine of women's exclusion from the latter area, countermands this basic Qur'anic directive.

Interestingly, the classical tradition, despite its endorsement of this conflation, contains a key countervailing doctrine. This, ironically, is the doctrine of necessity (*ḍarūra*), which we have encountered above in our analysis of Q 2:282. Classically, this is the doctrine whereby it is *necessary* to accept women's testimony in matters to which men cannot testify. The principle of necessity is prominent in almost every area of juristic discourse, providing means by which law can address the exigencies of real life. In the area of evidentiary law, for example, we see that women's testimony is accepted by all the Sunni schools by itself (that is, without men) in areas pertaining to female matters (such as breastfeeding and live birth), out of "necessity" – that is, because men cannot witness such events.³⁵ The point here is that the doctrine of necessity is present in the discourses of both the Qur'an and the juristic tradition. Taken together with the Qur'anic directives to establish evidence and uphold justice, the concept of "necessary witness" can be deployed to legitimately challenge and revise the prevailing doctrine of excluding women's testimony. That is, when a crime

³⁴ Niaz Shah expresses a similar point when he writes that "it would be a breach of Koranic command if [a woman who witnessed a rape] does not, or is not allowed to, reveal or report the truth of what she witnessed." [Shah, 903]

³⁵ Thus, this verse ironically gives rise *both* to the gender ratio and the preference for men as witnesses, *and* to the doctrine that where men are not available, women may testify.

occurs, whosoever observes it, regardless of gender, should properly be categorized as a “necessary witness,” as there are *no others* who can be called to testify to the event. Indeed, given the involuntary nature of witnessing to crimes as opposed to contracts, and the scriptural legitimation of women’s testimony on the basis of necessity, a gender-blind doctrine of testimony in *ḥudūd* cases seems more consistent, and more true to the purposes of the Qur’an, than the rejection of witnesses due to gender.

As stated at the beginning of this essay, my purpose here has been to offer a different way of looking at testimony in that area of the law where women’s testimony has been categorically excluded, based on a particular reading of the texts and gender-preferential analogical reasoning. It may be argued that I have not addressed the fundamental gender inequity found in Q 2:282 and in the “deficiency” *ḥadīth*. This is true. Current efforts to engage critically with Islamic texts and traditions on questions of gender seem to be situated on a continuum between two orientations: On one hand is the argument (or hope) that the Qur’an and the Prophetic example are essentially gender egalitarian, and that our project is to develop the appropriate hermeneutics to reveal that egalitarian intent.³⁶ On the other is that argument (or fear) that the Qur’an and the Prophetic example are unrescuably patriarchal, and that we cannot reject particular aspects of our juristic tradition without simultaneously rejecting the texts in which that tradition is anchored. My own orientation here is toward the first position, in part because I do not believe we have traveled nearly far enough on the interpretive journey to be able to properly assess the potential of our scriptures or our tradition to undergird more gender egalitarian readings. Such an assessment requires carefully examining the various elements of both our scriptures and interpretive tradition, before concluding the inevitability of particular readings. Thus, my strategy in this essay has not been to reject the applicability or literal meaning of this verse, nor to reject the authenticity of this *ḥadīth*. Rather, I have sought to redirect the application and limit the scope of these texts, and highlight instead the overarching purpose of testimonial evidence according to the Qur’an, which is to establish legal facts and enforce the protection of rights and the redress of grievances.

Finally, it may be asked if my purpose is to advocate implementation of the *ḥadd* punishments or to theoretically broaden the scope of their implementation by widening the parameters for admissible evidence. To this I

³⁶ Barlas writes, “I believe that the theological and hermeneutical principles the Qur’an suggests for its own reading, as well as its epistemology, are inherently anti-patriarchal. We can, and should, therefore read it in liberatory modes ...” [Asma Barlas, “The Qur’an and Hermeneutics: Reading the Qur’an’s Opposition to Patriarchy,” *Journal of Qur’anic Studies* 3 (Oct 2001) 15.

would say no: The issue of the desirability or appropriateness of implementing the *hudūd* is a distinct one, one that should take into account both the traditional aversion to *ḥadd* imposition as well as more recent inquiries into the origins of certain *ḥadd* punishments.³⁷ My objective is rather to question the marginalization of women from large swathes of legal procedure, and to challenge some of the traditional justifications of women's irrelevance in criminal law that have been made on scriptural grounds.

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³⁷ John Burton, "The Origin of the Islamic Penalty for Adultery," *Trans. Glasg. Univ. Orient. Soc.* 26 (1978) 16-27; and more recently, Scott Lucas, "Perhaps You Only Kissed Her? A Contrapuntal Reading of the Penalties for Illicit Sex in the Sunni *Ḥadīth* Literature," *Journal of Religious Ethics* 39:3 (2011) 399-415.

15

SEISMIC SHIFT FROM PATRIARCHY TO EQUALITY: AMINA WADUD ON READING THE QUR'AN AND REVOLUTION

Margot Badran

It is a true honor and pleasure to participate with friends and colleagues of Amina Wadud in celebrating her life and work. The occasion allows us to reflect aloud together on her manifold contributions. Amina has deeply impacted our personal lives, social interactions, and activist and professional lives. As I write this tribute I am in Cairo thinking about the significance of Wadud's work in this time of political, economic, social and cultural upheaval, with religious assertions and questions at the forefront, in time of revolution.

Let me begin with a personal reminiscence of the entry of Amina Wadud into my life. I remember vividly that day in 1996 when a student of mine in a feminism course at Oberlin College excitedly told me about a book on women and gender in the Qur'an. I was at least as excited as the student and rushed to find the book. It was thus that I met Amina Wadud. Her book cracked open a whole new world. Then came the next exciting moment when Amina Wadud herself appeared at Oberlin. In the few minutes we had when a colleague introduced us and then whisked her off I found Amina "a force." Our encounters over the years at workshops and conferences have been numerous as our professional and personal lives blended and bloomed over a vast geography. I remember meetings in Chicago, Barcelona, Paris, Torino, Kuala Lumpur, Oxford, and Washington. A great thing about fast-moving Amina is if you miss her in one place you can be sure before long you'll find her somewhere else in real space and always in cyberspace.

In this era of revolutions begun last year but far from finished I think of the revolution Amina started two decades ago also begun but not finished with her book, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, which, as we all know, first appeared in 1992 in Kuala Lumpur and in a second edition in 1999 in New York. Amina helped us read equality and social justice in the Qur'an after having been bamboozled for so long into thinking Islam ordained patriarchy with its various layers of hierarchy. This was nothing short of cataclysmic and the good news spread like wildfire. I remember talk about it zooming around the Internet on Muslim women's activist sites and academic outlets, and in the wider populist press. I tried to track the book's journeys but soon got quite dizzy. Amina's book brought all sorts of people

together in a burgeoning lively global community of those who cared about equality and Islam, or perhaps were intrigued by such juxtaposition (having thought Islam spelled patriarchy), and those were impatient to learn more.

Amina's work had a significant impact on my own work as a historian and gender studies specialist who has studied feminisms Muslim women have created and took me to a new zone of knowledge. The secular feminist movements — employing secular nationalist, Islamic modernist, and humanitarian discourses — I had studied emerging in Egypt and elsewhere in the region in the first half last century were thwarted in key areas by secular and religious patriarchalists alike who drew upon conservative articulations of Islam instrumentally enlisting the religion to defend the status quo and with it their power and privileges. The pioneering feminists, influenced by Shaikh Muhammad 'Abduh, had drawn upon Islamic reformist arguments but they could not satisfy critics who slapped back with their conventional cant. Feminists could make certain advances in gaining the practice of their rights in areas where the state and society deemed as suiting their needs. But the acquisition of rights in domains that did not seem to confer such benefits or which appeared as affronts or dangers to male privileges were summarily put down as contrary to Islam.

How could women proceed as feminists who wanted to act as responsible Muslims *and* at the same time could no longer condone oppressive and restrictive practices imposed in the name of Islam? How could they access rights they understood Islam bestowed upon them and which male authorities in the state and religious establishment claimed their religion endorsed while at the same time in a sleight of hand these same authorities obstructed women's practice of their rights? Deprived of adequate educational training they did not possess the tools to get themselves out of their bind enabling them to interpret Islam themselves, to practice it accordingly, and to mount their own reformist efforts.

Wadud's hermeneutic work responding to her own questions as a woman — and those of other women — emanating from contexts of contemporary social realities led to her articulation of an egalitarian model of Islam. Her egalitarian reading exposed the injustices of the patriarchal rendition of Islam, especially glaring in contemporary times. The egalitarian model simply made sense. Equality was theologically and logically linked to social justice, which cannot be achieved through the perpetuation of any expression of inequality whether of class, race, ethnicity, or gender. Islam must not be allowed to endorse inequities. Inequities masquerading as equality and justice must be rooted out. One gauge of the importance of Wadud's work is the vast number of translations of *Qur'an and Woman* into languages spoken in Muslim majority societies. A different sort of gauge of the power of her work is the lack of translation of the book into Arabic. This does not mean that Arabic speakers do not read the book as many are multi-

lingual but it does restrict its larger outreach among all classes and groups in Arabic speaking countries.

I have thought so much about Amina here in Egypt where I was at the beginning of the Egyptian uprising and where I am presently actively engaged in revolution on many levels with others across a wide spectrum. I have thought about Wadud who remains at the front lines of a gender revolution in Islamic thinking and practice. Now in Egypt with an Islamist majority in Parliament, comprising those who appear to be mainly moderates but also including a smaller and stridently vocal presence of arch-conservatives, everyone is asking what will be the implications for women and questions of gender. The Supreme Council of the Armed Forces (SCAF), like the Islamists, re-enforce patriarchal culture, if in different languages. Egypt, however, is *in revolution* and revolutionaries, particularly the youth, are fighting for a free and egalitarian society, where people can freely practice their religions as they choose but *not* free to use religion to perpetuate injustices that patriarchy sustains. The SCAF and Islamist elders are positioned at the top in the patriarchal grid of an age and gender hierarchy. Among the revolutionary youth, at the bottom of the patriarchal ordering, as well as females, are those who adamantly and impatiently insist on an Islam of equality-- explicitly including gender equality, and social justice. Wadud's scholarship has critical work to do in the new revolutionary culture. As I see it, her "breakthrough Islamic thinking" is at the beginning of the 21st century what 'Abduh's work was at the beginning of the 20th century. And, especially now in time of revolution with the move along the trajectory from reform to transformation.

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A Jihad for Justice

Part 4
IMPRINTS

A Jihad for Justice

16

FINDING “YES” BY SAYING “NO:”

A TRIBUTE TO AMINA WADUD

Sarah Eltantawi

I want to use this joyful opportunity to simply honor Professor Amina Wadud, and to speak to her directly.

Dear Professor Wadud,

I have been an admirer of yours for years, so I thought this tribute was going to be easy to write, especially compared to my academic work from which I am now taking a break. In many ways, writing in this register is much harder. I reread *Inside the Gender Jihad* to freshly put myself in your space. Well, you’ve certainly created a challenging and compelling space! I had many calls and questions to respond to after rereading you again. I had to engage mind, heart, and spirit.

Prof. Wadud, I admire you immensely because of your tenacity, your faith in the face of difficult circumstances, your background, the way you’ve faced challenges, your search for peace and beauty, and for your absolutely unflinching honesty, both in your written work and in your acts. As I said, I have been in your space for a few days now, and from that place, I grew in unanticipated ways. At one point I began to reflect on *al-Fātiha*, and I discovered something I had never known before in the sentence: *‘Īyāka na’budu wa ‘īyāka nasta‘īn*, conventionally translated, “*We worship You, and from You we seek help.*” I kept tripping up on the word, “*na’budu*” -- we worship. The root of the word in Arabic is ‘a-b-d, from which we derive the word ‘*abid* -- *slave*. But does a slave worship his master? I started searching for alternate translations and found one that spoke to me -- *serve*. Yes. A slave *serves* his master. *We serve You, and from You we seek help.* I’ve begun to contemplate the question of *servicing* the higher purpose as a result of my engagement with your work, Prof. Wadud, because your work intertwines intellectual engagement and subsequent action so naturally. I want to thank you for offering all of us your example in that regard.

I read *Qur’ān and Woman* several years ago, when I had more unresolved questions about our time here on earth and less inner peace with which to sit with them. For most of my life, questions of gender and the misogyny that was so evident to me in parts of the Islamic tradition (and in every other tradition I explored) not only turned me away from uncritical “belief” for essentially all of

my life, but also, far more problematically, (partially) blocked that which I like to think of as “a connection with the higher perspective.” Some prefer the term “religion” -- *dīn*, to get at what I mean here, while some prefer spiritual journey -- I personally don't think the terminology matters much, unless you are someone, like yourself, for whom shades of linguistic usages and connotations produce spiritual insight. So I read your book, and I was educated about several things I did not know. When you described verse 4:34, the infamous “wife beating” verse, you offered that the word “*idribuhunna*” (beat them) is understood in some exegetical and legal accounts to permit the husband only to “beat” his wife as a last resort, and if so, only with a feather. I had heard this expansion of the root *d-r-b* many times, including in several mosques and through my own reading. To be honest with you, I've never been convinced by that line of argumentation. I applied the “village in Egypt” test: if someone reads or hears “*idribuhunna*” in a village in Egypt, will they think “tap lightly with a feather as a symbolic act of displeasure?” No, they won't. Case closed. That has been my test, but it clearly answers no larger questions and eases no spirits. And so I carried that burden and that shadow, in that way we all carry so many burdens. We hope for the moment we're strong enough to shine a light of acceptance and awareness on them and let them go, and in the meantime, we carry on.

I want to tell you how important it was for me that, eight years later in your book *Inside the Gender Jihad*, you addressed that topic again. You changed your approach. You *changed*. You were really on a journey with the Qur'an. It meant so much to me, because a scholar and activist and woman I really respected was *real*, in the way that people who know that our purpose on earth is to grow, and so don't apologize for that, are real. And so you looked at the traditions again, and the equivocations, and the rationalizations, and you put these in the context of your wonderful *Tawhīdic* paradigm, and you had had time to reflect, and you were raising daughters, and you were a single mother, and you were strong in your connection to the higher perspective, and this time, you said, you know what? What about considering the possibility that you can just say: “No”?

You know that love you feel for someone that is brave? That's the one I have for you, Prof. Wadud.

Now, many people have just said, “No”. They are what we call, “former Muslims.” But that's not at all who you are. You said in *Inside the Gender Jihad*:

I have always felt positively inspired by the Qur'anic worldview and this inspiration assists me in addressing these challenges and in researching the works of other scholars. This scholarly tranfertilization is instrumental in helping unveil possible paths *through* the Qur'an as a consolidated utterance -- or fixed text -- as well as an utterance or text *in process*. One important aspect of this challenge confronts the possibility of refuting the text, to talk back, even to say

“no.” What happens when the text actually states something unmeaningful from the perspective of current human developments and understandings? Two choices result: either acknowledge the statement in question as unacceptable regarding current levels of human competency and understanding, and therefore reconsider textual meaning in the light of further interpretive development; or reject it. These choices are often confused with one another. To stand up against textual particulars is therefore to be charged with heresy -- an ever-present threat in the background to assuage our progress toward gender justice.

Well, isn't that the truth! Refreshing!

What about gender justice? This topic is not trivial: it's a fundamental block from the higher perspective for so many. Myself, I find that I'm less and less sympathetic to arguments made on the basis of binary notions of gender and the naturalizing rhetoric that so often ensues -- damaging, I think, to both women and men -- but you are certainly correct when you write that, “men and women experience life differently” whether for biological or socio-political reasons.

You are also right when you state that, “women did not participate in the paradigmatic foundation of Islam,” and as a result, “Islamic law holds condescending utilitarian perspectives on women.” So how do women find an authentic engagement with the Islamic tradition that allows them to be whole? How do you move from being a passive subject to an agent? How does one find something that has been buried? You showed us how-- with passion, tenacity, and brilliance. You excavate. You navigate the sources and you understand where they came from, and you understand where you stand when you enter them. You remain in conversation with them. You stay attuned to your own voice. You know what's true is true. So when we read *Inside the Gender Jihad*, we travel with you. First you went from understanding Islam as an idealization, but then you saw what happened when others didn't agree with your stable vision. You shared with us how you moved, therefore, to engaging Islam in context with historical developments. The engagement became more complicated, but also more authentic. You helped show a way to free ourselves from the condescending and utilitarian perspective you accurately described. But you didn't do that by walking away -- you did it by showing us what you found instead -- something deeper and better, and always in development, never finished.

This contribution is gift enough, for women and men. But we all know that saying “no” is no way to live, in fact, saying “no” is a negation of life. So, having said “no” to certain perspectives, you went on to say “yes.” You said, “yes” when invited to give a pre-khutba talk in Cape Town, which resulted in threats to your person and livelihood. You said, “yes” to speaking hard truths about HIV-AIDS in the Muslim community. And you said “yes” when invited to lead a prayer in New York. I was

there. You were centered, present, and calm -- and you used that opportunity not to talk about being a female spiritual leader, you used it to talk about oneness.

You've had battle scars and you've shared those too. You say from experience: "Unless and until women want full agency for themselves, they will always find opportunities to be co-opted to support male authority, either in the public or the private sectors." That is a call to us to stay aware and understand that there's no particular end point. As you wrote, the well being is in the journey, not the goal.

I once heard a saying that I love -- I believe it's of African American origin, and it reminds me of you: "The best students are given the hardest lessons." I would extend that -- having learned those lessons and having let them expand us, as they do, you go on to shine the brightest light.

Thank you Prof. Wadud, for sharing your light.

Love,

Sarah

SARAH ELTANTAWI is an Islamicist focusing on post-modern Islamic law, with interest in contemporary Islam, political religion, gender and hermeneutics. Her geographical interests lie in Islam in West Africa, the Middle East, and the west. Eltantawi's dissertation, "Stoning in the Islamic Tradition: The Case of Northern Nigeria", will form the manuscript for her first book. She is a PhD Candidate in Religion at Harvard University and is this year a visiting doctoral fellow at the Freie Universität in Berlin.

17

TREADING THE PATH OF FAITH:

AMINA WADUD, A PIONEERING THEOLOGIAN

Saadia Yacoub

Few memories remain with the passing years. The ones that stay mark unforgettable moments, experiences that leave an imprint on our mind and heart. The moment is not forgotten precisely because it forms us in definitive ways.

I remember sitting on the green carpets in the masjid, avidly reading *Qur'an and Woman*,¹ the first edition, published in Malaysia. I do not remember where I bought it, or how I came across it, but I distinctly remember the emotions I felt reading it: relieved, comforted, inspired. I was a young teenager with an overly analytical mind and a rebellious spirit. I was also spiritually troubled. I was deeply perturbed by the gender discourses in the Muslim community and the instrumentalization of certain verses of the Qur'an to perpetuate and legitimize patriarchy. More acute, however, was my anxiety about specific verses, such as those pertaining to polygamy, *qawamah*,² the permission to strike. Reading *Qur'an and Woman*, I felt reassured of my own understanding of these verses that I was beginning to arrive at. The book also pushed me to think beyond the particular verses that caused me such angst and begin to conceptualize the larger discourse of subjugation that contributed to the spiritual, moral and social injustice I found so disconcerting. As I read the book, I often nodded in agreement, frowned in anger, cried in spiritual agony, but I also felt inspired; inspired by her words, her reading and interpretation of scripture, and the subsequent broadening of my spiritual and intellectual horizons. I also soon learnt that the book was mired in controversy. As I sat reading the book on the green carpets, friends and elders approached me with their concerns. They expressed their unease and cautioned me to guard my faith and not internalize what I read. I am unsure if they had actually read the book or simply felt uncomfortable with its title, but their counsel went unheeded. I was increasingly captivated the more I read. I felt a renewed sense of faith; a faith that did not require me to stand idly in the face of gender injustice that was justified and perpetuated in religious zeal and piety.

