

— *To Sana Sabbagh*

ISLAM, GENDER,
& SOCIAL CHANGE

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Gender Issues and Contemporary Quran Interpretation

This chapter is about new trends in contemporary Muslim Quran interpretation and their interrelationship with contemporary Islamic paradigms on gender issues. From the beginning, Muslims have interpreted their eternal and immutable, *mu'jiz* scripture in the light of specific socioeconomic and political situations. The eternal text has thus served as both the foundational basis and as the point of convergence of many different, specific, human interpretations. "Classical Islam" produced a number of methodological approaches to the text (traditionalist, rationalist, or a combination of the two), as well as some variations in the paradigms of the status of women. These paradigms had been given shape in Islamic law (*sharia*) well before the lifetime of the first great Quran interpreter whose exegesis (*tafsir*) has survived in its entirety. Thus medieval scholastic divergences in approaches to the Quranic text failed to find an "application" in equally divergent readings on questions of women's status. Change came with the modern age and its modernist and reformist scholars. While the nineteenth century produced new approaches to the Quran that were equally "applied" to social questions, the contemporary age has brought forth a whole new Islamic epistemology where scripture-sanctioned gender paradigms play an important part. In what follows, the interrelationship of Muslim exegetic methodology and its "application" to gender issues is pursued by examining different readings of Sura 4:34, a Quranic verse that puts men "in charge of" or as "protectors of" women.

Approaches to the Quran

When al-Ash'ari (d. 935) declared the Quran "eternal in God," an "attribute of God's essence" (and therefore uncreated) but its "expression in words created in time," he formulated the orthodox scholastic doctrine of the nature of scripture. That the Quran is divine speech (*kalam Allah*) is proclaimed by the Quran itself (for example, in Sura 9:6). Ash'ari's doctrine of the Quran's manifestedness or expressedness in time was the response of mainstream Islam to the challenge of the Mu'tazila, rationalist school of Islamic theology, which in the eighth and ninth centuries had defined the Quran, while being God's speech, as "attribute of act" (not essence) and therefore "created" (not eternal).

Contemporary establishment theology is far removed from the urgency and creativeness

of medieval debates about the nature of God's word. While scholars within the modern and contemporary religious establishments perpetuate al-Ash'ari's doctrine of the Quran as eternal in nature, they increasingly place the emphasis on its implication, that is, the tenet that the Prophet Muhammad was merely the intermediary in the Quran's transmission, with neither his person nor his environment involved in the process of its formulation.

Classical theology did not distinguish between "principal cause" and "instrumental cause" of revelation; thus it had no room for a concept of God as the first and absolute cause of revelation using the mental resources of his "instruments," the prophets, to cast his revelation into a specific human setting of place and time.¹ This emphasis on the absolute, hence timeless, nature of the Quranic revelations, however, did not impede the medieval legal and theological experts from studying and recording the chronological sequencing of Quranic verses and the precise situations in which they were revealed to the Prophet. This was deemed necessary especially with legal matters, when the doctrine of *naskh* (abrogation of an earlier Quranic verse by one revealed later) demanded attention if not to the precise date then at least to the relative sequencing of the revelations. More generally, the medieval *hadith*, *sira*, and *tafsir* literature demonstrates a keen interest of pious scholars in recording the precise situation in which a revelation was first received; such information constitutes a category of literature known as *asbab al-nuzul* (occasions of revelation). The interplay between eternal word and early Islamic realities is here then quite simply understood as God's active involvement in the affairs of Muhammad's *umma* (community), without much further thought given to the metaphysical implications.

By contrast, modern and contemporary traditionalist Muslim thinkers tend to dwell much less on chronology and, especially, the "occasions of" specific Quranic revelations. Undoubtedly this comes of fear that such reflection might wrongly suggest that revelations were "determined" by historical necessity, that is, that the *asbab al-nuzul* be misconstrued as "occasions for (not of)" revelation. This fear is clearly a reactive stance against the accusations of Western Orientalist tradition. It is also a reaction against some recent "liberal" voices in the inner-Islamic dialogue that are now proposing new approaches to the problematic of sacred text and its cultural formation.² Medieval theologians and scripturalist experts showed interest in *asbab al-nuzul*, while also fully maintaining the Scripture's eternal nature and literal applicability in all areas of the faith; this combined interest illustrates the interplay of the symbols of divine word and sacred past, the inspiring and the inspired.

