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WOMEN IN RELIGIOUS LEADERSHIP

“Islam & Female Imams”

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“Islam and Female Imams”

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WOMEN IN ISLAM

L. Clarke

INTRODUCTION AND OVERVIEW

Islam arose in the Arabian peninsula, the area now largely occupied by the modern state of Saudi Arabia, in the early seventh century. The religion was founded by the Prophet Muhammad, who spurned the cult of idols in his native town of Makkah (also spelled 'Mecca', located on the west, Red Sea coast of the peninsula) and finally succeeded, after much struggle, in establishing the principle of worship of one God—known in Arabic as Allah, or *The God*. Following the death of Muhammad in 632 CE, his successors, the caliphs, succeeded in conquering the entire area of the Middle East, and then beyond. Islam continued to spread in the following centuries to areas as diverse as Africa, Spain, Eastern Europe, the Indian subcontinent, Central Asia, Indonesia, and eventually, through immigration and conversion, to Europe, Australia, and North and South America. Islam is currently reputed to be 'the fastest growing religion in the world'.

Muslims are linked together by basic beliefs, such as belief in a Day of Judgement and a continuous line of prophets, culminating in the last Prophet, Muhammad. They are united by the text of the Qurán,¹ believed to be the literal word of God as sent down to His Prophet through the angel Gabriel. The sense of being heir to a glorious history and rich culture, as well as a concern to see the place of Islam and Islamic nations recognized and secured in the modern world, also inspire in Muslims a sense of common cause.

Islam is, at the same time, a most diverse and dynamic tradition. The daily lives and customs of Muslims living in disparate parts of the world are naturally very different, so that their Islam is outwardly expressed in different ways. There is also a wide spectrum of Islamic thought aimed at doctrinal, societal, and political issues. Among the most intensely debated of these issues is, without doubt, that of the position of women.

There are, generally speaking, two streams of thought on gender in Islam. Many contemporary Muslims view the advent and subsequent development of their religion as having guaranteed women a position of respect and protection within an ideal system of gender relations. The task of the Muslim community, in the view of this group (which I will call 'conservative'), is therefore to preserve and restore that ideal; and since, moreover, correct gender relations are vital to the social fabric of Islam, their preservation will also serve to strengthen and defend Islam itself. Others believe—somewhat on the model of a feminist critique of patriarchal religion—that while the Qur'an and the Prophet did attempt to secure the position of women, that spirit of reform was neglected and obscured by later generations, including the religious scholars. This group (which I will call 'liberal') contends that an extensive rereading of history and reinterpretation of the texts is needed, both to discover the original Islamic ideal and to bring that ideal forward into modern times.

OFFICIAL AND UNOFFICIAL ROLES OF WOMEN

Muslim women at the dawn of Islam were instrumental in the founding of their religion, and these have become role models for women today. As Islam then grew and flourished, women also exercised political power, reached the station of mystics and saints, and became scholars. It is true that women's activities and renown in these areas were much less than those of men. This circumstance, however, is not peculiar to Islam. The basic position of women has always been on the margin; but they have nevertheless found openings through which they could creep toward the centre. It is useless to simply celebrate one or lament the other. The questions rather to be asked are: Where were the openings and how were they created? What were the limitations? And what does all this mean for Muslim women today?

Women and the Advent of Islam

The period before Islam in the Arabian peninsula is known as *Jāhiliyyah*, the 'Time of Ignorance' or 'Time of Unrestraint'. Islam, by contrast, means literally 'Submission [to God]'. Most Muslims believe—although the data concerning women in the *Jāhiliyyah* is somewhat mixed—that the coming of Islam freed women from corrupt and degrading practices, that women were given, as is often said, their 'dignity' and proper position.

Women certainly did play a significant role in establishing Islam. This picture is important because of the religious—indeed, the human—tendency to seek models for one's life in ideal figures of the past. The tendency is reinforced in the case of Islam by the concept of *Sunnah*. *Sunnah*, meaning 'accepted custom', refers to the pattern of the life of Muhammad and the early

community; emulation of this pattern is for believers a religious ideal as well as one of the sources of the Law.

The Prophet's first revelation came to him, according to tradition, in 610 CE when he was 40 years old. Muhammad's Biography tells of the important role of his wife Khadijah in his life at this time. She was, according to the Biography, 'a woman of dignity and wealth . . . determined, noble, and intelligent', (Ibn Hishām: 82) who had charged Muhammad with carrying her goods abroad by caravan. She proposed marriage to him, and he accepted. She was later able to reassure him of the truth of his mission, even verifying that his inspiration came from an angel and not a satan, so that, as the Biography declares, 'She was the first to believe in God and His apostle, and in the truth of his message' (Ibn Hishām: 111). God is supposed to have reassured Muhammad after her death that she had been granted 'an abode in heaven' (Bukhārī, *Manāqib*, *Tazwij Muhammad Khadijah*).²

The Biography confirms that among those who were then attracted by the new religion, despite persecution by the wealthy merchants of Makkah, were 'both men and women' (Ibn Hishām: 117). They included, for instance, the sister of Umar, the second caliph, whose reading of the Qur'an inspired his conversion; and Sumayyah, who died through being exposed to the heat of midday as she refused to recant her faith, so that she became the first martyr in Islam. A woman called Nusaybah was among those who came from Madinah to secretly pledge allegiance to Muhammad; she later fought against the tribes who rose up against Islam after the death of the Prophet, and returned 'having suffered', the Biography says, 'twelve wounds from spear or sword' (Ibn Hishām: 203, 212).

The prominence and participation of women in this first period is extolled by all Muslims, but to somewhat different purpose. The conservatives take the example of the first female Muslims to mean that women should be strong and active *within prescribed limits, in the cause of their religion*. They do not see the examples of the first Muslim women as meaning that women should occupy positions of authority or venture for their own purposes outside the family. The practice in early times of women going to war not only to lend support to the combatants but as combatants themselves tends to be viewed by this group as having occurred under exceptional circumstances. The liberals, on the other hand, see the first female believers as forerunners of the modern, independent Muslim woman who is both rooted in her religion and reaching toward the goal of fullest participation in society. The Iraqi scholar Haifaa Jawad remarks: 'Contrary to the traditional image of women being secluded and suppressed, women in early Islam participated in armed conflict either by organising food and water and taking care of the wounded, or through playing a crucial part in the actual fighting when it was needed'; and she takes this instance of 'political

action', as well as the fact that Muhammad had women along with men pledge allegiance (*bay'ah*) to him and consulted them about community affairs, to indicate that the first Muslim women were 'pioneers' in 'radical social change that allowed more space and greater mobility for women in society' (Jawad 1998: 86, 88).

The Example of the Prophet's Family

The establishment of the Muslim community in Madinah in 622 CE following the *Hijrah* ('migration') from Makkah marked a change in the Prophet's family life. Following the loss of his beloved first wife, Khadijah, some years before the Hijrah, Muhammad had married two other women, Sawdah and Á'ishah; and now in Madinah he contracted additional marriages. He is said to have had nine or twelve wives in all (the count differs in different sources), of whom his favourite was apparently Á'ishah, daughter of the first caliph of Islam, Abu Bakr. The wives came to him under a variety of circumstances. Sawdah was a widow of about 50 years of age. Muhammad married Á'ishah very young, at the age of nine or ten; she may have been the only virgin among the wives. Juwayriyah was captured when her tribe was defeated by the Muslims, and her marriage to the Prophet served to cement their allegiance to the cause of Islam. Safiyah was originally a Jewish captive, while Maryam, probably a concubine instead of a wife, was a Copt (Egyptian Christian). Some of the wives were beautiful, such as Juwayriah, and some, such as Sawdah, were reputedly not.

Muslims usually argue that Muhammad's marriages after Khadijah were contracted not for pleasure, but in order to provide widows with protection and confirm alliances. The apparently logical argument that the marriages simply represent the common practice and mores of a different time, which it would be unreasonable to judge by present standards, does not seem to appeal to Muslims, probably because it runs up against the problem of the Muhammad's life being considered a timeless standard. Although the classical Islamic tradition takes a positive view of sexual pleasure and praises Muhammad for his love of women and virility, this reply has also not been popular. Muslims have not, in any case, been overly concerned with the Prophet's polygamy—which they view as a circumstance special to his station and not a model for themselves—except as the question has been raised by outside critics. What is important for them instead is the personalities of the wives and the Prophet's relations with them.

The wives of Muhammad, honoured with the epithet 'Mothers of the Believers' (after Qurán³ 33:6: 'The Prophet is closer to the believers than their selves, and his wives are as their mothers'), are highly respected by Muslims. This respect is attributable largely to their closeness to the Prophet. The wives are also, however, credited with their own personal virtues. Á'ishah is reputed

to have spent much time reading the Qurán, fasting, and praying, to have freed slaves (an important religious act), and to have generously given her income in charity. Zaynab bint Khuzaymah was so well known for her charity that she was called 'Mother of the Poor' (*Umm al-Makáskin*). The reverence in which the wives are consequently held may be gauged by the fact that the violent reaction in 1989 to Salman Rushdie's novel *The Satanic Verses* was stirred as much by the perception that he had insulted them as that he had insulted the Prophet himself.

Focus on Muhammad's relationships with his wives is useful for purposes of Sunnah, because it provides material that serves as a model and precedent for man-wife relationships. It is also much appreciated by Muslims, who discern in the tales of Muhammad and his family an image of tolerant kindness. The story of Muhammad's relationship with Á'ishah is certainly the best-known example. We hear how Á'ishah used to apply perfume to her husband and worry about his health, while Muhammad joined in her games when she was yet a child and took her to public amusements. As a husband, Muhammad is gentle, indulgent, and even a little put-upon by his large family. Some of the wives are supposed to have been very jealous; several hadiths tell how Á'ishah was vexed even by the affection Muhammad retained for his deceased first wife, Khadijah.

More than any other wife, Á'ishah has her own prestige. Married, according to most sources, at the age of nine, she lived with Muhammad for nine years, being widowed at eighteen. Her fame in relation to the Prophet of Islam was nevertheless guaranteed by her long life thereafter (she died in her sixty-fifth year), during which she recounted—or, depending on one's opinion of the reliability of the hadiths, there were recounted in her name—many anecdotes of his words and actions. Thus Á'ishah, along with, to a lesser extent, her co-wife Umm Salamah, is a great source of hadiths, hadith being the second Islamic scripture after the Qurán. Bukhári preserves over two hundred texts he judges to be authentically from her, out of many more circulated in her name.

Á'ishah is pictured as actively enquiring about, even initially objecting to, the Prophet's pronouncements, so that it was said of her that 'She would never hear something she didn't understand without reviewing it until she did' (Bukhári, *Ilm*). Several hadiths attributed to Á'ishah even have her deciding herself what the Prophet *would have ruled* had he spoken to a situation—as in the following statement concerning women going to the mosque: 'Were Muhammad to see what we see of women today, he would prohibit them from going to the mosque' (Bukhári, *Adhán*). In a few hadiths, Á'ishah is presented as using her fund of knowledge to correct the perceptions of later generations regarding women. For instance, a man doubted that his wife could serve him during her menses; but he was answered with Á'ishah's insistence that she used

to comb the hair of the Prophet while she was menstruating, even as he prepared to go to the mosque (Bukhārī, *Hayd*).

Ā'ishah was finally unable, however, to extend the influence she acquired as a wife of the Prophet to include political power. Later in her life, she joined a movement opposing the fourth caliph, Alī ibn Abī Tālib, which culminated in 656 in a battle near the Iraqi town of Basrah. The incident is known as the Battle of the Camel, because Ā'ishah, mounted on a camel, urged on the troops as the battle raged about her. She and her cohorts were defeated. Although she was then, as a mark of the respect due to her, escorted back to Madinah and allowed to continue her life there, her defeat was taken by tradition to indicate the inadvisability of women interfering in politics.

Fātimah is the other female figure that stands out in Muhammad's life. She was one of four daughters borne by Khadijah, these being the Prophet's only offspring to survive. A well-known hadīth (sometimes connected to the Prophet's forbidding her husband, Alī ibn Abī Tālib, to take additional wives) has Muhammad say: 'Fātimah is a part of me; who angers her, angers me' (Bukhārī, *Manāqib*). We are told how Fātimah shielded the Prophet as she washed and ministered to him when he was wounded (Bukhārī, *Wudū*); and he is said to have declared her to be 'mistress of the women of Paradise' (Bukhārī, *Manāqib Fātimah*).

Fātimah is depicted by tradition as a tragic, suffering woman. Because of her marriage to Alī, Fātimah is particularly beloved by the Shiites, now the chief minority group in Islam after the majority Sunnites; it was reverence for Alī that first prompted the emergence of the Shiites. Tales of Fātimah's poverty, constant religious exercise, and charity become highly magnified in Shiite pietistic literature. Stories are told of her tragic visions of the future in which she foresaw the martyrdom of her sons Hasan and Husayn. Fātimah is linked in many legends to the supernatural. Her birth is accompanied by a light that illuminates the earth; she is spared menstruation; she receives the epithets 'Luminous' (*Zahrā*) and 'Virgin' (*Batūl*); and she plays a prominent role in the Final Judgement, crowned with jewels, surrounded by hosts of angels, demanding revenge for her murdered sons and granting intercession for the Shiites who were loyal to her descendants.

Among the Shiites, Zaynab, sister of Husayn, is also presented as a model for women. Zaynab was present at the great battle at Karbalā in Iraq in 680 in which Husayn was martyred, and stories are told of how she took up arms as the men were killed and of her proud defiance as she was marched as a captive to Damascus.

Liberal Muslims, of course, respect the wives of the Prophet, but they are more likely to focus on the initiative and prestige of the two most independent-minded, Ā'ishah and Khadijah, along with the exploits of the founding

heroines. Conservative perceptions of the wives and of Fātimah, on the other hand, concentrate on womanly virtue and domesticity. The image might be one of strength; but it is particular kind of strength, centred on piety, modesty, service, and devotion to the Prophet. One liberal thinker who has attempted to overcome the difficulty of dwelling on 'womanly' virtues is Alī Shari'atī, one of the forerunners of the Iranian Islamic revolution (Shari'atī died in 1977, just two years before the revolution came to a head). Shari'atī's famous tract, *Fātimah* is *Fātimah*, creates a Fātimah who does not allow herself to be defined solely as daughter or wife, but rather is engaged in a constant struggle to realize herself as a person: 'Fātimah must become Fātimah on her own. If she does not become Fātimah, she is lost'. This Fātimah, Shari'atī thought, would be the model for the modern Muslim woman who 'wants to be herself, wants to build herself, wants to be reborn'.