¹ Wadud, Amina. *Qur'an and Woman*. Kuala Lumpur: Penerbit Fajar Bakti Sdn. Bhd, 1992.

² Qur'an 4:34

While much of Wadud's work and activism has been surrounded by controversy and polemics, she is a scholar whose work has had immeasurable influence on the conversation on Islam and gender in both academia as well as Muslim public discourse. The movement of time has stood with Wadud as her scholarship has always been at the cutting edge. Despite the widespread controversy and discomfort around her work, much of the American Muslim rhetoric on gender today echoes Wadud's assertions in *Qur'an and Woman*. The resonance between her arguments and that which is heard today at the *minbar* (pulpit) at Friday sermons is uncanny. Not only has her emphasis on the Qur'an's affirmation of women's dignity and equality become commonplace, but one can even trace several hermeneutical moves in *Qur'an and Woman* that have made their way into the public discourse. For instance, in interpreting the story of creation outlined in the Qur'an, Wadud focuses on the dualism of creation, arguing that men and women are "two co-existing forms of a single reality."³ Thus, while they might have distinctive characteristics, they are always in correlation to one another: "the male is irrevocably linked with the female as man is compatibly linked with woman."⁴ In her attention to the Qur'anic emphasis on pairing, Wadud began to articulate a "primal equality"⁵ of men and women, despite the different roles ascribed to them in society. This Wadudian move, to argue that the Qur'an is emphatic in its assertion that men and women are created of the same nature (from a single *nafs*) and thus spiritually equal in the eyes of the Divine, is heard time and time again in Muslim apologetics on the 'position of women in Islam.' Additionally, perhaps one of the most successful and influential arguments made by Wadud pertains to her interpretation of the verse 4:34. In the fourth and final chapter of *Qur'an and Woman*, Wadud provides a linguistic analysis of the verse, which pertains to marital disharmony. While the word *daraba* has been historically interpreted to allow a husband to hit his wife, Wadud argues that the word can indeed mean "to strike" but also to provide an example or to strike out (as on a journey).⁶ In a unique interpretive move, she asserts that the verse served more to curtail prevailing customs that inflicted physical violence on women, as opposed to a license to engage in such practices. While the public discourse against domestic violence is still very precarious in Muslim communities, those who take on the challenge to speak out against it often articulate an "Islamic" position against domestic violence with precisely such an interpretive move. The influence that Wadud's scholarship has had on Muslim communities and their interpretations of the Qur'an cannot be

³ Wadud, Amina. *Qur'an and Woman: Rereading the sacred text from a woman's perspective*. New York: Oxford University Press, 1999: 21.

⁴ *Ibid.*, 21.

⁵ *Ibid.*, 12.

⁶ *Ibid.*, 76.

disputed. The same people who, thirteen years ago, counseled me against Wadud's book are today espousing the same arguments and interpretations of scripture, sadly without any recognition or acknowledgement of their source.

Though Wadud's emphasis on the inherent Qur'anic message of gender equality is perhaps one of the greatest contributions of her scholarship to Muslim communities and academia alike, her assertions in *Qur'an and Woman* did not address the seemingly paradoxical positions of the Qur'an, which contains moral counsel that both affirms the mission of gender justice as well as seemingly opposes it. In her second book, *Inside the Gender Jihad: Women's Reform in Islam*,⁷ Wadud moves beyond the "apologetics"⁸ of her earlier work and seeks to offer answers to this paradoxical dilemma that has consistently plagued Muslim feminists. Once again we find Wadud two steps ahead of the fray in her intellectual thought, offering a robust theoretical foundation for much of the intellectual work that remains to be done in the struggle for gender justice. Her second book is a theological treatise that provides not only a more nuanced and complex hermeneutical method but a revolutionary theologizing of scripture and revelation. Wadud begins in this work to contest and grapple with troubling Qur'anic passages regarding women and gender roles, seeking to "free the text from the potential snares in some of its own particular utterances."⁹ She argues that the historical moment of revelation leaves its mark on revelation itself. While in her first book she acknowledged the historical context of the Qur'an, she saw this context as a "backdrop"¹⁰ for the Qur'an's universal guidance, which restricted the text due to the particulars of the society and time within which it was revealed. However, in her second book, she moves beyond a recognition of the historical context of the Qur'an, and argues instead that the patriarchal norms of that context "left its mark upon the nature of the Qur'anic articulation and continued to do so for centuries with interpretation and implementation."¹¹ Wadud's assertion is that one must not only understand revelation in the historical and social context of its revelation, but that revelation is itself constrained by the social, economic, linguistic and moral context of seventh-century Arabia. Furthermore, the language of the text itself is finite and fallible, incapable of encompassing the entirety of the Divine message:

If revelation through text must be in human language, in order for humans to even begin to understand it, then revelation cannot be divine or Ultimate. This is distinguished from the

⁷ Wadud, Amina. *Inside the Gender Jihad: Women's Reform in Islam*. Oxford: Oneworld, 2006.

⁸ Wadud, 2006, 188.

⁹ *Ibid.*, 22.

¹⁰ Wadud, 1999, xii.

¹¹ Wadud, 2006, 22.

idea that revelation is from a divine source: rather, it indicates how the source availed itself of the limitation of human language to point toward the ultimate direction for human moral development, otherwise known as guidance.¹²

She further argues that “if one truly believes in the entirety of the divine, then one cannot accept that Allah begins or ends with the particulars of Qur’anic utterances. Indeed philosophically, limiting Allah to the utterances of the Qur’an, a specific text, would also limit Allah to seventh-century Arabia.”¹³ For Wadud, the Qur’an cannot be understood as representing the totality of the Divine message or nature, but is instead a window, a framework or viewpoint.¹⁴ This methodological approach allows Wadud to make the argument that the ethical principles in the Qur’an are not representative of the eternal and universal guidance of the Omnipotent Divine. While I cannot, in so short a summary, do justice to her highly complex and rigorous analysis, her theological approach to revelation is revolutionary, offering us a way forward from the paradox of the differing messages in the Qur’an regarding gender. While the historical specificity of the Qur’an creates a means for Wadud to not get locked into the literal meanings of the verses, her understanding of revelation as “a window toward the transcendent”¹⁵ allows her to remain committed to its universal message. Furthermore, for Wadud the “Tawhidic paradigm” serves as the foundational ethical principle, disallowing any hierarchical relationship between humans. With Allah forming the highest point in any relationship between two people, a horizontal axis is created “that sustains parity between the I and the Thou.”¹⁶ Thus, as her theological approach to revelation allows her to move beyond the limited and contextual language of the Qur’an, the Tawhidic paradigm allows her to articulate a relationship between the genders that not only removes stratification, but always keeps the two as “*one within the oneness of Allah.*”¹⁷

My above discussion of Wadud’s theological work serves to highlight the ways in which her scholarship aids those who similarly utilize gender as a category of analysis in other areas of the Muslim intellectual tradition. In this way, Wadud’s theological re-articulations serve a crucial role as a parallel conversation for those of us who engage in legal studies. In my own work on gender and sexuality in Islamic legal texts (the *fiqh* tradition), the patriarchal nature of the law is very apparent. The gendered hierarchical relationships that Wadud critiques in relation to both the Qur’anic text and the exegetical tradition

¹² Ibid., 214.

¹³ Ibid., 213.

¹⁴ Ibid., 195.

¹⁵ Ibid., 196

¹⁶ Ibid., 31.

¹⁷ Ibid., 32.

are ever present within *fiqh* as well. Moreover, many of the legal rulings that are most directly related to women emerge from a larger theological conception of revelation and the understanding of the Qur'an as Divine word. As I engage in the task of exploring and explicating the social imaginary and gendered ontology embedded in the legal tradition, I recognize the ways in which a particular theological imagination underpins the legal tradition. While this critical approach to the legal tradition is certainly important and necessary, there is a need to move beyond the critique to begin to think through how we can conceive of Islamic law and ethics beyond the classical *fiqh* tradition. In moving forward in this direction, it is absolutely critical to engage in a re-theologizing of revelation, the Prophetic example and our imagination of the Divine, in order for a gender-just ethical system to emerge. Through her theologization of revelation and rejection of a gendered hierarchy through the Tawhidic paradigm, Wadud's scholarship offers us precisely this corollary theological engagement.

I began this essay recounting the influence Wadud's scholarship had on me as a teenager. That first encounter with Wadud has remained with me over the years. Several years after I read *Qur'an and Woman*, I had the privilege of meeting Auntie Am at a small and intimate retreat. Her presence and personality were as inspiring, faithful and sincere as her words. Over the years, Auntie Am's scholarship and personal mentorship have had a continued impact on my personal and intellectual trajectory. As this collection of essays makes manifest, I am not alone in my feeling of gratitude to Amina Wadud for her scholarship, guidance, and mentorship. Few people are blessed, in their lifetime, with the gift of such influence and significance across both the intellectual and spiritual spheres. Amina Wadud is certainly such a gifted soul. With her immense courage, she has risked treading the path of faith, forging a trail for all others who dare to accompany her.

SAADIA YACOOB received her B.A. in legal studies from American University and a M.A. in Islamic Studies from McGill University. A long-time activist, she has spent many years working on social justice issues (particularly gender injustice) in the American Muslim community. She is currently a PhD candidate in Religion (Islamic Studies) at Duke University. Her research interests include gender and sexuality in Islamic law and ethics.



SALAM, AR-RAHIM, AL-ADL - A TRIBUTE TO AMINA WADUD

By Sharifah Zuriah Aljeffri

This painting entitled **Salam, Ar-Rahim, Al-Adl (Peace, Compassion, Justice)** pays tribute to Amina Wadud for her lifelong dedication in the pursuit of equality, justice and compassion for women within Muslim Family Law. Her style of activism is through peaceful means.

SHARIFAH ZURIAH ALJEFFRI is a founding member of Sisters in Islam and an artist. She has made a cultural bridge in Malaysian society by painting in the Chinese brush style. Her iconic Arabic calligraphy pieces using Chinese brush technique are acts of spiritual contemplation or aggressive interpretations of socio-political issues, such as atrocities committed through war. As an artist who is aware of her socio-political environment, her art encompasses the emotive aspect of life and the legalistic factors that regulate society. Zuriah is also an environmentalist at heart and her nature paintings mirror the nobility of the environment and reflect and explore man's relationship with it. The use of inscription in her art helps her project her personal symbiosis between her Asian Malaysian heritage and her connection with the global Muslim community.

19

EXPANDING THE GENDER JIHAD: CONNECTING THE DOTS

El-Farouk Khaki

Ami is a main figure in my Muslim/Spiritual/Activist Family as a friend, teacher and sister. Her insights through her writings and her friendship have illuminated aspects of Islam, brought me new understandings and have inspired me further in my own journey through Islam.

I first heard of Amina Wadud in the 1990s and was thrilled by her book *Qur'an & Woman* and the notion of reading the Qur'an from a non-patriarchal perspective! I wished it had been the entire Qur'an rather than selected verses. And I wished that one day I would get to meet her.

In 1993 after a rather unpleasant response from Islamic Jihad to an article that I co-wrote with another Salaam (then Salaam: A Social/Support group for Lesbian & Gay Muslims) member for a university newspaper, I had shied away from active engagement with the larger Muslim community. My primary contact with the Muslim community was essentially Eid prayers at the Niagara mosque, & attending the conferences of the Canadian Council of Muslim Women. They were the only two places that felt 'safe' and welcoming.

I was so estranged that I did not learn of the LGBT Muslim gathering organized in New York City by Faisal Alam at the end of 1998. I had little information and feared it was a fundo-trap. I continued my one on one explorations and meeting people. A number of the scholars, academics or elders I met had great positions on gender and gender justice, some were even open to the notion of sexual orientation and the inclusion of LGBT people within the Muslim community, yet no one would say anything openly or publically. Even fewer could articulate their positions within a framework of analysis which was consistent and integrated.

I was drawn back into queer Muslim activism and Muslim activism generally after 9/11. My first attempts – Calls to CAIR Canada to offer my help fell on deaf ears. No one returned my calls or emails. Funny I never saw a 'queers not wanted' banner on their website. I became more involved in the local al-Fatiha group which after 9/11 reclaimed its Canadian identity and history by renaming itself Salaam: Queer Muslim Community.

After 9/11 I devoured anything I found in the press and/or on-line that spoke to the expansion of Islamic doctrine on gender, social justice, human rights and sexual orientation, the latter increasingly being raised in conversations and dialogue. Yet no one spoke of a paradigm shift on how to look at gender and

sexuality through an Islamic lens or framework. It was all ‘Traditionalist’ or ‘secular humanist.’ But what of Islamic humanism?

I became increasingly convinced that the struggles of women and the struggles of LGBTI people, in Islam and globally, were linked. That in fact they were flip sides of the same coin and that patriarchy was the common enemy for defining what is normative as male and heterosexual and everything which is not, is somehow lesser.

Lesbian women who were interned in Nazi Concentration Camps were often made to wear black triangles – black for anarchists – because by rejecting men they rejected patriarchy, the ‘foundation of human society.’

And yet despite the plethora of writings and discourse post 9/11 there remained a dearth in writings that pushed the boundaries when it came to gender, that moved beyond the ‘what it was’ or ‘what it should be’ or even ‘I’m so in denial ...’ but few could speak of why or how, let alone descend from the towers of academia and ‘get down.’ Amina Wadud did. She does.

In her 2002 piece in the *New Internationalist*¹ she states that “women scholars and activists are also busy constructing a system of legal reforms that can be implemented today for the full status of women as moral agents at all levels of human society.” Moral agency! Humanity constructed as something ethical and having capacity of choice and elevation. Simple concept, beautifully constructed and yet so elusive to so many.

I kept reading as she articulated that moral agency is “a mandate of the Qur’an and cannot be restricted by any amount of historical precedent, social custom or patriarchal aspiration. The long-term success of this project lies in the fact that it is all happening within Islam. And the rationale for change comes from the most trustworthy and reliable source of Islam itself – the Qur’an.”

Brilliant I thought. Moral agents at all levels of human society. An inclusive paradigm that begins with gender but which need not end there. Even then “Dr. Wadud’ was an elusive character. Who was she and what was she up to? Could she be an ally? Would she have the moral courage to be so when so many others shied away?

Well, elusive maybe, shy... not her public persona! In mid-2003, headlines in Muslim media read like: “Islam and Muslims exacerbate the spread of AIDS and ... a traditional Islamic theological response can never cure AIDS.” Whatchutzpah ! And what bravery !!? To challenge so many of those who construct change at a turtle’s pace from an ostrich’s perspective!

¹<http://www.newint.org/features/2002/05/01/aishahs-legacy/>

That same year, I coordinated the Salaam/Al-Fateha International Conference in Toronto in June 2003. In actualizing the belief that misogyny and homophobia are interconnected, it was imperative that Salaam as a LGBTI group manifest its belief in the full divine agency of all human beings. Dr. Ghazala Anwar held the distinction of leading Juma prayers at the Conference with over 120 attendees of all genders, orientations, GIdentities, colours and religions. Her message was simple: start Juma and people will come. The transformative potential of this simple message would come together sooner than later with Amina's exploration of tawhid in her discussions of horizontal reciprocity; that all humans are interchangeable, and that only Allah is Akbar!

The Salaam Conference birthed the since 2003 annual Salaam/Peace Iftar, the Salaam Support group, as well as a weekly Juma with Daayiee Abdullah as our 1st Juma and Salaam /Peace Iftar imam. The weekly Juma - a great source of spiritual and communal strength during the last few months of the life of my late partner Guy Lahaie - fizzled out. Our community outreach was limited to the Salaam yahoo list. Not enough to sustain an ongoing and growing community.

It was in the late summer after the Salaam conference that I was introduced to Amina by email. I cannot be sure but I believe the email was from Faisal Alam, founder of al-Fatiha. As I learned later from Amina herself, she was so moved by the (horrid) response of so many to her presentation in Malaysia on Islam and HIV that she felt compelled to seek out LGBTI Muslims in order to understand and appreciate their experiences of marginalization or otherness.

I found this to be awesome! At last, someone connecting the dots. Amina and I exchanged a few emails over the following few months. I was thrilled to learn that she was coming to speak at the Noor Centre in Toronto in early 2005. Brunch in the gayberhood with a few members of Salaam, hanging out and rushing to the Noor for her speech there. Hanging out with Amina Wadud. Imagine. For me, my connection and familiarity with her was instantaneous. She was family: An older sister with stories and wisdom. I suspect she felt a similar connection as when I got up to ask her a question in the Q&A session after her talk at the Noor, she greeted me with 'Hello darling. Where have you been all this time?'

We were both at a turning point in our lives. I was nearing the first anniversary of Guy's death and my own transformation and journey in the process of reconstructing my life and self. Amina herself had chosen to embark on a grand adventure – leading Juma prayer organized by the Progressive Muslim Union as the imam. A decision which required great courage and which has had profound impact on her life since. While many women are supportive of women leading prayer, many are reticent to do so themselves.

The decision to do so, the experience itself and all that followed can only be transformational. Despite some of the bile, Amina showed grace, fortitude and principle. Not interested in the flash and media, Amina bravely continued teaching and leading mixed gender congregational prayers. In so doing, she stood in the face of naysayers: there was no lightening; no fire and brimstone. There was hope. Hope for change & hope for justice.

I believe it also significant and important that Amina is African-American, challenging the mostly brown and white leadership of 'mainstream' Muslim communities and racism in Muslim communities, pivoted on the gender paradigm of her spiritual activism!

Amina's concept of horizontal reciprocity articulates the tawhidic construct of a humanism based on moral and spiritual agency on an equal, horizontal plane, for all humanity. That Allah is One and only Allah is Akbar; and all human beings are interchangeable: black or white; female or male; queer or straight; rich or poor. What a Blessing: The Creator is One; The Message is one; and humanity is one.

It is with this articulation that (Dr.) Laury Silvers, (my partner) Troy Jackson and I went forward in May 2009 with the creation of el-Tawhid Juma Circle: building on Ghazala Anwar's message to start Juma, with Amina Wadud's tawhidic horizontal reciprocity and Nakia Jackson's 'shared authority;' the el-Tawhid Juma Circle in Toronto (aka Toronto Unity Mosque) has been functioning regularly as a Friday Jami Mosque since then, welcoming all regardless of sect, religion, faith, gender, race, sexual orientation/gender identity or class or disability. Working with the concept of shared authority – that we all have something to learn and all have something to teach – jamaat members regardless of gender or orientation or GI take turns in giving the Call (adhan); giving the sermon (Khutba) and leading the Prayer (salaat).

Amina helped show people this was possible. That women can lead prayer; that we are not overcome with plague and pestilence for having prayed behind a female imam; That little girls can grow up to be imams; That men can pray behind women and not be overcome with unbridled and uncontrollable lust; That Allah loves all Her children.

Amina has put a universal face to the movement that is calling for a more inclusive and ergo a more authentic Islam entrenched in a multilayered embrace of the concept of tawhid. Someone a while ago said to me that academics were now ulema, creating a body of discourse and knowledge. I found the potential of it inspiring as opposed to the reality of the detachment of many (most?) academics from 'the community.' But Amina is not detached in some lofty tower. Her academic study drives her passion for justice and her desire to help make the

world a better place. The world needs to be a better place and humans need to be better at 'khilafa.'

In less than 3 years, there are 2 new affiliated el-Tawhid Juma Circles in addition to the Toronto Unity Mosque - the second in DC and the third in Atlanta, Georgia. A fourth community that has not affiliated with ETJC has developed with access to ETJC resources. There is chatter on the internet! Change is afoot. And Amina Wadud has been and continues to be central to that change.

I believe it is imperative that we transform and expand sacred space if we wish to see a progressive, liberating Islam. If we are not equal in the sight and House of God, how can we ever be equal anywhere else?

