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Reformist Women Thinkers in the Islamic World

Introduction

*Haleh Esfandiari, Director, Middle East Program and
Margot Badran, Fellow, Woodrow Wilson Center*

The last five decades have witnessed an unusual push by women's organizations and women activists in the Islamic world to bring about major changes in the status of women. The Islamic world is home to both Muslims and non-Muslims, and, therefore, any change has to take into consideration the needs of the non-Muslim communities living in these societies. Changes in family law have varied from moves toward secularism as found in Tunisia in 1956 to those introduced in Iran in 1967 within the framework of the *shari'ah*. In recent years, the debate has been moving around what is permissible within an Islamic context and what is not. Does reform have a place in modern Islamic societies? Can the new revised family law of Morocco serve as a model for other countries in the Islamic world? Do incremental steps regarding reform satisfy the demands of women activists?

To look at such questions and others, the Middle East Program at the Woodrow Wilson International Center for Scholars hosted a meeting on May 4–5, 2009 on Reformist Women Thinkers in the Islamic World. Scholars from a range of disciplines including religious studies, women's and gender studies, law, anthropology, psychology, and history along with activists, public policy specialists, and journalists shared their work with a wide audience.

A basic question raised in the meeting was how do reformist women define themselves? Some reformist women call themselves feminists. Some call themselves human rights activists. Some call themselves scholar-activists. Some shun labels altogether. Reformist women span the spectrum from urban professional women to grassroots workers throughout the countryside, operating within both secular states and Islamic states. The conference papers range from broad overviews to more detailed examinations of individual thinkers and activists.

About the Middle East Program

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The Middle East Program was launched in February 1998 in light of the increased United States engagement in the region and the profound changes sweeping across many Middle Eastern states. In addition to spotlighting day-to-day issues, the Program concentrates on long-term economic, social, and political developments, as well as relations with the United States.

The Middle East Program draws on domestic and foreign regional experts for its meetings, conferences, and occasional papers. Conferences and meetings assess the policy implications of all aspects of developments within the region and individual states, the Middle East's role in the international arena, American interests in the region, the threat of terrorism; arms proliferation, and strategic threats to and from the regional states.

The Program pays special attention to the role of women, youth, civil society institutions, Islam, and democratic and autocratic tendencies. In addition, the Middle East Program hosts meetings on cultural issues, including contemporary art and literature in the region.

- **Gender issues:** The Middle East Program devotes considerable attention to the role of women in advancing civil society and to the attitudes of governments and the clerical community toward women's rights in the family and society at large. The Program examines employment patterns, education, legal rights, and political participation of women in the region. The Program also has a keen interest in exploring women's increasing roles in conflict prevention and post-conflict reconstruction activities.
- **Current Affairs:** The Middle East Program emphasizes analysis of current issues and their implications for long-term developments in the region, including: Palestinian-Israeli diplomacy, Iran's political and nuclear ambitions, the presence of American troops in Iraq, Afghanistan, and the Persian Gulf and their effect on the region, human rights violations, globalization, economic and political partnerships, and U.S. foreign policy in the region.
- **Islam, Democracy and Civil Society:** The Middle East Program monitors the growing demand of people in the region for democratization, political participation, accountable government, the rule of law, and adherence by their governments to international conventions, human rights and women's rights. It continues to examine the role of Islamic movements in shaping political and social developments and the variety of factors that favor or obstruct the expansion of civil society.

The following papers are based on the authors' presentations at the Woodrow Wilson International Center for Scholars on May 4-5, 2009. The opinions expressed herein are those of the authors and do not reflect those of the Woodrow Wilson Center.

In “Reformist Women as Feminists in Pursuit of Equality in the Islamic World,” Margot Badran looks at the deep roots of women’s reformism. She evokes the history of secular feminism which first appeared in some locations early in the twentieth century as a combination of Islamic modernist, secular nationalist, democratic, and humanitarian (later human rights) discourses calling for gender equality in the secular public sphere. She then explores Islamic feminism which emerged in the final decades of the twentieth century, constituting a new feminist paradigm centered on re-interpretation of the Qur’an and other religious sources, and enunciating gender equality across the public-private spectrum. In recent years, Badran observes, secular and Islamic feminisms have been blurring and are having transformational impacts.

Amina Wadud begins her paper, “Islamic Reform and the Theology of Gender,” with the strong affirmation that everything is in constant change—contrary to the thinking of reactionaries who look to the past for a static model of perfection. Gender as a concept and practice as we now know it, she emphasizes, was not part of the worldview at the dawn of Islam. The patriarchy of that historical moment is no longer tenable, and, accordingly, reform is inevitable. For Wadud, the starting point of reform is theology. She explains her formulation of the *tawhidic* paradigm proving the absolute equality of human beings who are created in pairs, male and female, while God alone is one. Wadud reaffirms that the last bastions of inequality in Muslim societies are found in both the family and in religious ritual and that they contradict *tawhidic* thinking.

In “Faith and the Politics of Reform,” Mahnaz Afkhami delineates the contours of contemporary reformism over the past two decades of struggle. She shows how women within the framework of a combination of secular and Islamic feminism, which she and others call holistic feminism, are steadfastly advancing an egalitarian model of Islam that counteracts the reactionary patriarchal model that Islamists or forces of political Islam are trying to re-impose.

In “Reformist Women in the Muslim World: History is on Their Side,” Isobel Coleman offers

a picture of Muslim women’s reformist efforts and priorities across a wide span of countries and classes. Coleman, like other conference presenters, agrees that “women are driving change in the Islamic world.”



In her paper “The New Muslim Feminists,” Robin Wright provides colorful vignettes of feminists and human rights activists across a range of countries. She mentions, for example, the Egyptian activist Dalia Ziada who held the first human rights film festival on a Nile boat. She also tells the story of Wajeha al-Huwaider, a Saudi Arabian activist whose column in the newspaper on human rights and women’s rights issues was banned and who, in protesting the ban on women driving cars, filmed herself driving in the desert and placed the film on YouTube.

Fatemeh Haghighatjoo, in “Reformist Women in Iran,” speaks about the Reformist Women’s Forum (*Majmah Zanan Eslabtalab*) which is a focal point to push for women’s increased involvement in politics and policymaking as a way of enhancing democracy and furthering women’s human rights in Iran. She also hails the women’s One Million Signatures Campaign which aims to achieve full gender equality in the country.

Several papers focus on individual reformist thinkers and activists within a single country. In “Tunisian Women Reformists: Two Examples in Historical Context,” Lilia Labidi juxtaposes two women of different generations. Jalila Baccar, an actor born in the 1950s, uses theater and performance arts, history, and critical social discourse

to support democracy and human rights. Ulfa Youssef, born in the 1970s, is a linguist and professor of Arabic literature focusing on issues of the family and sexuality. She employs psychoanalysis and *ijtihad* (critical probing of religious texts), which she encourages other women to utilize, and offers a gender egalitarian reading of the Qur'an.

In "A Reformist *Sufi* Woman in the Niger Republic," Ousseina Alidou illustrates the colonial and post-colonial as well as religious and secular influences on Malama A'ishatu, a populist poet, teacher, and later media personality. During her life, Malama A'ishatu supported both religious and secular education for ordinary women throughout the country.

Gadis Arivia, in her paper "An Indonesian Muslim Feminist," examines the work of religious studies scholar Musdah Mulia in Indonesia, the most populous and highly diverse Muslim-majority country which continues to be influenced by distinctive local customs and cultures. Mulia uses feminist theory and Qur'anic hermeneutics in approaching issues of family reform, children's rights, human rights, violence against women, and issues of public policy.

To illustrate the distinctiveness of women's reformist thinking, Kecia Ali, in "Paradigms and Pragmatism in Muslim Women's Reformist Thinking," makes a contrast with works of male reformists. She notes that reformist men tend to

either dismiss or under-recognize women's religious interpretation. While men are engaged in big-picture, intellectual reformism, Ali observes that women are involved in more particular and pragmatic reformist work.

In her paper, "Islamism, Feminism, and Islamic Reform," Jocelyn Cesari shares her views on the challenges of Islamic feminism and issues of marginalization and mainstreaming. She points out that, despite opposition from various quarters, Islamic feminism has achieved successes, but it remains to be seen how widely the social justice that Islamic Feminism demands can spread.

"Reform—or Breakthrough?" by Ann Elizabeth Mayer highlights the question of terminology and asks if there has been a move beyond reform and, accordingly, what might we call it? Like others, Mayer points to how reformist women have pushed for the practice of equality and justice which, they argue, are core principles of the Qur'an. In asserting that "the feminist vanguard is engaged in a project that is so bold that it constitutes a breakthrough," Mayer suggests that reform "might better be called something like 'reconceptualizing' or 'reimagining'". All the presentations demonstrate how women as agents of new thinking and change in far-flung parts of the Islamic world are taking reform to a whole new plateau.

Reformist Women as Feminists in Pursuit of Equality in the Islamic World

Margot Badran, Fellow, Woodrow Wilson International Center for Scholars; Senior Fellow, Prince Alwaleed bin Talal Center for Muslim-Christian Understanding, Georgetown University

In February 2009, reformist women launched the *Musawah* movement, a global campaign to achieve equality in the Muslim family, at a massive conference in Kuala Lumpur organized by a transnational committee of Muslim scholars and activists and hosted by the Malaysian NGO, Sisters in Islam. Equality in the family, along with equality in religious professions and in conducting religious ritual, constitutes the last major frontier in reformist women's equality struggles in the Islamic world.

Until recently, the Islamic world was comprised of Muslim-majority societies and minority communities in Africa and Asia. As a result of hugely expanding Muslim populations in Europe and the Americas in the final third of the twentieth century, the Islamic world now spans the globe from East to West and North to South. Although Muslims in most places have historically lived with those of other religions, the co-habitation of Muslims and non-Muslims in states, societies, and families is now greater than ever before and constitutes a set of realities that have to be reckoned with in the context of a world where equality as a principle and practice matters. Many Muslim-majority countries in Africa and Asia have Muslim family laws, also called Muslim personal status laws, based on understandings of *fiqh*, or Islamic jurisprudence. It is the Muslim-majority countries that constitute the focus of this paper while wider implications are also salient.

What is meant by "reformist women" in the Islamic world? When and where did they first appear? The reformist women I refer to are liberal and progressive thinkers and activists who promote women's rights and equality and who call themselves feminists, or may be seen as such, while they may not accept a feminist label. The history of feminist thinking and activism goes back more than a century in Islamic societies. There have been two main forms of feminism

which have been referred to as secular feminism and Islamic feminism.

The first reformist women initially appeared in Muslim societies in parts of Africa and Asia in the late nineteenth century as thinkers and writers, making their voices heard through their writing before most were seen. Reformist women as activists first emerged on the public stage in the early twentieth century, and it was then that women first called themselves feminists. The term "feminism," coined in France in the late nineteenth century, came into use in Britain in the first decade of the twentieth century, in the United States in the 1910s, and in Egypt at the beginning of the 1920s. From the start, feminists in Egypt and other Muslim-majority societies and minority communities included Muslims and women of other faiths who joined forces in their respective countries in a quest for liberation, rights, and equality during and following the experience of colonialism. They were often referred to as "secular feminists," reflecting their common national identities constructed around shared membership in secular, territorial nation-states. Comprised of citizens of various faiths, such states recognized and protected religion, but it did not form the organizing principle of the state. Pioneering secular feminists used Islamic argumentation in their cluster of discourses which included secular nationalist, national cum women's self-determination, democratic, constitutionalist, and humanitarian (later human rights) discourses.