Women and Political Power

Madinah continued as the centre of the expanding Islamic empire at least up to the founding of the Umayyad Dynasty in the later seventh century and consequent transfer of the capital to Damascus. With the overthrow of the Umayyads by the Abbāsids in 750, the focus of the ever-expanding Islamic world then shifted to Baghdad. Abbāsīd rule survived in Baghdad until 1258, when the Mongols extirpated the caliphal line. But the banner of Islam had already been taken up by a host of other tribes and states—not only Arab, but Turkic, Iranian, Indian, and Berber. The caliphate, which had once symbolized the unity of Islam, was gone; Islam as an international creed and civilisation went on to win new peoples and territories.

Khayzurān, mother of two successive Abbāsīd caliphs, the short-lived al-Hādī and legendary Hārūn al-Rashīd (reigned 786–809), is one early example of political influence in this 'classical age' of Islam. Khayzurān was a favourite concubine of the caliph al-Mahdi. Apart from her beauty, she was cultivated, as the most expensive slave girls were expected to be; she recited poetry and had some religious learning. She is suspected of having poisoned her son Hādī, since he had tried to limit her influence; with the succession of her other son, Hārūn al-Rashīd, however, she was able to maintain a high position until her death. In the course of her climb, Khayzurān amassed great wealth and became noted for her charity, including restoration of sites around Makkah.

Themes in the story of Khayzurān—concubinage, manipulation, and good works—are repeated throughout the classical period, in various combinations. Some females, however, were able to come closer to independent power. In Yemen in the eleventh and first half of the twelfth century, the queens Asma and Arwa shared power with their husbands, members of a dynasty connected with the Ismā'īlī movement, an alternative branch of Shiism. Shajarat al-Durr

(her name means 'Tree of Pearls') conspired with the Mamlūk army in Egypt to keep the death of her husband secret while she repulsed a besieging Crusader army. In 1250, the military placed Shajarat al-Durr herself on the throne to secure their position. She reigned for only a few months. As the Abbásid caliph refused to bestow legitimacy on a woman, she was deposed, and eventually murdered. A few women managed to rule directly rather than acting as associates—as, for instance al-Sayyidah al-Hurrah ('free lady', a title also held by other female rulers, including the Arwa mentioned above), who attained the position of governor of Tetouán, Morocco, for some decades in the sixteenth century and engaged in both piracy and diplomacy until she married the king of Morocco.

What can the influence and occasional rule of women mean? Nabia Abbot, a pioneer in the study of women in Islam, believes the role of women to have been even greater than admitted in the classical sources, since '[Muslim] historians tend to pass over unpalatable references to women's rule as briefly as possible, frequently ignoring it altogether' (1946: 55). Certainly, it is one of the difficulties of women's history that their part tends to be undervalued as records are drawn up; from that point of view, the recovery of these figures is a necessary corrective. Abbot also expresses the hope that highlighting the role of women in Muslim politics will provide an example and precedent for modern times.

From a strictly historical point of view, however, the influence or rule of women in the Islamic past is not so remarkable. Throughout the classical period, political power, or at least the symbol of it, was located in the court. Court rule often opens a path to power for women, both because command depends on shifting alliances within a relatively small family group, and because outside players may choose to use females connected to the court in their manipulations, as happened to Shajarat al-Durr.

The rule behind the exception is brought home in frequent misogynistic remarks about women's rule. Khayzurán was supposed to have been warned by her son, al-Hádí, not to 'overstep the essential limits of womanly modesty . . . [for] it is not dignified for a woman to enter upon affairs of state' (Abbott 1946: 89–90). The theme of disastrous women's rule even received scriptural authority as it made its way into several hadíths. One very well-known text, sometimes linked to Á'ishah's part in the Battle of the Camel and still quoted today, declares: 'A people who place women in charge of their affairs will never prosper' (Bukhári, *Fitan*).

Nevertheless, a number of women have ruled Muslim states in modern times. The incidence of female rule is, in fact, more than that of Western nations: Benazir Bhutto of Pakistan, Tansu Çiller of Turkey, Khaleda Zia and Sheikh Hasina Wajed of Bangladesh, and Megawati Sukarnoputri of Indonesia

have all served as president or prime minister. In all but the case of Çiller, however, these were the daughters of previous rulers. The election of women as heads of state, in other words, appears to be still an outcome of political dynamics akin to court or family rule, rather than preference for the candidates in their own right.

But there is another side to the story of women and political power in Islam, seen in a series of incremental developments that may herald real change. States in the Persian Gulf—for instance, Qatar and Bahrain—that had not given women the vote are now finally yielding to their demands, while many nations in which women have already had the vote for decades—among others, Egypt, Syria, Iraq, and Iran—count a number of women among their parliamentarians.

A most important step in women's gaining political power is to legitimate that power Islamically. Here we see two contrary trends. On one side, many opposition Islamist movements believe that it is not women's place to play an active role in government. The Saudi regime also seems to take the position that women should not hold any formal position of power; women have not, for instance, been included in the advisory Consultative Council first set up in the kingdom in 1991. On the other side, however, one hears the argument that women's participation in the political process is actually an Islamic standard. The respected, though controversial, Egyptian scholar and journalist Ahmad Khalaf Alláh has argued that women in the time of the Prophet enjoyed political rights specified in the Qurán itself (1977: 189–93), while the African-American Muslim feminist Amina Wadud argues that the Qurán (27:23ff.) depicts the Queen of Sheba's 'ability to govern wisely' in a special feminine way (Wadud 1999: 41–2).

The pro-politics opinion has actually become an important part of the self-view of many Muslims. I myself have heard my students (not necessarily a very liberal group) cite women's rule and other high achievement in the Muslim world as evidence of the superior rights granted women by Islam. It seems that thought concerning political participation, like gender thought in Islam in general and the social realities that inform it, is in a state of flux.

Woman Mystics

Women have actively participated in Islamic mysticism, called Sufism after the rough woollen (*sūf*) cloaks worn by the early ascetics. It is often said that females are more easily admitted into mysticism than more conventional expressions of religion. This does appear to hold true, to an extent, for Islamic mysticism. It is surely unrealistic to say, as does Annemarie Schimmel, that in Sufism, 'woman enjoys full equal rights' (Schimmel 1997: 15). Women are still most often on the margin. Sufism, however, like mysticism in general, plots itself by a hidden realm, in which the structure and values of this world are

altered or reversed. Sufism also focuses on individual charisma, the sources of which lie in that same mysterious world. This results in a certain flexibility of doctrine and authority, which has been exploited not only by women but by others on the social margin such as devotees of folk religion.

We hear of numerous female saints in Islam; although, as we have come to expect from women's history, many fewer than male saints. The most famous female saint of Islam is, without doubt, Rābī'ah al-Adawiyah of early eighth-century Basrah in Iraq. Her story as it has come down to us touches on several common themes of saints' lives: a humble beginning (she was said to have been a slave girl), sudden conversion (she repented of singing and entertaining) and self-denial. Rābī'ah appears in Sufi lore as an early exponent of love-mysticism, which was to eclipse the earlier ethic of asceticism. Perhaps the most famous anecdote of all of Sufism is told of her in this connection: She was seen running through the street with a torch in one hand and a bucket of water in the other. Asked what she was doing, she replied that she wished to put out the fires of Hell and destroy Paradise, so that God would be worshipped not out of fear but for His sake alone.

Rābī'ah's femaleness gives her legend a special colouring. Her physical characteristics are noted (she is supposed to have been beautiful), she refused offers of marriage, and there are numerous apocryphal stories in which she bests Hasan al-Basrī, an equally famous male mystic. This emphasis alerts us to the shadow of an ambivalence toward female sainthood. It is true that the esteem in which female saints were held was not inferior to that of males. This is a consequence of the very nature of sainthood, which involves mysterious qualities that cannot easily be ranked. We might, however, read Rābī'ah's story in another way. The basic mystical lesson Hasan al-Basrī must learn—the danger of creeping pride—is driven home by the fact that it is delivered by a mere female. Rābī'ah's legend in general intimates that her accomplishment is all the more remarkable and unexpected *because she is a woman*. She is doubly exceptional; we do not expect all people to be like that, but especially not many women.

Residual discomfort with female saints⁴ is also seen in assertions that women had by their sainthood transcended their gender and become essentially men. Thus the twelfth-century Persian mystical poet Attār in his 'Memorials of the Saints' places Rābī'ah with the men, rather than the women, explaining that 'When a woman becomes a man in the path of God, she is a man and one cannot any more call her a woman' (Attar 1966: 40). The American scholar Valerie Hoffman reports that she sometimes received the 'compliment' during her fieldwork among Sufis in Egypt that she was not a woman but actually a 'brother', and that some female *shaykhas* (the feminine equivalent of *shaykh*, meaning 'esteemed authority') affected the behaviour of men in relations with their followers (Hoffman 1995: 45–6, 227, 249, 292).

Some Sufi theosophists, nevertheless, incorporated the feminine principle into their cosmological speculations. Consideration of the feminine emerges in a fascinating way in the work of the most influential theosophist of Islam, Muhyi al-Din Ibn Arabī of thirteenth-century Andalusia. Ibn Arabī declares love for woman to be 'one of the perfections of the Gnostic . . . for this is a prophetic heritage [the Prophet having declared in a famous hadīth that the three things most dear to him were perfume, women, and prayer] and a divine love'. He proposes that God is seen most fully in woman, since she reflects His Beauty and gives birth to the perfect human form. Sachiko Murata in her *Tao of Islam* argues that Ibn Arabī expressly acknowledges the complementary roles of the male and female principles in the structuring of the universe (1992: 178ff.).

But does feminized theosophy have any impact on regard for real women in the real world? It seems that for Ibn Arabī, at least, reverence for the feminine as an ideal was actually joined with respect for women. He was profoundly influenced by his saintly woman teachers, conferred the patched mantle of Sufism mostly upon women, and even allowed that they could be members of the hierarchy of hidden arch-saints.

Positive attitudes and practices such as those of Ibn Arabī had always to compete, however, with a negative view of women stemming from the ascetic element of Sufism. According to the ascetic view, woman is a fleshly distraction from God and a frivolous being that draws man into material entanglements. The base ego-soul (*nafs*), Sufis have often noted, is grammatically feminine in gender, while the goal of the mystic is to tame and wear away that very soul so he can focus his attention constantly on God. Thus the attitude toward women of Sufism, like that of other mysticisms, is best described as ambivalent.

As for leadership in the formal structure of Sufism, women have led women's circles, as seen in the Darqawīyah order in Morocco in the mid-twentieth century and many other cases today. A few have then found their way into higher echelons, as in the case of Lala Zaynab, whose charisma allowed her to gain the upper hand over her nephew in the direction of an important section of the Rahmānīyah order in nineteenth-century Algeria. In Egypt, Hoffman encountered a shaykhah whose personal prestige had also caused her to overshadow the authority of her brother, the official head of the order. It does appear that women can in exceptional instances circumvent the ban on formal authority through the mysterious power of charisma.

TEXTS AND RITUALS

Much attention is paid to women in the Qurān and hadīths, the two scriptures of Islam. The primary reason for this focus seems to be that the new religion

was determined to reorganize Arab tribal society on the basis of the family unit, and definition of the role of women and of male–female relations was central to this project. The Islamic scriptures are also, however, interested in women for their own sake, including their spirituality and welfare within marriage and the family. All these concerns are evident in citations throughout the essay.

The first part of this particular section focuses on women and texts from the point of view of their long-standing *participation* in those texts—that is, in the tradition of Islamic learning. We see that religious learning has afforded opportunities for women, but has also involved certain limitations—above all, limitation on the authority that might be gained through learning. The second part of the section follows the same theme of opportunities and limitations by looking at women's participation in rituals within the restraints of purity and space.

Religious Learning and the Question of Authority

The female learned pursuit *par excellence* in classical times was transmission of hadīths, a role initiated by women contemporary with Muhammad (Ā'ishah being the most outstanding) who were credited with witnessing his all-important words and actions. It is not necessary to consider the doubts raised by Western scholars concerning the overall authenticity of the hadīths. What is significant is that the tradition accepted women as witnesses, confirming that they were held in high, perhaps equal regard. The proportion of woman Companions (as the members of the first generation of Islam are called) rated by hadīth scholars as trustworthy transmitters is not less than the proportion of men, suggesting that 'the reliability of hadīths was weighed without regard to the gender of their first transmitters' (Roded 1994: 65–6).

In later generations, the number of woman hadīth scholars dropped dramatically (Roded 1994: 45–6). This, however, may be explained by the very different natures of first-generation and later-generation transmission, rather than anti-female bias. The witness of members of the first generation was relatively passive. They were candidates simply by virtue of being there, and stood, moreover, close enough to the Prophet to catch his reflected prestige. Later transmission, by contrast, was a formal enterprise, requiring active participation in a (men's) world of scholarship. We know that women's endeavours tend to be depressed as platforms are formalized, so it is not surprising to see fewer transmitters in this setting.

Women nevertheless continued to participate and even excel in hadīth transmission. More than one-quarter of 130 trusted hadīth authorities acknowledged by the fifteenth-century scholar al-Suyūṭī are women—an outstanding example but not an exceptional one (Berkey 1991: 151). Women also went on to engage in other scholarship. They commonly obtained *ijāzahs*, or

'licences', testifying to their expertise, and not only learned from, but also taught men.

Encouragement of and respect for women's learning were no doubt blunted by misogynistic evaluations of women's character and intelligence, some of which were themselves, ironically, enshrined in hadīths (though not in the Qurān, which is remarkably free of misogyny). The best-known phrases of this kind are 'Women are deficient in intellect and religion' and 'Most of the inhabitants of Hell are women' (Bukhārī, *Hayd*; the authenticity and interpretation of both have been questioned). Nonetheless, learning, since it focuses attention on the bearer's merits as *an individual*, has the potential of allowing him or her to dim prejudice and cross social boundaries; respect for learning was potent enough in Islam that it provided an opening not only for women, but for slaves, some of whom also became noted scholars.

The remarkable role of women in Islamic scholarship may also have been driven by class. Women who pursued learning were from scholarly and cultured merchant families—that is, from families with a tradition of learning already in place. Such women were educated or began their education with close relatives, such as the father. The author has noticed the same type of family education of daughters and wives in Arab countries and Iran among scholarly and mercantile-scholarly families, and has observed that religious learning adds to the prestige of a woman and her family (marriage still involving family alliance) when marriage is sought. Remembering that the female scholars mentioned in the biographies came from such family backgrounds, we might think of women's learning as contributing to the maintenance of the prestige of such family groups, and indeed of the whole class. To put it another way, for what we might call the Islamic medieval bourgeoisie, learning was social capital, valuable enough in itself and in the very important social transaction of marriage that it became advantageous to accumulate it also in females.