This past Ramadan, Toronto Unity Mosque and the Salaam/Peace Iftar along with the Noor Cultural Centre invited Amina to Toronto. On Friday she led the Juma @ Toronto Unity Mosque and the Maghrib prayers at the Salaam Peace Iftar. Over sixty people attended Juma while over 260 people attended the Iftar. She spoke of horizontal reciprocity, of our connections and interconnections. And she said that her jihad for gender justice is connected to justice for LGBTI people. People cried and people applauded.

The following day, Amina spoke at the Noor Centre before the Iftar, and led taraweeh prayers. Two young women 'could not deal' and did not pray. After the prayers, an elderly Trinidadian originated man went up to Amina and told her that he had never prayed behind a woman before, and that it was his honour to have been led in prayer by her.

We have come a long way. We would not be here were it not for visionary and brave souls like Amina Wadud.

Thanks Amina for your friendship, love and guidance. Most of all, thank you for your vision and your courage.

Expand the Gender jihad: connect the dots. We are all one in Allah's Embrace.

EL-FAROUK KHAKI is a refugee and immigration lawyer. His practice primarily involves representing women fleeing gender violence, LGBTQI People fleeing persecution because of their sexual orientation and/or gender identity, as well as people fleeing persecution because of their HIV status. A human rights and social justice advocate, his leadership has been recognized through several awards including the 2006 "Excellence in Spirituality" Award – Pride Toronto and the 2007 Steinert & Ferreiro Award from the Lesbian & Gay Community Appeal. In 2009, he was elected the Grand Marshall for the 2009 Toronto Pride Parade, and received the "Can't Stop, Won't Stop," Pride Toronto Theme Award. In 2008, he ran for

Canadian Federal Parliament in two elections for the New Democratic Party of Canada. El-Farouk is the founder of Salaam: Queer Muslim Community (1991) and in n May 2009, he co-founded the el-Tawhid Juma Circle with Troy Jackson and Dr. Laury Silvers. He is co-founder of the Canadian Muslim Union and past Chair of Africans in Partnership against AIDS. El-Farouk has set on many boards and is a public speaker on Islam, the Immigration and Refugee system, human rights, racism, politics and HIV/AIDS.

DEMOCRATIZING ISLAM

Madhavi Sunder

During the remarkable Arab Spring of 2011, governments were toppled and old orders undone. From Tunisia to Egypt to Libya, civil disobedience unseated long-term dictators within a matter of months under a rallying cry for democratic government for the people by the people. The hundreds of thousands gathered in Cairo's Tahrir Square put to rest the notion that Islam and democracy are not compatible.

Now begins the hard work of nation-building. As citizens in the Arab world strive to establish new democratic societies built upon principles of freedom, equality, open government, justice, and the rule of law, one thing is clear: these efforts must be illuminated by the brilliant work of Amina Wadud. Wadud's writings and strategic activism offer a blueprint for true social and legal change in the Arab world.

As we stand on the precipice of Phase II after the Arab Spring, those of us who care about humanism, gender equality and civil liberties have reasons to be concerned. The tyrants deposed in Tunisia, Egypt, and Libya were brutal thugs, but they were also *secular* thugs. In coming elections, it may well be that Islamists will win the hearts and minds of their people—as they already have in Tunisia and Egypt. What will be the prospects for gender equality and civil liberties in religious democracies? Some early rumblings do not bode well. Soon after deposing Mubarak, the all-male committee charged with revising Egypt's constitution proposed some troublesome constitutional amendments, including suggesting that the country's leader must be a man. Similarly, the chairman of the National Transitional Council in Libya, Mustafa Abdel Jalil, announced his intention that Libya's new laws be based on Shari'a, which in his view would mean, among other things, loosening legal constraints on polygamy. These examples raise a larger, more fundamental concern about Islamic democracy. How can dissenters contest religious law, which is attributed to God?

This is where Wadud comes in. Like Immanuel Kant before her, whose motto for the Enlightenment was "Sapere aude! Dare to know!," for nearly a quarter century, Wadud has advocated and empowered women and men to not take religion lying down, but rather, to read the primary texts and to interpret for themselves what it means to be a Muslim. Wadud has been a revolutionary philosopher, shattering traditional conceptions of religious knowledge as either divine and immutable or else the staid domain of a privileged few males. Notably,

Wadud did this not only by reinterpreting the Qur'an herself from a feminist perspective – which she did do!¹ – but also by teaching ordinary Muslim women that they could do the same. In short, Wadud has begun the remarkable project of democratizing religion itself, moving religious interpretation from the realm of the divine or a few elites with near divine authority, to be accessible to ordinary people.

Democratizing religion has salutary effects: Wadud early on recognized that male-centered interpretations of Islam were at the root of gender discrimination justified in the name of religion. By showing that these customs and laws are not religious mandates but rather interpretations and thus mutable, Wadud helped to reveal the nexus between religious interpretation and social justice, especially for women. One of Wadud's central insights has been that "Many popular or dominant ideas about the role of women do not have sanction from the Qur'an."² Revealing this truth leaves the proponents of practices, from polygamy to female genital mutilation, left to find some other justification apart from religion, thus depriving these proponents of their greatest authority and opening the issue up to public discussion and debate. Wadud's work has spurred countless feminist legal reform efforts in the Muslim world, with notable successes. Her influence post Arab Spring should only grow. Perhaps even more fundamentally, Wadud's feminist hermeneutic would usher in the kind of social change necessary to undergird the new democracies in the Arab world, engendering critical engagement rather than passive acceptance of traditional authorities.

It makes sense that Wadud would be the one to bring us such radical ideas about Islam, agency, and choice, and that she would see the connections between religious interpretation and social justice. The daughter of an African American Methodist minister raised during the American Civil Rights era, Wadud has always been deeply spiritual. But she did not believe that religion was something that could be imposed on an individual by the circumstances of birth. "Life is a gift we must live with honor—not by random standards imposed on us by an exploitative environment," she writes.³ Wadud recounts, movingly: "As a descendent of a slave woman, I realized that I have a choice about everything. I became a vegetarian. I became a Muslim."⁴ As she exuberantly told me in a personal interview in her home in California: "I realized I could be anything I

¹ See Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (1999); Amina Wadud, *Inside the Gender Jihad* (2006).

² Wadud, *Qur'an and Woman*, 62.

³ Wadud, *Inside the Gender Jihad*, 7.

⁴ Documentary film by Elli Safari, "The Noble Struggle of Amina Wadud," The Netherlands/US (2007).

wanted to be.”⁵ In an interesting twist, Wadud recently discovered that her great great great grandfather on her mother’s side, Matt Cox, was a Berber Muslim. “Matt was really Muhammad!”⁶ Though learning of the connection was meaningful, it was not determinative. Wadud is a Muslim by choice, not birth.

Even more notably, Wadud has daringly chosen what it means to be a Muslim in the first place. Where most people consider the choice of religion to be an all or nothing, “take it or leave it,” decision, Wadud confronted the gender discrimination she encountered in the name of Islam. In her 20s she moved with her new husband to Libya and began raising their first child there. Wadud encountered many mandates there proffered in the name of Islam that subordinated women, including prohibitions on driving and other forms of movement. Wadud refused to take these claims on their face, asking questions, instead. “Is this really what Islam says about women?,” she wanted to know. In search of an answer, Wadud began to read the primary texts of Islam—the Qur’an and the Sunnah, which details the words and deeds of the Prophet Muhammad. The quest resulted in Wadud eventually earning her Ph.D. in Qur’anic exegesis from the University of Michigan. Along the way, she studied in Egypt, pursuing advanced Arabic at the American University in Cairo, philosophy at Al-Azhar University, and Qur’anic studies and tafsir (exegesis or religious interpretation) at Cairo University.

Wadud was not the typical Qur’anic student; her gender was only the half of it. During her tafsir studies at Cairo University, she became increasingly frustrated with her teacher during her one-on-one religious tutorials in the Qur’an. “Instead of just telling me what this means, I wanted to look at the exegetical literature with him in a tutorial. Instead of him just saying, I’m an expert, this is what it means,”⁷ Wadud yearned to analyze, discuss, and debate the meaning of the Qur’an *with him*. Eventually she persuaded her teacher to let her read interpretive literature on the Qur’an. To convince him, she showed that the Qur’an itself said nothing that would preclude a woman from studying it. “We don’t have a mandate in Islam to restrict women’s knowledge of the Qur’an. I wasn’t breaking any precedent to say I wanted to study the Qur’an.”⁸ Wadud showed that critical engagement is not a Western approach, but in fact an essential component of Qur’anic study. Engaged surrender described in the holy

⁵ Personal interview by the author with Amina Wadud, October 24, 2007, Brentwood, California.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

book, she writes, requires not blind obedience but the exercise of “choice as an agent, not a puppet.”⁹

Wadud’s eventual discovery was stunning. “There’s more verses in the Qur’an that deal with social justice for women than on any other issue,” she found, concluding that “If we had kept on that trajectory than we should be so far ahead of where we are now.”¹⁰ But because women did play a role in religious interpretation, these aspects of the text were lost. Men controlled the interpretation of the text and tilted those interpretations to favor themselves. Women became “just silent receptors and they did not participate in the primary paradigm of what it means to be Muslim.”¹¹ By the time she finished her Ph.D., Wadud had begun developing her own, woman-centered interpretation of the Qur’an that would spotlight gender justice in the Qur’an.

READING THE QUR’AN IN KUALA LUMPUR

It was around this time, in the summer of 1989, that Wadud arrived in Kuala Lumpur to take up her first teaching assignment at the International Islamic University. Soon after her arrival a friend put her in touch with a group of women activists in the city, mostly lawyers and journalists, who were just forming a new women’s association. Though Malaysia had once been pluralist and moderate, women were losing case after case in the courts in the name of Islamic law. The members of the women’s group saw secular arguments for equality and human rights being flatly rejected and they felt helpless to reply. The group gathered to begin reading together some critical works by Muslim feminists, such as Fatima Mernissi, hoping to find some strategies forward. Wadud made the group a strange and radical proposal: Why not read the Qur’an, instead? Wadud quickly recognized that what stymied the women of letters in Kuala Lumpur was their fear of engaging with religious claims. “[I]nterpretations of Islam’s primary sources, or even the very claim that what one is espousing is ‘Islam,’ continues to be one of the most effective tools to silence oppositional voices,” Wadud wrote later, reflecting on these early experiences.¹² Wadud hoped that “greater freedom from authoritative abuses will result”¹³ from empowering Muslim women and men to read primary religious sources and to question and interpret them for themselves.

⁹ Wadud, *Inside the Gender Jihad*, 23.

¹⁰ Personal interview by the author with Amina Wadud, October 24, 2007, Brentwood, California.

¹¹ *Ibid.*

¹² Wadud, *Inside the Gender Jihad*, 18.

¹³ *Ibid.*, 19.

Wadud taught the women that they could read the Qur'an for themselves, and that the alim (pl. ulama) is just a person who studies the Qur'an like anybody else. So began a "book club," reading the Qur'an in Kuala Lumpur. Wadud taught the women interpretive methods for reading the Qur'an. Two years later the group, calling itself "Sisters in Islam," publicly challenged the claims of mullahs and politicians. Legislators were debating a domestic violence bill and male leaders argued there should be an exception for Muslim men. Others argued for unbridled rights for Muslim men to practice polygamy. Sisters in Islam published polemical pamphlets, provocatively titled "Are Muslim Men Allowed to Beat Their Wives?" and "Islam and Polygamy." The latter argued that the Qur'anic verses regarding polygamy needed to be read in light of the historical context in which they were revealed. The Prophet, they argued, was focused on curbing not expanding the pre-existing cultural practice of polygamy, and sought to approve it only in the extreme case of caring for orphans left by war. Through letters to the editor Sisters in Islam raised public awareness and sparked a public dialogue on the tenets of Islam.

In the meantime, Wadud was rising to prominence for her ideas. She recounts: "In Malaysia I said that nowhere in the Qur'an does it say that creation began with a male. There was a provocative journalist who loved it and wrote an article about it. And I got my first death threat to my office at the university after that."¹⁴

The fear that Wadud instilled in fundamentalists was not altogether unfounded. Wadud's brilliant and simple strategy of fighting fundamentalism with pluralism spread like a wildfire throughout the Muslim world. Perhaps most notably, in 2003, a collective of women from the Maghreb countries—Algeria, Tunisia, and Morocco—published a book aimed toward rewriting their nations' family law codes. Though the codes dated to the 1950s, created at the time of their countries' independence, the laws adopted reflected an Islamic law of the 10th century, not the 20th. Women were considered subservient to men in marriage and had a duty to obey. In Algeria and Morocco polygamy was allowed. Women had few if any right to divorce. Taking a cue from the strategies of Wadud and Sisters in Islam, the collective's monograph offered several distinct arguments against the provisions of the old family law, including religious arguments against them. The strategy worked and in 2004, the Moroccan family law code was changed. Today, Morocco offers a model Islamic family law code, recognizing women and men as equals.

Wadud's exhortation to Muslim women to read the Qur'an for themselves has had a profound effect on individual women and in a variety of contexts. In the

¹⁴ Personal interview by the author with Amina Wadud, October 24, 2007, Brentwood, California.

African country of Gambia, it led one Dr. Isatou Touray, who had her genitals cut at the age of 11, to read the Qur'an for herself as an adult. Upon doing so, Touray was shocked to find that "there is no mention in the Qur'an of" female cutting. The revelation led Touray to found the Gambia Committee on Traditional Practices. She says that some 75% of girls in Gambia, between birth and age 12, are subjected to female genital mutilation (FGM) in the name of Islam. But her and other reformers' protests are beginning to penetrate. When they raise the fact that the Qur'an is silent on this practice, religious leaders have no reply and have stopped making religious arguments for the practice. The opening made it easier to offer arguments against FGM, including arguments about girls and women's health and sexual freedom. In 2007 several communities in Gambia publicly condemned FGM and Dr. Isatou Touray was named Gambian of the Year.

In the United Kingdom, one woman recounted to me how she had donned the veil for the first time in her life after September 11, 2011, in order to express her Muslim identity. Before that, she had largely identified as Pakistani, not "Muslim." But after later reading the Qur'an herself – and many religious interpretations of the text – she realized that she had a choice whether to veil or not. Empowered with knowledge and the courage to choose, she ultimately chose to take off the veil, convinced that she could be a good Muslim without it.

CONCLUSION

Amina Wadud is one of the most important contemporary thinkers about justice and faith today. One of Wadud's central insights is that we must exercise agency and choice in all domains central to human life, including and especially the religious domain.

Awakening critical engagement within Islam is not only an important religious end, but also a critically important means in the contemporary world for enabling Muslims to better confront a range of contemporary problems, from patriarchy to fundamentalism to despotism. Thanks to Wadud, today a world in which self-proclaimed guardians of Libyan or Egyptian or Tunisian "culture" or of "Islam" can pronounce a singular, unquestioned religious law is being made a thing of the past. A country seeking to establish an Islamic constitution, criminal code, or family law today must do so in a transparent process that considers the full range of interpretative and legal possibilities available and then justifies its choices among competing options.

There is a tendency to minimize the role of individual leaders and intellectuals in the recent revolutions in the Arab World. *Time* Magazine, for example, named an anonymous "Protester" as person of the year in 2011, rather than any one reformer. But this is a mistake. Amina Wadud's exhortation to

challenge received authorities, to read, to question, and to make new knowledge of the world in the context of religion is a revolutionary contribution. Revealing the diversity of Muslim interpretations and laws renders religion itself public – making it accessible, debatable, open to reinterpretation and reconstruction. For those who care about preserving cultural spaces in a modern world, this change should be welcomed, not shunned. Opening the last frontiers of religion and culture to participation and social reconstruction will be not only a key to preserving culture and religion in the modern day, but one of the key transformations of our Age.

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Part 5
ENCOUNTERS

A Jihad for Justice

THE WATER OF HAJAR

Mohja Kahf

After the searing light
After abandonment
After the blow
that brings the head to the ground
and breaks the teeth
After the unrelenting vision
After the god who requires blood and obedience,
how do you find water?

It has no content
It is the cupping of the face
It is the wiping of the forehead
It cools the lips
and moves without words
It is almost not visible
between thorn and rocks

Where on this earth
is the water of Hajar
the water that came
up from the ground,
from the ground of Hajar

given
freely, freely
by the God of Hajar

MOHJA KAHF is the author of *The Girl in the Tangerine Scarf* (novel) and *Emails from Scheherazad* (poetry). Her Hajar poems have been published here and there.. Her essay, "Purple Ihram and the Feminine Beatitudes of Haj," came out in the journal *New Geographies*, Issue 3. She has a book of essays for the general reader and needs an agent; anyone?

22

A NEW INTERPRETATION

Tayyibah Taylor

"You have to read this new book!" exclaimed my friend, Dr. Ann El-Moslimany, with palpable excitement in her voice.

As she thrust the book into my hands I glanced at the plain blue cover. It was a small book, its size belying the significance of its contents. *Qur'an and Woman* by Amina Wadud-Muhsin, it read.

That night as I turned the pages of the book, slowly digesting its premise and words, I understood Dr. El-Moslimany's insistence. It is a book that should be read by everyone; it examines Qur'anic exegesis from a female-centric perspective, reshaping patriarchal interpretations in Islamic thought and calls for a continual re-interpretation of the Qur'an as a living text.

A few weeks later, when we learned Dr. Wadud would be presenting in California, Dr. El-Moslimany and I flew from Seattle to attend her lecture. We watch and listened as she expertly substantiated her premise.

Some in the audience admired her scholarship and agreed with her rationale; some enthusiastically endorsed her book and its new interpretation. Others in the audience found it offensive and accused Dr. Wadud of changing the Qur'an and promoting *bida* in Islam.

Deftly deflecting the criticism and heckling, she calmly refuted her detractors' claims, refusing to be discouraged. She asserted that the absence of women in Islamic scholarship had been harmful to both women and men. When a man stood to challenge her during the question and answer period, he asked contentiously, "Are you saying a man can't interpret the Qur'an for a woman?" His combative tone spoke for many of the males who were there that night.

Dr. Wadud's short, but gracious answer, exemplified the issue at hand. "What I am saying," she replied, "is that a woman can interpret the Qur'an for a man."

Fifteen years later, things have changed for the better; more women have chosen Islamic theology as their field of scholarship and they are making valuable academic and spiritual contributions to the discourse on gender equity. While there is much to be done, we can thank Dr. Amina Wadud for blazing this path.

During an interview in early 2001 for an *Azizah* article on female scholars, Dr. Wadud commented on the inertia surrounding gender issues. She mentioned

how Muslims need to move into the past, gather the wisdom, and utilize it to move ahead in the future. “if we do not do this,” she contends, “we suffer a stasis that eclipses the dynamic sense of progression and breed superficial national organizations that are only interested in maintaining the status quo.”

The publication of *Qur'an and Woman* offered the status quo a new interpretation which with to move into the future.

TAYYIBAH TAYLOR is the founding editor-in-chief and publisher of *Azizah Magazine*, a vehicle for the voice of Muslim American women. She is a woman rights activist working for the empowerment of Muslim women and an interfaith activist who promotes dialogue and understanding among people of various faith traditions. Tayyibah Taylor has been named as one of the 500 Most Influential Muslims in the World by the Middle Eastern think tank The Royal Islamic Strategic Studies. She has appeared on CNN and other new media to comment on current affairs and she has visited over 37 countries spanning six continents. She currently resides in Atlanta, Georgia.

23

GETTING TO KNOW AMINA WADUD

Daayiee Abdullah

There are times in one's life when you meet people and it seems like you've known them all your life. I've always felt that way since the first time I met Amina. More than a decade ago I remember reading her book, *Qur'an and Woman*, and enjoying every page. It was one of those books that you could not put down, you stayed awake when you should have been sleeping and the next morning you paid for it with baggy eyes. But when I came to the end of her book, not only was the proverbial "light" burning brightly, I was having a heady mind trip, I imagined my skull had exploded and boy was I able to think far outside the gender box. With delight, I hoped that one day I would have the chance to meet her in person.