Secular feminists in Muslim societies in Africa and Asia were most successful in achieving gender equality in the secular public sphere in the areas of education, work, and political rights. They were most thwarted in the private sphere of the family regulated by state-enacted Muslim law, even though in this private domain they did not demand equality of women and men. Rather, they accepted a patriarchal model of the family in which women and men had separate and unequal



but complimentary rights and duties. Secular feminists, moreover, did not attempt to enter the religious part of the public sphere, the domain of religious professions and public ritual.

The positive meaning of “secular,” with its connotations of shared nationality across religious lines, was recast in the final decades of the twentieth century by the spreading forces of political Islam, or Islamists, as a pejorative term connoting anti-religious or un-Islamic and was pitted against religion in a hostile religious/secular binary. The gender-reactionary Islamists, who wished to roll back the gains of feminism, branded feminism “Western” and, as such, an assault upon religion and culture. Strangely, some progressive reformist women today use the conservative patriarchalists’ definitions to make the same claims about “secular” and “feminist.”

Islamic feminism appeared at the other end of the twentieth century as a salient, re-energizing force in the reformist arena in the form of a new *discourse* of gender equality. Only later would Islamic feminism become a *social movement*. In the 1980s and 1990s, a number of Muslim women scholars devoted to Islam and deeply troubled by inequalities and injustices perpetuated in its name by patriarchal interpretations of scripture and other religious sources took it upon themselves to investigate the Qur’an. In asking new questions and using gender as a central analytical tool, they produced compelling readings of human equality, that is, the full equality of women and men, which transcended the lines of public and private or society and the family. These scholars did not knock at the door to the precincts of the male-guarded interpretative community, they simply stepped in. Amina Wadud, a pioneering scholar of religion, produced the first major treatise on gender equality in Islam called *Qur’an and Woman* (1992).

Many Muslim secular feminists were quick to welcome the stunning articulation of equality that moved reformist thinking about Islam to a new level, and they called it “Islamic feminism.” Because of associations of “feminism” with the West, or seeing it as simply extraneous, many producers of the egalitarian reading of Islam tended to shun the term “Islamic feminism” and, in particular, the identity of the Islamic feminist.

By the time the second edition of *Qur’an and Woman* was published, it had been translated into many languages, testimony to the wide reception the work received by Muslims, women and men alike, and beyond the Islamic world. Wadud, after being slammed as a “Western feminist,” responded, “So what’s wrong with being Western?” And as for discrediting feminism she answered, “No reference is made [by the detractors] to the definition of feminism as the radical notion that women are human beings.”

The new Islamic feminist discourse provided compelling arguments that patriarchy, with the inequalities it promoted and sustained in the name of religion, was a perversion of Islam’s egalitarian message. Turning the Qur’anic “justification” of male hegemony over women and the usurpation of women’s agency into a theological travesty through fresh readings of the Qur’an provided powerful fuel for the struggle for equality in the family.

However, new theology, or theory alone, would not suffice to win gender equality in the family, most notably in reforming Muslim family laws. Ultimately, the battle to reform state-enacted family laws is a political one. The combined forces of secular feminists and Islamic feminists are needed in the various local contexts of reformist struggle in the Islamic world. Secular feminists, both Muslims and non-Muslims, have accumulated long experience, honed political skills, built strategic coalitions in their local societies, and developed key national and transnational activist networks. Islamic feminists are producing stringent religious argumentation for gender equality and gender justice through new readings of the Qur’an.

Islamic feminists were also generating incisive analyses of classical *fiqh* which upheld a patriarchal model of the family. As they pointed out, such a model reflected the patriarchal ideas and practices of the times when the major schools of *fiqh* were consolidated, but now a new *fiqh* was required in light of the massive transformations of family and society in a more gender egalitarian era. Islamic feminists also demystified what is often called “*shar’iah* law,” distinguishing between *shar’iah* as a divine path to be discerned by readings of the Qur’an and the *sunna* (words



and deeds of the Prophet Muhammad). What is often referred to as “*shar‘iah* law” is, in fact, man-made, *fiqh*-backed law. The conflation of *fiqh* with *shar‘iah* is one among many important factors which has inhibited reform of Muslim family laws.

The major overhaul in 2004 of the Moroccan *Mudawwana*, or Muslim Family law, was based on an egalitarian model of Islam and enshrined wife and husband as co-heads of the family. This revision, the most advanced *fiqh*-backed family law now in existence, resulted from the combined activism of secular and Islamic feminists and propitious political circumstances. Yet, while the revised Moroccan *Mudawwana* marks a major step forward, there are still a number of matters which require attention.

The *Musawah* movement speaks of equality and justice in the Muslim family. But what exactly constitutes “the Muslim family?” In arguing for replacing patriarchal family law with an egalitarian family law based in *fiqh*, feminist reformers insist that the law be responsive to new social conditions. Today, marriages between Muslims and non-Muslims are on the rise. Indeed, this is a new social reality. Is a family composed of a Muslim spouse and a non-Muslim spouse still considered a “Muslim family”? Why privilege one religious designation over another in a religiously mixed family? Although a Muslim man may marry a non-Muslim woman, a Muslim woman is not allowed to marry a non-Muslim man under family laws prevailing in Muslim societies. A justifica-

tion often given for this is that the husband will have dominion over a wife in the patriarchal family. However, with egalitarian models of the family where female and male spouse are joint heads, this argument does not hold. Indicative of efforts to deal with this new reality, the Indonesian Counter Legal Draft, proposing reform of the Muslim family and drawn up by a committee of scholars within the Ministry of Religious Affairs, stipulated that a Muslim woman could marry a non-Muslim man. While the draft law was shelved, the question will not go away, whether in Indonesia or elsewhere.

Over the years, secular feminist activism in different national locations in the Islamic world has included Muslims and women of other religions who pooled knowledge, insights, and skills in the quest for women’s rights and gender equality. Today, in the final push to achieve equality in the family in Muslim societies, Muslim reformers as secular feminists and Islamic feminists need to work cooperatively more than ever before. Non-Muslims with knowledge, insights, and experience who share concerns about living together with Muslims in the same families and societies need to be an integral part of the debates and activist initiatives. A pressing challenge for the *Musawah* movement concerning the legal structure of the family is how can *fiqh*-backed, state-enacted laws serve the cause of equality of human beings as women and men and the equality of human beings of different religions who share families and societies?



Islamic Reform and the Theology of Gender

Amina Wadud, Scholar, International Center for Islam and Pluralism, Jakarta, Indonesia

There is among the neoconservatives, the Salafis, and the Islamists—both the extremists and the non-extremists—this idea that the best community in Islam was the community at the time of the companions, at the time of the Prophet Muhammad at Medina. What this means, then, is that we are in a continual decline as human beings, particularly as Muslims. First, I would like to counter the logic of this negative history with the simple logic of evolution that everything changes. The entire universe is in motion, either we keep pace or we fall behind. There is no such thing as standing still. I also do not believe in going back, so I am not looking at reformism as a kind of going back. The Qur'an emphasizes that as humans we have a choice. Allah does not change the condition of a people until they first change what is within their own souls or selves. Second, I want to look at the idea of reform insofar as gender goes: gender discourse, gender mainstreaming, and gender sensitivity. I would like to make some comments concerning gender as a category of thought in the production of knowledge.

Gender as we know it today was not an aspect of Islamic law, Islamic revelation, the Qur'an, the Prophet Muhammad, the prophetic *sunna*, or the *hadith*. Therefore, reform is inevitable. Also, quite simply, patriarchy as practiced and experienced by Muslims and non-Muslims alike is untenable. In this respect, I see reform as both natural and intentional. This brings me to the third consideration of reform in Islam which I have used in my critique of the tenaciousness of that same patriarchy—and what some have called progressive Islam—where reform is just about anything anyone deems it to be. We use the word 'reform' whether or not we are progressing in the areas that I consider to be important and necessary, and we also abandon it altogether in other areas which I see in need of change. I will keep to the general idea of reform as change while expressing a moral, spiritual mandate of sustaining an evolutionary trajectory of certain core principles which are foundational and essential to the values

of Islam. That puts me into a place with the pro-faith perspective on Islam and gender.

I want to discuss what I would call a theological-centric perspective on reform. That is, as a believer in Islam and as a woman, I have grappled with the notion that we must choose between Islam and human rights. Here, human rights are going to be defined or understood within the context of the international documents: the U.N. Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The methodology that I have used focuses on ideas about God, or Allah.

Much to my disappointment, very little of what is self-proclaimed as reformist, feminist, progressive, or even liberal Islam has much to say about Allah. Instead, somehow, the most important theme about Islam, the sacred, has been reduced to the petty "politics of piety" which is personalized to a pitiful point or viewed with quasi-academic caution. So, I intentionally re-enter, remember, and, yet, reform ideas about Allah as related to gender in Islam.

For me, reform of gender relations in their social-cultural context and, hence, in *fiqh* first requires reform in conceptual theology or in the ways we think about God or Allah. Muslim progressives are fond of saying we need reform in social relations but that there is no reform in the form of rituals. I guess when Allah is a static, fixed notion within Its masculinized glory, then this can be so. I agree with Margot Badran that the two most tenacious areas of male privilege in Islam today are still public ritual leadership and the family. It was not just coincidence that both had to be reformed, at least conceptually, for me, to see the more pragmatic implications within the social-cultural context.

Ritual leadership is not really leadership at all. It is a functionary role within a collective of equal worshippers. Why did ritual leadership always have to be male, then? Think about it, there's nothing in the Qur'an and nothing in the *hadith* that says it has to be male. This led to



some contradictions or differences of opinion in the *fiqh* which relies upon an important strategy with regard to gender reform and the law: how the force of acculturation and acclimatization works to establish explicit rulings, despite the absence of explicit textual support. This same process can be used with gender reform. That is, even though there is no explicit text-source, the force of acculturation and acclimatization establishes explicit rulings. I'm going to return to this with regard to gender reform as a force in and of itself.

In looking at the major public ritual in Islam, the Friday, or *juma* prayer, I am advocating reform taking into account the lack of a gender qualification relating to *salat* leadership and with regard to the *khutba*. In other words, there are two different aspects to the Friday prayer that need to be more gender inclusive. One is prayer leadership, which is not leadership at all; it is a functionary position to assist in organizing the formality of the ritual. There is no word in Arabic to describe this role as "leader." The word *imam*, literally, means 'the one who stands in front (of them).' His or her responsibility is to know how to perform the prayer, to know about [the Qur'an] and, in this case, literally to have memorized from the sacred text.

Concerning the *khutba*, reform is symbolic with regard to the female voice, such that female-centered and even female-specific experiences become generic models for human experience, for what it means to be a human being. It is interesting how this works for men and how it has worked for so long. One of the memories that I have is going to an '*id* prayer, continually led by men as a public ritual. This was for the feast of the sacrifice ('*id al-adha*), and so it is not uncommon that there would be some conversation about Abraham. The man giving the *khutba* went to great lengths to talk about how Abraham circumcised himself as an adult without any anesthesia. I thought to myself, "Who could he possibly be talking to? It's of no interest to me whatsoever as a woman." You take a very specific male experience and you bring it into the public space as part of what it generally means to be human and, therefore, what all of us as participants in this '*id* are supposed to acknowledge and

exonerate as an example of great humanity. So, if you can do it with men-specific experiences, then we must do it with women-specific experiences. I am interested in the tenacity with which our idea of what is human in Islam is still based on the male experience.