Once initially encouraged, such women might have actually enjoyed some advantage in learning. One advantage women of the higher classes have sometimes had over men in private intellectual pursuits is leisure. Widowhood, polygamy, and domestic slavery might also have favoured scholarship, since these help to free a woman from the demands of husband and household. When we add to this the fact that Muslim women could be financially independent (since Islamic Law gives them the right to own and control property), it is not surprising to find that some turned to pietistic pursuits, including the learning for which Islam provided a relatively favourable atmosphere.

There were, nevertheless, many fewer women than men engaged in learning significant enough to be noticed in biographies. An analysis of the twelfth-century *History of the City of Damascus* of Ibn Asākir shows about 4.5 per cent female scholars in the first century of Islam, and 2 per cent—13 women against

627 men—in the third (Abyad 1981: 183). Other works reveal similar numbers. The ratio might be adequately explained by the natural dynamics of male–female relationships in a patriarchal society, but there are two additional factors to be taken into account: seclusion and authority.

An Iranian religious scholar who used to give private lessons in theology and law once recounted to me how one of his heavily veiled female students remarked that she had before coming to the lesson carefully calculated the reward of learning against the necessity of sitting with a man. The merit of learning, apparently, won out. As the anecdote suggests, the ideal of ‘seeking knowledge’ might have to compete with the ideal of seclusion. Learning, however, could still prevail. As we have already seen, women not only learned from, but also taught men. They sometimes attended mixed lessons, for instance at a mosque in the company of a male relative; and a few even struck out on ‘journeys in search of knowledge’ (*rihlah fi talab al-ilm*) to acquire learning from more distant authorities. Nevertheless, seclusion must have been severely limiting—keeping in mind that in classical times, seclusion was not voluntary as in the example just given, but controlled by a responsible male.

Knowledge is authority. A woman who had acquired significant knowledge must have enjoyed some kind of informal authority, amounting at least to respect or deference, while knowledge itself was of such value in Islam that male scholars were willing to endorse that authority by taking instruction from her. This is rather different, however, from formal, coercive authority. By formal authority I mean the offices of *muftí* (one who issues legal responsa in accord with the heritage of one of the Sunnite schools of law), *mujtahid* (one who issues responsa according to his own reasoning, the activity called *ijtihād* presently characteristic of the Shiite school), and *qādi* (judge). According to majority Sunnite opinion—remembering that, in Islamic law, there are variant opinions on almost every question—a woman may be a *muftí* (so also a slave); but she cannot, according to the Shiites, be a *mujtahid* guiding others (though she may, if her learning qualifies her, be a *mujtahid* guiding herself only). Nor, it is agreed almost unanimously, can she be a judge. The logic of allowing a woman to be a *muftí* might be that a *muftí* is confined, at least in theory, to communicating the legal doctrine already laid down by one of the schools, and thus acts merely as a conduit for established tradition. Or the logic might be that the opinion of a *muftí* is merely advisory—this is essentially true—and thus the *muftí*’s authority is not really coercive, and women may exercise it. The authority of the Shiite *mujtahid*, on the other hand, is certainly coercive. The Shiite believer is obliged to select one *mujtahid* and follow that one and no other in all his views of the Law, including in questions for which he has never himself asked for a response. The case of a judge is clear. The judge’s authority is coercive, like that of the ruler, and therefore both must be male;

one of the qualifications Islamic political theory specifies for the ideal ruler is male gender.

The underlying principle seems to be that authority granted to women, no matter how well qualified, can only be informal, limited, inconspicuous, or—as we have seen in the case of Sufism—charismatic. Authority must be granted, above all, at the pleasure of men—that is, it must be non-coercive. As long as this rule is obeyed, low-level or sporadic episodes of female authority do not crucially challenge the all-important hierarchy of male over female. In considering this, however, we should remember that hierarchy and assumption of male authority are nearly universal human conditions. They are not original to classical Islamic society or law, but merely manifested in them.

Change and reform in modern Islamic nations have demolished much of the socio-legal structure that once sanctioned hierarchy. The actual authority of Muslim women in the workplace, government, and universities, which they have thoroughly penetrated in many Islamic nations, is well established and widely accepted. Women have also begun to claim religious authority, although this is typically done not by following the path of traditional learning and infiltrating the religious establishment, but through more general discussion of Islamic gender ideology, often in the form of journalism. In the meantime, the interdiction on women’s *religious* judgeship (remembering that there are already woman judges and lawyers in the secular courts of many Muslim countries) as well as authoritative *ijtihād* is being questioned by a few members of the religious establishment itself.

Despite social progress and legal reform, however, the effects of a long tradition of hierarchy endure. The odour of male authority still hangs about the personal law, while gender hierarchy continues to colour social relations. Lingering assumption of male command is, of course, a hard fact of all societies with a patriarchal heritage (including our own); but religion in the Muslim world still has enough power that it can be effectively invoked to justify hierarchy. Rapid social change and Western dominance, in addition, prompt many Muslims to look to the past for clarity and strength, and there is nothing so simple, dramatic, and altogether comforting as assertion of male authority and the traditional structures that go with it. The apparent contrast with the West, where male authority has been somewhat reduced, makes this turn even more appealing.

Rituals, Purity, and Space

The basic rituals of the high tradition of Islam—the common, legislated rituals that must be performed by all Muslims—are daily prayer, fasting during the month of Ramadān, and pilgrimage to Makkah. (The other two of the five so-called Pillars of Islam are pronouncing of the *shahādah*, the ‘witness’ that ‘there

is no god but God and Muhammad is His Messenger', and payment of *zakāt*, the poor-tax.) There is no legislated female ritual in Islam. Nor does female practice differ from that of males. This might be a legacy of the spiritual equality assumed between men and women in the time of the earliest community when the rituals were laid down; or it could simply be in keeping with the very spare character of ritual in Islam in general. Female practice does, however, diverge somewhat from that of males where considerations of purity and space intervene.

A woman is not to pray or fast while she is menstruating (though she should make up the days missed of the fast). If she begins to menstruate during the *hajj*, however, she is to complete her pilgrimage, with only slightly different ritual consequences. This facility for the pilgrimage is obviously necessary from a practical point of view; but it is also consistent with the not very severe attitude of Islam toward menstruation and parturition. The basic principle is that a woman's person during her menstrual time is not impure, so that she does not transfer impurity to things or persons she touches; though, of course, the menstrual blood itself, if spilled, does contaminate. The result is that, apart from the prohibition against intercourse in Qur'an 2:222 (the only verse in which there is warning about menstruation), the menstruous woman continues to function fully in society, including in regions where ritual is being carried out.

There is nevertheless a tendency, often on the part of lesser authorities or of local tradition as in Africa and the Subcontinent, to elaborate menstruation rules—for instance, by forbidding the menstruous woman from entering the mosque, or having her undertake a purification at the end of her menses more complicated than simple washing. The high tradition, in the meantime, resists this tendency, beginning in the *hadīths* (as in the *hadīth* from Ā'ishah cited earlier in this chapter), and continuing with *fatwās* (opinions issued by religious authorities) into modern times.

A similar tension exists in the case of ritual and women's space. In the ritual prayer performed five times a day, women stand behind the men. (In Iran, one also sees men and women side by side, with a cloth or other division down the middle, but this may be a modern development.) The original purpose of the women's standing behind the men at the dawn of Islam could not, it seems to me, have been to separate the sexes, since the arrangement obviously does not accomplish that. Perhaps the women were behind the men because this was how the tribe migrated or went to war; the Qur'an seems to link the careful lining up of those praying into straight ranks with the standing of soldiers shoulder to shoulder ready for battle (cf. Q. 61:4). Nevertheless, the reason very soon supplied by the tradition for the division was that it helped the participants, effectively the men, avoid distracting sexual thoughts.

Some *hadīths* and a body of opinion built upon them even asserted that women should not come to the mosque for prayer at all. Rather, they should pray in their houses (see for example, Abu Dāwūd, *Salāh*). The reason given for preventing women from attending the mosque is that they are likely to stir up sexual anarchy (*fitnah*); the theme of sexual distraction during prayer is here expanded and used to limit space absolutely. A contrary group of *hadīths* and opinions, in the meantime, continues to insist on the right of women to pray, presumably behind the men, in the mosque (for example, Bukhārī, *Adhān*). Still other statements attempt to harmonize the two judgements (or submerge the second) by allowing that a woman may attend, but only if absolutely unadorned and with the knowledge that her mosque-going is actually less meritorious than her staying home to pray.

Argument over the location of women's prayer is much sharper than dispute over menstruation, because there is much more at stake. Division of space has been the great exclusionary principle of the Islamic tradition. Mixing in the mosque, it appears, is a powerful symbolic blow at that principle. For this reason also we do not see, as in menstruation, more learned authorities consistently 'holding the line' by defending women's mosque-going against creeping exclusionism. (Here I assume permission—in fact, encouragement—for women to go to the mosque to be the basic and original position of the tradition; see Clarke 2003: 235–40.) The lines are formed up chiefly instead between modernists and some conservatives who wish to see women 'reclaim' their place in the mosque, and extreme traditionalists who regard unrestricted mosque-going as the thin edge of a lifting of other restrictions on space, leading ultimately to a wearing away of domesticity and all the further societal consequences that would entail.

This basic configuration of the dispute should not, however, obscure other cross-currents. Every well-organized social movement tries to control and harness the power of women. Thus it is not surprising to see many apparently conservative Islamic movements encourage co-optable woman's activism. That activism may be channelled, as far as space is concerned, into divided activities such as women's study circles or—a phenomenon familiar to us all—women's auxiliaries of various kinds. But it may also spill, at least a little, over gender-space boundaries, with or without the connivance of the father movement. Post-revolutionary Iran offers some examples. The Tehran Friday prayer is broadcast each week; women are strongly encouraged to attend along with the men, and the cameras never fail to pan them. The government facilitates female preachers, Qur'an-reciters, and so on, and these may occasionally be heard over loudspeakers, in recordings, and even seen on television—all disturbing to traditionalists. In another example of women's religious activism spilling over gender boundaries, as Muslim religious consciousness is on the

rise in North America, more women, along with men, are attending the mosque.

Ritual practised by Muslim women sometimes develops distinctive features. For instance, some Sufi and also Shiite pilgrimages have been colonized by women, who gather together for mutual support and appeal to the saint for their own special concerns. Women exclusively perform the exorcism rituals (*zār*) established in Upper Egypt and Sudan and loosely connected to popular Sufism. There has not, however, been any conscious movement in Islam, as in Judaism and some other traditions, to revive or create rituals to express the concerns of women. This is because the tradition lays great stress on correct practice as the manifestation of faith. 'Correct' means established by the Sunnah of the Prophet and early community; anything not legitimated in this way is liable to be viewed as 'innovation', *bid'ah*, the opposite of Sunnah.

Women's ritual is also hobbled by a long-standing traditional view, seen in classical literature and even the hadith (though certainly not the Qur'an), that unsupervised activity entails certain hazards arising from the female psyche. Women, it is thought, are naturally superstitious; they are prone because of both their nature and ignorance to engage in un-Islamic practices (Lutfi 1991). They should not visit graves, as that might become an outlet for frivolous dressing up and socializing. They should not attend funerals, as their lack of emotional control might spoil the dignity of the occasion; this has actually become a legal norm.

Can separate ritual space and feminized ritual be of any advantage to women? I happen to think that the ultimate route to power and equality is through capturing the centre, rather than building on the periphery. Separation should be at most a temporary strategy. In the meantime, however, we deal with present realities, and so it might be best to look at the advantages or disadvantages of individual cases. In one example, among the thirty million or so Muslims of China, the separate women's mosques (*nusi*) that first developed in the late-eighteenth century have not only afforded women a measure of collective strength and independence, but also served as centres of religious and health education, sometimes under the guidance of ordained female ritual experts (*nu ahong*) (Jaschok and Shui 2000).

WOMEN'S SEXUALITY: ISLAMIC LAW AND BEYOND THE LAW

This section begins with discussion of the rules of the *Shari'ah* (Islamic law) relating to marriage and divorce. Marriage and divorce are central to the regulation of woman's sexuality, since intimate relationships must take place exclusively within that legal framework. The rules related here are those of the classical law, formulated in the first centuries of Islam and no longer entirely

in place in any Muslim state. This is not, however, simply a study in the past. Since family law is regarded as the heart of God's plan for society, Muslims have been reluctant to see it openly cancelled, so that all governments, even avowedly secular ones—for instance Iraq under pre-war Baathist rule—have been obliged to approximately form or at least justify their codes in Islamic terms. The restoration of family law is also a central part of the platform of Islamist groups. Where these groups succeed in gaining influence or power, such as in Pakistan, Afghanistan, or Iran, classical Shariah, or a certain understanding of it, suddenly becomes very relevant. Even among apolitical, liberal Muslims and Muslims living as minorities in the West, Shariah is of great concern as they try to extract from it a religious ideal to guide them in their most personal relations, or to square it with what they already practise.

The basic norm or structural characteristic of the classical law of marriage and divorce is male hierarchy. This is already suggested in the Qur'an (4:34), where it is stated that men are 'set over' (*qawwāmūn*) women, and also that husbands have the right to discipline their wives in various ways, 'unless they [again] obey you'. The hadith and Law go on to stiffen this suggestion of the Qur'an and give it legal force. A series of hadiths suggests that women who are disobedient or ungrateful to their husbands will go to hell (for example, Bukhārī, *Imān*), while 'obedience' (*tā'ah*) becomes for the wife a legal duty to the extent that she may, if she leaves the marital home without sufficient cause, lose her right to maintenance and dower. The rule of hierarchy in marriage is not, however, absolute. It is mitigated in the legal realm by the fact that the woman is regarded as an individual with her own standing before the law; and then also in the moral realm by constant exhortation, in both the Qur'an and hadiths, to the husband to behave fairly and equitably.

The ultimate basis of a Muslim woman's legal rights in marriage is that a mature female, meaning one who has menstruated, is a full legal person. Thus a woman cannot be given away; any right to her person must be granted by herself, freely. This principle generates the rules that a woman must consent to her own marriage, that her family does not receive money for her (since she is not sold), and that she may be freed by a judge from the power of a tutor aiming to prevent a marriage that is to her advantage.