A related mechanism that transforms the past into paradigm is also present in the formation and function of the *hadith* in classical Islam. As a corpus of traditions on the life and actions of the Prophet, the actions of his companions and followers, and those of the first few generations of righteous Muslims after his death, the *hadith* was second in sanctity to the Quran and first in its function as interpreter of scripture. Over time and in a different culture (that is, changed political and socioeconomic situations occasioned by the Arab Muslim conquests of vast areas beyond the birthplace of Islam), the original nucleus of Muhammadan and Arabian traditions was expanded to legitimize foreign customs and facilitate their incorporation into the developing structures of the Islamic order. Even though far-reaching efforts of *hadith* criticism preceded and underlay the compilation of the six "canonical" collections of the ninth century said to contain only "sound," *sahih* traditions, ultimately the focus of the compilers was not historicist (seventh-century doc-

uments only) but based on a larger concept of authenticity as "spiritually and morally beneficial to the community." Included as "genuine" were items approved of by legal-theological consensus, with the result that the authenticated hadith came to contain strands of differing, sometimes even contradictory, traditions but which were at some time past or contemporaneous carried by their supporters' consensus. The consensus principle, in turn, by the tenth century had been recognized as one of the "infallible and inspired" sources of Islamic law. Historically a record as well as a dynamic vehicle of earlier processes of Islamization, the hadith continued to provide the faithful with understanding of scripture as applied and lived in a symbolic sacred past that provides a model of contemporaneous relevance.

Muslims experience the Quran as God's living presence, and they and their scripturalist experts have always interpreted it in this fashion. Tafsir, one of the most important Islamic sciences, has traditionally followed two main methodological approaches, interpretation by traditions (*tafsir bil-ma'thur*) and interpretation by way of philosophical speculation, personal opinion, individual initiative, and expression (*tafsir bil-ra'y*). In the classical sources, the end results—especially on issues of ethics—differed less than this bifurcation might suggest. The reasons for this lie both in the multifaceted nature of the hadith, already outlined, and also in the fact that *ra'y* (individual opinion) in premodern establishment scholarship often referred more to form and manner of argument than to its substance. The aim of the medieval tafsir as a whole was to disclose the Quran's norms to the faithful, to explicate in detail just in what manner they were called to discern truth and achieve goodness. The relative similarity of medieval Quran-based definitions of social morality and other questions of ethics derived from the fact that in the world of medieval Islam, the religious institutions were solid. The sharia, that venerable superstructure perched on scripture (*sunnah*) and scholarly consensus, was not only a defining but largely an unchallenged coordinate of the medieval paradigm. Conquests by non-Muslim forces did occur (the Christian Crusaders, the pagan Mongols), but Islamic law, education, and the status of Arabic as Islam's sacred language formed part of the traditional structures and coherences that firmly underlay the medieval Muslim worldview and provided for its transregional solidarities.

The first complete "traditionalist" (tradition-based) tafsir still extant was authored by Tabari (d. 923), on whose work all later exegeses of the same genre have heavily relied. The medieval "rationalist" school was represented by the Mu'tazilite Zamakhshari (d. 1144) and the Ash'arite Razi (d. 1149), whose works remained widely read even though by the end of the thirteenth century the preferred form of tafsir was once again tradition-based. It was during the modern age, especially the nineteenth century, that the rationalist tradition emerged afresh, as is visible, for instance, in the many textual echoes of Razi's interpretation in the tafsir of the Egyptian modernist Muhammad Abduh (d. 1905).

Sura 4:34 and Classical Exegesis

To gain a reading on the stance of the medieval authorities on gender issues, it may be useful to examine Tabari's (d. 923) and Baydawi's (d. 1286?) interpretations of the pivotal Quranic verse on gender relations, Sura 4:34. The verse in question says:

Men are in charge of [are guardians of/are superior to/have authority over] women (*al-riyalu qawwamuna 'ala l-nisa'*) because God has endowed one with more [because God has preferred some of them over others] (*bi-ma faddala Allahu ba'dahum 'ala ba'din*) and because they spend of their means (*wa-bi-ma 'anfaqu min amwalihim*). Therefore the righteous women are obedient, guarding in secret that which God has guarded. As to those from whom you fear rebellion, admonish them and banish them to separate beds, and beat them. Then if they obey you, seek not a way against them. For God is Exalted, Great.