Part of my interest in linguistics is the way in which the masculine, that is, "his-story," is presumed to be gender inclusive and how this narrative affects concepts of justice, ethics, and what it means to be a human being. Even the most liberated women accept the basic humanity of men while limiting themselves and their definitions of their own equal humanity. I'm looking at the substantive model of justice and human rights which sees justice as conditional upon equality between men and women, between men's ways of knowing and women's ways of knowing.

With regard to the family, to which I'm going to give less attention, the launching of the *Musawah* movement focused on reform of gender relations in the family. Herein, the idea of *qawwama*, which indicates hierarchy, is replaced by *musawah*, or reciprocity. The patriarchal family is the first place where gender identity is formed and is the foundation for defining and determining interrelations and interconnectivities in gender roles. It is not possible to have this reform without reforming the ways we think about Allah; the theoretical basis for the family law reform would not have been coherent, at least for me, were it not for rethinking this idea about God.

In Islam, we have this idea about *tawhid* (the uniqueness of God). *Tawhid* has three elements. Not only is Allah one, but Allah is unique. Allah is not like any created thing. All things are created in pairs, so the idea of masculine and feminine is an aspect of being created and not of the creator. I came up with the idea of the *tawhidic* paradigm because the male and the female each have a direct, unmediated relationship with Allah. This requires and can support and sustain only one kind of relationship with Allah—a relationship of horizontal reciprocity.

Gender here is a category of thought, implying that gender and women are essential to the construction of knowledge in Islam. In the poetics of divine essence, there is, then, a sensitivity toward the implications and the impact of gender in the

construction of all knowledge and of knowledge in Islam. Here, women and women's experiences and ways of knowing become equal to men and men's experiences and ways of knowing in constructing the truth of meaning and of interpretation. We work as agents of meaning in partnership with the divine and with each other.

Lastly, I want to address this one little pesky thing that is always problematic and that is the use of the pronoun 'he,' which is taken so

literally from the Qur'an, especially with the grammar that has been built up to make it seem like it makes procedural sense. The tendency to be able to take that pronoun literally is really vexing, if you think about it, because the Qur'an also uses the first person plural 'We' with regard to Allah and nobody ever takes that literally. What better way to liberate women than to liberate Allah from His, Her, or Its patriarchal limitations?



Faith and the Politics of Reform

Mahnaz Afshar, President, Women's Learning Partnership for Rights, Development, and Peace

Over a decade ago, I edited a book titled *Faith and Freedom: Women's Human Rights in the Muslim World*. The contributors, coming from across the Muslim world and beyond, discussed the lives of over half a billion Muslim women living in diverse geographical, social, and cultural conditions. They agreed that though the women they studied were different from one another, they all shared one overarching characteristic in that they equated modernity with conflict—a spectrum of values and forces that compete for their allegiance and beckon them to contradictory ways of looking at themselves and at the world that surrounds them.

The most intractable contradiction the women faced was between the demands of living in the contemporary world and the requirements of tradition as determined and advanced by the modern Islamist world view. At the center of their conflict is the dilemma of Muslim women's human rights—whether Muslim women have rights because they are human beings or whether they have rights because they are Muslim women. At the core of this dilemma is the woman in the family—her rights and her obligations. The conclusions the authors drew then still hold. While the challenges and the potentials continue to exist, both have become more pronounced because of the global events of the past two decades. The challenges we face have been exacerbated, but our potential and capabilities have also increased dramatically.

Before I move on this point, let me recall what I believe is critical for Muslim women. It is not Islam that holds us back, but, rather, it is the path which the history of patriarchy in Muslim-majority societies has taken that limits our freedom. Otherwise, the status of women in society has been fundamentally the same across history for a majority of the world's population regardless of religion, creed, ethnicity, or nationality. Except for surface differences in manner and style, the basic arrangements for the division of labor and power between men and women have been the same across the world. A woman's rights over major decisions about her children's future, place of residence, marriage, inheritance, employment, and the like have been severely curtailed in most of the world during most of human history. Until the turn of the twentieth century, when New Zealand became the first country to give women the right to vote, there was no place on earth where women could vote and be elected to national office. Nor did they have the same chance to train for a job, get a job, or, once having gotten a job, receive equal pay. Indeed, in some socio-economic fields, for example ownership, especially ownership of property, Muslim women fared better than women in the West.

It is also interesting to note that the first fundamentalist movement was Christian Protestant, launched in the United States early in the twentieth century very much in response to a particular aspect of modernity, namely, a new energetic



mobility and visibility of women. As was true in the case of fundamentalist Protestantism, Islamism is both a reaction to change and fundamentally political, focusing on the status of women. Indeed, for Islamists every domestic issue is negotiable except women's rights and their position within family and society. They insist on singling out women's position in the family and their relation to society as the supreme test of the authenticity of the Islamic order.

Externally, the Islamist position meshes with the idea of cultural relativity developed in the West, where arguments are asserted for reasons that usually have nothing to do with Islam. In the contemporary West, especially within academic circles, relativity is often advanced and defended to promote diversity. In its theoretical forms, for example as a critique of positivist and Marxist theories of history, cultural relativism sometimes suggests that universalist discourses are guilty of reinforcing Western hegemony by devaluing non-Western societies. Whatever other merits or faults of the Western relativist position, it insists on free choice and equal access. Islamists, however, use the argument to justify structural suppression of women's freedom and formal enforcement of women's inequality. Rather than addressing real evolving societies, Islamists abstract Islam as an esoteric system of unchanging rules and then equate it with complex, changing, and historically specific social and political conditions. As a result, they transform the practical issue of women's historical subjugation in patriarchies, which is a matter of the economic, social, cultural, and political forms that power takes on as societies evolve, into archaic ideas of historical permanence, moral negligence, and religious laxity. The argument becomes dangerous when it seeks to portray women who struggle for rights as women who are against Islam, their religion in which they firmly believe. The Islamists try to confound the issue by positing their interpretation of religion as religion itself.

The question we as Muslim women pose and answer is: why should we not have the right to determine how to organize our lives? We argue that, as Muslim women, we know in principle as well as any man what God ordains or what the text says. We argue that tradition is no longer

a valid source because societies change, cultures change, and we are both willing and able to discuss these points with men. Before we begin this discussion, we grant them every right to be who they want to be, to do what they want to do, and to preach what they want to preach. We only demand that they do not force us to do anything against our wishes in the same way that we do not force them to do anything against theirs.

We realize that modern cultures, though changing constantly, do not change uniformly and that, therefore, there are others in Muslim societies, men and women, who interpret reality differently than we do. This fact of cultural multiplicity, important as it is politically, nevertheless does not alter the moral foundation of our position: the frame of reference that rejects force and violence in religion and which respects the identity, privacy, freedom, and integrity of the human individual. This position recognizes that religious experience is a personal experience and that all enforcements of religion are essentially not religion but politics mandated by one group of people over another. Therefore, the basic principle that, as a human being, I have the right to choose is, by definition, a universal principle, morally true whether I live in Beijing, Katmandu, Kuala Lumpur, New York, or Tehran. The fact that, in practice, I may not be able to exercise this principle everywhere is a matter for political and social analysis, planning, strategizing, and acting.

We know that despite the truth of the claim of universality of rights, there is a widespread disparity between rights in theory and rights in practice. This disparity has alerted us to the concept of relativity of means, which is a matter essentially of politics and implementation. That is why we have chosen many different ways to promote women's human rights across the world. We have learned and are learning to gear our approach to the prevailing cultural and political conditions. We seek dialogue not only because we need to communicate if we are to effect change but also for a more fundamental reason. Right being universal, it is not the property of any particular culture but a potential of all cultures. In practice, it is a product of the evolution of human consciousness and the demands that the process produces. It has to do with the ability to choose, rather than the choice

itself. Thus, each culture will produce its own appropriate language and process as its practice of rights evolves, but the frame of reference, the universality of the possibility of choice, and the freedom to choose is maintained.

Here is where we Muslims have an extra burden because, in our case, universality is challenged, a challenge that is camouflaged in theology but is fundamentally political. Note that from the mid-nineteenth century to the latter part of the twentieth century, the ethos of history was toward emancipation, including the emancipation of women. Everywhere the fundamentalists were on the defensive. It is with the fall of the socialist counter-balance to capitalism and the seeming victory of the liberal creed that varieties of fundamentalism surged and Islamism achieved prominence, energized by the triumph of the Islamic Revolution in Iran in the late twentieth century. This may represent the last historical gasp of patriarchy. Nonetheless, it presents a horrendous challenge to women in Muslim majority societies. It also offers us the opportunity to debate the nature of our religion from a woman's viewpoint.

We are now engaged in this struggle and debate across the world. We are taking advantage of globalization and the information technology that defines and propels it to exchange ideas, share strategies, and provide solidarity and support as we build a movement for change across the globe. We are coming together in significant numbers and from all social strata to object to

the fundamentalist interpretation of Islam. The dimensions of our struggle are being defined as we strive for our rights in the family and in society, working together to define what these rights are, how they relate to Islam epistemologically, how they resonate with social and political power in specific Muslim societies, and how strategies that seek to promote them will or should be developed. High on the list are the ways and means of interpreting religious texts: how should we approach the issue, what sort of expertise is needed, and how can the issue be bridged to grassroots leaders, and how may the intelligence received from the grassroots be brought to the interpretative process? We are also looking into ways of educating the Muslim political elite: how to identify responsive decision makers, how to communicate reinterpreted text, how to develop criteria for judging the limits of political engagement, and how to help executives, legislators, and judges sympathetic to women's human rights to implement change in the condition of women. We are also searching for appropriate patterns of mobilizing grassroots support, including ways of identifying and supporting women leaders at different levels, communicating methods of pressuring political decision makers, and, most important of all, protecting women activists against moral and physical violence. The list, obviously not exhaustive, nevertheless signifies the dynamics of the relationship between women's human rights, politics, the Islamic texts, and the dimensions of our struggle.

Reformist Women in the Muslim World: History is on Their Side

Isobel Coleman, Senior Fellow, U.S. Foreign Policy and Director, Women and Foreign Policy Program, Council on Foreign Relations

Reading headlines of girls' schools being burned down, suicide bombings, brutal attacks on women, and rising fanaticism, it is easy to form a dismal picture of the Islamic world. While these problems are very real and deserve serious attention, such headlines tend to overshadow the hopeful stories of progress and change taking place in countries as diverse as Indonesia and Saudi Arabia. Often flying below the media's radar, Muslim scholars, activists, business leaders, and public officials from Muslim communities around the world are pushing their societies forward despite powerful opposition from conservative forces. Women in particular are at the heart of this change. As they enjoy higher levels of education and greater access to income, Muslim women are working inside their mosques, schools, clinics, courts, governments, and businesses to push for greater rights and freedoms in their society. In the process, these "reformist" women are also removing obstacles for young people, minorities, and other marginalized populations and groups. Though their progress is often slow and uneven, change is beginning to take root.