This basic principle has to vie, however, with the power of the 'guardian' (*walī*), usually the father or paternal grandfather, over the minor female. The *walī* may even contract a marriage for a minor without her consent; though she then has the right upon attaining puberty to repudiate that marriage. The tension between the legal standing of a Muslim female and supervision of her *walī* is seen in variant opinions about the extent of the *walī*'s power. To mention only two such opinions, the Sunnite Hanafi school says that 'the option of puberty' to repudiate a marriage may be exercised only if the contract can be

shown to be defective, while some Shiite jurists assert that a wali is not needed at all.

The legal rights of the woman in marriage are secured through contract, and the essence of a contract of any kind is exchange, based on fully specified terms. The basic exchange of the marriage contract is between the wife's granting her husband exclusive access to her reproductive capacity and to her body for the purpose of pleasure; and his delivering to her an appropriate amount of wealth (the dower, called *mahr*) and undertaking to maintain her as long as the marriage lasts.

On the husband's side, access is unlimited and unfettered, so that a man has a right to enjoyment of any part of his wife's body in any way he wishes, with the exception of contact forbidden by the law such as intercourse during menstruation. Thus she apparently cannot—this is a point that has become slightly controversial in modern times—refuse him sex. The notion that the husband has the right to control his wife's freedom of movement seems to have made its way into the law as a consequence of the right to exclusive sexual access, since that might be threatened if she were to go about without his permission. The notion then apparently grew, under the influence of the powerful idea of male authority, into a right of absolute supervision. We see it emerge in the law of some modern states in the rule that a woman needs the permission of her husband to obtain a passport and travel out of the country.

On the wife's side, the dower is due to her personally, since it is she, as owner of her own self, who is the contractor. Nor does her husband have any power of any kind over it; for the buyer, of course, cannot retain any interest in the sum he pays. The law, beginning with the Qur'an (for example, 4:4), is very concerned with ensuring that the bride be given her proper dower and that she be properly maintained. There is a real interest here in fairness of the contract and recognition that the position of the woman is liable to be relatively weak.

As much as the Qur'an, hadiths, and law are concerned with marriage, they are even more concerned with divorce. Moral condemnation of divorce—meaning divorce by men, since women are given almost no grounds for it—is very strong. The most famous of several hadiths on this subject says: 'Of all things permitted, divorce is in the eyes of God the most detested' (Abu Dāwūd, *Talāq*). Anxiety over divorce results from tension between the need to give women some protection and preserve the family unit on the one hand, and the reality of male prerogative on the other.

Desire on the part of the law to protect the weak and the legal principle of integrity of the contract could not, however, stand up to the overwhelming force of male authority. The basic governing principle of divorce thus became free action for the man. The Muslim husband is not required to cite

any grounds for divorce whatsoever. This is inconsistent with the binding contract that underlies marriage, since, strictly speaking, such a contract can be terminated only for cause. (The inconsistency is actually recognized in some of the law books in the listing of divorce under the heading of *iqā'āt*, or 'unilateral actions'.) The logic of the law seems here to break down.

The pattern of the law of divorce thus becomes one of a series of modest obstacles to the husband's power to repudiate his wife. One such obstacle is the rule that divorce remains retractable (*raj'i*) for a period of three menses (Q. 2:228), during which the woman remains, fully maintained, in the marital home. This rule serves not only to forestall hasty divorce, but also to guarantee paternity. The man's obligation to fully pay the dower upon divorce can also act as a restraint. The Qur'an suggests arbitration (4:35), and some modern reform has made arbitration a compulsory prelude to divorce. And there is, finally, moral restraint. The man is urged to exercise his prerogative justly and kindly: 'either retain them with kindness, or dismiss them honourably' (Q. 65:2; also 2:231), 'compensate them, and dismiss them in a becoming manner' (33:48)—and other examples from both the Qur'an and hadiths.

These are—it must again be emphasized—the norms of the classical law. Though their basic spirit and pattern still influence modern legislation and Muslim thought, they are no longer followed absolutely. Many features of the law of marriage and divorce have been the targets of legislative reform, a movement that has been underway since the nineteenth century. Polygamy is one example. Polygamy is not widely practised in the Muslim world; and most Muslims now adhere to the view, advanced by the famous Egyptian reformer Muhammad Abduh in the late-nineteenth century, that the Qur'an actually disapproves of multiple wives except in very restricted circumstances, as it says: 'If you fear that you shall not be able to deal equally with [two, three, or four], then [take] one only' (4:3), and then also: 'You will never be able to deal equally between women, no matter how much you wish to do so' (4:129). Nevertheless, the difficulty of forbidding what seems to be permitted by God has made banning polygamy outright problematic. Most countries have resorted instead to obstructive rules that make taking more than one wife very difficult. One common such rule is that the first wife must either give her consent, or be allowed to obtain a divorce; another is that the man must demonstrate before a court sufficient reason for taking a second wife, and sufficient means to maintain her. Where polygamy is more common and not legally restrained, such as in some Persian Gulf countries, it has become a live issue for women's groups, who tend to regard it as a social ill.

Women's slender grounds for divorce is another serious issue. Though grounds have been widened in most countries, to include, for instance, desertion and failure to maintain, the idea of free divorce for women has met with

determined resistance. An argument often made against women's free divorce is that it would destabilize the family, since women are supposedly more emotional than men and might therefore rush to divorce without thinking. But the real problem, of course, is that it would undermine the authority of the husband, and thus ultimately the imperative of male authority so essential to the traditional view of gender.

It is not, however, legitimate exercise of Sharīah that causes women the most trouble. The Sharīah is, most naturally, fitted to a patriarchal society; but it is, after all, a system of law, concerned with the setting of limits and order and the functioning of society. And Islamic law is actually quite attentive, within the limits of patriarchy, to women and their concerns. It is when patriarchy overruns the limits of the law that the worst abuse occurs.

The quick divorce effected by three declarations uttered in one instant is one illustration of this overflow. Quick divorce (in contrast to the more religiously correct, retractable divorce described above) violates the explicit instruction of the Qurān to the husband (65:1) to observe a waiting period. But it nevertheless forced its way into the law—where it is still termed by the jurists the *bid'ah*, or reprehensively innovative divorce—through practice. That is, since men were instantaneously divorcing their wives regardless of the Islamic standard, the law was compelled to recognize that as effective. Shiite law, however, refused to admit instantaneous divorce, and a common reform measure in modern times has been to ban it.

Nonpayment of dower has also been a persistent problem. The Qurān (2:229) and the law allow that a woman may give some or all of her mahr in return for her freedom (the *khul'* divorce). This seems to be a facility provided for women. But instead, it has been widely used by men to force women to buy their way out of an unhappy marriage or gain custody of children. Dower is thus traded off as part of the negotiations of divorce, rather than remaining, as envisaged by the tradition, a fundamental right.

The Islamic right of a woman to approve her own marriage is frequently not respected. The Sharīah assumes a social background in which the family is the girl's advocate and protector. But where family solidarity breaks down or family members turn against a woman who has no resources or power of her own, she is left fully exposed to the unkindness of patriarchy and may be forced into an unsuitable marriage, or virtually sold. The state has not yet sufficiently stepped in to provide protection in such cases, and it is also sometimes prevented from applying laws that it does have on the books—for instance, against child marriage—by the power of family, clan, and tribe.

Here we enter the very extensive territory of the entire dissolution of law and legal norms. Forced marriage without even the formality of consent and threats against couples who marry against the wishes of their families are two

such instances. Knowledgeable Muslims roundly condemn such things as un-Islamic; but where they are part of local practice, the population may imagine them to be sanctioned by religion. The claim often made by Muslim women that liberation starts in 'reclaiming our rights according to Islam' begins to seem quite credible.

The phenomenon of so-called 'honour' killings belongs to this tour. The practice seems to have some connection with tribal society; it is found, for instance, among such populations in Jordan and the North West Frontier Province of Pakistan. Honour killing may be used to cover up simple murder or rape. Honour violence must have been known among the pre-Islamic Arab tribes, as the Qurān itself attempts to block it. One measure: a formal accusation of illicit sexual relations (*zina*) must be made, for which the standard of proof is very high—four male witnesses are required, instead of the usual two, and these must have witnessed the act of penetration itself (Q. 4:15; 24:6–8). Others: false accusation (*qadhif*), here assumed to be directed against women, results in lashing of the accusers (24:4); and a husband is to bring an accusation of adultery against his wife merely by solemn oath, which she then refutes by her own swearing (24:6–9), followed by divorce.

There is real recognition here not only of the danger of random violence brought on by sexual defamation, but the likelihood of it falling upon women. The Qurānic principle of constraint on honour violence was apparently strong enough that the jurists did not subsequently allow honour to make inroads into the Sharīah. The only concession they made was to permit the theoretical penalty for the most outrageous cases—that is, fornication of free (non-slave) offenders who had been married—to be raised, in accord with long-standing Semitic practice, to stoning. Stoning, of course, originally had in tribal society the symbolic function of allowing the group to reaffirm its collective honour. Thus, many argue, honour killing is at odds with Islamic legal norms. Yet in some nations with majority Muslim population, the crime is forgiven or the penalty is very low, and (male) judges tend to overlook it.

Light punishment for honour killing rests on the belief that cherished social values depend ultimately upon the good behaviour and therefore discipline of women. Women are caught in a similar predicament by the movement in some self-proclaimed Islamic states such as Pakistan and northern Nigeria to reinstitute Sharīah law. Governments set out to establish Sharīah because they wish to legitimate their rule. And Sharīah is effective as a legitimator not only because it is, in the minds of many, equivalent to Islam, but because it is felt that it will secure social order, including the sexual morality believed to be the bedrock of that order, expeditiously. The regime answers to the expectations it has raised by quickly imposing the set of corporal punishments known as 'limits' (*hudūd*), said to have been fixed by God Himself. Now women, as the

bearers and symbols of morality, play a central role in the drama. Punishment for sexual crime is typically aimed almost exclusively at females—exactly the victimization the Qurán seeks to forestall! This is accomplished through the device of considering pregnancy or the woman's accusation of rape evidence of the crime of *ziná* (fornication)—while men, due to the high standard of proof mentioned above, are unlikely to be convicted. All this is difficult to justify in Shari'ah terms (see Clarke, forthcoming). The point, in any case, is clearly not law, but pseudo-legal scapegoating. By putting sin upon the head of the victim, the authorities hope to give the impression that they are successfully purifying society.

CONSERVATISM/BACKLASH AND SOCIAL CHANGE

Law reform, along with relatively isolated but more sensational instances of Shari'ah reaction, are important barometers of change in the Muslim world. The following will consider two other indications of the state of Muslim women today. One is the very extensive modern literature that attempts to establish the ideal position of women in Islam. The other is the lived reality and actions of Muslim women themselves.

Most modern literature on women in Islam is conservative or apologetic, common titles being 'Veiling and Unveiling' (*al-Sufúr wa-al-hijáb*) and 'The Rights of Women in Islam'. Conservative discourse is apt to dwell upon the wisdom of Shari'ah as it is, highlighting favourable clauses such as a woman's right to own property and demonstrating the various ways in which the paternal system of the Law ideally provides for and protects her. Unfavourable clauses such as woman's lack of grounds for divorce are likely to be skirted, or their wisdom demonstrated in terms of the welfare of family and society.

The conservative approach may be illustrated by treatment of a verse of the Qurán (4:34) that has become famously problematic in modern times: 'Men are set over women (*al-rijál qawwámún 'ala al-nisá*), because God has made one to excel over the other, and because [men] spend their wealth [to maintain] those for whom they are responsible'. Conservatives are likely to point out that the 'excelling' pertains not to spiritual potential, but rather to agnatic responsibility. In the conservative view, the verse thus confirms the divinely mandated social order in which men are both responsible for and supervise women.

Outright misogyny (as can be seen in the interpretation cited above) is not very evident in current conservative discourse, since the goal is to present Islam as the ideal system also for women. Lack of overtly woman-negative material is also likely due to the fact that contemporary writings on 'women in Islam' are now also meant, perhaps even primarily, to attract and convince women themselves. This reminds us that although being cast in a key symbolic role

involves a burden, one can also extract from it a measure of power by manipulating that role. Mai Yamani has described a 'new breed of female fundamentalists' that emerged in Saudi Arabia in the 1990s. These women wear a full veil and enter into religious debates in a way that, according to Yamani, 'infuriates religious as well as liberal groups' (1996: 278–80). Some women attached to fundamentalist or liberationist groups have even joined in military action, as in the participation of heavily veiled Chechen women in the October 2002 hostage incident in a Moscow theatre.

Power gained in this way, however, ultimately has to conform to the terms of the system. And the basic terms are, if one relies on the classical version of the Shari'ah and traditional understanding of the Qurán, male authority. Female Islamists of the literalist, scripturalist (sometimes called 'fundamentalist') type deal with this aspect by imagining, much as fundamentalists in general do when they speak of an Islamic state, a kind of utopia in which a fully realized Islamic system would ensure the good behaviour of citizens and perfect justice for all. Like the female student of mine who passionately declared, in reply to my statement that men in the classical law may divorce freely, that 'Islam does not allow men to divorce', these women appear to rely on the moral voice of Islam (which does indeed condemn divorce), rather than actual law. They seem to be certain that Muslim men or Muslim society would unfailingly hearken to that voice as they themselves hear it, so that, for instance, all women in an Islamic society would be fully provided for as they stayed home to raise their families, and polygamy, though allowed by the law, would become virtually extinct as wives also fulfilled their duties. In this case, there is no need for 'reform'. Reform only hinders the divinely ordained system from realising itself. The action in 1999 of the Egyptian journalist and Islamist Safinaz Kazem in walking off the set of an *al-Jazirah* television programme when her interlocutor, the first female parliamentarian of Jordan, Toujan Faisal, condemned polygamy—and thus, in Kazem's view, questioned the Qurán—exemplifies the spirit animating this utopian scripturalism.

Faisal's experience points to a basic stricture facing liberal discourse today. The liberals or those who are relatively liberal must demonstrate that their point of view is properly Islamic, and more particularly that it is not influenced by the West. Not to Islamically legitimate one's discourse means marginalization at best, and at worst, threats from extremists, as has in fact happened in the case of Faisal, the veteran Egyptian feminist Nawál al-Sadáwí, and others. Often raised in this context is the old accusation against women asking for change that they are advocating immorality.

Threat is evidently not, however, the prime reason Muslim women reach for an Islamic idiom. Many early feminists—such as Huda Sharáwí of the Egyptian Feminist Union in the early twentieth century—believed that the path

to progress for Muslim women lay in following the example of their Western sisters, including casting off the veil. This idea is now outmoded. Most Muslim women along with the rest of the community believe instead that they have their own, distinctive values, such as centrality of the family, rearing of children, and male–female harmony. They want to find a path forward that is authentically Muslim and that preserves these Muslim standards.