Amazing as it might seem, I don't remember when I first met Amina in person, but if I were to guess I think it was in the early 2000's in California or was it in Virginia? Then again, it might have been in 2003, or 2004, or 2005—the years blend from one to another, it is not as clear as I had hoped. I do remember, though, when she was the keynote speaker at Al-Fatiha's conference in Atlanta. No matter, whenever it was I met her, I was mesmerized in so many ways. Throughout our conversations over that weekend, we talked about a variety of different things that included gender issues, sexual orientations, Qur'an interpretations, cultural diversity and the sharing of our experiences living in Muslim states around the world—often having lived in similar places at different times in our lives. There was this underlying connectedness that was mental, physical and spiritual that went beyond our commonalities of being black, American and Muslim. I think it was around that time I considered her my big sister I never had. I think I asked her if I could call her "Sis" and she agreed.

Of course, our friendship grew and we talked on the phone from time to time, sent emails and discussed current events on the progressive Muslim front. I remember there were times when we would miss running into each other by a matter of hours in our travels as we crisscrossed the country lecturing here and there, north and south, east and west, and even passing through airports in foreign lands. Nonetheless, it was a kind of friendship that has always continued as if we had never left each other—you know, enough time to make a short trip across town. I remember one day she was in Washington DC for the graduation of one of her sons from Howard University's law school, and we spent several hours together. Since her son lived a few short blocks from where I lived, we took a

leisurely stroll to his house and spend some time with him before they were off to some event at the school.

When I was in California filming for documentary in Oakland in the winter of 2007, she happened to be in the Oakland area and we made it a point to get together and have a meal so that we could catch up on our happenings. As always, it was a pleasure to see her smiling face, to hear her deep insights and to share a few jokes and talk about some of those peculiarities that we call—stuff happens. I remember her sigh of relief when she reported that her youngest daughter was about to graduate from high school and she was going to be free. The look on her face showed it—a sense of relief and the acknowledgement that she had made it through it all. After all of those years, she was coming to the end of the race and not surprisingly having done an outstanding job, she was content.

Whenever I would read about her in the media, whether in North America or in other, foreign lands, there was never a moment where she did not have someone challenging her views on the place of women in Islam. She was always encouraging to those who were in the trenches, fighting the good fight for freedom and recognition. There were always groups of people there to support her—male and female, straight, gay and transgendered—supporting her all the way, and I am proud to say that in times past I have stood in support of her efforts, and look forward to doing so in the future too. Of course, as an outsider looking in, catching some of her comments in one magazine or newspaper article online, I would note important pieces of information she would pass on to the general public, and knew that some of them were for me to reflect upon and use in my discussions on LGBTQ Muslims. This is one of the reasons why I know, without a doubt, that the issues of human rights as Muslims inculcated women's rights and LGBTQ rights. Whenever and wherever I speak about progressive Muslims, the discussion evolves, expands and grows more inclusive because of her.

A few months ago in Toronto, Fatima Thompson and I drove up from Washington DC to spend some time with Amina and the Toronto gang—El-Farouk Khaki, Laury Silvers, Troy Jackson, LaLi Ahmed, and a slew of other folks. We gathered so that we could attend her lecture and participate with her leading prayers at the Noor Center. It was a fantastic summer weekend, the weather was superb, there was lots of happiness in the air, breaking fast and spending time in heavy intellectual conversations, and of course, busting out in deep gut wrenching laughter over some recollection or another—there was lots of joy there at El-Farouk's place. As our weekend ended and we were taking pictures before we all headed back to our homes in different parts of the country, making the distance between us turn into many thousands of miles, I continue to share that sacred spiritual space between us I call family.

Congratulations, Amina for all the great work you have done, you continue to do and this book is our token of appreciation of all that you do. Looking forward to sharing with you again as our future unfolds. *Amen.*

DAAYIEE ABDULLAH is a scholar, a former public interest lawyer and a specialist in Shari'ah Sciences/Qur'anic Interpretation. He frequently lectures internationally on progressive Muslim concepts, intra-faith and interfaith networking and the development of inclusive revisions of Islamic theological thought and interpretations of Islamic law. He has long been involved in actively promoting understanding and awareness of issues of racial, gender and sexual equality within and beyond Muslim communities. Daayiee is the Director of LGBT Outreach for Muslims for Progressive Values, Leader of Muslims for Progressive Values - Washington, DC; and Imam and Education Director at Masjid el-Tawhid An-Nur Al-Isslaah (Mosque for Enlightenment and Reformation). Imam Daayiee provides pastoral counseling for queer Muslim youth and their families. His new book *Questions and Answers for Queer Muslims* is forthcoming in 2012.

A Jihad for Justice

24

AN INTELLECTUAL MENTOR

Fatima Seedat

I first met her as a name on a blue-green book (Wadud, 1992) that caught my eye as I rambled through Vanker's bookstore in Madressah Arcade on what is now Dadoo Street in my hometown, Durban, South Africa. As I read through the book, my head couldn't bob up and down in agreement enough. I closed the book with that feeling you have when someone has just told you everything that you always knew was true ... a light had switched on somewhere in my mind, but I couldn't see a way to make it shine in the world outside my thoughts. I tried to discuss the meanings of '*min hā*' only to hear time and time again that even if other meanings were possible, naturally the first soul was male. I had similar encounters after reading Mernissi (Mernissi, 1991). Naturally, women were kept out of mosques. It was for their own protection. Between Wadud and Mernissi I knew what I wanted to do ... to learn, understand, unpack, discover, the notion of womanhood that the *Qur'an* and *hadith* framed for Muslims so that I could live accordingly. I approached a professor with my idea, only to be told that there was no notion of womanhood in the *Qur'an*. To add insult to injury, Wadud and Mernissi were to be banned. He made a call to the bookstore to suggest that Wadud and Mernissi not be stocked. Fortunately, I don't believe Mr. Vanker followed his advice.

After that the blue-green book never stayed with me too long. Every time I'd meet someone who showed an interest in her ideas I'd let go of my copy and eventually buy another. As time passed the copies also became cheaper, a sign that she was becoming popular. I liked that her ideas were becoming more mainstream.

I was working in Cape Town when I heard that she was coming to lecture. The Muslim Youth Movement had invited her and, in addition to some lectures, there was rumour that she'd present the Friday *khutbah*. I was anxious as ever. Afraid for her. The strength I could understand. The daring I feared. She was placing herself at such risk. I got to the mosque earlier than usual to make sure I got a space but it was already packed. From a distance I watched her come to the *minbar*. She stood just aside it, not directly in front. She stood before us all, yet not directly before the men. Strategic, I thought. She spoke with humility, depth and wisdom. I listened for her voice and her words while I watched her presence. Between the congregation and the *minbar*, she occupied a space unfamiliar to a female form, yet she stood in it like she belonged right there. She filled it with her words and my eyes filled with tears which quickly dried as I scanned the sitting

crowd for reactions. The air was tight. But almost as though she was oblivious to it, she spoke. She spoke about the womb, about *rahma*, about mothers, about compassion. I was inspired but disappointed too. The coincidence that the first women to speak to the congregation would speak about the womb was clichéd. I thought they wouldn't take her seriously. I was wrong. The public reaction the next day showed how seriously people took her. But not for what she said, for the position from which she said it, that space not directly before the *mimbar*, not directly before the men but in the front of the mosque.

Her *khutbah* ended, we prayed, she rose and left the *musallah* swiftly. There was no time to talk to her, to take her hand, greet her, praise her, let her know how far she'd caused me to travel, to let her know how far I'd travelled with her until now.

Finally, in Lagos, I met Amina in person. We invited her to speak to a workshop on women in the Qur'an.¹ Her work stole the show. But she was exhausted. From touring and sharing and teaching, I gathered. We shopped together. I asked her about her experience giving the *khutbah* in South Africa. She explained that it was unplanned. She was only informed shortly before the event. She was unprepared for the backlash. Naturally, I was taken aback. We'd known about it before her? She'd only been told at short notice? The impact of the event was mammoth for South African Muslims, the impact and risk to herself was more immense, yet she'd only been informed at the last minute? She needed to write about this. Make it known. How terribly disappointing, to know that she'd been brought into such a significant moment in all our lives in this way.

She published her experience in her second book (Wadud, 2006, pp. 168-186) and it was only a while before I understood the real nature of the event. A casual statement taken as commitment, plans laid, she was informed 45 minutes before the event (Wadud, 2006, p. 171)! I was hurt by how she'd been treated and yet I know that the organisers didn't for a moment think they were wrong. She understands and explains it best ... the form of the event had taken precedent over the substance, the woman she is and her marginal existence was brought to the center in affirmation of the center as the place for recognition and legitimacy. Her marginal self was asked to leave itself at the margins and to enter the center as any male would. She surprised everyone. She entered the center in her marginal self and recited her marginality to us from that spot. In "articulat(ing) from the center of the marginality of [her life]" she refused to abandon her marginality (Wadud, 2006, p. 184). And so, even though I bristled at a woman speaking about womb, she was a woman retaining her woman self, retaining her

¹ Reading the Qur'an, a Workshop organised by WLUM and Baobab in 2002

ability to speak of the womb, even were the womb was itself not ordinarily welcome. And in spite of being drawn to the center of the mosque, the centre of community leadership, the organisers had not managed to remove her unique perspective. I think she's somewhat kinder than I would have been, having been treated as she was. But that is again what makes her Amina. Through the frenzy and fuss of realigning the gender lines of authority she is able to articulate a philosophy of gender that affirms a paradigm of *tawhid* (Wadud, 2006, pp. 24-32) and resists the temptation to create rifts where unity will serve our purposes much better. She is unselfish in the way that path breakers often are.

She has that talent. When she first announced her project to explore the concept of women in the Qur'an, she made clear that hers was not a feminist endeavour, yet she never took any cheap shots at feminist struggles. Instead, she found a way to articulate at first a pro-feminist (Wadud, 2006, p. 4) and later an Islamic feminist² position that helped me locate my own feminism within my struggles for equality as a Muslim woman. She explained how even in using feminist methods, Muslim feminists could question feminist politics. She showed how Muslim women are ourselves politicised in other women's struggles. She's given me the tools to express the uniqueness of our struggles, that our struggles need not bear the weight of white women's struggles. I have learnt that our success as Muslim feminists resides in defining our struggles for ourselves, combining an "ethics of risk," a "theology of divine imminence" and "a passion for justice" (Wadud, 2006, p. 45; Welch, 1990, pp. 3-6).

I watched again, in 2005, as she was raked over the coals during the New York event where she lead men and women in Friday prayer. I marvelled again at her strength and courage, but mostly her silence. She remained so silent at that time that I could only think it was her way of holding on to herself as everyone tried to 'get a piece' of her. Her silence was, to me, voluble. There's some explanation for it. Reflecting on both her South African experience and on her khutbah that day in New York she says:

"... it did not matter what I said. I take a stand regarding how heavily this weighs on gender and justice. My presentation fell along the lines of the historical silencing of female voices and the invisibility of their particular experiences and contributions. The marginalization of the full spectrum of female experience still persists among some progressive thinkers who never focus on the margin experiences. Any reality away from the center stage of Islamic public discourse and praxis are

²Wadud, "The "F" Word: Feminism in Islam"

http://www.religiondispatches.org/dispatches/guest_bloggers/3393/the_“f”_word:_feminism_in_islam_/?comments=view&cID=13499&pID=13497#c13499

measured according to an exclusive male standard of evaluation” (Wadud, 2006, p. 180).

In her *khutbah*, in leading the prayer and in her silence thereafter, once again, she gave unselfishly of herself. Even as she disrupted the male norms that occupy the centre, she instructed us in our pre-occupation with it. In her reflections of what it is to be a woman at the center of normatively male spaces, Amina suggests a theory of womanhood that is bound to our particularities as women but open to our commonalities as people. She poses a question that will be important in our future discussions on gender difference in Islamic thought; “how do we maintain all our particularities while not being limited to or judged exclusively by them?” (Wadud, 2006, p. 184).

She suggests a model of horizontal reciprocity between males and females and interrogates the limits of Arabic, a gendered language, to “contain and expose divine meaning” (Wadud, 2004, p. 335). Her *tawhidic* gender paradigm (2006, pp. 24-32) is impressive and will be crucial to the theories of difference that I hope will emerge as the field of Muslim Women’s Studies develops.

Amina remains, for me, an intellectual companion, a virtual mentor. I’m just starting out in a new teaching career and she’s the first scholar I introduce my students to. Her book is a lot more accessible today than the day I first bought it and her interpretations in that book have become almost mainstream, a sign of how deeply her work has changed the contours of Muslim understandings of gender. But there’s been little time or place to reflect on Amina’s significance in the landscape of gender in the Muslim world and so I welcome the opportunity to celebrate her and her work. Too often we feminists forget about ourselves. To celebrate Amina is to celebrate the transformative impact her work has had.

In South Africa, we praise those women who open new roads for others to follow saying ‘*malibongwe*’³, ‘let them be praised’. Amina’s place among the path breakers is secure. May her name be praised! *Malibongwe!*

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³ The praise name is most often associated with 20,000 women who marched to the Union Buildings in 1956 to protest the extension of pass laws to women by the apartheid regime.

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25

ENCOUNTERS WITH AMINA

SOME REFLECTIONS ON VULNERABILITY AND AUTHORITY IN ISLAM

Shanon Shah

I met Amina Wadud in person the day after she was called a devil in a hijab. This was at the Second International Muslim Leaders' Consultation (IMLC) on HIV/AIDS in Kuala Lumpur, Malaysia, in May 2003. I was 24, a volunteer rapporteur, and Amina was the panellist for one of the plenary sessions.

Her paper, *Vulnerabilities: HIV and AIDS*, provoked outrage among several high-level participants. As soon as the panel was over and the floor opened to questions, a number of participants got up and yelled threats and abuse at Amina. The "devil in hijab" grenade was lobbed by none other than Dr Abdul Majid Katme of the Islamic Medical Association of the UK (Shanon, 2003). I do not remember some of the other things said, but I do remember that after this onslaught, around 20 delegates walked out of the conference in protest. More than 50 delegates, however, later signed a petition supporting Amina's freedom of opinion (Amanullah, 2003).

Granted, Amina's was not a gentle presentation. It was critical and packed a huge punch. My own young Muslim jaw dropped at some of the ideas she introduced about Qur'anic interpretation. Take this paragraph, for example:

Properly fulfilling this role of wife is fatal to some women, with estimates as high as 80%. That is 80% of the heterosexual women with AIDS are monogamous and have only ever had sex with their husbands. What does a theological premise 'la taqrabuna 'l-zina' ['Do not go anywhere near adultery', Qur'an, 17:32] avail these women? How has Islam in particular assisted them towards living a life of dignity and how has it prevented them from experiences of dignity and worth, un-stigmatized by our ostrich theology and law? (Wadud, 2003a).

Here's how I understood what she was saying: contemporary interpretations of Islam privilege men to such a degree that, specifically within heterosexual marriage, they place an undue burden on women to be sexually available and "obedient." So, in a context in which wives remain faithfully Islamic in their marital conduct whilst their husbands have contracted HIV through extra-marital sex, this moral double standard becomes deadly for women. Interpretations of

the Qur'an that do not rectify this double standard or ignore it altogether put women's lives in danger. This was strong stuff coming from Amina. But I understood that she was calling for Muslims to look harder at the Qur'an to reclaim the Divine injunctions toward justice, fairness and equality at the heart of Islam.

This was not what Amina's detractors heard. All they heard was her "insulting" Islam and the Qur'an. This is not what scared me, however. What scared me was the sheer hatred and anger directed at her after her presentation. I even remember a delegate saying that if Malaysia were a true Islamic state, we would demand repentance from Amina, and if she failed to repent, she should be given the death sentence.

So when I was face-to-face with her the next day, I was confused and uneasy. Having cried my eyes out the night before, wondering what on earth I had gotten myself into, I don't remember saying anything to her at all beyond giving salam. I had followed a mutual friend, Salbiah Ahmad, who wanted to offer Amina solidarity. Amina was fuming and had taken off her hijab at this point. "They call me a devil when I don't wear hijab, and they call me a devil when I wear it – well it's off!" she said to Salbiah. I remember suppressing a giggle. Never had I met an African-American Muslim woman, and with such *attitude*.

Seeing Amina in the flesh, and listening to her talk, I felt that it was patently unfair for her to be attacked in such a threatening manner. I could understand people disagreeing with her, and passionately at that, but I did not understand likening her to the devil. So when the anger and hatred against her continued finding its way into conference proceedings, I decided I would speak out. I eventually sent an email to several friends about what happened, and this eventually got published on the now-defunct website *Muslim WakeUp!*

I am still processing this encounter with Amina. So much of it relates to how I personally feel, too. I am a believing, practising Muslim with a lot of difficult questions about how "Islam" is used by some Muslims and non-Muslims to justify injustice. Therefore I worry about what might happen to *me* if I were to ever articulate my concerns publicly and straightforwardly. But there is something deeper and simpler than even this – on that fateful day when I looked at the numerous men and the lone woman shouting abuse at Amina, I could only think, "It's because she's Black and she's a woman, innit?"

LAYERS AND NUANCES

Perhaps the most illuminating essay of Amina's I have read is in the edited volume *Progressive Muslims: On Justice, Gender, and Pluralism*. I had come to

this essay shortly after finishing her *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* back in 2003.

It is an indicator of my own assumptions and prejudices as a Muslim man that I had expected her essay to be in the volume's *Part II: Progressive Muslims and Gender Justice*. After all, is gender not what permeated her analyses at the IMLC and in *Qur'an and Woman*? Thus, I was more surprised than I should have been that her contribution fell under *Part III: Progressive Muslims and Pluralism*, and was titled *American Muslim identity: race and ethnicity in progressive Islam*.

The essay opens with a quote by Malcolm X, and then Amina's own first paragraph:

Imagine a banner draped across the port of arrival to the United States' shores: 'America: love it or leave it.' Then imagine these new arrivals came on slave ships from Africa. (Wadud, 2003b: 270).

The essay proceeds to dissect how race and class intersect and produce power relations *among* American Muslims. In particular, American Islam is shaped by a diverse array of experiences, including those of early 20th century migrants from the Middle East, late 20th century migrants from South Asia, and African Americans looking to reclaim their Islamic history prior to the slave experience. Amina shows how the intersection of race and class has systematically marginalised African-American Muslims even *within* the American Muslim community, and the effects of this dynamic in a post-September 11 context.

This essay allowed me to see, very early on, the complexity and risk in Amina's position as a Muslim and a scholar of Islam. Here was a person who experiences several layers of discrimination and marginalisation, as an African-American Muslim woman *in America*, and as an African-American Muslim woman, who is also a convert, *among Muslims*.

So anti-Muslim bigots don't get to call her an "apologist" – her critiques of power dynamics within Muslim societies and the interpretation of Islamic sources have earned her threats from other Muslims. At the same time, Muslims don't get to tell her, a Black Muslim woman, that she's a tool of the "West" or "an enemy of Islam" – her critique of US foreign and domestic policy is consistent and trenchant. We don't get to tell her she's only a convert and dismiss her when she talks about Islam – she's got a Ph.D. in Qur'anic hermeneutics. Besides, she is as passionate and sincere a Muslim as I have ever met or read.

But, in my experience, so many people do dismiss Amina, despite her analysis coming from a treasury of personal experiences, activism, scholarship,

and religious piety. Perhaps this is the irony of having enough knowledge and insight to speak truth to power. One gets to see not only how power operates in different contexts – whether in US policy or Qur’anic interpretation – but how it implicates different facets of identity, from race to gender to sexuality to class. And so when one chooses to pursue this multiple critique, one’s unpopularity multiplies accordingly among multiple groups of people.

A THANKLESS JIHAD?

