

Women's Rights and Role in Islam
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I would like to thank the Muslim Law Students Association, specially Asif Sayani and Amany Ezeldin, for inviting me to speak today about women's rights and roles in Islam.

I am going to approach this topic in terms of my own reading of the Qur'an that I have offered in "Believing Women" in Islam. I know that it's risky to condense a book in a short talk, so if I egregiously over-simplify something, please feel free to question me about it later.

Discussing women's rights

Let me begin by saying that the customary way in which Muslims talk about women's rights—which is to provide a laundry list of rights without analyzing the Qur'an's position on patriarchy—seems to me to be inadequate and even inappropriate.

For instance, how useful is it to say that Islam gave women the right to own and inherit property in the seventh century while turning a blind eye to the Muslim belief that the Qur'an designates a wife her husband's sexual property?

In fact, gloating over the fact that Islam gave women certain rights centuries before European secular governments did while ignoring that, in practice, they have never fully enjoyed these rights, strikes me as disingenuous.

So my own preference is to begin by recognizing that women are discriminated against in Muslim societies and that most Muslims believe that Islam itself authorizes such discrimination. I am referring here to the three or so lines in the Qur'an that they read as saying that God has preferred men to women, made them guardians over women, allowed them to beat disobedient wives, and so on.

As long as Muslims continue to read the Qur'an as a patriarchal text, i.e., a text that privileges males, the logical place to start a discussion of women's rights is by looking at how Muslims construct religious meaning, specially exegesis of the Qur'an. And this means asking who reads it, how, and in what contexts.

One of the arguments I make in this regard is that the reason Qur'anic exegesis is infused with patriarchal assumptions is because, historically, only men living in actually existing patriarchies have interpreted the Qur'an by means of a method

that ignores both its textual holism and its anti-patriarchal theology (I will say more about this theology in a moment).

Regrettably, instead of recognizing that, like all other texts, the Qur'an also has multiple meanings (it is polysemic), Muslims have come to accept its patriarchal exegesis for granted. I find this deeply troubling given the Qur'an's emphasis on reading it for its best meanings which suggests a whole spectrum of interpretive possibilities rather than a fixed or solitary meaning.

One reason that most Muslims, conservative and feminist, accept the legitimacy of patriarchal readings of the Qur'an is because they think there is a natural relationship between Islam and patriarchy. However, I find this argument anti-historical and essentialist and my own view is that the hegemony of patriarchal readings has to do with how religious knowledge and authority developed in the early stages of our history and not with a patriarchal gene within Islam "itself." In fact, I argue that we can read the Qur'an as an antipatriarchal text and indeed that it is an antipatriarchal text based on my understanding of patriarchy.

Defining patriarchy

In my book I define it in two ways: on the one hand, as a mode of father-rule that derived its legitimacy from re-presentations of God as Father and of the father/ husband as sovereign over wives and children. In other words, it assumed that God was sovereign over man and man was sovereign over women.

I use this definition to read the Qur'an because it was revealed to a traditional patriarchy and I want to see if it endorses this mode of male rule by representing God as Father/male or by teaching that God has a special relationship with males or that rule by the father/ husband is divinely ordained and an earthly continuation of God's Rule.

Additionally, I want to see if the Qur'an teaches that males embody divine attributes and that women are by nature weak, unclean, or sinful, as religious and traditional patriarchies have claimed.

However, as we know, patriarchy has also acquired more modern and secular forms over time and so I also define it as a politics of sexual differentiation that "prioritizes the male while making the woman different (unequal), less than, or the 'Other,'"¹ based on biological differences between them

¹ Zillah Eisenstein, *Feminism and Sexual Equality: Crisis in Liberal America*, New York: Monthly Review Press, 1984: 90.

I use this definition to read the Qur'an because its teachings are applicable for all times and I want to see if it endorses modern forms of patriarchy by advocating gender differentiations, dualisms, or inequalities on the basis of biological sex.

Specifically, I ask whether it privileges men over women in their biological role or capacity as males, or treats man as the Self and woman as the Other, or views women and men as opposites, as modern theories of sexual differentiation do.

Reading the Qur'an

Applying these definitions to read the Qur'an is extremely instructive since one cannot find any support in it for either form of patriarchy. In fact, many of the Qur'an's teachings allow us to challenge the foundational claims of patriarchy.

Let me start with traditional patriarchy.

To begin with, the Qur'an does not represent God as Father or male and in fact it explicitly forbids sacralizing God as Father, or even using similitude for God.

Nor does it treat fathers or fatherhood as sacred. To the contrary, it repeatedly warns that "following the ways of the father" has hindered people from the path of God. (We can understand this phrase either literally, as rule by the father, or more broadly, as patriarchal traditions.)

The Qur'an suggests that this is because patriarchy is based in male sovereignty whereas monotheism is based in divine sovereignty. (I make this argument more carefully by re-reading the prophet Abraham's story in the Qur'an.)

However, the Qur'an does recognize that in patriarchies men are the locus of authority and it does address men quite frequently. But simply addressing men does not amount to condoning or authorizing patriarchy.

The Qur'an also doesn't say that men are ontologically superior to women. To the contrary it confirms their ontological equality by teaching that God created them from a single self (nafs). Nor does it say that God created the nafs of the man before that of the woman, as Riffat Hassan and Amina Wadud point out.