This approach rules out, of course, the radical and secular theories of Western feminism. (Female Muslim activists are, in fact, reluctant to call themselves ‘feminists’ precisely because of such connotations.) It certainly rules out consideration of female homosexuality, which becomes, in these terms, irrelevant. The more modest and rather cautious project of the liberals is instead to promote understandings of Islamic scriptures and history that undermine the principle of male dominance and bring women into the public space.

The liberal argument with regard to scriptures relies on the premise that the spiritual equality clearly established by God in the Qurān (as evident, for instance, in the care He takes to specifically include female believers in statements about religious duties and rewards; for example, 33:35 and other places) also implies social equality. This, however, raises the question of the few problematic verses that just as clearly confer social privileges on men. The verses are explained in various ways—for instance, by asserting that they were meant to refer to male supervision in a male-dominated society that no longer exists, while the basic Qurānic principle of equality was meant to endure. Using these kinds of approaches, the American scholar Amina Wadud comes to the conclusion that *qiwāmah*, the ‘setting over’ referred to in the ‘men are set over women’ verse, actually signifies men’s responsibility for, or ‘attitudes and treatment’ of, women, this being the counterpart of women’s responsibility to bear children (1999: 73–4).

To demonstrate that women should share in public space, the liberals turn to history. Instances of women’s participation in politics, free movement, and heroics in the early battles of Islam are used to argue that the original model of the Muslim woman was that of a free and active person. Muslim society, liberals insist, should return to and build upon that original model.

This vision, however, runs up against the question of the meaning and intent of *hijāb* (the veil). For while the veil was formerly regarded by many modernists as a symptom of oppression and its removal a sign of liberation, the current Islamic revival has caused it to take on many different meanings. Some liberal Muslims, it is true, would still argue that the verses of the Qurān usually taken to indicate that women should cover are aimed at nothing more than modesty, for both men and women, with no really specific mode of dress specified, as in the following verses:

Say to the believing men that they should lower their gaze and guard their modesty . . . and to the believing women [also]; and that they should not display their adornment . . . and [should] draw their veils over their bosoms (24:30–2).

Even this group, however, has shifted its focus to the issue of free choice. Muslim women, they say, should be able to choose not to veil, *just as they should also have the right, if they wish, to veil*. This change in focus is dictated by the fact that many young Muslim women today choose to wear *hijāb* as a sign of their own personal devotion to Islam and proud announcement of their Muslim identity. *Hijāb* has also come to be understood by many or most Muslims as meaning exclusively clothing, rather than strict confinement to the home as in the traditional view, so that there is less reason in this case to oppose it. Some women even assert that *hijāb* has liberated them by giving them freedom to move, properly covered and respected, in any space.

The conservative position on *hijāb*, by contrast, asserts that the Qurān, through the verse cited above as well as several others, has made veiling compulsory. The meaning of the revelation, they say, is clear; and it is confirmed by the long-standing consensus (*ijmā*) of the community. Many conservatives also take *hijāb* in the sense indicated in the *hadīths* and classical discussions (and probably also the sense current in most pre-modern urban Muslim societies); that is, woman’s confinement to her home, with permission to go out limited, as one famous *hadīth* suggests, to ‘need’ (Bukhārī, *Tafsīr*). There is a great difference between *hijāb* as a freely chosen mode of dress and *hijāb* as domesticity and limitation of space, and it is necessary in listening to debate concerning the veil to understand which is being talked about. This is not always easy, as what is often meant is a varying mix between the two.

The focus, in any case, on *hijāb* and on preoccupation of the West with the supposed ‘oppression’ of Muslim women by their religion have tended to obscure the fact that the tendency in the Muslim world today is actually one of gradual but steady progress. This progress is led by the individual efforts and accomplishments of Muslim women themselves, and it is unlikely that fundamentalist reaction will be able to reverse it.

The first thing to notice is the real impact on women’s position of incremental social change. These changes have come about as a result of increased urbanization; the national mobilization of the post-colonial era; family ambition, as it becomes clear that daughters are also able to gather wealth and prestige; and demographic shift toward a younger population. Increase in female literacy is one leading example of social change. In the first part of the twentieth century, literate Muslim women were a small minority. But according to

UNESCO figures of about a decade ago, literacy for women between the ages of 15 and 24 in Middle Eastern countries ranged from 36.2 per cent and 46 per cent (compared to 67 per cent and 71.4 per cent for men) in Afghanistan and Morocco, to 90.9 per cent and 96.5 per cent (compared to 99.7 per cent and 98.1 per cent for men) in Libya and Jordan (<http://unstats.un.org/unsd/demographic/social/literacy.htm>).⁵

Indications are that literacy rates have continued to rise—save, perhaps, in the exceptional case of Afghanistan, where the nationalist ideal of mobilization gave way for a time in the midst of anarchy to the fundamentalist utopianism of the Tālibān. One result of the steep rise in literacy and education is that women have been increasingly successful in earning degrees and entering the professions. In some settings—for instance, Iran and Saudi Arabia—they are said to make up half or more of the university population.

Muslim women also continue, as they have done throughout the twentieth century and before, to form philanthropic and activist organizations to aid their sisters and articulate women's concerns. The by now decades-old campaign for the vote in Kuwait; the anti-Tālibān Revolutionary Association of the Women of Afghanistan (www.rawa.org); the International Network for the Rights of Female Victims of Violence in Pakistan (www.inrfvvp.org); the Women's Aid Organisation of Malaysia (www.wao.org.my); and, in America, the association of Muslim woman lawyers for human rights known as Karāmāh or 'Dignity' (www.karamah.org) are but a few of hundreds such organizations around the globe. The vigorous activity of Muslim women on their own behalf is not often acknowledged in the West, where the preferred media image is that of the helpless victim in need of aid and rescue.

The task for the future, at least from a liberal point of view, is to have the tradition catch up with these realities. The facts of education, political participation, and state law reform are well ahead of religious thought—despite the efforts of a few innovative clerics such as Ayatollah Muhammad Husayn Fadlallah of Lebanon and Saïdzadeh of Iran. Nor do religious discussions of women place real and difficult issues such as violence against women as concerns to be systematically and forcefully addressed, since the focus is on picturing a kind of ideal harmony between husband and wife, and on the ideal in general. Men's prerogative in personal and social relations, the universal rule of patriarchy enshrined in the classical law, is rarely questioned.

None of these factors is, of course, unique to Islam. Most institutionalized religion is slow to respond to change; indeed, it resists it. In the West, however, women have been able to sidestep religion by developing a separate tradition of secular feminism, and then the religiously committed among them have taken feminist thought and the confidence and authority gained through it and projected it back onto religion. This is not possible to the same degree

in the Muslim world today, where the only 'legitimate' thought is Islamic thought.

Thus women are obliged to work within the tradition. And that should not, in fact, be so very difficult, as Islam has many woman-positive resources on which to draw, beginning with the Qurān itself. There is great potential here; and one might argue that progress legitimated by religion will be more lasting and have wider popular appeal. The prime obstacle, of course—again, one not unique to Islam—is that women do not presently own religious authority, so that they are not able to effectively make their views heard and accepted. Islam, however, has the advantage of a long history of women's learning, as well as some permission for women to produce legal rulings. Women's religious learning at the higher levels has, sadly, declined in modern times, but rebuilding and enlarging this tradition could be the key to a new power.

NOTES

1. Terms have not been fully transliterated. Long vowels and glottal stops in Arabic words have been marked only where they might aid in pronunciation.
2. The quoted phrase is from a *hadīth*, one of the 'anecdotes' of the Prophet's sayings and doings that establishes the *Sunnah*. In the eyes of the majority Sunnite school of Islam, Bukhārī and Muslim are the soundest canonical collections of *hadīth*.
3. The first number refers to the Chapter, or 'Sūrah', of the Qurān; the second refers to the verse, or 'āyah'.
4. If there was not similar discomfort with woman scholars (discussed below), that may be because the social rules of the game were more clear. Though woman scholars might be more learned than men and even teach them, their ultimate potential authority was, as I will explain, still lesser.
5. All websites in this chapter were accessed 18 September 2003.

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Can a Woman be an Imam? Debating Form and Function in Muslim Women's Leadership

One day We shall call all people according to their Imams. Whoever is given his book in his right hand will not be subject to the slightest injustice. But whoever was blind in this world will be blind in the next and completely astray from the path. (Qur'an 17:71)

Islamic tradition is replete with references to the responsibility each Muslim bears for finding or establishing a group of Muslims with whom he or she can worship and fulfill communal obligations. According to the Qur'an (3:104, 110), it is within the community (*ummah*) of believers that society can be transformed for the better. As is the case with many issues, however, the Qur'an gives only general guidelines, not details about the way Muslims should organize themselves and choose their leaders. Among the principles of leadership established in the Qur'an is the requirement that believers obey their leaders (4:59) and that leaders consult with their followers (42:38). The Qur'an describes leadership as a proper aspiration of the believing community (25:74), just as it describes Isaac and Jacob in particular, and the Children of Israel in general, as having been leaders (*a'imma*h — plural of *imam*) inspired by God to guide others (21:72-73). The Qur'an does not designate clear distinctions between political and religious leaders, and many of the prophets are shown to have exercised both spiritual and political authority.

Political leadership, in the sense of state power, is not the concern of this study; rather, we will attempt to formulate a framework for discussing religious leadership in the American Muslim community, as it affects women in particular. This distinction between political and religious leadership is not unnatural to Islamic societies, despite the common wisdom that there is no separation between "church and state" in Islam. In fact, throughout most of Islamic history, there was an identifiable class of religious scholars who placed significance on maintaining (at least the appearance of) independence from political authoritiesⁱ. These religious scholars, the *'ulama*, were joined in guiding the Muslim community by spiritual leaders ("*shaykhs*" — Sufi or otherwise), in addition to a variety of religious professionals: *imams*, *khatibs* (preachers), Qur'an reciters, *mu'adhdhins* (prayer callers), spiritual healers and others.

Of course, this does not mean that Muslim political authorities over the centuries had no role in shaping religious institutions and legitimizing religious professionalsⁱⁱ. This dynamic, however, is not the concern of this paper. Rather, we are primarily interested in examining women's religious leadership within voluntary communities of Muslims in secular societies, especially in America. Again, this does not mean that the political leadership of secular societies refrains from trying to influence the dynamics of leadership within voluntary religious communities. The actions taken by countries such as France to designate officially recognized religious authorities are only extreme examples of the way secular states use their power to control and shape religious communitiesⁱⁱⁱ. Indeed, I will argue in this paper that Muslims must take this dynamic into serious consideration if they are to develop models of religious leadership that are meaningful to them in countries such as the United States and Canada.

Why does women's leadership matter?

Before we discuss the variety of approaches that can be taken to advance the religious leadership of Muslim women, we should state why we consider this to be a valid and important goal. In other words, why does women's religious leadership matter?

In our experience, the main reason this is an issue of concern for many Muslim women is that they feel that religious authority has too often been used to suppress them. It is the rare Muslim woman who has not had some experience of being excluded from the mosque, having had to listen to demeaning sermons, or having been subjected to patronizing marriage counseling by religious leaders. This does not mean that this is the dominant experience of all Muslim women. There are, of course, many competent male religious leaders who are sensitive to women's experiences and listen to their counsel and their concerns. When few or no women in a community have recognized spiritual authority or positions of leadership, however, there is a good chance that the women of that community will experience religious authority negatively. This is a serious matter, because it defeats the very purpose of religious institutions, whose primary purpose is to bring people closer to God. We need to be conscious of the unfortunate reality that institutions — including religious institutions — often develop in ways that lead them to defeat the very purposes they were created to serve.

In many cases, Muslim women feel that restrictions placed upon them in the name of Islam are unjust, but they have neither fluency in the Islamic legal discourse nor the religious authority to convincingly argue their objections. As a result, some simply suppress their inner voice that calls for justice; others cannot do that. The latter are like the famous companion of the Prophet, Khawla bint Thalabah, who was ennobled by God in the Qur'an (58:1) with the title, *al-mujadilah* "the woman who disputes." When Khawla first went to the Prophet Muhammad complaining of the injustice she was suffering as the result of her husband disassociating himself from her according to an Arabian custom, she was disappointed. The Prophet indicated that at that time, existing customs remained normative unless God revealed a new ruling, and he had received no revelation about this issue. Khawla did not give up hope, for she knew that this custom was unjust; she continued to complain to God, and waited near His Messenger, expecting him to receive a revelation. Soon, the revelation came, and God confirmed Khawla's conviction that what had been done to her was unjust and was henceforth to be prohibited by law.

This inner voice, this innate sense of justice that Khawla had such confidence in is part of the *fitra* — the natural moral sense — that Muslims believe God has implanted in every human being. After the death of the Prophet Muhammad, it is religious leaders to whom ordinary Muslims must appeal to articulate the normative discourse that validates this inner voice. It is my observation that when this religious leadership does not include women, their experiences, concerns and priorities will not be well represented. I am aware that there are those who would argue that this is not inevitable. There are those who are convinced that men are capable of guiding and leading the Muslim community in a just manner without female peers. I would argue that common sense tells us that even the most compassionate and insightful group of men will overlook some of the needs and concerns of the women of their community. More compellingly, experience teaches us that when women are not in leadership positions in their communities, they are often assigned inadequate prayer spaces (if any), they are cut off from much vital religious education, and they have few means to access the rights they possess in theory. There are many reasons why women's leadership is important; the most important one for Muslim

women is so they will not be prevented — by being blocked from sacred texts or houses of worship and study — from accessing the liberating message of obedience to God alone.

An archeology of women

Islam is a religion strongly oriented toward the conservation of traditional forms and practices. The Qur'an itself validates a certain wariness of innovation in its presentation of the Islamic message as an archaic message, revealed to the ancient Arabs as well as the Jews and the first Christians.^{iv} There is no doubt that pre-Islamic Arabs, because they placed great value on preserving the practices of their ancestors, were able to replace many of their customs with practices introduced by the Prophet because the Qur'an associated these practices with their revered ancestor Abraham.^v Once Muhammad was accepted as their leader, the idea that his followers should imitate his practices (*sunnah*) was easily absorbed by the early Muslim community.