But Amina’s work works. Take the fact that Shaykh Hamza Yusuf, one of the “West’s” more influential Islamic scholars, recently acknowledged that many traditional Islamic sources allowed women to be imams for mixed-gender prayers (fiqhlopedia, 2011). Never mind that Shaykh Hamza, himself a Euro-American convert to Islam, only went public with his views a good six years after Shaykha Amina was soundly attacked, humiliated and threatened for leading that Friday prayer in New York. The point is, Amina’s work has now been vindicated by a Muslim *male* figure, the caveat of course being that he is not subjected to the same kind of risks that Amina has always faced.

Therefore, I wonder if it’s frustrating to be Amina. She blazes so many trails, then gets attacked and treated like a leper, and when people (specifically men) finally acknowledge the wisdom of what she has done, she hardly gets any credit. Perhaps this is one thread to pick up in a discussion on Muslim women and the challenge of authority.

This crucial thread, it seems to me, is that of the courage among believing Muslim women to speak out against abuses perpetrated in the name of Islam. So many Muslim women have to struggle against legal and political constructs and ugly stereotypes from both “Islamic” and “Western” authorities. Hounded in France for wearing the hijab, hounded in Saudi Arabia and Iran for *not* wearing hijab, needing to be *saved* by former US president George W Bush, hence his invasion of Afghanistan in 2001 – the list goes on and on. Yet, as a group that is so much the target of public scrutiny, Muslim women face terrible consequences when they do speak honestly. What amazes me is the courage with which many Muslim women do speak, and how they forge strength and a deeper faith in Islam out of their vulnerability and positions of marginality. Maybe this is what scares so many people about Muslim women like Amina – she calls out “ostrich theology” when she sees it. I don’t know, I’m just taking a guess.

What I do know is that Amina’s work helps the *ummah* to grow. Just look at how Shaykh Hamza finally endorsed woman imams. Amina’s work forces us to engage with traditional Islamic wisdom that we never knew was there, and it forces us to always ask where women’s voices are in “Islamic” prescriptions or

descriptions. It awakens us to the diversity, richness and potential of Islamic thought and expressions. In my case, it also demonstrates the importance of being honest, rigorous and courageous, as a scholar, a Muslim, and a human being.

For now, I suppose this is why I write so much *about* Amina. In several of my critical, reflective pieces on Islam and gender or sexuality, I have always paid due credit to my encounters with Amina and her work (Shanon, 2009a, 2009b). I do not hang on to her every word or agree with her blindly. In fact, I chose to grapple critically with *Inside the Gender Jihad: Women's Reform in Islam*, in one of my MA modules. But the point is I don't want to distance myself from her in either a scholarly or personal capacity, no matter what other Muslims or non-Muslims might say about her. Furthermore, my engagement with Amina and her work is part of the epistemic and spiritual link all Islamic scholars share.

I am now pursuing a PhD in Sociology of Religion at the Department of Theology and Religious Studies, King's College London. So many individuals have supported, inspired and challenged me to do this, throughout my involvement in activism, journalism, music and theatre in Malaysia, and many new people continue to enter the picture.

Sometimes I get distracted and overwhelmed. Sometimes I hit the brick wall of "Islamic" authority in Malaysia – threatening and intimidating people like me for asking critical questions about Islam and society. Other times, I rub against the self-appointed guardians of "Western civilisation," who insist that I accept my own backwardness and inferiority as a Muslim if I am to ever become fully human. But it is people like Amina who, in being who they are and doing what they do, help me to stay the course by reminding me that Islam is a gift to me, and that I am never alone, wherever I am.

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26

A TIMELINE OF LOVING ENCOUNTER¹

Homayra Ziad

Dr. Amina Wadud emboldens me to search for my islam. Just as she articulates a theology of justice and an ethics of compassion, I seek to articulate a theology of loving encounter with the other.

Her scholarship reminds me that “the other” also lies within my own tradition, and that finding my islam means a loving encounter with the many faces of islam, warts and all.

Her example reminds me that “the other” also lies within me, and that my scholarship must arise from a loving attentiveness to self.

Her actions remind me that real love is never blind to justice.

My faith is created and refined in encounter. That is, I cannot be a religious individual without the encounter with difference. In the Islamic tradition, God, with H/er ninety-nine Names, is a plural singularity. Lover, Destroyer, The Subtle, All-Knowing: H/er Names - the ones we know - are relationships, how God gives birth to what is not God. God is the macrocosm and we are the microcosmic reality; in the creation story shared by the Abrahamic traditions, God breathes life into the first human being, fashioned of earth, carrying God's own breath within. If God H/erself is composed of relationship - this is the only mode in which I may truly exist.

I value the intellectual currents within Islamic spirituality that posit our very existence as relational, wherein my own being can emerge only in relationship to the greater Being. Human encounter, then, is an essential way to experience something of that Ultimate Reality. We are only really alive *in relation*. In dialogical relationship, we seek to know the other, a mode of knowing that creates an illuminative experience of the reality of the other. I believe this is similar to what Martin Buber had in mind when he spoke of the other as *thou*, and of the ultimate *Thou*. The dialogical relationship, whether experienced in speech or in

¹ A portion of this essay was first published as "Oh How You've Spun Me Round, Darling," in Peace, Rose & Mobley, eds., *My Neighbor's Faith: Stories of Interreligious Encounter, Growth and Transformation* (Orbis, 2012).

silence, possesses the possibility of transformation. In dialogue, I am fine-tuned: my rituals, prayers, and pathways are enriched, even recalibrated by these encounters. And then - this moment of profound relationship with another brings us to a deeper level of clarity with regard to what makes us different from each other - a clarity that does not breed fear, but ignites a desire, and loving curiosity, to see what is important to the other.

This is, *inshallah*, the call of my surrender -- my *islam*.

And among His wonders is the creation of the heavens and earth, and the diversity of your tongues and colors. There truly are signs in this for those who know. (Qur'an, Rum: 22)

In my Qur'an, diversity is a gift, a sign or *ayah* of God. More than that, the tumult of language and color is set beside the creation of heaven and earth. Human diversity is at par with the sustaining, merciful and shattering act of creation itself.

If difference is a sign, then we are commanded to read it. (*Read! In the name of your Lord, who created...*).² Perhaps we may begin by reading what is closest to us. The twentieth-century Sufi teacher Muzaffer Ozak said, *The greatest book is this world, this life. Read it and reread it. Your past is the greater part of this book. As you keep rereading it, you will find it changed. It is a vast book, reaching from this earth to the farthest corner of the heavens.*³

I choose to begin reading in the 1940s: My mother tells me stories of her childhood in undivided India and later, Pakistan. Born into a deeply religious, aristocratic family of educationists, her spiritual awakening took place against a backdrop of remarkable color. On feast-days of Eid, the vast family table catered to every persuasion. Carols filled the house with sweetness on Christmas (she still hums Silent Night when she thinks she's alone) - and on the Hindu festival of Holi, she and her friends chased each other around the jasmine trees, drenched with colored water. Poets and musicians gathered in their home, the shades of their verse reflecting the many-hued cultures and faiths from which they drew their muse. On Thursday evenings, when they still lived in Delhi, she accompanied her father to pay respects at the thirteenth-century shrine of Nizamuddin Awliya, beloved Muslim teacher and Friend of God (as spiritual guides are often called in the Muslim tradition). There they would settle down on the cool marble for a night of *qawwali*, a spiritual musical genre created by the artistic genius and disciple of the Friend, Amir Khusraw. A Muslim male writing in the Hindu folk idiom of a female lover, Khusro's love-drunk, gender-bending

² Qur'an, `Alaq: 1

³ Sheikh Muzaffer Ozak, *Love is the Wine: Talks of a Sufi Master in America*, ed. by Robert Frager (Los Angeles: The Philosophical Research Society, 1987)

verses question all forms of static identity in the act of intimate encounter, poetic renditions of a spiritual passion.⁴

You stole my beauty, my being, with one single glance
You made me drink wine from love's distillery
With one single glance, you have made me drunk
My pale white wrists adorned with green bracelets
Held tightly by you, with one single glance
I give my life to you, cloth-dyer
You dyed me in yourself, with one single glance.
Khusraw gives his life to you, o Nizam
With one single glance, you have made me your bride.

In the turmoil of Partition, the families of my father and mother carried one secret across the border to the seaside metropolis of Karachi: God is found in the kind of human encounter that up-ends who we think we are.

1979: In Karachi, my pediatrician was a Parsi woman, my mother's dear friend. Before she approached any child, she laid her palm on an image of Zoroaster and asked him to guide her hands. Her piety was a great comfort for my mother.

In my early years in Karachi, I took it for granted that my parent's boon companions included Zoroastrians, Catholics, Shi'a Muslims and Marxist atheists. What they shared was no more and no less than a radical sincerity. Urban planners and dancers, physicians and land-owners, each took action as the perfect flowering of faith; for some, the faith that could not be expressed in engagement was no faith at all. Their private theologies emerged from their lived context, an urban sprawl of nearly ten million which shared many of the problems of poverty and injustice that emerge in any mega-city. I learned from them that the religious text is not a static thing; it continues to arise as we put it in practice. The Qur'anic message had unfolded over a period of twenty-three years in conversation with a community that fought and laughed and loved passionately, a process of give-and-take still reflected in the language of the text

⁴ See Scott Kugle, "Dancing with Khusro: Gender Ambiguities and Poetic Performance in a Delhi *Dargah*" in Carl W. Ernst and Richard Martin, eds., *Rethinking Islamic Studies: From Orientalism to Cosmopolitanism* (Columbia: University of South Carolina, 2010), pages

as we have it today. Human experience, its mistakes and triumphs, relate dialectically to the appearance of the sacred, creating the sacred in the very process of encounter. The Prophet Muhammad was described by his wife Ayesha as a “walking Qur’an.” I may pull the Qur’an down from time to time from the topmost shelf, and sit in silent recitation - but if the Qur’an cannot be read in the movement of my limbs, the angle of my chin, the way I walk, sit, and hold someone’s hand – it is as if it had never been written at all.

1995: That year, the media ran stories of a remarkable event that took place in New Delhi in late September: at a temple in the southern part of the city, a devotee held up a spoonful of milk to a statue of Ganesha, remover of obstacles and god of plenty. Miraculously, the milk disappeared. Soon, devotees worldwide were swept away in what became known as the “milk miracle.” In the Gothic dorm rooms of Bryn Mawr College, I found myself facing a small statue of Ganesh. There he sat, smug, rotund, lovable. A few hours ago, my friend Sonali had burst into my room and asked me to hold her hand as she too offered milk to the deity. In awe, I saw the milk disappearing into the full and heavy trunk of the elephant. Sonali’s eyes shone with tears. What was I supposed to think? Was this idol-worship?

At this moment, I acted for someone else’s sake, without thinking about or analyzing what I had done. I acted through the heart, embracing the spontaneity of the moment. In doing something that I normally would not have done, that may not have held significance for me, that I may even have recoiled from had I attempted to place it in a theological framework, I found my religion. In the process of tapping into the *iman* within myself – the conscience – and in acting out the conscience for the sake of my dear friend, I became my *islam*.

Tear down the mosque, tear down the temple
Tear down everything in sight
But never break a human heart
it is there that God resides

(Baba Bulleh Shah, Punjabi Sufi poet)

To be conscious at every moment, to know that every moment can be a profound space for self-knowledge. Sonali brought me hard up against idolatry, the bugbear of the Abrahamic tradition. The Prophet Abraham broke the idols of his father’s people; the Prophet Muhammad smashed the 360 idols of the Ka’ba (though he lovingly set aside the likenesses of Jesus and his mother Mary). What is it that they were really attacking?

There is a powerful theological tradition in Islam of *shirk e khafi*, or secret idolatry. The theologian Qushayri defines it as our inflated sense of self, or the gods of self-love that we erect within our hearts. The delusional ego leads us to

the greatest of self-deceptions, what Ibn `Arabi denounces as the error of binding (*taqyid*) – in our small-mindedness, we imagine that the partial, limited form in which we grasp the Real is the only possible form that the Real can take – that our relative is somehow Absolute. We become fixed on the reality of our own experience and begin to worship the God of our own belief. Of course, God must of necessity be refracted through the prism of our experience – we worship in the form most amenable to our nature - but to imagine that this one ray of light is the lamp itself is a grotesque misjudgment and indeed, denial, of God’s reality.

2000: That year, I visited the monasteries of Bucovina in Northern Moldavia, Romania with my family. In the church of Sucevita, Orthodox worshippers fell to their foreheads and knees in prostration before icons of Christ.

Prostration – resting on palms and knees and placing the forehead on the ground – is the quintessential Islamic act of worship. It is the culmination of every cycle of prayer, performed more than twenty times a day. Portraits of this striking physical action abound in images of Muslim worship. Prostration drives home the intense physicality of the Islamic tradition—that religion is expressed both through body and through soul. In truth, Islam is an ascetic tradition in love with the body. The material body is revered, a fistful of earth fashioned by the very hands of God, carrier of soul, deserving of care. And yet the rigorous discipline of the body in such acts as the fast of Ramadan brings the soul into stark relief against the vanishing of the body; the body is further adored for its willingness to act as a vessel of transformation that, paradoxically, transcends the material.

To see my “own” form of worship performed in an unfamiliar setting unsettled me. Even more, performed before a portrait of a prophetic figure who, I was taught, was never to be represented physically. And yet I understood the power of prostration more deeply in that moment than I ever had. Before this experience, prostration was “mine”—and possession had dulled its sharp edge. Now, watching this act as if for the first time, I was struck by the submersion of self that conscious prostration demands of one—anyone—who enacts it.

With the clarion call of iconoclasm ringing in my ears, I took three quick, furtive photographs of one particular icon of Christ, coffee-brown against an ochre backdrop. Back in Bucharest, where my parents would be living for the next three years, I spent three evenings in contemplation of this photograph. It was when my eyes met the still, steady gaze of Christ the Icon—who bore the burden of Divine love—that I began to understand Jalaladdin Rumi’s commentary on the link between body and soul. Rumi’s reference is to the Qur’anic story of the birth of Jesus, in the nineteenth chapter entitled Maryam, where God lovingly tends to the body of Mary in the pangs of childbirth. Rumi writes:

The body is like Mary.

Each of us has a Jesus, but so long as no pain appears, our
Jesus is not born.

If pain never comes, our Jesus goes back to his place of origin
on the same secret path he had come, and we remain behind,
deprived and without a share of him.⁵

Later, Meister Eckhart would say, as if picking up the thread of a conversation that spanned centuries: . . . "the spiritual being will be born in the human soul, provided one willingly takes upon oneself the burden and pain caused by Divine Love."⁶

A Sufi teacher once told me that all ritual is imitation. He compared the action of prayer to the spinning of a record in a gramophone - the record spins to re-create the sounds of an intangible experience. Determined, intent, on and on it whirls, but the sound can be no more than mere imitation. Is it the pain of never-reaching that makes us ever-reach? Caught in this whirl, what else can we do but fall to the floor, place our forehead to the ground in a gesture of surrender, palms outstretched... waiting? Perhaps that is what the Sindhi Sufi teacher Sachal Sarmast meant when he cried out:

Oh how you've spun me 'round, darling!
How you've spun me around!
You distill, you're the tavern
You're the serving boy.
You're the drinker, you buy the rounds
And you're the stumbling drunk, darling!
You romp around in your own lap
Just like little Krishna, darling!
Oh how you've spun me round, darling.
How you've spun me around!⁷

⁵ Translation by Annemarie Schimmel, *I am Wind, You are Fire: The Life and Work of Rumi* (Shambhala Publications, 1996), 122

⁶ Annemarie Schimmel makes this connection in *I am Wind, You are Fire*, 122

⁷ This is my own translation, which originally appeared in *Kabir in Pakistan (Pakistan Mein Kabir): 12 Qawwalis and Sufi Folk Songs*, ed. Shabnam Virmani (Bangalore: Srishti School of Art, Design and Technology, 2008)

2010: *That year, I was taking part in a summer workshop with a multi-confessional group of scholars and chaplains. One evening, I found myself taking a stroll down Riverside Drive in New York City with a Jewish colleague, a new friend. Hemmed in by the river on one side and a ferocious band of barbed wire on the other, we spoke tentatively about being women and about the institutional barriers – physical and mental - that are put up by many men and even some women in our pursuit of religious scholarship or authority within our communities. We were both a little embarrassed at revealing the underbelly. Was it all too much, too soon? But the words came out in a rush, they needed to be said, to be shared, and miraculously, to be so perfectly understood by each interlocutor.*

A woman, Rabi`a of Basra, is one of the pioneers of Sufi thought, articulating in the early ninth century the vocabulary of radical love as a path to the divine. Biographers present her as a revered critic of male spiritual arrogance; a woman's subversive words and actions are an integral part of the founding discourse of the Sufi tradition. While women figure far more than we may imagine in biographical accounts of Muslim religious professionals, their paths were often forged through connections with male benefactors. Men defined the domain of religious scholarship, of knowledge production in general, and women were granted conditional access, guest-passes that could be rescinded at a moment's notice. I had always "celebrated" the figure of Rabi`a, who appears to represent a different paradigm. And yet, that evening in New York, the anger of my interlocutor unsettled me. She more than me seemed to think that there was a much graver struggle to be fought, a struggle that could not be resolved by seeking refuge in figures like Rabi`a. She made me think: Rabi`a spoke truth to power, but what was it about the way she positioned herself that allowed her to do so? And then it struck me that Rabi`a spoke from a position of social ambiguity. Once a slave-woman, never married, engaged in a life of ascetic self-denial - her role on the margins grants her liberties unavailable to others of her gender. Rabi`a's is a powerful voice for those who have suffered physical and psychic harm. But is it necessary to place myself on the social margins to be granted a space of authority?

And yet, seen from another angle, Rabi`a's example takes on new meaning. For what is Rabi`a but a metaphor for deeply grounded placelessness? Theoretician of place Edward Relph suggests that "an empathetic and compassionate understanding of the worlds beyond our own places may be best grounded in a love of a particular place to which I myself belong."⁸ We must be wholly present in ourselves to engage in profound relationship with another. The Naqshbandi

⁸ David Seamon & Jacob Sowers, *Key Texts in Human Geography*, P. Hubbard, R. Kitchen, & G. Vallentine, eds. (London: Sage, 2008), p. 50

Sufi teachers taught the spiritual practice of *safar dar vatan* - travel in the realm – the realm of our own selves. Using the language of journey to speak of the deepest grounding, they delight in the paradox of grounded placelessness. The infinity of the journey means that we may never find a place to rest our head, and yet the journey is what grounds us so deeply within ourselves that we may begin to reach out to others in true relationship. Rabi`a's radical marginalization is a metaphor for placelessness and her radical self-awareness is the result of deepest grounding.

I am reminded of a conversation between Rabi`a and her fellow teacher and admirer, Hasan of Basra. Hasan writes:

I was with Rabi`a for one full day and night. We discussed the way and the truth in such a way that the thought 'I am a man' never crossed my mind, nor did 'I am a woman' ever cross hers. In the end when I arose, I considered myself a pauper and her a devotee.

In his very use of the terms 'man' and 'woman', Hasan has already acknowledged the reality of difference, that he is indeed a man and Rabi`a is indeed a woman. The category of gender, what makes them different, does not need to be transcended in order for one to encounter the other. His and Rabi`a's respective identities, and their subsequent relationship, do not hinge on gender. But neither does Hasan ignore her gender, or his own; he merely names it, and lets it go. They rest wholly in their gendered selves, making for a spirituality that is not fragmented. They address one another with the earth-shattering *Thou*. Like God, with H/er infinite Names, each is a plural singularity.