As with other terms such as "Islamist" or "moderate," the "reformist" label is problematic as it can be applied very differently depending on the context. Is a chador-clad woman in Tehran as much a "reformist" as an unveiled, secular woman in Cairo? For the purposes of this paper, "reformist women" will be used broadly to describe a diverse group of women leaders and activists who are working to empower women and girls in Muslim societies. These women are drawn from both the political left and the right of their countries; from secular traditions and Islamist traditions; and from a human rights discourse and a theological discourse. Regardless of their differences, they all agree that women and girls have a right to an education, to work outside their homes, to political rights, and to legal and social protections. They emphasize the direct relation-

ship between the empowerment of women and broader societal stability and economic growth.

Effective women reformers working within Muslim-majority countries well understand the challenge of political Islam—how the Islamist enforcement of female piety, gender segregation, and discriminatory family laws directly impacts women's rights. They also recognize the power and appeal of religion within their societies. In a recent study, Gallup polled people in ten predominantly Muslim countries regarding their views of *shar'iah* and its place in their political and legal structures. Gallup asked the participants whether *shar'iah* should be the only source of legislation, a source but not the only source, or not a source of legislation at all. In countries such as Egypt, Bangladesh, and Jordan—countries often viewed in the West as "moderate"—over 80 percent of the population said they want some form of *shar'iah* in their countries. Nearly 60 percent responded that they want *shar'iah* as the only source of legislation. For better or worse, Muslims around the world see Islamic law as a means to improving their situation. (Interestingly, in countries that have had a more unfettered experience with Islamist government, such as Iran, the number of people wanting *shar'iah* as the only source of legislation was below 15 percent).

Reformist women's responses to political Islam vary greatly depending on their social class, their relationship to the government, and the so-called "red lines" imposed on them by their government and society. Most women reformers themselves tend toward being secular. They believe that only a separation of mosque and state can ensure women's equal rights. However, given the circumstances of their societies, they often work within an Islamic framework as a way to usher in reform. They recognize that appeals to universal principles and international human rights standards are insufficient and, in some cases, counterproductive. They argue for more progressive



religious interpretations as a stepping stone to a more secular outcome and as a means of connecting reformers across secular and religious groups. They use a variety of strategies to advance their work at the grassroots level and to avoid provoking conservative forces.

The issues that reformist women focus on also differ across countries. In oil-rich Gulf countries like Saudi Arabia, where nearly 60 percent of university students are women, reformers tend to focus on expanding economic opportunities for women. In conflict-ridden, poverty-stricken Afghanistan, where one in eight women still dies in childbirth and female literacy is barely 15 percent, women are fighting for the most fundamental of rights such as access to primary education and basic health services. In Iran, reformist women tend to focus more on legal discrimination against women, while women in Egypt are concerned with rampant sexual harassment and traditional practices that harm women.

Skeptics question whether reformist women can have any real impact on their religious and conservative societies. They argue that these women are simply too outside the mainstream, too under-resourced, and lacking in credibility to overturn fourteen hundred years of religious laws that discriminate against women. That, however, is not the goal of reformist women. To advance women's rights, they are confronting the last forty years of political Islam which has imposed new discriminatory restrictions on women in the name of religion. In some cases, they are using Islamic jurisprudence to strengthen their arguments or to conform to social norms.

Women reformers must work on two levels to empower women: first, they need to convince powerful elites to promote women's rights at the top; second, they must impact broader cultural and social attitudes towards women at the grassroots level. Of course, this type of broad social change takes time, but history is on the reformist women's side. The more educated women become in the Islamic world, the more they reject the discrimination that is imposed

upon them in the name of their religion, culture, and government. The more educated women become, the more they seek jobs where they can apply their skills and knowledge. In perhaps the most profound change, as women become more educated they gain increased religious literacy. Average women in Cairo, Jakarta, and Riyadh can now read the *hadiths* and the Qur'an for themselves. Some are even attending seminaries to become religious scholars in their own right. In rural Turkey and Morocco, women are being trained by their governments to become local religious guides. Religiously educated women can now fight theology with theology. Slowly, they are undermining patriarchal practices justified using religious discourse. Already, one sees the results of such religious education in Iran with the overturning of recent discriminatory marriage laws, in Morocco with the *Mudawwana* reform, and in Egypt with the fight against female genital mutilation.

Women are driving change in the Islamic world. For some, this change may be generational, while for others, the next election may usher in real reform. Confronted by potent Islamism around the world, the international community can and should constructively support these reformist women, although these partnerships should be demand-driven to minimize the risk of destabilizing backlash. Reformist women are well aware of how their opponents try to smear them with charges of following a foreign agenda. They understand the trade-offs of working with international organizations. But they have the ability to calculate whether the benefits of international support—by way of technical expertise, financial support, media exposure, and public recognition—help more than hurt.

The trajectory towards change will be uneven, with two steps forward and, at times, one or two steps back. But in the end, with the support of the international community, reformist women will continue to push for progressive change not only for themselves, but for their broader societies as well.

The New Muslim Feminists

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Across the Islamic world, women in the early twenty-first century have established themselves as one of the two leading engines of change in the Islamic world and, for now, arguably the more dynamic element. Youth may have the numbers, but they lack the experience and resources. They are also more liable to intimidation by governments that can expel them from universities or use security forces to control campuses and limit their impact.

Among women, a new breed of activist—the Islamic feminist—has emerged over the past two decades to increase the depth and focus of activism. The spectrum of Islamic feminists is wide. No single definition suffices. Some might even shudder at being labeled feminists, others at being considered Islamic. But the term is useful in describing a disparate array of individuals and movements in countries from Morocco to Indonesia that no longer fit the tradition of secular feminism.

At one end of the spectrum are devout women focused on specific issues of family law that affect everything from marriage and divorce to travel and inheritance. This category also includes women who accept some form of Islamic government, whether in Sunni Saudi Arabia or predominantly Shi'ite Iran, but who want to achieve greater rights for women within those systems. At the other end of the spectrum are secular women who balk at personally donning Islamic dress, even as they advocate reinterpreting Islamic laws and traditions to produce broader political, social, and economic change. For them, Islam is the most legitimate or viable idiom of change. Among the many types in the middle are human rights activists who wear the *hijab* for cultural reasons rather than out of deep piety and the young who have put on the *hijab*—and have often convinced their mothers to follow suit—but want to work for gender equality in education and professions from filmmaking to Islamic jurisprudence.

Dalia Ziada reflects one type of Islamic activist. When Ziada was eight, her mother told her to don a white party dress for a surprise celebration

in Cairo. Instead, it turned out to be a painful circumcision, a traumatic turning point that led Ziada to fight back. (This practice is a cultural rather than a religious one). The young Egyptian spent years arguing with her father and uncles against the genital mutilation of her sister and cousins, a campaign she eventually developed into a wider movement. She now champions everything from freedom of speech to women's rights and political prisoners. To promote civil disobedience, Ziada translated into Arabic a comic book history about Martin Luther King, Jr. and distributed 2,000 copies from Morocco to Yemen in 2008.

Ziada also organized Cairo's first human rights film festival in 2008. When the censorship board did not approve the films, Ziada door-stopped its chairman at the elevator and rode up with him to plead her case. When the theater was suspiciously closed at the last minute she rented a Nile boat for opening night, waiting until it was offshore and beyond the arm of the law to start the movie. She was twenty-six at the time. Ziada shies away from little, but she also wears a veil, a sign that her religious faith defines her agenda. "My ultimate interest," she wrote in her first blog entry, "is to please Allah with all I am doing in my own life."

Another of the new activists is Wajeha al-Huwaider, a Saudi and an example of how technology is helping empower women even in the most conservative societies. Al-Huwaider carved a new career after writing so many comments about articles on newspaper websites that an editor noticed and invited her to write a column in 2000. Her commentaries were outspoken about human rights and women's rights. So was her poetry, such as "When:"

*When religion has control over science - you can be
sure that you are in an Arab country...*

*When you discover that a woman is worth half of
what a man is worth, or less - do not be surprised,
you are in an Arab country...*

When you are forced to worship the Creator in



school and your teachers grade you for it - you can be sure that you are in an Arab country...

When covering the woman's head is more important than financial and administrative corruption, embezzlement, and betrayal of the homeland - do not be astonished, you are in an Arab country...

Within three years, the government banned al-Huwaider from publishing, but she didn't give up. She made a large sign about women's rights and walked part of the Causeway between Saudi Arabia and Bahrain. She protested alone, but she had her one-woman demonstration filmed, and it showed up on YouTube. On International Women's Day, she went out into the Saudi desert and drove a car, which is illegal for women in the oil-rich kingdom. Again, she had it filmed with running commentary as she drove. It received hundreds of thousands of hits on YouTube.

Islamic feminism is also an important part of Iran's women's movement, in an unusual twist. After the 1979 revolution, virtually all women in positions of power—including twenty-two members of parliament, 330 women in local councils, and five mayors—lost their jobs. A new constitution eliminated women's rights gained in the twentieth century, and the minimum age for marriage was lowered to nine years old. Yet, over the next three decades, Iranian women achieved important gains that set new benchmarks for the Islamic world. The factors that spurred progress are a microcosm of the gender transition. Education has been one key. Traditional families who had held daughters back for fear they would be exposed to the evils associated with mini-skirts, make-up, and Western mores began sending their girls to high school and university under Islamic rule. Literacy among females soared. By 2009, some 65 percent of university students and 40 percent of faculty were female.

The forces of history and the precedents set both at home and abroad are other factors. Shah Mohammed Reza Pahlavi gave Iranian women the vote in 1963 in response to domestic and international pressure, a move immediately condemned by Ayatollah Khomeini for promoting immorality and "lewdness." "We are against this prostitution..... Is progress achieved by sending women to parliament?" he said. "Sending women

to these centers is nothing but corruption" and an act of "aggression" against "the Quran's unequivocal decrees."

However, women then proved pivotal to Khomeini's revolution, as they took to the streets in the hundreds of thousands to demonstrate against the monarchy. His position shifted, "In the Islamic system, women will have the same rights as men: the right to education, the right to work, the right to own property, the right to vote, the right to stand for election," he said. "In all aspects that men have rights, women have the same rights."

Demographics further redefined the women's movement. After the revolution, the clerics called on Iranian women to breed an Islamic generation, and, within a decade, the population doubled from 34 million to 62 million. The regime quickly realized the theocracy could not afford to feed, house, educate, or employ those numbers. To reverse the demographic cycle, Iran introduced an extensive family planning program. Thirty-five thousand women were recruited, many from the religious and lower classes, to go door-to-door to discuss the benefits of limiting family size. Access to birth control short of abortion, from the pill to vasectomies, became free. The regime required all couples to go through a family planning class before getting a marriage license. The program brought family size down from over seven children to closer to two. It also effectively endorsed the idea of women having rights to a better life and empowered thousands of women to make the case for it.

Today, Iranian women are dynamic members of most professions, from human rights lawyer Shirin Ebadi who won the 2003 Nobel Peace Prize, to Samira Makhmalbaf, the youngest director ever to show a film at the Cannes Film Festival. As women have gained prominence, they have increasingly jockeyed for better positions—all the way to an Iranian vice presidency. Many types of feminists have now coalesced behind the One Million Signatures Campaign to petition parliament for changes in Iran's constitution.