In keeping with this conservative tendency, appeals for change in Islamic societies have usually been phrased as calls for "renewal" (*tajdid*) (even the term *islah*, often translated as "reform," literally means "to repair," not to "reshape").^{vi} According to orthodox Islamic theology, since Islam is the final religion, what each generation needs are not new models and practices (new "forms"), but to continually cleanse society of ideas and practices that have corrupted the originally pure model community of the Prophet. The statement attributed to the Prophet Muhammad that "At the beginning of every century, God will send to this community someone who will renew its religion"^{vii} reaffirms this sense that renewal is the primary paradigm for legitimate social change.

This discourse of renewal has been especially prominent in modernist Islam, which has looked at much of traditional Islamic society as ridden with superstitious practices and stagnant institutions alien to the pure Islamic message and irrelevant to modern society. The call for renewal has been, to a great extent, empowering to those who want to free Muslim women from customary limitations on their public presence. Scholars like the Egyptian Muhammad Abu Shuqqah in his *The Liberation of Women in the Era of the Message*, have revived neglected hadith that demonstrate the extent to which women were active participants in all aspects of the life of the Prophet's community.^{viii} Other researchers have shown how Muslim women contributed to Islamic scholarship in later generations. Muhammad Zubayr Siddiqi, for example, has surveyed the participation of women in hadith scholarship over the centuries, listing dozens of women who authoritatively interpreted the prophetic *sunnah* for generations of men and women.^{ix} Just as Fatima Mernissi uncovered a neglected history of Muslim women as political rulers,^x these and other studies have uncovered a forgotten history of women involved in shaping the religious discourse of Islamic society.^{xi}

This "archeology of women" — this rediscovery of women who raised authoritative voices from the beginning of Islam and in later generations — has been truly empowering for Muslims who have been taught that pious women have always been silent among men and absent from the public sphere. In America and in other countries, increasing numbers of Muslim women have found new confidence and acceptance in the field of Islamic scholarship. Now, fully aware of the importance of 'A'isha, the wife of the Prophet Muhammad as the foremost scholar of her

generation, Muslim women are confident that they have a right to study and speak about Qur'an interpretation, the *sunnah* and Islamic law. Confidence springs from the knowledge that it is not an innovation to have women authoritatively and publicly interpreting and teaching Islamic texts; rather, this is a renewal of the spirit of the early Islamic community.

At the same time as there is progress in opening the field of religious scholarship to women, there are significant challenges in developing institutions and forms of religious leadership through which women can exercise authority. Because there is no ordination in Islam and no universally recognized body that legitimizes scholars, scholarly authority is always relational. Bernard Weiss notes with respect to the legal scholars of classical Islam that,

The Muslim jurists enjoyed authority by virtue of the respect accorded to them by the rest of society ... [this respect was] born of genuine confidence in the expertise the jurists possessed, an expertise resulting from years of professional training. The jurists were the ones to whom one could turn when in need of legal advice or assistance. In the eyes of the lay masses, the jurists were indeed what they claimed to be, persons qualified to declare what the law of God was. Thus the social ground of juristic authority meshes with the formal ground.*xii*

Here Weiss identifies a number of things necessary for a jurist to be successful, in particular, professional training and the ability to help people with their problems. One limitation for many indigenous American Muslim scholars is that, lacking access to respected and professional Islamic seminaries or colleges, their credentials are seen as (and in terms of technical ability, often are) inferior to those of immigrant scholars. Some have tried to compensate for this deficiency with overseas training, but most Muslim women have not been successful at being accepted at such institutions, or they have found the perspective at these institutions too conservative and not particularly relevant to their American context. As a result, American Muslim women are perhaps even more eager than men to see the development of professional American Islamic educational programs.

Weiss's observation that Muslim religious leaders acquire authority to the extent that they are able to help people with their problems is profound. The ability of leaders to help others depends on a number of factors, including the strength of their social standing, political influence, communication abilities and institutional support. The main challenge for Muslim women, in earlier times and today, is not only to increase their knowledge, but also to increase their authority by attaining a position in society that enables them to effectively help others. Ruth Roded, for example, has shown that medieval Muslim women not only had trouble accessing religious learning as easily as men, but that those who were able to acquire a substantial education were almost completely excluded from holding office.*xiii*

This does not mean, however, that only Muslim leaders who hold office have spiritual authority or are able to help people with their problems. Indeed, accepting an official position may diminish a leader's authority, if the position is under the authority of a discredited political regime, or if holding office is seen as an indication of excessive worldliness. In some Muslim communities, complete independence from any institution may be interpreted as a sign of piety, giving such a person a spiritual authority that can be powerful. However, if the community

considers an institution legitimate, there is no doubt that if women are excluded from office in that institution, their ability to help others will be diminished.

What relevance does this discussion hold for the potential for Muslim women's leadership in America? If religious office is an important consideration in women's religious leadership, is it therefore necessary for women to be "imams"? In my experience, this is the question most frequently posed by observers of the American Muslim community when religious leadership and gender is discussed. No doubt this is because the leader of a local congregation — the priest, minister or rabbi — appears to be the most familiar and influential religious authority in the lives of Americans who attend religious services. The imam — the leader of Islamic congregational prayers — is the closest Muslim counterpart to the clergy of American Christianity and Judaism.

The problem I have with this question is that if we assume that the center of religious power and authority lies with the imam (and we are not assuming this about ministers and rabbis either), not only might we be misunderstanding the past and present reality of the dynamics of Islamic religious leadership, we may be narrowing the possibilities for a relevant, more gender inclusive religious leadership for Muslims in the future. It is my view that it may be more helpful to begin with a functional approach to identifying religious leadership in the Muslim community than to assume that certain positions are the norm and then try to squeeze women into those positions.

Form and function in Islamic worship

In making this proposal, I am keenly aware of the possibility of eliciting suspicious or negative responses from some Muslims because of the conservative principles I have identified as so important in Islamic thought. This is particularly true when it comes to worship, where adherence to the prophetic *sunnah* is essential. Of course, Muslims look to the Prophet as their normative model in all areas of life, but in acts of worship (*'ibadah*), it is obligatory, especially because although the Qur'an exhorts believers to pray, fast, etc., most of the details of these rituals are derived from the *sunnah*. Deviations from established prophetic practices are considered odious by Muslim scholars who make frequent reference to the statement the Prophet made during one of his Friday sermons, "The best of speech is the book of God, the best guidance is the guidance of Muhammad, the most evil matters are the most recent ones, every innovation (*bid'ah*) is an error." It is a widespread tradition that the person delivering the Friday sermon (the *khatib* — the preacher) quotes this statement before he begins his own sermon.

This conservative approach to forms of worship, this revulsion at innovation (*bid'ah*) is responsible for preserving a remarkable unity among Muslims as they have established communities across the globe over the last fourteen centuries. The core of Islamic worship, despite some slight differences among schools of law and regional communities, remains remarkably uniform. Across the world, Muslims fast during the month of Ramadan, pray five times a day, reciting the revelation in the original Arabic, and travel to Mecca to make the pilgrimage together. This uniformity in ritual practices is perhaps the most important factor in preserving a sense of unity and community among Muslims, despite their great diversity of cultures, political structures and even theological orientations.

I have a personal anecdote to illustrate this point. A few years ago I was praying in a mosque in China with a group of American Muslims. None of us shared a common language, but we

wanted to communicate to the Chinese Muslims that we would be combining our prayers according to the prophetic *sunnah* because we were traveling. We said the Arabic word *musafir* "traveler" and immediately the women understood our purpose and made sure that the late afternoon prayer (*'asr*) did not begin in the mosque until we had time to catch up on our delayed noon prayers (*dhuhr*). None of these women, and few from our group, could use the Arabic language for communication. However we all shared common core rituals, identified by the Arabic terms used in the Qur'an and the *sunnah*, and thus were able to both communicate basic information about our worship and were able to pray together.

But there is the catch to this story: if Muslims are so conservative and uniform in their worship, why is it that this exchange I had with Chinese Muslims took place in a "women's mosque," a phenomenon I had never experienced, nor heard of, before traveling to China? A greater paradox was to be found in the fact that, although these women followed the minority Hanafi legal position that women should not pray together in congregation, the woman's mosque was headed by *anu ahong*, literally, a "woman imam." I had never heard of such a thing — how could I understand this phenomenon within the context of the paradigms of religious leadership I had learned?

To begin to understand this apparent paradox, we might want to consider the relationship between the function and form of the imam. The term "imam" literally means "leader" in the Arabic language and is normally used to signify a person who is a leader in some religious field or practice. For example, a person can be a leader in scholarship; in this sense, the eponyms of the Sunni schools of law are called "Imam" (Ahmed, Malik, al-Shafi'i and Abu Hanifa). The term "imam" also applies to the person who performs the function of leading a congregational prayer. Many statements attributed to the Prophet Muhammad indicate the primary importance of the five daily prayers (*salawat*) as opportunities for forgiveness, spiritual refreshment and dialogue with God.^{xiv} That these prayers are primarily intended to strengthen the relationship between each individual and his or her Merciful Creator is demonstrated by the fact that they must be attended to whether one is alone or in the company of others. It is not obligatory that these prayers be made in congregation, unless one is in a setting that provides the necessary conditions for congregation. If we examine these conditions set by traditional Islamic scholarship, we see that maintaining a communal unity is an implicit goal. Thus, if one enters a setting where a congregational prayer is being held, one should join the group, and not establish another prayer group or pray by oneself. According to the *sunnah* of the Prophet, all congregational prayers, even if the congregation is only a few people, need to be led by one person.

Given the importance of congregational prayer in Islam, we expect Islamic tradition to pay significant attention to the requirements for leadership of the prayer. What I find fascinating and significant is that the requirements are almost always relational and contextual.^{xv} The most important criteria are the ability to recite the Qur'an since this is the primary liturgical element of the prayer, and knowledge of the rules from performing the prayer. Other relative considerations that the various legal schools emphasize somewhat differently include age and piety. Some of the contextual considerations include the place in which the prayer is being held. Thus, no man can lead prayer in another man's house without his permission, just as no one can lead prayers in the mosque if the appointed imam is present without his permission.

The majority of legal schools consider it "recommended" (*mandub* — a technical term indicating a religiously meritorious act) for women to pray together in congregation with one of them leading as imam, if they are not praying with the general (i.e., male inclusive) congregation.^{xvi} These schools base their position on a number of reports that the wives of the Prophet Muhammad led women in congregational prayer. Many of the Hanafi scholars who reject the practice of women praying in congregation do not mention the example of the wives of the Prophet. It seems in this matter, as with a number of other issues, the Hanafi school retains a position that was formulated on the basis of reasoning early in Islamic history when they did not have access to all the hadith that were later compiled together for easy reference.

Many Sunni scholars claim that there is a consensus that women should not lead men in prayer, although they acknowledge that a few scholars have made exceptions for family congregations and the optional night prayers in Ramadan (*tarawih*) if the only qualified person available to lead in those situations is a woman.^{xvii} There are many indications from the *sunnah* that when men and women prayed together, the Prophet explicitly ordered that women should pray behind the men. The primary purpose of this arrangement seems to be to keep women from having to undergo scrutiny by men as they are praying, but there may be other reasons. The *Sunnah*, not the Qur'an is the main source of legislation for prayer. It is only because of hadith that we know the timings of the five daily prayers, how many rak'at there are in each prayer, whether the prayers should be recited loudly or silently, etc. Similarly, we only know the timing and forms of Friday congregational prayer from the hadith, not the Qur'an. The arrangements for congregational prayer established by the Prophet must therefore be followed — necessarily in order to be faithful to the *sunnah* — and then to maintain unity among Muslims in this fundamental part of ritual life.

In light of this discussion of the imamate of prayer, how are we to make sense of the phenomenon of women's mosques in China? What does it mean to be an imam of a (women's) mosque, if the imam does not lead others in congregational prayer? Are Chinese women's mosques strange deviations, or are they useful models for building relevant Islamic institutions?

In an excellent study of the women's mosques of China, Maria Jaschok and Shui Jingjun show that some Muslims are now concerned that these women's mosques, which have existed in China for hundreds of years, may be considered the kind of reprehensible innovations we have mentioned.^{xviii} There is no doubt that this concern is due to the influence of the "salafi" discourse in modernist Islam that is hostile to many of the institutions of traditional Islam. However, in the context of traditional Islam, women's mosques do not seem particularly strange. In fact, like many of the religious institutions of traditional Islam, their establishment was a relatively simple case of form following function. To understand what I mean by this, we need to return to the "innovation" hadith we discussed earlier.

In his commentary on the "innovation" hadith, the great medieval scholar Imam al-Nawawi said,

What is meant by (innovation in) this (hadith) is most innovations. ... Scholars say that there are five classes of innovation: obligatory, laudable, prohibited, reprehensible and permitted. Among the obligatory (innovations) are: organizing the proofs of the

theologians against the heretics and innovators and things like that. Among the laudable (innovations) are writing books of (religious) knowledge, building *madrasas* (religious schools) and *ribat* (religious retreats) and other things.^{xix}

Thus, even the ubiquitous *madrasas* in the Muslim world can be considered innovations, albeit, laudable innovations.

Alongside the establishment of religious schools and other institutions across the Muslim world, form following function also led to the specialization of religious professionals in all fields. Islamic courts, for example, developed multiple specialized offices to ensure that the aims of the court were met. In any court of significance, the judge (*qadi*) may have been assisted by a number of the following professionals, among others: clerk (*katib*), official character witness (*muzakki*), advisors (*mashura*), mufti (*jurisconsult*) and various expert witnesses (*shuhud*), including female expert witnesses.^{xx} A similar tendency towards specialization is seen in the area of ritual law. Even at the beginning of the twentieth century, the Umayyad Mosque of Damascus employed a number of individuals to perform only one of each of the following functions: give the call to prayer, lead the daily prayers, repeat certain utterances of the imam for those who were too far away to hear them (*tabligh*), preach the Friday sermon, recite certain parts of the Qur'an on particular days, recite special litanies (*dhikr*) at certain times of the day, scent the mosque with incense, supplicate for particular causes, recite devotional poetry during various seasons and teach all different religious disciplines.^{xxi}

Some scholars might not use the discourse of innovation with respect to these developments at all. Rather, these scholars may refer to new practices and institutions as "means" (*wasail*) to an end (*ghayah* or *maqsid*). I once heard a lecture by a strict Saudi scholar, famous for his dislike of innovation, who was asked by his (even stricter) student if the lines drawn on the floor of the mosque should be considered an "innovation." Even this scholar felt this was taking things too far and he replied along these lines, "You are confusing means with ends. The lines are simply a way to achieve straight prayer rows; they have no meaning in themselves." Then he referred to the legal maxim, "What is necessary in order to fulfill an obligation is itself an obligation."^{xxii}

Another example of the relationship between form and function in ritual law is the issue of the language in which the Friday sermon is delivered. Some Muslims insist that the sermon must be delivered in the Arabic language, because they consider the sermon to partake in the worship aspect of the prayer. Since the sermon is part of *'ibadah*, it should be performed in the manner of the Prophet Muhammad, who delivered the sermon in Arabic. These Muslims consider it an "innovation" to deliver the sermon in any language other than Arabic. However, in order to take advantage of the opportunity the Friday gathering provides to instruct a large number of people in important religious matters, those who hold this position often deliver a religious lesson in the vernacular before the formal Friday service begins. Other Muslims consider it an innovation to give such a lesson before the Friday service and argue that the goal of the sermon is communication. To that end, the Prophet Muhammad spoke in the language of his congregation, and all preachers after him should do the same.^{xxiii} What we observe here is that what some Muslims consider reprehensible innovation, others consider laudable innovation.