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Part 6
EMBRACES

A Jihad for Justice

27

ENGAGING SURRENDER:

THE INTIMACY AND POWER OF THE GENDER JIHAD

Sa'diyya Shaikh

My beloved Amina,

Your foundational intellectual impact on a whole generation of Muslim scholars is indelible. The path-breaking book *Qur'an and Woman*, and your extensive theological reflections published since have provided thousands of Muslims with luminous intellectual arguments, brave ethical questions, and nourishing spiritual insights. As I personally reflect on the impact you have made on my life, I remember the first time I met you in 1994 at the UNISA conference in Pretoria, South Africa, where you were one of the invited speakers. Being a young graduate student at the time who had eagerly devoured your first book, I travelled from Cape Town to Pretoria by bus as part of a very excited Muslim Youth Movement contingent to meet you. On listening to your talk I was struck by your erudition and your humility. I had searched so hard for an intellectual and spiritual inspiration among Muslim women, and here you were – and you were one of us...a Muslim woman of colour, experiencing living through the impact of racism and sexism and unashamedly naming the limitations and spiritual impoverishment of a male-centred Islamic tradition. There was such a deep gratitude in my heart! And then when we came back to Cape Town, I participated in the Claremont Main Road Mosque *jumuah* salaah, where you presented the single most inspired *khutbah* I had ever heard. For me your words on that eventful day transcended all of the controversy and complex politics at play. I experienced your sermon as if it were a glorious, warm summer rain, drenching us all in mercy and radiating all kinds of existential possibilities. It was a spiritually ripe sermon - you went to the very heart of the matter, to the understanding of Islam as a state of engaged surrender in all of our most intimate and immediate relationships as human beings—marriage, pregnancy, childbirth—as all sites of immanent relationship with the divine One.

Most poetically and evocatively you used the image of a pregnant women “who carried a child under her heart for nine months and then brings that child forth” as an exemplar of engaged surrender - a parallel reflecting the way God “pushes us forth from his spirit and draws us close.” You invoked some of the most intimate experiences of women as the universal centre for reflecting on the nature of the Divine, who is the womb of Mercy and Compassion! For the first

time in my adult life in a public religious space, I felt myself sincerely validated as a Muslim *woman* – what an extraordinary grace that was! It was only years later as I was reading the work of French feminist Luce Irigaray that I realized how deeply significant your examples were: Irigaray alerts us to the deep psychological impact that feminine images of the Divine have for women’s full and authentic forms of subjectivity. And you went the next step, after affirming and embracing the fullness of female experiences, you proceeded to draw implications for universal human experiences of engaged surrender in ways that were also meaningful for my Muslim brothers, and for humanity at large.

In that *khutbah*, you proceeded to compellingly speak about marriage as engaged surrender, about the spiritual challenges and blessings of encountering a spouse anew every day, about both holding and letting go with love, about opening our hearts and transforming our consciousness as part of the productive struggle of life more generally. The constellation of images in this *khutbah* resonated and endured in many ways for me. Your sermon superbly integrated what for me were the deepest Islamic questions on human purpose. You did so in a manner that focused on the most intimate of human relationships, encompassing beautifully the experiences of women and men alike. This was an Islam of process, of continual character refinement, of being a conscious and spiritually alive human being that seeks the countenance of the Merciful in every moment and every experience, and every human relationship. For many of us this was food for our searching and hungry souls. Yes, indeed it was a sermon that went to the heart of the matter, that Islam as a spiritual state of engaged surrender was translated in every human act, intention, state of consciousness, relationship, and indeed in any politics of social justice.

Amina, your work and being illuminate that the world of the spirit and the world of everyday personal and political life are seamless and interwoven. In fact this became even more evident to me in recent years, when I learnt how despite the beauty and inspiration that your Claremont Main Road Mosque *khutbah* had provided to many of us, there was ironically a politics of erasure at play in the very process of invoking you as a powerful symbol of female religious authority - even from those who were well-intentioned. Your subsequent astute analysis on these events unveiled the ambivalent micro-politics of gender surrounding the Claremont Main Road Mosque *jumuah*, and as such brought into stark focus the importance of enacting justice in the minutiae of human relationship as the essence of social-spiritual transformation.

Some months after you had left South Africa in that eventful year of 1994, I tentatively wrote you an unusual email starting out by saying I don’t know if you would remember me, a student that you had met briefly on your South African visit. Recognizing that it was an odd thing to do, I proceeded to write you a very

intimate email about the deep crisis of faith I was experiencing as a student of Islam. In studying the critical and historical scholarship on the tradition, many of the foundations of my personal understanding of religion were being destabilized. I was finding that much of what I had taken for granted as dependable truth and foundational assumptions were now on shaky historical ground. I was in agony and quite depressed because my faith felt so precarious. And you responded to me within a few days with a carefully worded and deeply insightful five paged single-spaced email that had me weeping at the computer for an hour.

You reassured me that the journey to God was never easy, that traversing doubt and uncertainty were all part of the spiritual path, encouraging me to keep up my ritual practices as an internal resource even when I could not always feel present or presence in it, you recognized how hard the darkness might seem while assuring me that the light never recedes, you informed me that the insights I would uncover through difficulty would deepen and soften my heart, you reminded me of the Qur'anic promise that ease followed difficulty time after time. Your words were simultaneously a witness, a comfort and reassurance. You attended to me, a mere young student who you briefly met on a tumultuous visit to Cape Town with the love, attention, tenderness and loving compassion of someone you had known for years...your wisdom so comforted my heart in those dark moments of fear and uncertainty. And over the years, I have known a number of other young Muslim women whom you have attended to with the same selfless love and attention, enriching each of our lives profoundly. Since that angst-ridden email some two decades ago, I have come to know you as a sister, and a friend. You shared with me some of your own vulnerabilities, struggles and pain, reflecting to me the humanness, fragility and complexity of each of our lives, and in that too was a learning.

And now whenever we meet and talk about the challenges and joys of motherhood, I am in awe of the constant devotion and care you lavish on your grandchildren amidst the demands of your own work. You also respect the unique qualities and individual journeys of each of your own children, seeing them for who they are and not as an extension of yourself. What an important lesson that is to parents! Yes, indeed, engaged surrender is present in each of our most intimate relationships.

In March 2005, when you accepted the historic role of female imam in New York City, leading a congregation of Muslim men and women in Friday prayers, I was in awe of your relentless bravery, and at the congregation's courage. Finally, it seemed that some Muslims were standing tall and honoring woman's full humanity, uncowed and unconcealed, not appeasing or pacifying opponents within the community. There was something exquisitely noble about

the public nature of this symbolic act. While it has been criticized by sectors of the Muslim community as being sensationalist, it was precisely its public nature that was about a spiritual politics for me. Indeed it was time that Muslim men and women committed to a holistic and egalitarian vision of Muslim community exemplified their visions in symbolic and real ways that created powerful possibilities for transforming the gender biases of our communities.

A woman leading a mixed gender congregation in prayer evoked a range of passionate reactions within the global Muslim community. For some of us it feels like this is long overdue given our ethical sensibilities, for others it is an outrageous departure from tradition, and yet for others it represents a celebratory reclamation of marginalized traditions. While there were many denouncements, there was an unanticipated level of support for the event. The ripples of courage resonated around the worlds where small congregations of like-minded Muslims took heart, forming their own gender egalitarian Friday prayers, a trend that will no doubt continue and grow into the future.

Dearest Amina, I extend my deepest gratitude to you for being a beacon of light and commitment to Muslims seeking justice, full humanity and spiritual dynamism. It is a privilege to know a rare and unique soul whose contribution to the world is so significant that she will be remembered by the Muslim *ummah* for centuries to come. Your legacy will be celebrated, revered and honoured amongst future generations of Muslim women and men, in the same way that you are deeply cherished by so many of us in this generation. Thank you for providing many of us with a living embodiment of relentless spiritual striving, indomitable courage, loving comfort, bountiful friendship, ceaseless generosity, uncompromising honesty and profound inspiration. Thank you for your brilliant, passionate and transformative scholarship. Thank you for teaching the importance of a full embrace of life with all its ease and difficulty – and of illuminating the path of seeking God in both light and darkness. Thank you for living so poignantly and sharply the struggle of engaged surrender. Anbu. Sa'diyya

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28

OUR LIVING HAGAR

Aysha Hidayatullah

*I have a heart that has been scorched
by the fire of midday,
by the fire that must be extinguished by water
I have a faith that has withstood the weight of the sky
I have been more alone than any man
I was given water and gave birth to prophets
who emerged from my womb to a world as parched
as the valley of my trial*
-Mohja Kahf¹

One who possesses the inner spirit does not accept injustice but strives through any means necessary to establish justice and honor on earth.

-Amina Wadud²

It has been said that Amina Wadud does not know Islam, that she does not understand the Qur'an or Arabic, that she is ignorant, uneducated, and wholly unqualified to speak on such matters. It has been said that she is the victim of a slave mentality, that she suffers from mental and moral derangement. She has been called a liar, a heretic, an apostate, a *kafir*, a propagator of Satanism, a missionary of disbelief, and an agent of a diabolical conspiracy to destroy Islam. Some have said that no true Muslim can ever condone her ideas or practices, that she should be silenced and even killed.

That such things could be said of one of the greatest Muslim scholars and activists of our time testifies to the madness of the time in which we live. It strikes one immediately that such accusations and insults have historically been reserved

¹ From Mohja Kahf, "Hajar in the Valley," cannot locate citation.

² Amina Wadud, "Teaching Afrocentric Islam in the White Christian South," *Black Women in the Academy: Promises and Perils*, ed. Lois Benjamin (Gainesville: University Press of Florida, 1997), 143.

for prophets, reviled and persecuted for their messages. Though Amina Wadud is not a prophet in the manner of the messengers of old, what she has dared to reveal to us as the black female voice of the gender jihad is a truth Muslims seem collectively unable to bear. And in their denial of it, we glimpse a ghastly portrait of our collective self as Muslims today: a people mired in racial and gender anxieties, duped by the deceptions of male and white supremacy, and in the case of American Muslims, bamboozled by the promises of an American dream fantasied only inside an endless nightmare. In many Muslims' resistance to Amina Wadud's work, we find the unwitting confession of a persistent lie we have told ourselves about being Muslim: that the only recognized measure of distinction between us is our piety and devotion to the Almighty, as judged by the Almighty alone. However, the reality of our continual failure to recognize the full humanity of certain Muslims, particularly those Muslims who are black or women (or both), exposes us for our most compulsively told, bold-faced lie.

It is against the current of such deception that I will try in the small space allowed here to pay respect to Amina Wadud in acknowledgement of the fullness of her life as a black woman from the United States, where Muslims on the whole, in their unwillingness to come to terms with the persistent race- and gender-based stratification of their community, have yet to fully recognize the truly great living Hagar in our midst, despite three decades of Wadud's tireless and prolific work. It has perhaps become cliché to speak of strong Muslim women as modern-day daughters of the legendary Hagar, the ancient foremother of the Ishmaelite lineage of Muslims who bore her trials through a limitless faith.³ But here I will also attempt to show briefly why the story of Hagar calls out so fiercely through the example of Amina Wadud. In doing so, I will not invoke the romanticized version of the story of Hagar that has recently become so fashionable to cite casually and comfortably, but rather the uncomfortable telling that accounts for the reality of Hagar's cruel circumstances, which must be fully understood so that we may truly celebrate her triumph.

Much has, and will, be said about Wadud's work on women and gender. But Wadud's own gender and womanhood as a Muslim can never be severed from the fact of her blackness. In her own words, she has never been a Muslim except as an African American.⁴ That is, the gender jihad of Amina Wadud has

³ Perhaps most troubling about the recent casualness with which Hagar's memory is invoked is the virtual erasure of Hagar's blackness or enslavement; rarely are they accounted for or mentioned at all in comparing her to contemporary Muslim women. For a fascinating study of this as a larger historical phenomenon, see Janet Gabler-Hover, *Dreaming Black/Writing White: The Hagar Myth in American Cultural History* (Lexington: University Press of Kentucky, 2000).

⁴ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 102.

from its beginning been a *black* gender jihad. Let me be clear here –as such a statement readily invites misinterpretation – that in no way do I mean that there is something essential about the blackness of Wadud’s or African-American Muslims’ experience; nor do I suggest that Wadud’s work could ever possibly be reduced to some abstract category of blackness, or that her call for gender justice is not widely applicable to Muslim women from all racial backgrounds. Rather, I simply reiterate a historical observation made by others (including Aminah McCloud, Carolyn Rouse, and Jamillah Karim) before me: that it is from the abject position of being black in the United States that Wadud’s vision for justice was first born, and that vision has continued to be shaped irrevocably by the experience of being black. There is no glory in the suffering and dehumanization of African Americans, but the urgency and momentum of the anti-racist movements spurred by that experience birthed the legacy of the revolutionary thought and practice in whose path Wadud would follow. As Wadud writes, “The development of my moral awareness started during the height of the American civil rights movement.”⁵ Wadud’s vision of an egalitarian justice was thus fashioned in the light of 20th-century calls for black Americans’ full dignity. Theological claims to God’s equal creation of, and justice for, all human beings formed the platform of black Muslim movements in the United States beginning in the 1930s.⁶ It is the legacy of these African-American movements that sharpened Amina Wadud’s keen vision of justice, a vision that would later lead her to imagine the gender jihad. It is thus no mere accident that the greatest Muslim feminist thinker of our time emerged from the *African American* Muslim community. Therefore, let us clarify our genealogy and put our debts in order: it is to *African American* Islam and Muslims that the beneficiaries of Wadud’s articulations of gender justice owe a tremendous debt, for their initial nurturing of Wadud’s vision for justice, and it is from a *black* woman’s womb that the gender jihad was born.

As the aforementioned suggests, it is more than the fact of Wadud’s blackness that is significant for us; it is more precisely her compounded racial-gendered position that is critical for understanding our debt: her experiences of *black-woman-ness*. Even more than the content of her words themselves, perhaps what has been most appalling to Wadud’s antagonists is the fact of her being at all.⁷ In the words of Audre Lorde, black women in the U.S. continually

⁵ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 4.

⁶ It is also within these movements that the first seeds of black Muslim women’s advocacy were initially sown, as examined extensively by Carolyn Rouse and Jamillah Karim.

⁷ As Debra Majeed has so aptly said, many Muslims continue to discount “the embodied experiences and knowledge of African American Muslim women as inconsequential because of their gender and/or less than authentic because of

confront the “societal deathwish directed against [them] from the moment [they are] born Black and female in America.”⁸ In her will to speak justice and truth to power, Wadud has stubbornly affirmed time and again her own right to exist as a black woman – in the face of constant judgment and mistreatment, as Lorde puts it, for being Black, for being a woman, for not being Black enough, for not being some particular fantasy of a woman, for being at all.⁹ I will say more about this shortly.

The shocked and fervent response sparked by Wadud’s now infamous tongue-in-cheek aside at a public event, “The fact is that I am a nigger and you will just have to put up with my blackness,” reveals how pitifully little non-black and immigrant North American Muslims understand of their own anti-black racism.¹⁰ That they would accuse Wadud herself of stirring racial tensions and fail to reflect at all on their own complicity in North American racial hierarchies demonstrates their continual resistance to a hideous fact: that black Muslim women continue to be treated as if they are less Muslim, less capable, less knowledgeable, and less human than their male, immigrant, and white counterparts. That “any single line uttered in a three-hour forum should capture so much attention” is as Wadud herself puts it, “a *clear* indication that being a Niggah is a matter of extremely strategic importance in the context of North American Islam.”¹¹ As has so often been the case with Muslims’ negative reactions to Wadud, the response reveals much more about the audience than the messenger.

The racism and sexism of the Muslim community is only further compounded by what Wadud has identified as the Muslim community’s abandonment of single mothers, among whom a great number are African American as a consequence of the larger structural factors of institutional racism in the United States. In one of the most poignant and beautiful passages in

their race.” Debra Majeed Mubashshir, “Womanism Encounters Islam,” *Deeper Shades of Purple: Womanism in Religion and Society*, ed. Stacey M. Floyd-Thomas (New York: New York University Press, 2006), 44.

⁸ Audre Lorde, “Eye to Eye: Black Women, Hatred, and Anger,” *Sister Outsider: Essays and Speeches* (Trumansburg, NY: The Crossing Press, 1984), 146.

⁹ Audre Lorde, “Eye to Eye: Black Women, Hatred, and Anger,” *Sister Outsider: Essays and Speeches* (Trumansburg, NY: The Crossing Press, 1984), 152.

¹⁰ Wadud made the statement rather informally at a public event in Toronto 2005 in response to an audience member’s question about Muslims’ internalized racism. Her comment is layered with ironic meanings and as Wadud later told me, was intended in a tone that was not entirely serious, in contradistinction to how many audience members heard it.

¹¹ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 246.

Wadud's repertoire of writings, she submits her own experience as a testimony to our neglect and disregard for (black) single mothers:

No one celebrates at the altar of my feet, for like Sojourner, I must plow the dusty fields and draw the carts upon my back. Even as my breasts harden and weep with the fullness of milk, the whip draws blood. Both flow freely in my awakening: there is nothing romantic about the one who works like a man to save her young from the mighty grips of death and despair. She grows hard in the task. Little thought is given to her ... no one is there for her.¹²

As Wadud points out, that single Muslim mothers must endure these trials in isolation and invisibility without any help points to another failure of the Muslim community to care equally for all its members. If (black) single women were considered as valuable members of the Muslim community as any others, we would never stand idle in the face of their experience of injustice. Finally, to drive home Wadud's point, though we must never reduce the trials of these Muslim women to victimhood, and we must honor them as courageous and triumphant, there is nothing romantic about the agony of this experience, even as it may be survived. In other words, in celebrating their strength, we must remember why they have to be strong in the first place. As Nina Simone sang, it may be that a black woman's "back is strong/Strong enough to take the pain," but that strength stands in response to a pain that is "inflicted again and again."¹³

Despite the costs of being black and female, Wadud has resisted passing as anything other than a black woman. The price of surviving as a black American, she points out, all too often requires the repression of who one truly is and the playing of "skillful games of deception;" however, Wadud has stubbornly refused to barter "deception for survival," making her struggle all the more difficult.¹⁴ Wadud has always insisted on the recognition of her black womanhood, invoking it continually through the span of her writings and public talks. In recent years, she has begun to wear her hair uncovered, deliberately exchanging the "ethnic anonymity" of her hijab for the African-American mark of her dreadlocks.¹⁵

¹² Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 126. Here Wadud invokes the 19th-century black female icon Sojourner Truth, most famous for her "Ain't I a Woman?" speech at the 1851 Women's Convention in Akron, Ohio.

¹³ Nina Simone, "Four Women," *Wild is the Wind*, 1966.

¹⁴ Amina Wadud-Muhsin, "On Belonging as a Muslim Woman," *My Soul is a Witness: African-American Women's Spirituality* (Boston: Beacon Press, 1995), 257.

¹⁵ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 224. The initial act

Wadud's unabashed, unapologetic, and blunt assertion of black womanhood in the instances cited above illustrates powerfully what Alice Walker has referred to as the "womanish" spirit of black women's survival in action: a spirit of audacity, outrageousness, courage, and willfulness.¹⁶ The benefits of Wadud's depth and insight must thus also be credited to the bold and fearless defiance of black womanhood, as Wadud's very survival as a black woman is in part what cultivated the brilliance that would illumine the gender jihad. Though Wadud has said that for her, the gender jihad "was absolutely necessary for survival," it must be acknowledged that Wadud's survival as a black woman is also what enabled the gender jihad and thus, has ennobled us all.¹⁷

Finally, the echoes of Hagar's story resounding in Wadud's own life demand our attention. The wilderness of Hagar was not one of simply desert heat, thirst, and hunger. These were the conditions of a wilderness set in the first place within the desolation borne of abandonment – the abandonment of care and responsibility for Hagar and Ishmael, who were left by Abraham to suffer in the desert. Many who tell their story come to Abraham's defense or cite God's judgment to stifle potential questions about the causes of the injustice suffered by Hagar and her son. But whatever Abraham's intentions or his covenant with God may have been does not change the brutal reality of the abandonment faced by Hagar. How telling it is that our usual invocation of Hagar's story seems almost neurotically to gloss over this reality. Perhaps this is because we remain unable to explain that reality to ourselves, since the explanation is perhaps one too painful to face if we try.