In the Arab world, Fatima Mernissi is a widely respected Moroccan feminist whose life is a microcosm of change. She was born into a harem, an extended family of three generations

living together. The females were all illiterate. A man was hired full-time just to guard the front door and prevent the females from leaving and outsiders from getting in to see them. But Mernissi was a curious child. She saw where her father hid the key to a cabinet where he kept the radio and, when he went out, would listen to news of the world. She soon pleaded with her mother to let her go to the new public schools for girls. The family held a council of males only to debate her future. From there, Mernissi went all the way through college, then to the Sorbonne in Paris and Brandeis University for graduate work. She is, arguably, the Arab world's leading feminist.

Although Mernissi is avowedly secular, her focus is on winning equality for women through a new understanding of Islam. Her pioneering work includes several books, such as *The Veil and the Male Elite*, which focus on misogynistic *hadiths* that have limited the freedoms of women in ways inconsistent with the teachings, deeds, or traditions of the Prophet Muhammad.

As she points out, women have been important to Islamic society, politics, and even business from the beginning. The first convert to Islam was a woman, the prophet's wife Khadija. She was also his boss, having hired him when she was a widow to run caravans for her business. And *she* proposed marriage to him. In the late twentieth and early twenty-first centuries, Muslim women were heads of state in four countries: Turkey, Indonesia, Pakistan, and two different women in Bangladesh.

The new activism among women today cuts many ways. In Iraq, a woman was arrested in February 2009 for recruiting more than 80 female suicide bombers, of which 36 had blown themselves up over the past year. The recruiter persuaded the women to be bombers, escorted them to an orchard for training, and then led them to their targets. Among the Palestinians, at least 88 women have attempted suicide bombings. Only eight have been successful. Most of those women were not recruited by Hamas but by the armed wing of Fatah, the secular faction.

Reformist Women in Iran

Fatemeh Haghighatjoo, *Former member of Iranian Parliament; Visiting Scholar, Center for Women in Politics and Public Policy, McCormack Graduate School of Policy Studies, University of Massachusetts, Boston*

The treatment of the term “reform” depends on how we choose to define it. If we think of it as change or improvement, then the term “reformist women” would include any woman who advocates the advancement of women's legal, social, and political status. This definition would include all women's rights activists in Iran because all activists and female policymakers, regardless of their ideology and understanding of women's needs, would like to change at least one aspect of women's lives. However, if we add two criteria, gender equality and non-patriarchy, this would exclude some women's rights activists in Iran. Because some women's rights activists believe that it would be un-Islamic to change parts of the law, they do not advocate gender equality.

In Iran, the term “reformist women” has mostly been used since the reform movement of 1997. The term is used to distinguish reformist women from conservative religious women and secular women. Reformist women seek to enhance women's legal and social status in the country based upon new interpretations of *shar'iah* laws that are in favor of women's rights. The struggle over women's rights became part of a larger struggle between conservatives and reformists over two notions of Islam. One is an absolutist and legalistic Islam which is premised on the notion of duty and tolerates no dissent, making few concessions to the people's will or contemporary realities. The other is a pluralistic and tolerant Islam based on human rights and democratic values.



Aside from making demands for changes to discriminatory laws, many reformist women in Iran are seeking to engage women in public policy decision making and have joined the *Majmah Zanan Eslabhtalab* (Forum of Reformist Women) to get involved in politics. In 2008, these women published a plan of action for the parliamentary election of that year. Reflecting on the experience of the last three decades, in which many bills that favor women's freedom and independence were denied passage by Iran's legislative branch in the name of Islam, the Forum of Reformist Women has explained that there are two approaches to jurisprudence. One is an open-minded interpretation of the Qur'an and the *sunna* based upon equality between men and women, justice, and receptivity to women's rights as the main messages of those holy writings. The second approach is a closed-minded interpretation of the Qur'an and the *sunna* which is biased toward men and gives men rights which trump those of women. The Forum of Reformist Women demands legal reform for Iranian people based on the open-minded approach. The introduction to the plan of action states:

The Forum of Reformist Women believes that if the interpretation of the condition of 'conformity with Islamic criteria' of Article 20 of Iran's Constitution [which articulates that 'All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.'] proves to be an open-minded interpretation that works in women's favor and is based upon the spirit of the Qur'an, morality, the pillars of belief, and jurisprudence, then the Forum's programs would be passed by the legislative body. However, if a closed-minded interpretation is given of 'Islamic criteria' and *shar'iah*, and is based upon conformity with the well-known *fogaha* (jurists), not only will it not give the human rights of Article 20, but it would also act to deprive women of their human rights. If the interpretation of religious texts were to be based upon reality, time, and location, it would set a precedent in jurisprudence that is contrary to some ongoing traditions that are wrong. Some of these traditions

are even considered to be religious traditions. Alternatively, such jurisprudence would be able to reread traditions in favor of women with the intention of making legislation humanistic and to grant greater justice on women's issues. That will not happen unless the parliament asks the new religious thinkers to re-interpret women's issues based on a religious framework.

Goals and strategies of the plan of action for the eighth parliamentary election included:

- Vindication of comprehensive women's rights with an emphasis on their constructive roles in family and society
- Fulfillment of social justice and gender justice to access resources, opportunities, and privileges and the elimination of discriminatory laws, practices, and gender inequalities
- The institutionalization of a gendered attitude as a comprehensive approach to social, economic, political, and legal justice in order to guarantee the execution of gender-equal policies and planning at all policymaking levels, and the prioritizing of women's needs and demands in the process of policymaking and legislation
- Enhancing the legal, judicial, and human security of women
- Increasing women's knowledge and skills and improving the effectiveness of women as a human resource
- Developing women's socio-political and cultural participation
- Developing women's economic participation
- Improving women's quality of life, health, and social security

Although the regime says that the Islamic seminary will solve society's problem through jurisprudence, most of the seminaries are very traditional and dominated by *marajeh taqlids* (sources of emulation), male religious authorities who advocate a state ideology of womanhood. Even the Jame-at-Zahra, a female seminary based in Qum, emphasizes a similar training heavily mixed with patriarchal notions. At this seminary, the female students learn about jurisprudence along with knowledge of Shi'a Islam. However, due to their patriarchal religious training, these women are less likely to be

able to bring real change to women's legal status through jurisprudence.

The Jame-at-Zahra female seminary has just one female jurist. The female scholars there are denied the right to carry the same academic title as their male counterparts as a female jurist would never be called Ayatollah or Hojjat ol-Islam. Also, many well-known Marajeh believe that women cannot fulfill the role of *marajeh taqlid*. Some well-known Marajeh limit women's writ-

ten opinions only to women's issues and, thus, the opinions of the female scholars are denied the same legal authority as those of their male counterparts. Therefore, the reformist approach to gender equality as put forth in the Qur'an comes solely from other women's rights activists, most of whom graduated from universities rather than from seminaries. This highlights a built-in disadvantage that Iranian feminists suffer in their fight for legal and religious gender equality.

Tunisian Women Reformists: Two Examples in Historical Context

Lilia Labidi, Professor, Anthropology and Psychology, University of Tunis

In order to talk about contemporary reformist women thinkers in the Arab world, we need to situate them historically, culturally, politically, and geographically. One of the most important figures in Tunisia between the 1930s and 1950s, during the French colonial rule, was Bashira Ben Mrad, who was active in the socio-cultural and political fields. She was the daughter of Sheikh Muhammad Saleh Ben Mrad, known for his book, *The Veil of Mourning*, written in 1931 to counter the young Tahar Haddad's groundbreaking work, *Our Woman, Islamic Legislation, and Society* (1930), which promoted women's rights. Sheikh Ben Mrad criticized Haddad, calling him an outsider because he was not part of Tunis's religious elite and claiming that he was influenced by Christianity. Bashira Ben Mrad supported her father's views and, with her father's encouragement, she founded a women's organization which aimed to make girls better mothers and wives. She also worked to have Tunisian students in France (who were all male at that time) sponsored by families of the Tunisian bourgeoisie who had daughters. Her aim was to strengthen ties between Tunisian men and women and, thus, discourage mixed Tunisian-French marriages. Other women of the same period, such as Souad Ennaifer in Tunis, Mannana Righi in Sousse, and Fettouma Nemla, Majida Boulila, and Saida Daou in Sfax, worked to establish schools for Muslim girls.

A new women's elite began to emerge in the 1950s with independence and the promulgation of a new Personal Status Code in 1956, which gave women many basic rights, such as the abolition of polygamy, divorce allowed only through judicial procedures and not through repudiation, equal pay for equal work, and co-educational schools, among other things. The impact of this new elite was felt strongly across Tunisian society starting in the mid-1970s, and it manifested itself in a wide variety of orientations, from secular to religious, from oppositional to politically independent to supporting the government, from artistic to the liberal professions, and so on. In the last two decades in particular, a growing number of books and other publications are being written by women, in both Arabic and French, and their impact in the public sphere continues to grow.

In the last few years, we have seen the expression of two main ideological tendencies among this new women's elite. One group is employing a historical and political approach which tends to be expressed by women born around the period of independence in the 1950s, while the second, which is largely apolitical or implicitly pro-establishment, is being expressed by women born in the 1970s and later. In this, Tunisia is different from some of its neighbors, such as Morocco and Egypt, because in Tunisia we do not see the public expression of women Islamist thinkers. In Tunisia, towards the end of the 1970s and 1980s



and the period of transition between Bourguiba and Ben Ali, a manifestation of Islamic tendencies emerged but did not last long.

I would like to focus on Jalila Bacchar and Ulfa Youssef, respectively representing each of the two aforementioned groups. Both women are currently active in the cultural and political spheres. They will help us understand reformist thinking among contemporary Tunisians as we look at what they want to change, what makes their approach new and innovative, and how they situate themselves in relation to the powers in place, both locally and globally.

Jalila Bacchar, born in the 1950s, is a theater, television, and film actor who has founded a number of theater groups since the early 1970s. She is also the author of a number of theatrical works and collaborates with her husband, Fadhel Jaibi, who often directs her plays. What makes Bacchar especially significant is that her theatrical works have broad appeal. Her plays run for many months in the theaters, which indicates some support from state institutions in the cultural sector, although her works are occasionally subject to censorship. She frequently uses particular cases in order to make more general political arguments. In her work, women are not presented in isolation or objectified but, rather, seen as historical and political actors. In her play, "Khamoun," she specifically approaches religious questions in telling the story of how a young woman student in Paris becomes pious and, returning to Tunis, is arrested after one of her friends, a secondary school teacher, carries out a suicide bombing at the school.

Ulfa Youssef, a member of the younger generation born in the 1970s, is a university professor of Arabic literature and a linguist. She made her earliest mark in her doctoral dissertation which offers a reading of the Qur'an that stresses its polysemy, a theme that she has continued to pursue in her subsequent work. Since the 1990s, she also has appeared frequently on television leading discussions on contemporary Arabic literature, expressing the view in 2000 that "the thinking and writing of women differs from that of men... for example, the frequency of the father's image in women's writing is greater than that of the mother in men's writing." Her main subjects are

women, sexuality, marriage and divorce (including the right of women to marry non-Muslims), gender roles within the family, inheritance, and the right of all individuals, including women, to exercise *ijtihad*. Her books, including her most recent, *Bewilderment of a Muslim Woman*, have been published in Tunisia in Arabic and have occasioned great discussion and controversy in the Tunisian media, where she often finds herself criticized by feminists and intellectuals alike. On the other hand, she appears to be very welcome in official circles. In 2006, she was chosen to provide the official commemoration speech to celebrate the 50th anniversary of the Tunisian Personal Status Code. During Ramadan 2008, on the new private television channel *Hannibal al-Fardaous*, she gave the official religious speech that precedes the breaking of the fast. Even on this occasion, she did not wear the *hijab* and many of her references were to psychoanalysis, Lacan, etc., contributing to significant controversy among the Tunisian population. In 2007, she made the pilgrimage (*hajj*) to Mecca. In the same year, she published in France *Le Coran au risque de la psychanalyse*, basing her title on the French psychoanalyst Françoise Dolto's well-known work, *Les évangiles au risque de la psychanalyse*.