It is in this context that we can consider the establishment of women's mosques in China as a means to a vital end without abandoning the Prophetic *sunnah*: Muslims in China wanted to

transmit their faith to their children; Chinese Muslim leaders believed that women needed to be educated in their faith in order to teach their children; in accordance with Islamic (and Confucian) norms of gender segregation, women needed their own space to learn their faith; it was not suitable for men to staff women's mosques; communities appointed female leaders — "imams" — for the women's mosques. All of this was done without violating the traditional rules of ritual law: female imams do not conduct Friday congregational prayer and, in accordance with their Hanafi legal tradition, they do not even lead other women in daily congregational prayer. Rather, these women teach other women how to pray, how to read Qur'an, they visit the sick, they wash the bodies of deceased women and they live in the women's mosque, available to give spiritual support, advice and assistance to women in need.

This is not to say that all women consider the way Chinese women's mosques function ideal. For example, the degree to which these women's mosques are or should be subsumed under the authority of the community (ie, men's) mosque is an interesting and contested topic of discussion. The point of discussing the women's mosques of China here is to give Muslims in countries such as the United States a different perspective on women's religious leadership and institution building.

What kind of religious leadership do we want?

According to the Qur'anic verse cited at the beginning of this article, God declares that all people will be called on the Day of Judgment according to their leaders. For many of us, this is a terrifying thought. The reality is that many American Muslims are unhappy with their religious leadership, but they have not taken the responsibility to reshape their institutions and do what is needed to cultivate better leadership. According to the Qur'an, this is not a responsibility we can avoid.

In recent years, the tendency in American Muslim communities has been to concentrate religious authority in the office of the imam, who is also expected to perform multiple, distinct functions for the community. In addition to leading the daily prayers and giving the Friday sermon, the imam is expected to represent the community to the public, draft marriage contracts, issue judicial divorces, teach children, teach adults and counsel people with all kinds of problems, among other things. In addition, the imam may, whether he is explicitly authorized to do this or not, make policy decisions for the community, such as what kind of educational gatherings and spiritual practices will be permitted in the building, how the prayer space will be divided between men and women, and how charitable contributions will be spent. It is no wonder that so many American Muslims are dissatisfied with their local religious leadership. No one person could perform all these functions well. Even if he could, given that the imam for the general congregation has to be male, placing all religious authority with the imam means that women will necessarily be excluded from this field. How, then, should we structure the leadership of our communities?

A few years ago, I conducted a workshop with a Muslim women's organization in North Carolina. I divided the women into groups and asked each group to come up with a list of the functions they felt needed to be performed in a competent manner by someone in their local mosque. Then I asked them to create positions that would allow different people to perform those functions. In the end, I asked each group to share their ideal slate of leaders and officials for their

community. When they shared their results, it turned out that everyone felt that it was most important to have an imam who could recite the Qur'an well. This indicated to me that the charisma of the office of imam really derives from the blessing manifest in the Qur'an. At the same time, the women agreed that they did not want the person who was charged with carrying that blessed recitation to do anything disgraceful or dishonorable. The imam should act in an ethical and dignified manner in order to be worthy of reciting the Qur'an. Many of the women did agree that their communities needed women in leadership positions. Some felt that a female scholar or spiritual leader would be most helpful, others felt that their communities needed a female counselor or social worker, in particular, to help the imam understand the dynamics of family conflict. Some of the women said that if their mosque could afford to pay for only one professional, they would like to hire a youth director, and the community members could take turns leading the prayers.

It is my hope that all American Muslim communities will undertake this kind of creative, visionary and thoughtful dialogue about their priorities and needs. Unfortunately, because the present leadership of many local communities is so poor, it is difficult to even begin a process of renewal. Many Muslim communities do not have clear governance procedures and there is often confusion over who is authorized to make important decisions. Muslim communities must establish better procedures for decision-making. At the same time, the urgency of a sound decision-making process does not mean that Muslims will arrive at a clear and easy method of determining religious authority. It is my opinion that this should not necessarily be viewed negatively. Rather, I believe it is only proper that religious authority should continually be negotiated (informally and formally) among fellow believers in the Muslim community. I realize that this fluidity makes many people anxious, so they flee to the comfort of a rigidly hierarchical model (usually some form of *bay'ah* — an oath of obedience to a religious leader). In this, I am reminded of the words of the Canadian philosopher John Ralston Saul when he argues that the genius of humanity lies in our attempt to keep a number of different qualities in balance. We cannot let just one of the essential qualities, like reason or memory, dominate the others. "We are uncomfortable," Saul states, "with our genius being tied to attempting an equilibrium we will never achieve."^{xxiv} Likewise, I would argue that the genius of religious authority in traditional Islam is that it is always relational, and that every member of the community must take part in creating and sustaining authority; otherwise, it is oppression.

Let us take the common problem of the way the prayer space is divided between men and women in mosques. In some North American mosques, only men are in leadership positions, both as imams and as trustees of the institution. Many of these men, if they are interested in justifying their authority at all, consider that it derives from their knowledge and their (self-perceived) religiosity. Many of the women and youth of the community believe these self-appointed leaders to have no real religious authority — only power. They experience unauthorized power as oppression when they find themselves being forced out of the main prayer hall and generally treated like nuisances in the mosque. What justification is offered for this treatment? The response these men may give is that according to the *sunnah*, women are not obligated to attend the mosque and further, according to some hadith, it is better for women to pray at home.

It is at this point that we recognize the need for women who are both knowledgeable about Islamic law and authorized to participate in community decision-making. A hypothetical female

scholar might respond to this justification saying, "The sources you cite may be authentic, however, you fail to mention that during the time of the Prophet, women not only came regularly to the mosque for prayers, there were also women living in the mosque. All the men of that time were not pious. The Qur'an itself mentions "hypocrites" (*munafiqun*) who tried to create problems among believers. Yet women still came day and night to the mosque. Further, the Prophet Muhammad explicitly stated, 'Do not forbid the maidservants of God from the mosques of God.'^{xxv} If you cannot forbid them, do you really think it is permissible to harass and discourage them? Where do you think you get the authority to do such a thing?" Female board members might put forth the following argument, "It is true that in some contexts it is better for women to pray at home. But we have women in our community who live by themselves; they need to come to the mosque to learn about their religion and to strengthen their faith. Other women have recently immigrated to this country, they are lonely and depressed at home, they need to get out and be with other Muslims. They could go to the mall, but wouldn't it be better to come to the mosque?"

Of course, there is no guarantee that every woman present on a mosque board would represent the concerns of other women well. Inclusive representation is a necessary, but not sufficient condition for good governance. Muslim communities must have accountable leadership as well as inclusive decision-making bodies. Such a community will, in turn, help develop informed and responsible individuals who can represent their values and concerns to the larger society. In contemporary North American society, there are many opportunities for religious leadership that are not directly related to traditional Islamic models. In many American faith traditions, "lay" leaders can serve in public and private institutions on ethics boards, as chaplains and as student leaders. In Islam, there should be no distinction between lay and clergy and these new opportunities for religious leadership should not be neglected or marginalized by the Muslim community. The best way American Muslims can ensure responsible religious leadership is to allow the functions we want performed to determine the positions and institutions we create, and to support the men and women best able to perform these functions.

Footnotes

iBernard Weiss, *The Spirit of Islamic Law* (Athens, GA: University of Georgia Press, 1988), cpt. 1.

ii There are many studies of this subject. A particularly good study of the early period is Muhammad Qasim Zaman's *Religion and politics under the early 'Abbasids: the emergence of the proto-Sunni elite* (Leiden: Brill, 1997). For a good study of the modern period in an important Muslim nation see, Malika Zeghal, "Religion and politics in Egypt: the Ulema of al-Azhar, radical Islam, and the state (1952-94)," *International Journal of Middle East Studies*, 31 iii (1999): 371-399.

iii See the article by Elaine Sciolino, "Another Step in France's Official Recognition of Muslim Leaders" in *The New York Times*, international edition, January 14, 2003.

iv Among the many references to this are, Qur'an 2:132; 6:161; 16:123, 22:78; 42:13;

v M.M. Bravmann, "Sunnah and Related Concepts," in *The Spiritual Background of Early Islam* (Leiden: Brill, 1972): 123-198.

vi For a brief introduction to tajdid see, J.O. Voll, "Renewal and reform in Islamic history: tajdid and islah," in *Voices of resurgent Islam*, ed. by John Esposito (New York: Oxford University Press, 1983): 32-47.

viiSunan Abi Daud, 4 vols. (Cairo: Dar al-Misriyyah al-Lubnaniyyah, 1988), v. 4, pp. 106-107.

- viii 'Abd al-Halim Abu Shuqqah, *Tahrir al-mar'a fi 'asr al-risalah* (Kuwait: Dar al-Qalam, 1990).
- ix Muhammad Zubayr Siddiqi, *Hadith Literature: Its origins, development, special features and criticism* (Cambridge: Islamic Texts Society, 1993).
- x Fatima Mernissi, *The Forgotten Queens of Islam*, trans. Mary Jo Lakeland (Minneapolis: University of Minnesota Press, 1993).
- xi Ruth Roded, *Women in Islamic Biographical Collections: from Ibn Sa'd to Who's Who* (Boulder and London: Lynne Rienner Publishers, 1994); Mohja Kahf, "Braiding the Stories: Women's eloquence in the early Islamic era," in *Windows of Faith: Muslim Women Scholar-Activists in North America*, ed. Gisela Webb (Syracuse: Syracuse University Press, 2000): 147-171.
- xii Bernard G. Weiss, *The Spirit of Islamic Law* (Athens and London: The University of Georgia Press, 1998), 115. xiii Roded, 63-89.
- xiv Many of these statements are found in the chapters entitled "The Book of Prayer" (*Kitab al-Salat*) in the major hadith collections.
- xv The rules for congregational prayer are discussed in most books of Islamic law. For a summary of positions of the classical jurists, see Ibn's Rushd's *Bidayat al-Mujtahid* translated by Imran Ahsan Khan Nyazee as *The Distinguished Jurist's Priimer* (Reading, UK: Center for Muslim Contribution to Civilization, 1994), v. 1, p. 155-178.
- xvi Ibn Rushd, v. 1, p. 161.
- xvii Ibn Rushd, v. 1, p. 191; Abu Shuqqah, v. 3, pp. 31, 60.
- xviii Maria Jaschok and Shui Jingjun, *The History of Women's Mosques in Chinese Islam: a mosque of their own* (Richmond, Surrey: Curzon Press, 2000).
- xix *Sahih Muslim sharh al-Nawawi* (Beirut: al-Dar al-Thaqafah al-'Arabiyyah, 1929), v. 6, 154-55.
- xx Emile Tyan, "Judicial organization," in *Origin and Development of Islamic Law*, v. 1 of *Law in the Middle East*, eds. M. Khadduri and H. Liebesny (Washington, DC: Middle East Institute, 1955): 236-278; for women see, Mohammed Fadel, "Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought," *IJMES* v. 29, no. 2 (May, 1997): 185-204.
- xxi Told to me by a scholar who grew up in the neighborhood of the Umayyad mosque.
- xxii 'Abd al-Karim ibn 'Ali ibn Muhammad al-Namlah, *al-Muhadhdhab fi 'ilm usul al-fiqh al-muqarin* (Riyad: Maktabat al-Rashid, 1999), v. 1, 220.
- xxiii See the discussion of this by Muzammil Siddiqi on the following web site: <http://www.isna.net/library/khutbahs/FridayKhutbahs.asp> (accessed March, 2004).
- xxiv John Ralston Saul, *On Equilibrium* (Toronto: Penguin Canada, 2001), p. 14.
- xxv See, *Kitab al-Salat* in any edition of *Sahih al-Bukhari*.

Conclusion

Why Fight the Gender *Jihad*?

I don't care who's wrong or right
I don't really wanna fight no more.
– Tina Turner¹

Introduction

There have been multiple reasons for fighting the gender *jihad*, many of them so intimately connected to the question of my own well-being that I scarcely know where to start. However, there is enough evidence in this book that such a *jihad* was absolutely necessary for survival. The few thoughts I include here by way of conclusion are not a summary of the book. There are a few reiterations, but in the final analysis, this is really the place where I hope the preceding pages can come to some concluding words and purposeful closure.

On Being Female

God created women fully human. Anything, anyone, or any system that treats them privately or in public as anything less than that is destroying the potential harmony of the entire universe. “No person is your friend (or kin) who demands your silence or denies your right to grow and be perceived as fully blossomed as you were intended. Or who belittles in any fashion the gifts you labor so to bring into the world.”² That such treatment of women and women’s gifts has been justified by religious and secular discourse,

interpretation, and action is an overt historical reality. It is my deepest desire to correct this flaw for all human beings, but especially to encourage women to affirm the reality of our full humanity by any means necessary. An Islamic studies professor recently told me that, by focusing so much of my time, research, and energy on gender, I run the risk of being a "gender fundamentalist." I accept that label, since working to dismantle the historical paradox of the utility of women without equal affirmations of their intrinsic worth, being, and agency, he claimed, "reduces (me) to being a female . . . and *nothing else*." This makes me and my work the axis of female "dehumanization" as he called it. This blatant erasure of my whole integrity as a person because of my personal and professional focus on gender is fundamental to that intrinsic significance and worth of the very work that I have been doing. *To be female is to be human*. Those who act like I must be something else in order to merit full human status implicate themselves by implying that "man" is actually the same as human, such that being female is *dehumanizing*. Women have consistently shown the moral fortitude to live *as Muslims* despite the absence of recognition of our full humanity in Islamic thought and practice. I have fought in the gender *jihad* to affirm both for myself and for other females, that being who we are is exactly what we were created to be. I could not be more or less than female. That *is* my humanity.