Much of the same is true in the case of Muslims who, because of their own limitations, have turned their backs on Wadud, denying the reality of her trials and what they mean for us. These Muslims have abandoned her by denying her support and respect because of who she is and her audacity to speak truths about injustice whose burdens they are not ready to bear. This denial runs deep, for in abandoning Wadud and closing their eyes to the injustice they are confronted with, they have abandoned themselves. Despite their oblivion, Wadud's personal

of covering was also related to black womanhood, as the covering of her body was in part a response to the awareness that her ancestors "were not given any choice to determine how much of their bodies would be exposed at the auction block or in their living conditions." Wadud, *Inside the Gender Jihad*, 221.

Also worthy of note here is the excellent depiction of Wadud's embodiment of black womanhood in the documentary *The Noble Struggle of Amina Wadud* (Elli Safari, New York: Women Make Movies, 2007).

¹⁶ Language borrowed from Alice Walker's famous articulation of black feminism. Alice Walker, *In Search of Our Mothers' Gardens: Womanist Prose* (San Diego: Harcourt Brace Jovanovich, 1983).

¹⁷ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 258.

trials have come from being “embroiled in the conflict between being a divinely ordained human being while being a female, and an African-American in transition.”¹⁸ Even with the costs to herself, she has continued to say what has often had “the effect of shards of glass ripping against [a] solid cushion of insulation. The more insistent [she has been in her] attempts to articulate [a] divergent reality, the more deadly the shards became.”¹⁹ Whether in academic or communal settings, Wadud has bravely refused to uphold deceptions about inequality that most Muslims refuse to see for their falsity.

Perhaps more importantly, like Hagar, Wadud has never relented to victimhood. In the face of her trials, she has tirelessly continued to pursue what she identifies as the central duty in her servanthood to God: to fight for, and call Muslims to, justice. For all the pain and exclusion she has faced, this duty for her has remained singularly important; those deterrents have neither blurred her vision nor dissuaded her from her duty. Like Hagar, even in the trials of her abandonment, she has struggled for none other than God, and sought the mercy of no other than God. Reflecting on her faith journey, Wadud writes: “It is of little consolation to hear this road often described as the one less traveled. Knowing ahead of time how little companionship one will find, one may turn away from the idea of unbearable loneliness.”²⁰ Accepting this loneliness as the price of her work, she concludes: “Perhaps it is better to hear this path expressed as the one which leads to radiant boons, including the ultimate boon: at-one-ment with the Ultimate.”²¹ Even as others may turn their backs, Wadud’s efforts have never ultimately been for their sake: her jihad for justice remains a struggle for God.

In the end, perhaps the most striking parallel to Hagar is the gift of Wadud’s brilliant imagination. Both Hagar and Wadud share the ability to imagine something for which there is no material indicator. Hagar, after all, searched for a well that did not reveal itself until the very last of her seven circuits between the same two desert hills. There was no material evidence for her to believe after six disappointing circuits that the seventh one would yield anything different. But what carried Hagar through her journey, despite all odds, was an unshakable faith. In the same way, Wadud’s most courageous act is perhaps her imagining of a justice which others may not have the heart or will to imagine. In *Inside the Gender Jihad*, she declares her faith: “I have an idea about Islam

¹⁸ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 254.

¹⁹ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 65.

²⁰ Amina Wadud-Muhsin, “On Belonging as a Muslim Woman,” *My Soul is a Witness: African-American Women’s Spirituality* (Boston: Beacon Press, 1995), 264.

²¹ Amina Wadud-Muhsin, “On Belonging as a Muslim Woman,” *My Soul is a Witness: African-American Women’s Spirituality* (Boston: Beacon Press, 1995), 264.

without patriarchy.”²² That reality that patriarchy has always undergirded Islamic societies does not deter her vision: “Since patriarchy has always existed ..., then my idea stems from my ability to imagine an end to patriarchy.”²³ This imagination is Wadud’s greatest gift to us; her vision of justice lends us strength when it is often difficult to believe that the world can be different. In her indomitable faith, our living Hagar lends us all the courage to continue our jihad for justice.

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²² Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 91.

²³ Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 91.

Walking with Amina

Omid Safi

It is a good thing that my feminist commitments do not require a pretense of objectivity from me.

It is a good thing, because I am not objective about Amina Wadud. I am not objective about her impact on me, on the field of Islamic studies, and equally importantly, on real live human beings all over the planet. I cannot think about Amina without thinking simultaneously about her amazing scholarship, about the courage that it takes to be her and do what she does without seeking to attract attention to herself, and about the ongoing way in which she has continued to demonstrate that we are not looking for a one-man or one-woman redemption show, but are in it for the long term.

The first time that I met Amina was in 2003, at a conference of progressive Muslims held near the launch of the *Progressive Muslims* volume. It was in some ways the height of the optimism about the “progressive” word/label/movement, before the implosion of the short-lived Progressive Muslim Union organization set in.¹ Among many of us who were 30-ish or under, there was a palpable sense of optimism, energy, and a desire for necessary dismantling of mainstream organizations/ideologies and replacing them by something more just, more holistic. Amina, who would serve on the Board of PMU, provided the voice of sanity and wisdom that comes through accumulated life experiences.

She was not a contrarian, but was a counter-culture voice — even among would be revolutionaries. Her counsel was one of working for slow, patient, gradual change, change that might not lead to fruition in our own lifetime. She reminded us all that she had just turned fifty years old, and in her fifty years of life she has seen so many anarchist movements, so many revolutionary movements, that now she realizes that the road ahead is long, the path is difficult, and that we work so that our children, our children’s children, and our as of yet unborn great-grandchildren may someday have a life of dignity and respect. Those words were magical, and they reached my heart and the hearts of many others. The struggle for justice is a difficult one; going against establishment is a

¹ The internal implosion was exacerbated by external pressures from mainstream organizations who proceeded to blacklist most of the speakers from national exposure, even while co-opting some of the valuable insights of the volume.

challenge. As people of faith, all of us are called to have faith in days that are still unseen (*al-ghayb*). We are all called to strive to bring about a change that is still not in sight. And to have hope and faith that our God is a God of the seen and the unseen days.

Let me share a few reflections about Amina.

PERSONAL COST

Academia is a guild, a craft, a business—perhaps a crumbling industry. It is also a business that mirrors and perpetuates the many ills of society. It — or to be more precise, the human beings who dedicate their lives to it and earn a livelihood (barely or lavishly) — suffer from the same combinations of racism, sexism, classism, homophobia, etc. that we see in the wider society. Indeed, having been in academic institutions for the last twenty-five years and having come across many prejudiced professors and students is a reminder that education by itself is not a cure for prejudice, that something else is needed. That rare something is called love, empathy, and the recognition that our humanity is bound up together.

As someone who has been a part of Western academic life as an undergraduate student, graduate student, adjunct faculty member, and a professor, it is clear to me that some people play the “game” of academia better than others. There are many exceptions, but on the whole there are steps that those in the “good ole boy” network know how to take better than the rest — even if the good ole boy network now includes more women, and a few more people of color. One sees these steps in the many ways that those in the “good ole boy” network figure out how to negotiate salaries, flirt with other institutions, invite pay raises, etc. I often wonder about the life of scholars towards the zenith of their career. Some people again know how to play this game, parlaying lucrative invitations, handsomely paid for keynote talks, consulting positions, distinguished visiting positions, and so on into a very comfortable retirement.

The same cannot be said of Amina. A male (and preferably not African American) scholar of Qur’an, modern Islam, Sufism, law, theology, or Islamic arts would have been receiving far greater acknowledgments, far more opportunities at the zenith of his career. There is no single figure that we can point to who is more responsible for providing a foundation in the Qur’an and the spiritual ethos of Islam for gender equality. Almost all of the current generation of Muslim feminist scholars acknowledge the profound impact that Amina has had on them as people and as scholars. And yet, Amina has paid a price. She has paid a tremendous price for standing up for who she is, for what she stands for.

This price is evident at an institutional level, and it is also true in terms of many daily encounters. Those of us who are friends of Amina’s have seen far too

many episodes where she will present a learned lecture, only to be told by someone in the audience that she doesn't know her Qur'an, doesn't know her Arabic, doesn't know her Islam. This was the context of Amina's famous outcry: "I am a nigger, and you are just going to have to deal with that."

Wadud was giving a talk in Toronto, and during her talk, she was discussing her notion of rejecting the specific reading of one isolated verse in favor of a larger, holistic understanding of a just and compassionate God. This led to her famed "saying no" to the text of Qur'an when it comes to ambiguous and problematic verses of the Qur'an (4:34). Amina made a careful argument that the possibility was initially narrowed by the Prophet and then by the later commentary tradition, and what she is doing is to extend the narrowing down of the possibilities of meaning into a final "no." This saying "no" is not arbitrary, but is rather developed through a holistic reading of the Qur'an and the divine qualities of justice which have led her to say "no" to particular understandings of certain verses that would make it acceptable, for example, for a man to beat his wife under any circumstances.

Now, when Amina had said this, she got her credentials, her understanding of Islam, her command of Arabic questioned. And this is a radically different treatment than what brown (usually Arab) male scholars receive when they say essentially the same thing. Consider the case of Khaled Abou El Fadl. Khaled's language is more tentative, in some ways, but the point I believe is the same: Instead of calling it "saying no to the text," Khaled talks about a "conscientious-pause." He states:

Is all right and wrong only derived from the Divine text and nothing but the text? ...As I have repeatedly emphasized, the text is not the only possible representative of the Divine. Nevertheless, it would be irresponsible to present a vision of morality without considering and thoroughly evaluating the indicators of the text. In this context I develop the idea of the conscientious-pause that might result in a faith-based objection to the textual evidence.²

This "conscientious-pause" is what Abou El Fadl further develops in the rest of his *Speaking in God's Name* book (pages 213-217). The difference between Wadud and Abou El Fadl is that Abou El Fadl grounds his objection in a fiqh-based discourse that many privilege (and fewer truly understand), whereas Amina explicitly connects her reading to both a holistic reading of the Qur'an and her own gendered/racial being. One can't also dismiss the personality issue and style of presentation. But are their points that far apart?

² Khaled Abou El Fadl, *Speaking in God's Name*, p. 93.

My sense is that a male Arab (or more broadly, non-Black) scholar of Islam who speaks in the language of fiqh/shari'a/sunnah gets an initial benefit of doubt from many Muslim audiences that a progressive female African-American non-hijabi female scholar does not. What's amusing — if only one is committed to laughing so we don't cry — is when male scholars (Abdullahi an-Na'im, Khaled Abou El Fadl, etc.) say essentially the same thing, the objections are usually phrased as: "Dear Ustadh, I beg to differ with you." There is both a male privilege as well as a "brown privilege" (not to say anything about white privilege) compared to Amina's position as an African-American female scholar. Amina has had to bear this burden at a daily level, and has done so for decades with a level of dignity that is both ultimately unfair and undeniably remarkable.

QUR'AN AND GENDER

I would like to share a few observations about Amina's landmark book, *Qur'an and Woman*. Today we rightly come to identify this book as a pioneering text of Islamic feminism, as a work so monumental that all later scholarship in one way or another refers to it. Walk into any bookstore today (really, do it, they are going out of business), and you'll see loads of books by Muslim women, the majority of which either perpetuate victimhood narratives, or present the author as the solitary hero who transcended the prison of Islam. Amina's book was different, a passionate and learned argument in favor of a holistic reading of the Qur'an, leading towards a "Tawhidic Paradigm." And yet Amina's book initially found no publisher in the United States. She published her work initially in 1992, with the Malaysian press Penerbit Fajar Bakti Sdn. Bhd. It would be many years before Oxford University Press picked up the book in 1999.

In some ways, it is no surprise, since the publishing industry is precisely that, an industry. I know this from the *Progressive Muslims* volume days, when the largest academic publisher in the country told us that "Nobody wants to hear about a bunch of Muslims talking about social justice, gender equality, and pluralism. The only thing we want to see you do is to get on your knees and beg and grovel for forgiveness." We were fortunate to eventually find a publisher (Oneworld Publications), the same publisher that eventually would publish Amina's next volume: *Inside the Gender Jihad: Women's Reform in Islam* (2006).

There are so many lingering jewels in the *Qur'an and Woman* volume. Obviously, so many people rightly point to Amina's writings as having re-opened the space for what we may call an Islamically rooted feminism. Amina's impact on the current generation of Muslim feminists and Muslim communities goes

without saying. And yet I have to add that one of the key jewels of the *Qur'an and Woman* volume for me has little to do with gender in a narrow sense. It actually is in the brilliant way in which Amina offers a method for reading the Qur'an holistically. So much of the traditional genre of tafsir, Qur'anic commentary, operates in an atomistic fashion, moving verse by verse through the Qur'an. Whether the commentaries are grammatical, theological, philosophical, legal, or mystical, the atomistic approach persists. Amina's holistic approach to the Qur'an is a brilliant and fresh methodological view, thoroughly Qur'anic. At times she has been critiqued for asserting too much the primacy of the Qur'an over hadith and the legal tradition. Yet I think those criticisms mainly come from traditions of interpretations that have in one way or another tied down the revolutionary and challenging impetus of the Qur'an itself. Amina's approach at times reminds me of the work of the late Shi'i commentator, Ayatollah Tabataba'i, and his theory of tafsir of the Qur'an through the Qur'an itself.

At the same time, her work is also a deep meditation on the legacy of Fazlur Rahman, the South Asian modernist. In engaging Rahman, Amina deals with his well-known theory of "double-movement" of starting from the present period, going back to the times, and returning to the present world, because,

The Qur'an is the divine response, through the Prophet's mind, to the moral-social situation of the Prophet's Arabia . . . The Qur'an and the genesis of the Islamic community occurred in the light of history and against a social-historical background. The Qur'an is a response to that situation, and for the most part it consists of moral, religious, and social pronouncements that respond to specific problems confronted in concrete historical situations.³

Yet Wadud's project is in many ways far more daring than Rahman's as Rahman continues to be a male Muslim modernist, for whom gender challenges are not a particularly important crisis/opportunity. Oddly for someone so learned about the Islamic intellectual tradition, someone who wrote on Mulla Sadra, Rahman harbored the modernists' distaste for mysticism, and instead champions Ibn Taymiyya. Wadud has a different "flavor," and her own attraction to and involvement in Sufi practice also shows through some of her writings, particularly over the last decade.⁴ Justice for her is not simply about economic issues, it is the natural response to divine love and mercy. Rahman's learnedness radiates a kind of cool and distant philosophical detachment; Wadud's

³ Fazlur Rahman, *Islam and Modernity*, p. 5 ; cited in Amina Wadud, *Qur'an and Woman*, p. 31.

⁴ Amina often credits her Sufi teacher, Shaykh Ahmad Abdur Rashid.

learnedness is rooted in her praxis of the paramount connection of love and mercy to living out a life of “engaged surrender.”

INSIDE THE GENDER JIHAD

There were many movements of women’s rights in the early parts of the 20th century, but many of them were upper-class phenomena that often accepted in an uncritical fashion the superiority of European experiences of modernity. Amina’s more recent book, *Inside the Gender Jihad*, situates her as a Muslim scholar who is female, African-American, and poor, thus placing her squarely within the unfolding of third-wave feminism. It’s one reason why her work speaks to so many — and pushes so many other people’s buttons. If there is a hidden (and not so hidden) tension within her critics arising from sexism, racism, classism, Amina’s words and even her very presence are likely to rile them up.

Another of Amina’s insights has been in pointing out the hypocrisy of male intellectuals, including the many male “progressive Muslim” intellectuals, who often jet set around the world while relying on a rather “conventional” situation of having a female partner at home to take care of their family. Speaking as one of these progressive Muslim scholars, Amina’s loving critique has led me to reassess the inconsistency between what I used to preach, and how I myself was living, and to become the kind of parent that my children have deserved all along.

There is an even more problematic agenda that one has to realize. Speaking about women’s right issues and gender debates is not limited to Muslim women. We see an increasing tendency among Muslim male intellectuals to speak not with, but rather for, Muslim women. This is, of course, not a new problem. And this problematic is of course true for many more conservative Muslim intellectuals/leaders for whom asserting dominion over women’s bodies is part of an agenda of control. But it is also true in a different way for many liberal Muslim intellectuals. It is very clear, heeding Amina, that for many liberal Muslim male intellectuals gender debates are about a “problem,” an agenda to critique totalitarian regimes, Islamist regimes, or conservative (also male) Muslims. It may, in different hands, be simply a hermeneutical challenge to figure out how to deal with some texts.

This agenda, while important, is also deficient because it fails to engage in any meaningful way in solidarity with the on the ground level work that Muslim women are engaging in. Many of us have been part of situations in which the (male) Muslim leaders are dispensing wisdom to Muslim women about what their experiences are like, what hardships they face, and how they should be reading, interpreting, and practicing Islam. There are even more than a few (by

now notorious) situations of Muslim women asking the famed male Muslim intellectuals giving a talk on “Islam and gender” a few questions, only to be hushed and told to observe proper manners. This is even true for many Muslim intellectuals who have made a career out of speaking about issues of reform, democracy, and pluralism. Amina’s legacy, in many ways, provides a much loftier model by pointing to the groundbreaking work that she has done on multiple continents, starting with Malaysia’s Sisters in Islam. This type of a scholarship-on-the-ground has been characteristic of the best aspect of feminist scholarship over the last few decades, and Amina embodies it boldly and beautifully.

MENTORSHIP

There are many things that people do not know about Amina, and no doubt many things that I do not know about her. But here is one thing that I know about: if the word mentor has a meaning, Amina is a mentor. She is the genuine item, the kind of person who cares, checks in when her friends are going through a hard time. She has mentored dozens and dozens of people in the academic field, and hundreds more outside. When I was going through the hardest period of my own life, she was there for me in a deep and meaningful way that has so touched my heart and left a huge impression. I will always be grateful for this. It is easy to speak of “solidarity” in an abstract way as if it refers only to masses of humanity. Amina’s example is a reminder that solidarity starts at the human to human level.

Perhaps I will pause here. My hope is that we will continue to see Amina’s legacy unfold. Unlike many other senior scholars, she is one person who lives in the recognition that it is ultimately not about her, nor even in a narrow sense about “Islamic studies,” but simply about human beings, female and male, and our ability to live together in lives of dignity and justice. Her life, painful at times, beautiful at others, turbulent now and then, has always been a tribute to the tawhidic paradigm that she articulates so beautifully. I am honored to be a friend and an ally to Amina, my sister, my Ami jan.

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A Jihad for Justice

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AMINA WADUD - SCATTERED THOUGHTS AND REFLECTIONS

Aminah Beverly McCloud

I first met Amina Wadud when she was an undergraduate student at the University of Pennsylvania in Philadelphia in 1973. I did not attend UPenn, but had become a member of a Muslim community she sometimes attended and lived near. My first impression of her was as a “serious” Muslim woman as she was covered head to toe in white and carried herself with both humility and authority, conveying the concept of piety. She was relatively reserved though simultaneously outgoing and warm. Though I was not a friend or a real acquaintance, my admiration and respect came immediately and have remained. She was the only African American woman I knew studying Islam in the university. She also was the only African American woman I knew who could speak some Arabic. I lost touch with her as she began her graduate studies and would only hear about her occasionally for almost a decade. The image of her as one who would be Muslim despite all remained in my mind.

Later when I renewed my communication in the 1980s while she was in Malaysia, this image of an intellectual, spiritual and assertive Muslim woman grew. Through phone conversations, I learned of her work with a Muslim women’s group there that involved rights issues. At this time, I was just learning that the struggles faced by Muslim women in American spaces were entrenched in centuries’ old patriarchal struggles. Amina’s first challenges seemed to be in the arena of race. She was then a budding scholar of Islam with all the right studies and credentials but little of the recognition. All the Muslims are men, all the Muslim scholars are men from the Muslim world (Arab first and then a few others) and this is the end of the discussion. If there are any additions then they must first be male and authorized by known men. Where did/does Wadud fit?