With regard to women's discourse of the earlier period, the 1930s to the 1950s, these two reformist women employ two forms of discourse: on the one hand, theatrical creation and performance and, on the other, psychoanalysis, forms that were not always available to women. For Jalila Bacchar, the struggle is for memory, the republic, democracy and human rights, critical social discourse, esthetics, and expression through language. For Ulfa Youssef, the struggle is for opening *ijtihad* to women, criticizing the established *ulema* and the so-called "new preachers" such as Amru Khaled, opening Qur'anic interpretation to multi-disciplinary approaches, and, most particularly, to psychoanalysis.

If, for Jalila Bacchar the cause of the Arab intellectual, Palestine, the failure of the left in the Arab world, and the events of September 11 are at the center of her thinking, Ulfa Youssef represents a "modern" Islam that is promoted by the centralized state, an Islam meant to be "tolerant," protective of women's rights, non-violent, and

supportive of the powers in place.

What Jalila Baccar proposes is something akin to a *sufi* Islam, an individual and private Islam, an esthetics as language, and social justice as foundation of the political order. For her, these elements are universal. Ulfa Youssef, who also has a universalist vision, criticizes the limits of interpretation imposed by the male religious establishment who have interpreted Islam in ways that have emphasized the inequality between men and women, extending an approach articulated by Arab and Muslim feminists of the 1980s, among whom we find in the Maghreb Fatima Mernissi and others.

Whereas Ulfa Youssef's vision may be limited by virtue of her relationship to power, it is a more populist vision but devoid of context and not treating in depth the significant contributions of recent Arab intellectuals, including those of women. On the other hand, while Jalila Baccar's vision may be seen as more explicitly political,

it is also arguable that it is, at the same time, somewhat elitist. As for their global reach, Jalila Baccar is an envoy at a world-class level, bringing to a wide variety of countries in Europe a progressive example of Tunisian women and artistic expression, following in the outward-looking policies of the independence struggle and the regime of Bourguiba (even when she is critical of him). Ulfa Youssef, participating as she does in today's structures of power in Tunisia, also shares in official Tunisia's effort to have global outreach, presenting to the world an image of a tolerant, peaceful, moderate Islam, something she expresses in her book *Le Coran au risque de la psychanalyse*, and, in this way, is directed more to a European public than to a Tunisian audience. Both find themselves in dialogue with Europe, as is the Tunisian economic and political system, even when the official Tunisian position is to make overtures to Africa and the broader Arab and Muslim world.

A Reformist Sufi Woman in the Niger Republic

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Education within both the religious and secular realms represents a fundamental tool that enables a person to develop critical strategies for counteracting oppressive socio-political structures in society. In the predominantly Muslim societies of francophone West African countries like Niger, Muslim girls and women have historically been denied access to higher levels of Islamic literacy, and were excluded from the new secular schools introduced by the French colonial authority which favored male colonial subjects. Furthermore, at the dawn of Niger's independence from French colonial rule, the women of the new nation had gained little from the French educational system; the record of student enrollment in 1960 shows no female students at the university level. In a system where power was increasingly tied to the French language and education, women entered the post-colonial era severely disadvantaged by the combination of local and colonial forces of patriarchy. Decades

after the country's independence, the state continues to pursue a patriarchal educational policy that keeps women at the margins of the power structure. Still today, women comprise less than two percent of university students. Gender disparities in student enrollment are by no means limited to secular streams of education, as they also exist in Islamic schools; it is only in the past two years that the Islamic University of Niger agreed to open a female branch in Niamey. So, then, what are the critical literacy tools at the disposal of the majority of Muslim women in Niger for interpreting the Islamic legal doctrines and secular laws used against them by patriarchal Islamists and secularists?

This very brief history of female education in Niger is important in examining the history of women's political consciousness and activism within both Islamism and secularism, especially with the rise of the *Izala* movement, a brand of *wahabbism* that is anti-*sufism* and anti-local



culture with attendant misogynist features. What follows is a short social biography of Malama A'ishatu Hamani Zarmakoy Dancandu (1924–2008), a *sufi* Muslim woman who became a religious commentator on Niger's national television in her late seventies. Her story illustrates her role as a religious thinker advocating for both religious and secular education for girls and women as a right within Islam, contrary to patriarchal misinterpretation within the context of the new political Islam of the 1990s onward.

Malama A'ishatu, as I shall refer to her, was the first child of the chief of the Zarma-speaking village of Dancandu in western Niger. At age two, she moved to Magaria in eastern Niger with the rest of her family when her father was appointed by the French authorities to serve as a “native” clerk in the colonial administration. In this new location, Malama A'ishatu made her entry into the cultural space of Hausa identity and into the world of Islamic literacy through the training she received from Hausa Muslim teachers. She married twice, in both cases to prominent *malams* (religious teachers) who moved from place to place within eastern Niger and all the way to northern Nigeria, making a livelihood through religious instruction, healing services, and composition and performance of Islamic poetry. These travels provided Malama A'ishatu with new opportunities to expand the scope of her Islamic knowledge and to enrich her cultural experiences as well as her understanding of the dynamic interplay between womanhood, ethnicity, and religious identity. Eventually, she settled with her younger sister whom she had raised from infancy in Niamey, the capital of Niger, where I met her during my research. There, she began a new life in her mid-sixties as a teacher in a home-based Qur'anic school for girls and women.

It was during this period that Malama A'ishatu heard a radio recitation of a religious poem, “Imfiraji,” by the late Aliyuna Mangi, the famous composer of classical Hausa-Islamic poetry. She had committed this poem to memory during her marriage to a *malam* of Dan Lima, a town near Sokoto in northern Nigeria. With her background knowledge of the original poem, Malama A'ishatu realized that “Imfiraji,” as she heard it several years later on the national radio in the

Niger Republic, had been misrendered. She thus took it upon herself to approach Sheikh Alfa Ismael, the Chair of the Islamic Association of Niger, to express her opinion on the subject. She produced a copy of the original text of the poem from her rich collection of Islamic material from Hausaland and beyond. This quest for truth and knowledge as an aspect of intellectual Islam led Malama A'ishatu to transgress the boundaries of *kuble* (female domestic seclusion) and address the highest religious male authority in the country in order to correct the rendition of a popular religious poem. Extremely impressed by Malama A'ishatu's demonstrated knowledge of Islamic poetry, in particular, and Qur'anic scholarship, in general, the Sheikh and his association proposed to the national television and radio that she be appointed to host a program catering to Muslim women. Thus began her shift from the confines of *kuble* to the public arena of national electronic media.

From her early years of childhood, Malama A'ishatu was trapped between the forces of “tradition,” on the one hand, and French colonialism, on the other. This was particularly evident in the area of education. She was born into a tradition that privileged the education of boys over girls and men over women in the access to Islamic literacy and scholarship. As a girl-child, her role had been crafted for her to provide domestic support for the women of the household. However, early completion of the daily domestic chores left Malama A'ishatu idle and lonely in a world of adult female homemakers. In the meantime, she kept overhearing the chanting of male children from the *makaranta* (religious school) next door. Eventually, as she tells it, her mother's empathy with her circumstances began to open a small window of opportunity for her when she asked Malama A'ishatu's father to grant her permission to attend an all boys' *makaranta*.

It is important, however, to realize that it is also within the confines of patriarchy that Malama A'ishatu found a place within Islam to inscribe a relatively progressive position for women by insisting on their right to knowledge, even if it was men who ended up choosing for them the specific path of access to that knowl-



edge. In this work of advocacy for women's education, Malama A'ishatu invoked the tradition of the Prophet Muhammad, who is reported to have said: "The search for knowledge is mandatory for all Muslims, male and female alike." She reasoned that the importance of women's education over that of men lies in the recognition that women, as mothers and nurturers, are the ones who give shape to the early cultural and intellectual formation of both male and female children. The transmission of Islamic and other values that are important to the early development of what constitutes the "Muslim" child is part of the critical role of women in society.

It is also significant that Malama A'ishatu's understanding of the realm of knowledge goes beyond the religious. Here, too, she benefits from her understanding of Islam by drawing on one of the *hadiths* exhorting Muslims "to seek knowledge even unto China" (a distant land where obviously no Islamic learning existed). Thus, she came to appreciate the value of both the religious education that she herself was privileged to receive and the secular modern learning to which she had been denied access.

In other words, Malama A'ishatu celebrates the educational hybridity that shapes the citizens of Niger as francophone Muslims through the complementarities between the Qur'anic school arising from a predominantly Islamic tradition and the formal school inherited from the French colonial legacy. This complementarity is crucial in addressing the need to be grounded spiritually, as required by Islam, and through the knowledge and skills acquired through formal schooling, to satisfy individual as well as communal material obligations. Her position seems to be in conformity with the saying of the Prophet Muhammad: "Work for the hereafter as if you are to die tomorrow. And work for this world as if you are

going to live forever."

It was not surprising, then, that Malama A'ishatu would seek to make poetry a tool of her advocacy work when she was called upon to launch Islamic radio and television programs for Muslim women. With her efforts focused on the theme of *tarbiya* (education), a lengthy 82 verse poem, "Ilimi" (knowledge/education/science), was the signature opening of all her media programs. She also used the electronic platform to challenge the requirement of the imported *hijab* for women, which she pointed out was an innovation contrary to the claim of the *Izalis* who insist it is required by Islam. She contended that Islam celebrates diverse cultures and that each culture has its own way of expressing modesty. Thus, as a *sufi* woman, she wore daily the west African headdress called *boubou* as an expression of her modesty and never took up the new *hijab*.

Malama A'ishatu also challenged the ethnicization of politics that has become an overt need of the middle-class who make opportunistic appeals to ethnocentric regionalism. In this regard, she belongs to the same school of thought as some of the leading Islamists who see the relationship between Islamicity and ethnicity as mutually exclusive and even conflicting and who attribute ethnicity in modern day politics as belonging to the world of *jahilci* (period of ignorance before Islam).

As an electronic media figure in the 1990s, a teacher in a women's home-based Qur'anic school, and a transmitter of Islamic literacy to her female kin, Malama A'ishatu built a new and significant family legacy, especially for women. It is noteworthy that the gender ideology that prevented her enrollment in French school had an unforeseen outcome by creating the conditions for Malama A'ishatu to rise to her status of *sufi* women's leadership.



An Indonesian Muslim Feminist

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Islam in Indonesia differs from the Islam of other Muslim countries. Despite possessing the world's largest Muslim population, the rest of the Muslim world often regards Indonesian Islam as "impure" due to the strong role played by local cultures and *adat* (customary laws). Historically, Islam in the "pure" sense was never rooted in Indonesia because it did not come to Indonesia until the fifteenth century. Rather, forms of Animism, Hinduism, and Buddhism were practiced in different regions prior to the spread of Islam. Hence, Islam came to be embraced by the people of Indonesia in a highly syncretic form by its integration with their customary laws. As a consequence, Indonesian Islam possesses a unique plurality.