Patriarchal control over what it means to be human robs females of their God-given agency and full humanity. In this book, I have contributed some stories, some personal examples, and some intellectual considerations, in an effort to tell *a part of the grand story* including the dehumanization for female identity throughout Islamic thought, practice, and the basic constructions of meanings of Allah and Islam, which have reduced femaleness to deviant in whatever ways women are like or unlike men, as subjects or utilities of or for male intellectual, social, political, sexual, spiritual, and historical analysis and experience. I have exposed my own location in the many ways that female dehumanization occurs and is often rewarded through the near male monopoly of determining the meaning of the divine, not only for their own self-aggrandizement as male – hence masculine-God identified – and for determining applications, uses, and abuses of "Islam," but also for denying women's "gifts" except as benefits of male public and private utility. When women sanctioned their own dehumanization, in part by attempting to be care-givers for themselves and others – even their patriarchal fathers, brothers, husbands, sons, colleagues, and friends – it is easy to see how constructs of gender relations are both problematic and essential

to being human. Men have so much more to learn about the truth of women's full humanity – especially about the female potential to maintain wholeness despite entrenched practices contributing to this dehumanization, often from the very ones whom they have loved and cared for. Provided male chauvinism can be recognized as obsolete, even the most macho of men can learn by the historical and current examples of the female human as care-workers in a manner befitting and benefiting the divine status of both males and females.

The intrinsic nature of being human is not exemplified by patriarchal manipulation of the gifts females have been acculturated to practice in order to better the quality of life for all humanity. It is time for what it means to be female to become more than a utility of men's searching for self-affirmation and identity. It is time for men to be *empowered with* and not to exert power over female identity and contributions. It is time for women and men to accept the full humanity of women by removing the veils put over women being female. It will prove to be the only way to save the planet from more public and private violence, to end war and the preparation for war, and to become citizens of care and compassion. Those "manly" traits, which perhaps once helped the whole human race to move out of subjectivity to the vicissitudes of nature's unpredictability, have long outstripped their merits. The Qur'an says, "We have made (what is in) the earth subservient to you (human beings)" (22:65). Now that we have reached the epitome of our expressions and practices of *dominion over*, we must all take care to become servants of the earth's salvation. To continue on this macho trajectory only builds further destruction. The female humans who have participated in the continuity of human well-being are the ones with the longest and strongest history of performing the role of care-givers. Their newly forming leadership, without the assumption of the master tools or the limitations of male human standards of power over, will help dismantle this dangerous trajectory by teaching all who dare to listen how to assume the responsibility and facility of preserving that which is not only sacred, but also ordinary – peaceful co-existence with differences. Audre Lorde says,³

Difference must be not merely tolerated, but seen as a fund of necessary polarities between which our creativity can spark like a dialectic. Only then does the necessity for interdependence become unthreatening. Only within that interdependency of different strengths, acknowledged and equal, can the power to seek new ways of being in the world generate, as well as the courage and sustenance to act where there are no charters.

Fully Claiming my Past and Heritage as a Transitioning African-American Muslim

I am my father's daughter. He was a devoted man of God. He felt called to God at the age of fifteen, while walking in the red Georgia dirt and hot lush fields. He gave his life, the next thirty years, to that call. He never achieved worldly success, neither in his ministry nor in terms of wage earning. He never wavered from his role as believer while becoming a husband, father, and man of the world. Although raised in and a practitioner of corporal punishment, he never hit his female children or his wife, and only disciplined his sons after due explanation of his expectations, and the ways he considered they had failed to meet them. I have five brothers, most married and/or fathers. None of my brothers has ever beaten a woman.

I am my mother's daughter. She was a full-figured African-American woman, extremely comfortable in her embodiment, highly sexual, and a living example of the best of southern hospitality. When I brought friends home, I told them her first or second question would always be, "Are you hungry?" or "Did you-all have something to eat?" It was always so. She suffered from undiagnosed depression. She hit only in anger – me, my sister, my brothers, and my father. She was pampered to imprisonment by my father's goal of being the protector and provider. She rebelled until he died. Then she transformed and became a competent human agent in the form of an independent woman. Despite my childhood inability to understand her, my female adulthood confirmed over and over again that she was the glue that kept our family together.

My childhood was full of paradox, sometimes conflictual, sometimes transformative, but always within a confirmation that humanity was a manifestation of the divine potential. Each of us could either rise to the highest level or indulge to the lowest level (95:5). I was raised on the idea that the Sacred is a constant – the only constant. I was raised on the idea that God was love. Of course my transition into Islam was influenced by my upbringing. I chose the name Wadud in its *indefinite* form to affirm the pervasiveness of God's love and not simply to admit my servitude by attaching 'abd to the definite form, al-Wadud. The divide between the sacred and the mundane was no paradox: it was an illusion.

I have fought the gender *jihad* to remove the blinkers that see only the illusion of fragmentation and then build structures and formulate systems to sustain the perception that it is real; and then to give divine sanction to the illusion of human independence from transcendent peace and unity, and to pretend the practices, codifications, and systems constructed to sustain

the illusion are divinely ordained. In doing this, no one can perform as *'abd/khalifah*, servant/agent of Allah. Instead one must consider oneself Allah, granting rights to all others as if their status is inferior to self or deviant from the norm. Yet "the rain does not fall on only one man's house." There is no such divine arbitrariness toward humankind.

Early in my studies of Islamic thought I fell in awe of Sufi "saints and mystics," particularly Rabi'ah al-Adawiyah. I have relished the legacy and writings of Sufism until I hoped to one day reach such a devoted status. When I eventually committed myself to the practices of my teacher, Shaykh Ahmad Abdur-Rashid, head of several Sufi *tariqahs* or orders, I was still embroiled in the conflict between being a divinely ordained human being while being a female, and an African-American in transition. After spending thirty years, more than the number of years that Muhammad ibn-'Abd-Allah had spent in his divine commission as Prophet and Messenger of Allah, I considered myself equal to anyone on the earth and certainly equal to any who struggles in Islam, however understood or practiced. I was also transformed to realize the essential component of faithful actions, *al-'amal al salihah*, in completing my identity as servant. I wrote the following short essay as a personal journal entry. It was originally written over a decade ago and is only slightly edited here. This is a third and more significant reason for fighting the gender *jihad*.

The Active Principle of Islam, or, Activating Islamic Principles

There are no two ways about it, to understand the significance of this title requires some self-disclosure. Since the Islamic intellectual discourse has such a poor historical record of women's self-disclosure *in the name of Islam*, it is even more appropriate to admit to the personal as political.

In my return to the U.S.A. after three years in Malaysia, where I was given the opportunity to link my theories about Islamic theology with active social involvement *in the name of Islam*, I encountered the bleakest circumstances. The pervasive, systematic oppression and resulting spiritual strain in the lives of ordinary people – causing most to live in utter disregard for their fellow human – I found unbearable. I sought answers and resolutions to this dilemma by reading every kind of source material I could. There was little consolation. At each juncture, I continued to find more literature focusing on the extent of the problems, psychological, physical, social, economic, or political.

In the face of such massive problems, I have felt utter despair. How can I

despair, I thought? I have faith in Allah. When I encountered literature from the world's religious experts, I was profoundly affected by the writings of Paul Tillich.⁴ "For in these days the foundations of the earth *do* shake. May we *not* turn our eyes away; may we not close our ears and our mouths! But may we rather see, through the crumbling of the world, the rock of eternity and the salvation which has no end!" He cited the worldview of the prophets and holy men and women as expressions of the certainty of belonging "within the two spheres, the changeable *and* the unchangeable . . . Because, beyond the sphere of destruction, they saw the sphere of salvation; because in the doom of the temporal, they saw the manifestation of the Eternal" (emphasis in the original).⁵

I was indebted to these insights from a modern Christian thinker. I dove again into Islamic literature about the status of the soul. I was working from the conviction that I would find a more cogent and viable spiritual system that had been worked out in detail by great Islamic intellectuals and mystical geniuses. Yet finding the *link* between these mystical and intellectual musings was hopelessly insufficient for what I was experiencing as a daily reality.

The significance of Tillich's work was simply that it expressed itself explicitly in response to the moral-spiritual dilemmas of modern circumstances. I ran up against a scarcity of information in response to such dilemmas from modern Muslim thinkers. They were obsessed with the *réalité politique* (everything was power, authority, and control) through the medium of legal operations. I feel little hope for the future of Islam when only articulated in terms of Muslims seizing global control, instead of the dominating superpower. Such an outcome, fantastic as it really is, would still leave a tremendous spiritual void.

I have little confidence that Muslims gaining more political power to control the world would really make a better life for all the oppressed and exploited people of the world. I see very little from our current political leaders that would give me such confidence. What little I do see is marginalized by those who are wielding the greatest power. One reason for my lack of confidence is simply that the agendas expressed by Muslim political and intellectual elites are primarily top-down operations. They seem more focused on the role of legalized authority to assert unilateral power and control over the will and status of the people at the bottom. This removal from the masses, in all their diversity, speaks little toward my hope of the common human well-being.

At the level of a mass movement, we surely need new voices and agendas.

When re-reading the inspirational words of past Muslim mystics, I encountered beautiful discourses on the qualities of spiritual realization. Sadly, I found no social reality expressed as a component of that realization. Does this mean that a spiritually qualitative life is unconnected to social realities? I am reminded of Fazlur Rahman's critique of the quietism in early Sufi movements, while "what Islam generally inculcated among its early followers, in varying degrees, was a grave sense of responsibility before the justice of God which raised their behaviour from the realm of worldliness and mechanical obedience to the law to a plan of moral activity."⁶ It cannot be that one is meant to feel connected to the Creator with no creature-to-creature interaction in activating that connection.

I see too few viable examples of spiritual motivation for social and political action, the actual *sunnah* of the Prophet, as also exemplified in the life and continued transformation in the transitions to Islam for Malcolm X. Yet there is overwhelming consensus that Islam is *din*, a living reality on the basis of one's connection to the Divine principles, not just a personal feeling of faith.

A New Future (Journal Continued)

A new impetus must be generated that applies the Islamic spiritual paradigms as forces of social movements. The consequences of this are a new world order that incorporates the meaningfulness of the lives of everyday citizens, be they Muslim or not. This impetus has few exemplaries visible among those who are projected as Muslim leaders most dedicated to Islam. This reflects that elitist-mass level dichotomy. The elites are preoccupied with more authoritative manipulation over the masses – while neglecting the mass level input. The masses act with a totally unviable sense of reality, including those who presume the spiritual worth of Islam is only in the mosque or *halaqah* as they continue to act with a world in such bleak disarray. If the world itself is going to hell in a rowboat, the best we can do is focus on saving our own souls for a glorious afterlife. Again, I find this arrangement untenable. If Islam is not generated as a human level concern and a mode of daily operations for the overall improvement of the quality of all aspects of life on the planet, then we will all go to hell in the same rowboat with the rest of the world. It's as simple as that.

As *'abd*, obedient servant of Allah, the goal of the traditional ascetic mystic, we attain the level of active participants, fully agent, *khalifah only* in coordinating worldly affairs. The formulation of a thought system meant to enhance the overall quality of everyday life for all of God's creatures must become the immediate articulation for a long-term goal. It cannot and

will not be done by taking recluse in the mosques as a spiritual consolation from the status of a beleaguered world. I cannot adhere to or even believe that Islam was intended for such a dichotomy.

Whoever wishes to add their voices to this new agenda must learn to speak aloud and to proliferate literature that addresses this need for greater spiritual and political synthesis. Muslims must consciously move out of the mosque recluse and onto the streets with the message actually revealed to and actualized by the Prophet. We surely will not do this simply by carrying the tag "Muslim" and taking more control and political power. We need a detailed system of interactions on a citizen-to-citizen basis, with the citizens all members of the human race, and then give allegiance only to those leaders who give meaningful help to coordinate authority in the name of the people.⁷

However, when people are unaware and unmoved by the relationship of the Islamic worldview to the whole world, as it actually exists now, and are equally insufficient to take up the task of a new world order premised by the essence of the spiritual center with its resulting manifest ethical principles, then hope is lost. *Khilafah* is a personal/private and public duty for every Muslim. We must begin preparation for the comprehensive fulfillment of this duty. Citizens should no longer acquiesce to systems of oppression because they will ultimately be held accountable for their actions as well as their lack of actions. Political and intellectual elites will no longer be able to gain or keep power until and unless they are full embodiments of the basic principles of Islam as *din*, the living reality of a spiritually qualitative interaction in the name of absolute certainty of belief in the mercy and grace of Allah. (end journal)

Reflections on the Journal

While rewriting my journal notes from over a decade ago, I am first struck by the simplicity and naivety of belief in such a possibility as inspired by my own vision of "Islam." I am also still struck by the lingering thoughts of the imagination expressed concerning the long-term goal of activating the spiritual core at the level of policy and social affairs. I have admittedly continued to transition within Islam – as only the historical and cultural patterns of Muslims – and gained a more pluralistic perspective of Islam, focused on human relations to sacred ultimate principles. I filter the terms of my humanism through the stark reality of being a Muslim female while gender remains excluded not only from its *fundamental* status as a category of thought, but also as a powerful example toward practicing care work for the sake of self and others as an example of one's humanity in agency *with*

the Ultimate, applying the divine principles. I am still hoping our examples, as women, will become representatives for achieving a new world order removed from the entrenched patterns and diverse forms of patriarchy.

Conclusion: The Final Reason for Fighting the Gender Jihad

Ultimately, I want to live and to share the experience of life with all who care to put down the weapons of *jihad*, and take up the tools of wholesome reconstruction. I have lived inside the gender *jihad* long enough to know that I had to take it up. It was my only means to survive. Now, I want to see and bring about the end of the necessity for *jihad*. The *only* reason I have been engaged in the *jihad*, struggle for gender justice, is because that justice and full human dignity granted to us by Allah has been ignored or abused. The history of nearly exclusive male and androcentric Islamic interpretation and codification has not nearly recognized the importance of women's contributions from their specific experience of being female and fully human with the intellectual capacity to contribute to a holistic understanding of what it means to have a relationship with both the divine and other humans, while they have consistently shown the spiritual fortitude to live as Muslims despite that recognition. The spaces for women to demonstrate both their self-identification as female and their full humanity are not reserved for only those women whom elite male scholars and laypersons have already manipulated in mind and body, but belong to all women who have endeavored to sustain their roles as women and Muslims despite silence, separation, violence and invisibility. Still, too few women are recognized for their capacity to lead by example, not by asserting power over, but by representing power with, all others.