Amina began her intellectual and much of her spiritual life, it seems to me, attempting to force a reading of the Qur’an that includes women as Muslims. One aspect of her work is filled with the challenges of struggling in a space not thought about in relation to Muslim women and that space is women as Muslim. For all intents and purposes, women are largely adornments of men and representative of the softer and ‘oppressed’ side of the Muslim world. In reality their piety is regularly over looked and they are rarely spoken of in the sense of “learned.” Those Muslim women who *are* spoken of as either pious or learned, died centuries ago and with little of their works known.

Scholars follow the spiritual development of Muslim men through their scholarly works, lectures or talks among their followers. Amina Wadud is a truly gifted spiritual leader and scholar who has few who sit at her feet, engaging her thought. This is a travesty. Her texts are reviewed for other agendas such as feminism or progressivism. What is lost is the trajectory of a scholar on both a spiritual and intellectual path.

As a Muslim woman who studies Islam, she has always been in a peculiar position. While Muslim communities allow men ample space for growth and development, women on the same path are anomalies as their growth and development is encouraged in service-only capacities. Every public appearance is scrutinized for error and if there is one, it is highlighted. Women, too, follow in this negation of the few women scholars that exist. I have seen the thousands who will come to listen to male American Muslim scholars and the financial and academic positions awarded them for their work. Though her thought is original and groundbreaking, none of these rewards have happened to her. As an African American Muslim woman, her knowledge has always been suspect by other Muslim women and certainly by Muslim men. The sad part of all of this is the disdain that women hold for each other, often preferring that leadership and scholarship come only from men. I have observed Muslim women lauding non-Muslim women who study Islam and then watched their disdain for Muslim women in the same or greater positions.

I listened to her angst at university “feminists” who denied her an opportunity to teach on their faculty because she was an avowed Muslim and when Muslims refused to listen to or even read her work because it was “feminist.” Those who put together this tribute are themselves to be honored in their recognition of a star who has not yet had her day.

Scholarship on Islam and Muslim thought in the 20th century has largely been reflective of an absence of critical analysis and a great deal of apologetics in the face of criticism. Dr. Wadud began interrogating the central text of Islam, the Qur’an, to engage it on the position of women using a modern approach. Whether scholars agree or disagree with her choice of tool, hermeneutics, or agree or disagree with her analysis of findings, a discussion should have emerged that transcended “a woman’s reading” or dismissal. Instead, this eye opening and truly critical, reflective reading found resonance with only a few good women.

Much has been made of Dr. Wadud’s “exploits.” Why are they labeled as such? ‘Traditions of our fathers’ are what the Qur’an itself rails against and ask Muslims to reflect on. When any scholar does so and ascertains that following those traditions is in certain instances against the ethos of the Qur’an, then what are they to do, regardless of their gender? Once at a conference in the early 1990s, here in Chicago that I sponsored, time for Friday prayer came and a young

man reminded me that there would be little room for women in the prayer space. Wonderful, I said and proceeded to ask Dr. Wadud and one other woman to lead the prayer and attendant lecture. For many women, it was the first time they had an opportunity to even hear the talk on Friday. That some men would choose to join women in another venue in the 21st century should not cause consternation but perhaps mean that for some men who consider themselves leaders there is a need to reevaluate.

While I have had many reflective moments regarding Dr. Wadud, far too many to mention here, utmost on my mind is the lack of recognition for a gifted scholar. Faculties are not vying for her, students are not demanding, the American Muslim community is not touting her scholarship, and those with financial resources are not providing chairs in institutions for her to continue. Is it because she is African American, American, female, what?

Again, I remember the calls and pictures during her stay in Malaysia, the smiles and then the angst when her natural activism on behalf of Muslim women and their rights caused some controversy among the very women she engaged. Biographies casually remark that she retired from Virginia Commonwealth but do not narrate the issues. Immigrants demanded that she be fired and threatened her. Because the community, immigrant or indigenous, did not value her, her academic life was dull and her personal life filled with challenges. Though she has never shied away from challenge, there just never seemed to be the necessary space of quiet as people constantly sought to invade her personal space.

I am so honored to be participating in this small way with those who are working to contribute critiques of her work in tribute that it brings me to tears. I consider Amina Wadud my sister in life, in Islam and a colleague, who I admire and love.

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A Jihad for Justice

TO AMINA WITH LOVE

Muhsin Hendricks

The first time I saw Amina was many years ago when she was the first woman to give a Khutbah at the Claremont Main Road mosque in Cape Town. I thought: “What a brave woman. Who is she?”

I was much younger then and coming from an orthodox Muslim upbringing, I was worried about this bold step this woman was taking, but at the same time there was a feeling of awe and appreciation for what she was doing. She left our community incensed by her presence in a male dominated space, but she also left women feeling empowered to face patriarchy.

A decade thereafter I met Amina again at a conference organized by Al-Fatiha, a queer Muslim organization in the USA. For a moment I thought she was queer, only to learn afterwards that she is an ally to queer Muslims. It made sense to me that she would be supporting queer rights, because the common problem for women and queer people in Islam is patriarchy.

Amina, being such a pillar of strength and determination reminds me of a venerated saint in Islam, Rabia al-Adawiyyah. Rabia grew up in a very male dominated society and her circumstances forced her to become a slave to the passions of men. As she grew older and wiser she grew closer to Allah and started to look at her community very critically. Rabia defied patriarchal customs that kept women enslaved by men. She refused to marry or engage in anything that would give men a false sense of power when she knew that power belonged to Allah and that she was becoming an instrument in redirecting that power to Allah.

The story of Rabia is much romanticized in many Muslim circles which almost makes her a saint without sin. I often struggle with this kind of unattainable model in people that our community is trying to paint to us. So when I look at Amina, I see her vulnerabilities and her challenges and I see how she deals with them in a very calm yet assertive way. I am not just being told about Amina’s virtues so much so that I cannot attain to her level of piety and social commitment. She can only be a role model to me if she had some of those vulnerabilities that I have. And thank God she does. Had she been otherwise I would not have been able to take her as a role model. To me Amina is a Rabia in a modern context.

A Jihad for Justice

I'm not a good poet, but here is a poem I've written for Amina and in memory of my mother who had similar qualities as Amina.

A day will come when you will find
No man a woman can stand behind
And when she feels that lack of support
She will to every means retort
So don't make light of a woman's plight
when her womb is that which bore men might.

Muhammad said be gentle with your wives
He knew the value and sacredness of their lives
So don't assume a woman meek
It's the ignorant who thinks a woman's weak.
So blessed be all women; one after another
the first of whom I venerate; my mother.

So here's to all women who persevere
under the false might of ignorant men and insincere
I know you'll be the first to enter paradise with fame
for no reason is your womb the attribute of God's holy name.

When you get to paradise forget not to mention the inane.
perhaps God will reward us for honouring your precious name.

With love and respect

Muhsin

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A Jihad for Justice

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WINDOW [ON/INTO/TO] ONE, TWO, THREE, FOUR [LIVES]

Azza Basarudin

The text is silent. It needs interpretation, and has always historically and currently been subjected to that interpretation. We make it speak for us by asking of it. If we are narrow, we will get a narrow response of answer. If we are open, it will open us to even greater possibilities.¹

Amina Wadud

My personal and intellectual struggle as a Malaysian woman who is a Muslim has been significantly reinvigorated by the life work of Professor Amina Wadud. Prior to coming into contact with her groundbreaking, and meticulous, research and writing in *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, my journey towards understanding Islam was fraught with awe, frustration and more often than not, confusion. As a child growing up in Penang, Malaysia, I was a product of a state education and political system that mandated Islamic education in school and optional Qur'an classes after school, requirements memorable only for their indoctrination and memorization qualities, as well as corporal punishment for not perfecting Arabic pronunciations and intonations. Having been burdened by such experiences, my relationship with Islam has been one of suspicion and resignation, which manifested as distance between Islam and myself.

My discovery of *Qur'an and Woman* was about discovering myself, my religion and my place in my religion. It was about living Islam on my own terms without compromising my value system. It was about staking a claim that I too am capable of having a relationship with Allah that does not require sanctioning by gatekeepers who imbued themselves with the power and authority to regulate the Islamic tradition. It is about keeping Islam alive, and ensuring that Islam remains relevant. It is about, as Professor Wadud aptly states, "...explicitly challeng[ing] the arrogance of those men who require a level of humanity for

¹ Amina Wadud. *Inside the Gender Jihad: Women's Reform in Islam*. Oxford: Oneworld Publication, pg.197.

themselves while denying that level to another human, for whatever reason—including simply because she is a woman.”²

As a believer and a woman, my learning process has been reaffirmed by Professor Wadud’s lived experiences in *Inside the Gender Jihad: Women’s Reform in Islam* and enriched by the plethora of rigorous scholarship and activism on gender justice in communities of Muslims. I am humbled by the blood and sweat of Muslims who are under increasing scrutiny for daring to think, speak, write and exist as believers, often risking their own sanity and security in challenging the politicization of Islam in all its appropriation and misinterpretation. It has led me to an appreciation that to be born a Muslim does not make a person Muslim. It is a claim and an identity that is worthy of those who have struggled to learn, uphold and live an Islam that is grounded in principles of justice, fairness and equality.

As we continue to engage our own gender *jihad* wherever we are, we should work towards furthering the foundation laid out by Professor Wadud and those who have dared to imagine a better future for Muslims. The following windows [on/into/to] are a tribute to the multidimensional ways that Professor Wadud’s scholarship and activism as a pro-faith and pro-feminist Muslim woman have contributed to reshaping the ways in which we understand discourses and practices of gender in Islam in the 21st century.

WINDOW [ON/INTO/TO] ONE: KUALA LUMPUR, 2006

She walks the alleys, never pausing to take stock of the chaos of everyday street life.

The aroma of blended spices wafting into the thick air permeates her senses.

Her steps are measured, her gaze intent.

Her goal is set.

She needs to arrive before it begins.

Her life has been on hold for as long as her memory holds.

Living a lie...

² Amina Wadud, *Qur’an and Woman: Rereading the Sacred Text from a Woman’s Perspective*. New York: Oxford University Press, 1999, pg. 96

A life out of the ordinary.
Only hers is one among many.

Loving one that is forbidden.
Choice. Freedom. Faith.
It is hers. As it is theirs.

The structure looms before her.
Yet it remains invisible.
Just like her.
She is grateful. It is her sanctuary.

Allah cannot be fixed by any one moment, any one text, and any of the multiple interactions with that text.³

The house of the Divine claims her.
It feeds and nourishes her soul.
This is where the journey begins and ends.

Her destiny is the structure.
Sound, smell and sight...
Here is where she knows herself.
Here is where she belongs.

She believes.

Back into the pulse of reality, she waits.

³ Ibid., pg.112.

They are out there.

Seen and unseen.

She will survive.

So it begins.

Pain. Exposure. Betrayal.

Is this what her heart desires?

He tells her to be patient. He tells her they have forever.

He believes.

Allah cannot be fixed by any one moment, any one text, and any of the multiple interactions with that text.

They tell her otherwise.

Traitor. Whore. Sinner.

Who are these people?

Why do they desacralize her beliefs?

Writing on a paper.

Denied.

In limbo.

Appeal.

Denied.

End of the road.

Not. A. Citizen. Believer.

Leave, they tell her.

Who are these people?

Why do they care?

Come, they tell her.

There is a way.

Who are these people?

Why do they care?

It is bleeding into the ground.

Screams echoing the unraveling of skins amidst chaos and fear.

We own it, they say. It is our right.

And so it begins again...

WINDOW [ON/INTO/TO] TWO: KUALA LUMPUR, 2004

Repent. Routine. Rituals.

Repent. Routine. Rituals.

Repent. Routine. Rituals.

Her body survives.

She moves, breaths, thinks, and lives.

[in solitude]

Veins tense and visible.

28 weeks in passing.

Who sings to her?

Big M. Small M.

The metal. The flesh.

She waits.

A promise.

[She] has an idea about Islam without patriarchy.⁴

Dwelling in a dreamland of imagination and a wakefulness of delusions.

Dawn signals a new day, a new beginning.

Not for her.

They cannot claim her.

Who speaks to her?

Imposter.

History.

Reinvention.

Self.

Acts of faith.

Reversal impossible.

Yet...

Isolation. Separation.

Who claims her?

12 minutes.

The arrival.

Darkness overshadows her waking hours.

It beckons.

⁴ Ibid., pg. 91.

[She] has an idea about Islam without patriarchy.

Righteousness.

Persistent and contagious.

Every waking hour.

Every conscious thought.

Voices. Memory. Complicity.

Sacred. Power. Authority.

Unrecognizable. Unfamiliar.

Resistance, too simple of a desire.

She is willing in the tides of unwillingness.

One path.

Theirs.

Not hers.

Never will be hers.

Repent. Routine. Rituals.

Repent. Routine. Rituals.

Repent. Routine. Rituals.

The Star, The New Straits Times, Berita Harian, Utusan Malaysia:

/This is a modern nation that abides by international convention through its own carefully crafted notion of democracy. With this outcome, this country has proven that democratic processes and practices are alive and well. We protect the rights of our all citizens regardless of race, gender, ethnicity and religion./

Window [on/into/to] Three: Jerusalem, 2007

Muslim?

Recite!

Pronunciation unacceptable.

Evidence.

Not Muslim.

Step Away. Now!

I still care deeply to be Muslim⁵

Engaged surrender...⁶

You determined.

The borders of passing.

The boundaries of permissibility.

Denial. Pain. Longing.

You defined the history of my existence.

Yet you do not...

So here I am

Swimming in the waters of non-belonging

Red. Boiling. Explosion.

The violence of my own feelings.

This is the beginning.

Or is it the end?

⁵ Ibid., pg. 5.

⁶ Ibid., pg. 23.

There they stand.
At the gates.
I see them...and they wait.

Muslim?
Recite!
Intonation unacceptable.
Evidence.
Not Muslim.
Step Away. Now!

I still care deeply to be Muslim
Engaged surrender...

Visible, yet invisible
Decisive yet divisive
Bonds broken
Never to be renewed
Refusal. Humiliation. Ownership
I/You/Them
Where am I in you?
Where are you in me?

Why can't I find you within?
I have felt you, seen you
Inside. Outside.
Wept with you.

This exile.
Imprints me.
If not here, where else?

Different bodies. Similar boundaries.
Trust. Non-eternal.
I cross. I transgress.
I keep crossing. I keep transgressing.

Muslim?
Recite!
Self unacceptable.
Evidence.
Not Muslim.
Step Away. Now!

I still care deeply to be Muslim
Engaged surrender...

WINDOW [ON/INTO/TO] FOUR: LOS ANGELES, 2005

The gathering
Colors. Hopes. Dreams.
Unprecedented.

It is finally here.
Its time has come.
It is necessary.

If only they truly believe.

The gathering.

Love. Peace. Compassion.

Unequaled.

Reinvesting new meaning into old symbols is a necessary part of being a woman in the context of Islamic progression in the global community.⁷

Brightness. Distraction. Forbidden.

Prevention. Truly?

Straps. Lines. Texture.

Fuchsia. Burgundy. Plum.

Black. Blue. Green.

Safety is the order of the day.

She/They did? Not possible! Never!

Wrong? She thinks not.

Legal? Majority rules. No!

Acceptable? Depends on whose opinion counts.

Reinvesting new meaning into old symbols is a necessary part of being a woman in the context of Islamic progression in the global community.

She invests.

⁷ Ibid., pg. 220.

I invest.

They invest.

The gathering.

Hate. Ignorance. Violence.

Unparalleled.

Wisdom. Faith. Strength.

The lines are formed.

The wait is over.

Another time, another place, another space

A new one begins...

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A Jihad for Justice

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Rose Ismail is one of the founders of Sisters in Islam, and a current member of its board of directors. She is a graduate of the University of Melbourne (Political Science) and holds a Master of Science in Journalism from Boston University, US. She attended the Poynter Institute of Media Studies, Florida, US, as a graduate intern, and was Fellow of the School of Journalism at the University of Michigan, US. She was the 1988 Malaysian Press Institute Journalist of the Year. In 2005, she was honored by the Institute for Islamic Understanding for promoting a balanced understanding of Islam in her writings, and was elected Senior Fellow of the Institute of Strategic and International Studies and headed the Institute’s Centre for Social and Cultural Development. In 2006, she became Managing Director of Salt Media Consultancy, which has played an integral role in producing several federal government documents and is a keen supporter of SIS. She currently serves Salt Media as Executive Chairman.

Mohja Kahf is the author of *The Girl in the Tangerine Scarf* (novel) and *Emails from Scheherazad* (poetry). Her Hajar poems have been published here and there, this one in *A Jihad for Justice: Honoring the Work and Life of Amina Wadud*. Her essay, "Purple Ihram and the Feminine Beatitudes of Haj," came out in the journal *New Geographies*, Issue 3. She has a book of essays for the general reader and needs an agent; anyone?

El-Farouk Khaki is a refugee and immigration lawyer. He primarily represents women fleeing gender violence, LGBTQI People fleeing persecution because of their sexual orientation and/or gender identity, as well as people fleeing persecution because of their HIV status. A human rights and social justice advocate, his leadership has been recognized through awards including the 2006 “Excellence in Spirituality” Award – Pride Toronto and the 2007 Steinert & Ferreiro Award from the Lesbian & Gay Community Appeal. In 2009, he was elected the Grand Marshall for the 2009 Toronto Pride Parade, and received the “Can’t Stop, Won’t Stop,” Pride Toronto Theme Award. In 2008, he ran for Canadian Federal Parliament in two elections for the New Democratic Party of Canada. El-Farouk is the founder of Salaam: Queer Muslim Community (1991) and in n May 2009, he co-founded the el-Tawhid Juma Circle with Troy Jackson and Dr. Laury Silvers. He is co-founder of the Canadian Muslim Union and past Chair of Africans in Partnership against AIDS. El-Farouk has set on many boards and is a public speaker on Islam, the Immigration and Refugee system, human rights, racism, politics and HIV/AIDS.

Michael Muhammad Knight became Muslim in 1994. He is the author of eight books, including *Why I am a Five Percenter*, an engagement of whiteness, Islam, and masculinity in America, and *Journey to the End of Islam*, a narrative of his pilgrimage to Mecca. His debut novel, *The Taqwacores*, became the basis for two films, a fictional adaptation and a documentary. He received an MTS (Master of Theological Studies) degree from Harvard Divinity School and is presently a doctoral student in Islamic studies at UNC Chapel Hill.

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Amina Wadud, scholar and activist, is a vital figure in Islamic studies, Qur'anic hermeneutics, and gender studies, fields to which she has made a lasting contribution. Her book *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (1992, 1999) not only introduced a hermeneutical approach to the Qur'an that attempted to overcome male-centered readings of the sacred text, it also opened the door for other Muslim women scholars to embark on similar journeys. In 2006, she published *Inside the Gender Jihad: Women's Reform in Islam*, in which she grapples with three interwoven issues: her personal and activist struggles, her engagement with Muslim scripture and tradition, and the place of Muslim women's studies in the Western academy. Since her retirement, in more recent lectures, blogs, and writings, she has foregrounded even further the category of experience as central to exegetical projects in the struggle for justice.

It is traditional to honor scholars who retire from academia with a *Festschrift*. This volume is a new kind of *Festschrift*, available online, as an e-book, rather than as a book printed and distributed by an academic or commercial publisher. This choice by the editors reflects both the reach of Amina Wadud's work and honors her commitment to a rethinking of the closed circle of academic knowledge production and access to scholarship. The volume thus expands and transcends the boundaries that separate scholarship from activism, ideas from politics, and women's experiences and perspectives from male normativity.

In this volume, 33 contributors—colleagues, students, fellow activists, and others inspired by her work—share their reflections and thoughts on her work, both activist and scholarly, and the many ways in which she has left an imprint on their own endeavors. The volume includes academic essays, personal reflections, letters, poems, and one piece of visual art, all written for and dedicated to Amina Wadud with respect, admiration, and love.

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