From the start, Indonesia considered itself to be moderate and its Muslims to be liberal. When Indonesia attained its independence in 1945, the founding fathers ruled out the proposal of an Islamic state by Islamic-based organizations. Instead, they declared Indonesia a secular state with *Pancasila*, Indonesia's state ideology. Later, with the demise of General Suharto, who had ruled from 1967–1998, Islamism emerged and fundamentalism quickly swept the country, accusing *adat* of being heretical and human rights of being Western-oriented.

There are at least three important implications of the fall of the New Order regime. First, numerous political parties that adopted Islam as their foundational basis were established, thus replacing *Pancasila*. Second, Muslim groups such as Laskar Jihad, Islamic Front Defenders (FPI), and Hizb ut-Tahrir emerged; these groups have carried out violent attacks on discotheques, night clubs, and other entertainment venues, determined to ban anything associated with gambling and prostitution. Third, there was a growing demand for the implementation of *shar'iah* in the different regions of Indonesia. *Shar'iah* regulations in Indonesia can be divided into three categories calling for: first, the regulation of public morality; second, the regulation of fashion, the obligation to wear the *hijab*, and instituting *shar'iah* police

who detain women for not wearing the *hijab*; and third, religious competence such as being proficient in reciting and writing the Qur'an which is a prerequisite for marriage and rank promotion for civil servants and in public offices.

I wish to recount the story of Musdah Mulia, the first Indonesian Muslim feminist. First, however, it is important to understand the background of the rise of Islamic fundamentalism in Indonesia and why Musdah Mulia became a phenomenon. In the past, feminists in Indonesia worked on women's issues through a secular approach and did not see the need to deal with the topic of women in Islam. The "West" versus "Islam" dichotomy is now used against the feminist movement and its scholars. Faced with the new challenge of fundamentalism, the activists and scholars have had to use a strategy that deconstructs fundamentalism in the Islamic language. As a new voice within the women's movement and Indonesian academia, Musdah Mulia has done this well.

Musdah Mulia is a scholar and activist, at the same time a secularist and Islamicist. Well versed in Arabic and the Qur'an, she is also a champion of human rights. She was awarded the prestigious Yap Thiam Hien Human Rights Award in 2008 and the United States Department of State's International Women of Courage Award in 2007.

In dealing with gender issues in Islam, Musdah Mulia, in her book *The Reformist Muslim: Women Reforming Religion* (2004), stresses six main issues: violence against women, human rights, women in politics, women and reconciliation, public policy, and children's rights. In all of these issues, Musdah Mulia combines feminist theory and deconstruction of the Qur'anic text. For example, in discussing violence against women, she uses UN instruments to refute domestic violence but also uses a new, gender-sensitive interpretation of the Qur'an.

Musdah Mulia is a strong critic of the Compilation of Islamic Law (KHI) promulgated during Suharto's New Order regime and which regulates Muslim family law in Indonesia. She



blames the KHI for many of the biased interpretations of Islam that have led to marital rape, subordination of women, and the role of women to fulfill the physical and mental needs of her husband. The KHI combines normative law which has been implemented by the Islamic community and formal law enacted for the Islamic community as positive law. The former reveals a cultural approach, whereas the latter exhibits a structural approach. According to Musdah Mulia, the KHI encourages the practice of discrimination in society, particularly in relation to women and minorities. The KHI, then, violates parts of national law concerning the removal of all forms of discrimination against women as well as international law, namely CEDAW, which Indonesia has ratified. As for marriage law, Musdah Mulia addresses many criticisms of the KHI regarding equal rights of men and women, the minimum age of marriage, guardianship, rights and obligations of the spouses, polygamy, and inter-religious marriage.

Her criticisms of the KHI compelled Musdah Mulia to modernize Islamic law in Indonesia by participating in the creation of the Counter Legal Draft (CLD), written by a committee in the Ministry of Justice which she headed. The CLD proposed ideals and a vision which addressed: pluralism, nationality, adherence to human rights, democracy, public interest, and equal rights for the sexes. On pluralism, she argues that it exists not only in terms of ethnicity, race, culture, and language, but also in religion. Indonesia acknowledges five official religions: Islam, Christianity, Buddhism, Hinduism, and Confucianism. She also recognized the existence of many forms of

Islam, including the *Ahmadiyah*, for which she is a strong advocate. In 2008, she organized a demonstration to defend the *Ahmadiyah*, but it turned violent. As for nationality, she affirms that Indonesia as a state was not created on the basis of religion and that the national constitution declares all Indonesian citizens equal. On the subject of democracy, Musdah Mulia argues that it is in conformity with Islamic teaching which upholds the equality of all human beings. As for public interest, Islam in Indonesia affirms the principle of the common good for all people. Lastly, Musdah Mulia argues for a reconstruction of *fiqh*, for injustice concerning gender not only offends the spirit of Islam but also marginalizes and dehumanizes women.

Musdah Mulia identifies herself as a “Muslim reformist.” She defines a reformist as one who has an obsession to change society without violence. For her, a reformist is neither trapped in an individualistic, capitalistic and hedonistic life, nor in a fanatic, fatalistic and patriarchal one. Thus, a reformist approach, she states, is moral, dynamic, critical, conscious of rights, and pro-change. Musdah Mulia’s pro-change approach entails preventing *shar’iah* law from being introduced in Indonesia, believing that its introduction undermines religious and civil freedom, especially freedom of expression, for Indonesian women. It is with her work that Musdah Mulia strengthens the voice of the secular feminists by using Islamic language and the symbol of the *hijab*. She is a reformer who reinterprets texts in gender-sensitive terms and is a strong believer in a secular state, which is what Indonesia is all about.



Paradigms and Pragmatism in Muslim Women's Reformist Thinking

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Woodrow Wilson declared, in 1910, “The man who has the time, the discrimination, and the sagacity to collect and comprehend the principal facts and the man who must act upon them ... are engaged in a common enterprise.” He was correct but only partially so. Action and reflection are mutually complementary but can also pull in different directions. Activist priorities mesh uncomfortably with the requirements of scholarly accuracy; collaborations require compromise. We see this problem in a new light if we look at the exigencies of reform programs and the work of women reformist thinkers.

Two recent works by noted male reformers, Tariq Ramadan and Nasr Hamid Abu Zayd, tackle, or fail to tackle, female thinkers' approaches to reform. In *Reformation of Islamic Thought: A Critical Historical Analysis* (Amsterdam University Press, 2006), Abu Zayd offers a dismal, though not entirely unfair, assessment of the accomplishments of Muslim feminist Qur'anic interpretation, claiming that it is “unable to go beyond existing male hermeneutics,” that the approach to certain verses positing differences between men and women “is neither new nor original” and will flounder “as long as the Quran is dealt with only as a text—implying a concept of author” (90). Abu Zayd, who is deeply critical of the approaches to the Qur'an taken by many male reformists as well, views a major shift in the understanding of scripture and its relationship to community practice and law as necessary for any major transformation to take place. Female exegetes' accomplishments in shifting the debate so that conservatives must offer at least lip service to principles of justice, and perhaps even equality, go unremarked in the face of their failure to offer something substantively new and theoretically cogent.

Ramadan's *Radical Reform: Islamic Ethics and Liberation* (Oxford, 2008) similarly argues for the need to go beyond extant approaches to current problems. One must not only approach

things through text-scholars (traditional exegetes and jurists), but also include in decisionmaking on an equal basis “context-scholars,” by which he means specialists outside of the religious sciences. Instead of formalist *fatwas* that seek to accommodate Muslims to the modern world, there must be a broader project of transformation. Ramadan's book contains copious references to women's issues and rhetorically welcomes women into the fold of scholarship, both religious and worldly. Yet, the text is devoid of women scholars, thinkers, or real-world reformers. Ramadan names no women except for four from the time of the Prophet, three of these from his own household, two wives and a daughter. One long footnote—twice as long as any other—lists numerous works by women but renders both these thinkers and their scholarly contributions marginal to the body of the work. Despite Ramadan's appeal for women to leap into the fray, he ignores those who have done so.

Whither, then, Muslim women's reformist thought? Readers will have spotted the irony in my choice to rely on two men's assessments to explore this subject, but men are the *thinkers* about whom we hear. With the exception of African-American theologian Amina Wadud, who is usually portrayed as an activist rather than a scholar and who is pigeonholed as someone focused on women's issues, Muslim reformers are people like late nineteenth- and early twentieth-century scholars Muhammad 'Abduh, Rashid Rida, and Muhammad Iqbal and contemporary scholars Fazlur Rahman, Abdol Karim Soroush, Abdullahi An-Na'im, Mohammed Arkoun, Muhammad Shahrur, and, of course, Ramadan and Abu Zayd. Living or dead, these men's names are invoked when the subject of reform is brought up. We may, and indeed ought to, ask whether big-picture, paradigm-shifting scholarship is a worthy endeavor, but we must concede that, for the most part, women aren't engaging in it. Why they are not is one question and



whether they should is another. I will attempt brief answers to both.

What are women doing instead of creating universal models of Muslim reform? Generally, they are engaging in endeavors both more particular and more pragmatic: reforms to custody laws, changes to divorce regulations, or better prayer spaces for women in mosques. Often, they are attempting to sway public opinion or legislators by sticking as close to orthodoxy as they can or trying to convince audiences that a particular woman-friendly perspective *is* orthodoxy, just obscured by patriarchal cultural accretions. By strategic appeal to specific verses of the Qur'an and basic principles of fairness upon which many people can agree, they campaign for better laws. They sometimes make ahistorical and superficial appeals to Islamic principles such as justice and equality. If invoking selected provisions of classical jurisprudence can further the chances of legislative reform on woman-initiated divorce, by golly, they'll do it. Pragmatism rules the day, but in seeking to get things done, they may inadvertently shore up the authority of certain texts or discourses, thereby compromising their ability to do paradigm shifting work.

So are we left with a conservative model of men doing visionary theorizing and women doing myopic, humdrum if necessary work on concrete issues? Men soar, women plod? I do not want to reaffirm grand theories at the expense of real-world work, but, on the other hand, big ideas matter. One can neither choose between thought and action nor merge them seamlessly, but, rather, they must remain in tension. One may ask whether tensions could be reduced or used more productively if reformist paradigms were rooted in women's experiences and insights. Is there not only a feminist substantive jurisprudence but, perhaps, a feminist legal method? (Graduate student Saadia Yacooob has begun work here). Perhaps not only a non-patriarchal exegesis of the Qur'an but a non-patriarchal exegetical method? (Pakistani-American Asma Barlas has written on this, as have others). Wadud has made the case very eloquently and persuasively

for women's experience as *human* experience, as has South African Sa'diyya Shaykh in her notion of an exegesis grounded in praxis. Perhaps these models can help us to think about a more complete vision of what theory should look like, what reformist thought that draws from experiences of reformers, with real-world priorities, might contribute.

In *Radical Reform*, Ramadan makes an argument for not adaptation but transformation as the appropriate Muslim response to the challenges of the contemporary world. He recapitulates and generalizes an argument also found in feminist theorizing. Feminist historians, for instance, wrote about moving from a recipe for women's history that attempted to repair the deficiencies of the dominant, male-centered, political narrative of "add women and stir" to an approach that, by taking women's experiences as foundational, both required and made possible historical scholarship with altered periodization and topical priorities. The result has been a richer and deeper portrait of history for everyone. This is the difference between letting women play an existing game and changing the rules of play to everyone's benefit.