The Qur'an also does not authorize male rule over women or suggest that such rule is a continuation of God's rule over men. Indeed, my own reading is that it does not even appoint men as heads of the household in the sense in which they were in traditional patriarchies. To the contrary, it says that women and men are each other's friends and guides (awliya) and it charges them both with the moral responsibility of enjoining the right and forbidding the wrong.

The Qur'an also does not endow men with attributes or faculties not given to women. Indeed, it does not define men and women in terms of gender, that is, masculine or feminine traits, but takes them both to "manifest the whole."²

In fact it is the Qur'an's refusal to associate sex with gender that also allows me argue that it opposes modern forms of patriarchy which, as I noted, is based in the confusion of biological differences with gender inequalities.

Thus, while the Qur'an recognizes biological differences, it does not assign these differences any gender symbolism. Not a single verse suggests that men's social roles are a function of their biology, or that biological differences between men and women make them opposites, or that women are like lesser or defective men or that the two sexes are unequal, incompatible, or incommensurable, in the tradition of both Muslim and Western misogynistic thought.

It is true that the Qur'an treats women and men differently with respect to some issues, but this doesn't mean that it treats them unequally or establishes them as unequal. For one thing, differences in themselves do not imply inequality, and for another, the Qur'an does not tie its different treatment of men and women to any claims about biology, much less about biological superiority or inferiority.

Strictly speaking, therefore, we cannot derive a theory of gender inequality from the Qur'an since it does not treat gender as constitutive of moral individuality.

The Qur'an also does not teach a theory of female fallibility or sinfulness since there is no narrative of original sin or of the Fall in the Qur'an. Nor does it endow women with the dangerous sexuality attributed to them by misogynists. Indeed it does not ascribe a particular type of sexual behavior, drive, or identity to either women or men, which suggests that they have the same sexual natures.

The Qur'an also acknowledges the importance of sexual desire and the need for its fulfillment, albeit within the framework of a moral sexual praxis whose standards are virtually identical for men and women.

The only basis on which the Qur'an distinguishes between humans is on the basis of their moral praxis. In Sachiko Murata's³ words, it distinguishes "between those who have faith and those who do not: the 'believers' and the 'unbelievers.'

² Sachiko Murata, *The Tao of Islam: A Sourcebook on Gender Relationships in Islamic Thought*, Albany: SUNY, 1992, p. 43; her emphasis.

³ Murata, *Tao of Islam*, p. 44

In all the perspectives of Islamic life and thought people are separated into groups according to the degree to which they fulfill the purpose of life.'"

Based on this reading of the Qur'an, and I admit that I have grossly simplified it, I conclude that the Qur'an does not support patriarchy in any form irrespective of the so-called misogynistic verses (and I'd be happy to take questions on those).

Anti-patriarchal theology

I am led to this conclusion also by the fact that the most conclusive argument against patriarchy in the Qur'an is a theological one having to do with how God describes God in the Qur'an, i.e., with the nature of divine self-disclosure, and I would also like to share this part of my argument with you.

One of my convictions is that since the Qur'an is the word of God we must begin our reading of it with a sound theological understanding of God. To put it in more technical terms, we need to seek the hermeneutic keys for reading divine discourse in the nature of divine ontology, as we know it.

For instance, the Qur'an teaches that God is One and God's sovereignty is indivisible; this is the doctrine of Tawhid or divine unity. We can thus assume that the Qur'an's teachings cannot undercut this precept. To my mind, reading theories of male privilege into the Qur'an—that set up men as rulers over women or as intermediaries between God and women—does violate the concept of Tawhid since such views encourage various forms of male worship.

Similarly, the Qur'an tells us that God is Just and never does zulm to people (in the Qur'anic context, zulm means transgressing against their rights). If this is so, then the Qur'an also cannot condone zulm against women. Since patriarchies do commit zulm against women by transgressing against their rights, reading the Qur'an as sanctioning patriarchy has the effect of projecting zulm onto God.

Lastly—and I say lastly simply because I have only explored three aspects of divine self-disclosure so far—the Qur'an says that God is unlike anything created and unrepresentable. As such, we should view masculinist references to God as "He" as bad linguistic conventions and not as accurate statements about God's being. This is an important point because men often legitimize their power by representing God as male and by claiming to be closer to God on that account.

Again, in the interest of brevity, I have simplified a complex argument but my point is that if we take Qur'anic theology seriously, then we cannot project a sexual identity or sexual hatred and partisanship onto God which is what we do when we read patriarchy and sexual oppression into the Qur'an.

However, even though the kind of reading I offer confirms God's justice and mercy, most Muslims are likely to reject it because it challenges male power, and specially their religious authority. As such, unless we reform our societies, we cannot reform our understandings of the Qur'an since, after all, we don't read texts in a vacuum and we don't produce religious knowledge in a vacuum.

What we need, I believe, is not only political and economic restructuring, but also a new consciousness and a willingness to creatively repossess tradition so that, instead of a being a dead fetter on our souls and a permanent alibi against growth, it opens up the infinite possibilities inherent in Islam.

I doubt any of this will happen in my lifetime, but I put my faith in God and in you, the next generation, in the hope that you will be able to redeem yourselves through Islam rather than trying to make Islam over in your own images.

I have always held that men cannot face God as whole human beings if they have diminished themselves by oppressing women, and nor can women face God as whole human beings if their humanity has been taken away through oppression. To me, therefore, the issue of women's rights has always also been a touchstone of our collective desire to encounter God as fully human, more fully Muslim.