This still leaves us somewhat undetermined about the utility of reformist thought to reform. Admittedly, for someone who has rhapsodized about the potential gains from specificity, I have done very little to ground my reflections in any specific theme or topic. One can use a particular problem or topic (divorce, women's leadership of mixed-gender prayer, or child custody) as the point of entry for thinking about methodological change or a broader transformation. But if one thinks in a way designed to result in a specific political or reformist objective, such as thinking about divorce reform with the goal of changing Egyptian law, or thinking about Qur'anic hermeneutics with the goal of inheritance law change, the resultant limitations are confining. Sometimes, thinkers must work without the immediate pressures of activist strategies. In any case, ultimately, the free play of ideas is necessary to reform. Reform ultimately needs not only ideals but also, and quite simply, ideas.



Islamism, Feminism and Islamic Reform

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In the last twenty years, the “women’s question” has become a central focus of reformist thinkers in Islam. Interestingly, women as scholars of Islam are, at best, isolated in dealing with women’s topics in the broader field of reform or, at worst, marginalized and not discussed as widely as their male counterparts. Furthermore, most of them are seen by some of their male colleagues as feminists and, therefore, perceived as activists as opposed to credible theologians. This ambiguity lies in the specificities of the Islamic feminist movements that have been growing all over the Muslim world.

Islamic feminism has two facets: one is the activism to empower women in all aspects of social and political life; the second is the intellectual work to re-interpret Islamic tradition. Across the Muslim world, an Islamic feminist discourse has emerged in the last two decades alongside Muslim secular feminism. Like their secular counterparts, these Islamic feminists confront the inequalities and injustices of patriarchy, especially regarding aspects of Muslim family law. Despite opposition from secular as well as religious Muslim forces, the Islamic feminist movement has gained ground in all Muslim societies and is now the most legitimate narrative to articulate women’s rights in those societies. Associations, such as Sisters in Islam in Malaysia, have emerged as potent political actors in Muslim civil society. Such associations show an increased capacity to change laws as in Morocco, for example, where the introduction of a new family law grants almost complete equality between men and women in the matters of marriage and divorce.

Beyond this activism, the Islamic feminists

have also grounded their claim on a reinterpretation of traditional Islamic sources and a critique of patriarchal bias in the production of norms and prescriptions on gender equality. In this regard, the work of scholars such as Asma Barlas, Amina Wadud, Zainah Anwar, and Ziba Mir-Hosseini has been of prime importance in this effort of renewed interpretation. The paradox is that, although innovative reformist work is now produced by Islamic feminists, it is still not recognized as such in the male-dominated world of reformist voices. For example, the hermeneutics of the Qur’an developed by Amina Wadud has undoubtedly important consequences on the way believers may relate to the revealed sources. However, outside feminist circles, it has not been as widely discussed or appraised as it should.

Hence, the Islamic feminist movement is at a crossroads: how to turn a specific claim for gender equality into a more universal repertoire of themes that will appeal to both genders? Such a transformation entails the creation of a social movement in which men and women together mobilize resources for social and religious change with the ultimate goal of improving the condition of human beings for the sake of social justice. Such a movement will be dedicated to changing the expected interpretations of the Islamic tradition and redefining gender relations in new terms. This will involve fundamental changes comparable to those that took place during the American Civil Rights movement which demanded full civil rights and equality under the law to all Americans regardless of race. The enrollment of a large number of men in such a movement is critical to its success and remains yet to be seen.

Reform — or Breakthrough?

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Although the term “reform” may be serviceable, the feminist vanguard is engaged in a project that is so bold that it constitutes a breakthrough that might better be called something like “reconceptualizing” or “reimagining.”

I associate “reform” with the piecemeal liberal reforms made decades ago. These involved changes within a restricted framework of Islamic jurisprudence, the basic authority of which could not be challenged. Reform was exemplified by Iran’s 1967 Family Protection Law, a compromise that was deliberately crafted to avoid affronting Iran’s clerics by too obviously breaking with traditional juristic interpretations of Islamic requirements. The law managed to offer important but limited improvements in women’s rights in the family, but, despite its cautious nature, Ayatollah Khomeini later found it offensive to Islam and revoked it. Such reformist measures contrast sharply with the radical, uncompromising character of the goals of Iran’s current One Million Signatures Campaign. Based on a feminist ideology that holds that women are entitled to full equality, it does not aim to reform discriminatory laws but to discard them altogether. Like contemporaneous campaigns being conducted outside Iran, it is linked to a belief that has recently won wide adherence: that the core Islamic values have always been equality and justice, so that eliminating discrimination against women means reinstating authentic Islamic principles that have been obscured by centuries of patriarchal interpretations of the sources. Muslim women promote this ideology and further express their support when they act on it. Such was the case in 2008, when Wajeha al-Huwaider, a Saudi women’s rights activist, boldly flouted the kingdom’s ban on women driving cars, a ban officially resting on requirements of Islamic morality. Al-Huwaider went so far as to advertise her transgression, brazenly posting a video of her driving a car on YouTube.

In addition to the spread of feminist ideas, what other factors have given Muslim women

the confidence to undertake such breakthrough initiatives? Other conference participants have described the impact of globalization and how it has facilitated establishing international networks educating and mobilizing women and human rights NGOs around the Muslim world, one example being the international network established by Women’s Learning Partnership. Moreover, activists for women’s rights are emboldened as they reconceive their cause as one relating to the broader political struggle for democratization and manage to differentiate Islam the religion from how Islam is being wielded to reinforce the privileges of entrenched elites with vested interests in maintaining unjust and oppressive systems. Invocations of the need to defend “Islam” that are deployed to discredit advocacy of women’s rights are forfeiting their legitimacy as they become viewed as pretexts for repressing movements that threaten to unsettle an undemocratic status quo. Given that women in Muslim countries have so far been lagging in terms of political participation, empowering women and giving them the capacity to decide matters affecting their lives are increasingly seen as vital goals. The important 2005 UN Arab Human Development Report, “Empowerment of Women,” offers one illustration of how contemporary analyses of the obstacles facing Muslim women, in this case in Arab countries, have shifted away from the former preoccupation with wrestling with niceties of Islamic doctrines. In the past, clerics with advanced training in Islamic jurisprudence have been able to claim special authority. However, now the focus is on dismantling political, economic, and social barriers to women’s advancement—generic problems confronting women around the globe who seek expanded rights.

Reconceiving the problem in this way makes it natural to refer to categories and principles used in international human rights law, especially in the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW),



which unequivocally affirms women's right to equality. The growing prestige of CEDAW principles has placed those upholding patterns of discrimination on the defensive. Many Muslim countries have tried to adopt compromise positions, finding a way to get credit (as they see it) for ratifying CEDAW while nullifying important obligations. This can be accomplished by entering reservations that qualify their commitments, often invoking the need to uphold what they claim are conflicting rules of Islamic law. Women's human rights NGOs have condemned the practice of making reservations antithetical to women's rights. One such example is the Equality Without Reservation campaign, a regional initiative covering the Middle East and North Africa that calls for withdrawing all CEDAW reservations. As a sign of the momentum generated by this campaign, on December 10, 2008, the Moroccan King Muhammad VI announced the withdrawal of the reservations that Morocco had entered concerning five articles when it ratified CEDAW in 1993. The reservation to the general Article 2 on women's equality had indicated that Morocco would follow it only to the extent that it did not conflict with *shar'iah* law, and the reservation to Article 16 on equality of women and men in the family had specifically asserted that "equality of this kind is considered incompatible with the Islamic *shari'a*." In Morocco, such positions are no longer viewed as sustainable.

The 2007 report submitted by Saudi Arabia to the CEDAW Committee illustrates the impact that women's international human rights are having on attitudes and expectations, even in a country with one of the worst records of de jure discrimination against women in the world. Eager to avoid criticism for the actual Saudi practice of harshly restricting women's rights and freedoms, the report resorts to outright lies, maintaining that Saudi laws and policies are in full compliance with CEDAW. Although, in practice, the regime endorses medieval juristic principles augmented by patriarchal customs that subjugate women and treat them like minors, the report portrays Saudi Arabia's official Islam as guaranteeing women equality as if Saudi jurisprudence had embraced the most advanced tenets of Islamic feminism. Via this arrant hypocrisy, the report effectively

acknowledges the authority of the ideal of equality for women and the indefensibility of ingrained Saudi patterns of discriminating against women.

Saudi Arabia has had to struggle to defend the reservation that it entered to CEDAW, when ratifying back in 2000, which advises that the Kingdom is under no obligation to observe CEDAW principles that contradict Islamic law, thereby effectively conceding that the Saudi version of Islamic law does conflict with CEDAW. However, in their report and in their dialogues with the CEDAW Committee, Saudi representatives insisted that the reservation did not mean that Islamic law conflicted with CEDAW or that the kingdom would be violating its CEDAW obligations in order to uphold Islamic law. Feeling under siege, Saudi representatives eventually resorted to a far fetched excuse for the reservation, claiming that it was primarily a precautionary measure against possible future interpretations of CEDAW that might contradict Saudi laws. That the Saudi regime felt obliged to disseminate falsehoods and put forward blatantly illogical positions when seeking to defend its CEDAW reservation illustrates the difficulties currently facing governments that try to cling to discriminatory readings of Islamic requirements while simultaneously seeking to avoid criticisms for breaching the principle of women's equality.

Contrast the kingdom's attempts at obfuscation while retaining its discriminatory laws with the straightforward stance taken by Thoraya Obaid, who for years has headed the United Nations Population Fund and is the most prominent Saudi woman on the international scene. In her public pronouncements, Obaid has repeatedly and unequivocally endorsed women's rights as provided in CEDAW and girls' rights as assured by the Convention on the Rights of the Child (CRC), denouncing the widespread discrimination and violence facing women and girls.

Obaid's vision aligns with recent thinking that recognizes the vital importance of protecting the human rights of the girl-child, an issue that was rarely attended to decades ago when reformist efforts focused on tweaking Islamic jurisprudence and concerns for the girl-child were rarely raised. In a February 2007 speech, Obaid deplored the plight of child brides, "their dreams stolen



from them before their very eyes.” Her stance was implicitly rejected in an April 2009 ruling by a Saudi court when it, for a second time, rejected the request by a divorced mother to annul the coerced marriage of her eight-year-old daughter to a man of about 50, admonishing the mother that the father, not she, was the child’s guardian, and not being deterred by the fact that the “marriage” was arranged to settle the father’s outstanding debts. The ruling, which was endorsed by the Saudi Grand Mufti, outraged Saudi human rights activists. It was too reactionary even for the relatively tame government-sponsored Human Rights

Commission, which protested that child marriages violated the kingdom’s obligations under international human rights conventions. In the face of this controversy, which provided a flagrant and highly embarrassing example of women’s oppression, a Saudi prince belatedly intervened to arrange an annulment.

This spectacle leaves us with the kind of question that answers itself: between Thoraya Obaid’s calls for respecting the rights of women and girls and the opinions of the judge and mufti who affirmed the validity of a coerced marriage of an eight-year-old girl to a man decades older, which side represents the wave of the future?

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