To Tabari, this verse is primarily concerned with the domestic relations between husband and wife. It legislates men's authority over their women, which entails the male's right to discipline his women in order to ensure female obedience both toward God and also himself. This system is deemed equitable in that it sets out men's obligation to pay the dower for women, spend their wealth on them, and provide for them. Female obedience consists of marital fidelity, friendly behavior toward the husband and his family, and good household management, while male authority includes the right of bodily chastisement as long as such is deserved. Rebellion (*nushuz*), on the other hand, is interpreted to mean female appropriation of superiority over the husband, undue freedom of movement, objection to sexual contact when desired by the husband, and other acts of defiance. While Tabari's main point of exegesis of the phrase "because God has endowed the one with more/preferred some of them over others" rests on the men's economic ability to support their wives and the concomitant obligation to do so, several traditions quoted by Tabari also indicate that men in general have precedence or excellence over women.³

This point is made much more clearly by Baydawi, whose tafsir is a concise recapitulation of the gist of previous exegetic works, especially those of Zamakhshari and Razi. In this commentary, men's "guardianship of" or "superiority over" women as revealed in Sura 4:34 is likened to that of rulers over their subjects. The reason for this is twofold: one is concerned with innate abilities and the other with acquired qualities. "God has endowed the one with more" refers to the fact that:

God has favored men over women by endowing them with a perfect mind, good management skills, and superb strength with which to perform practical work and pious deeds. Hence, to men [alone] were allotted the prophethood, the imamate, government, performance of the religious ceremonies, witnessing in all (legal) matters, the duty to fight for the sake of God (*jihad*), attend Friday prayers, to wear the turban, receive the greater inheritance share, and the monopoly in the decision to divorce.⁴

Modern Methodologies and Paradigms

Compared to the classical tradition, modern and contemporary tafsir works generally dwell more on the ethical issues in culture, society, politics, and economics and less on points of theology or aspects of language (grammar and rhetoric) in the Quranic text. Nevertheless, most of these works are still "traditionalist" in nature in that they echo their predecessors' conclusions, especially on gender issues where the latter have been enshrined in sharia law. Especially in works authored by conservative establishment *ulama*, the halowed, "authentic" (that is, consensus-based) tradition is seen as endangered; emphasis is placed on its defense against the forces of "alienating" innovation.

This traditionalism on gender issues was modified and altered by Islamic mod-

ernism whose various strands are more than just a rethinking of tradition, including the medieval rationalist tradition. The prominent trait of the modernist school is its spirit of reformism that seeks to grasp the value system of the Quran as a whole, therefrom to win fresh and new guidance, signposts in a world so unlike that of the past. To derive the living value system as first revealed to, and practiced-by, the righteous early community of Islam, modernists assume the right to *ijtihad* (individual interpretation of scripture), while also propagating legal reform, which they perceive as separation of the true sharia from its medieval juridic formulation (*fiqh*).

Sura 4:34 and Muhammad Abduh

The Egyptian theologian and jurist Muhammad Abduh (d. 1905), Islamic modernism's most important early representative in the Arab world, saw Islam as eminently compatible with modernity. His main goal was to "renew" Muslim morality and reform the traditional social structures of his day—and particularly his region, Egypt—by way of a return to the dynamic faith and pristine morality of Islam's first generations. Although familiar with the classical tafsir literature, to which he frequently referred, Abduh's approach to the Quran in his own exegesis⁵ showed a new attention to the literal meaning of the Quranic verses and also their contextualization, both within the particular sura as well as the entire Quran. This he did in tandem with deemphasis of the hadith as a whole and most especially its *isra'iliyyat* (Bible-derived and extrabiblical traditions). A radical breakthrough on "how to read" the Quran's commands and injunctions came with Abduh's new rationale to separate the *ibadat* (laws on religious duties) from the *muamalat* (laws on social transactions) in the Quran and sharia. He argued that while *ibadat* by nature lie beyond interpretative change, the *muamalat* by nature require interpretation and adaptation by each generation of Muslims in light of the practical needs of their age.⁶ A third "modernist" characteristic recognizable in Abduh's writings, which grew ever more important with later modernists, was his desire to express both his exegesis and also his Quran-centric blueprint for moral reform in language aimed at a wider reading public.

Abduh's interpretation of the Quran's social laws led him to some daringly innovative Quran interpretations and *fatwas* (legal opinions) on women's issues, most prominent among them the practice of polygamy. He argued that while polygamy was a sound practice among the righteous early believers, it had developed into a corrupt practice of unbridled lust, without justice or equity, in his own time. "A nation that practices polygamy cannot be educated. Religion was revealed for the benefit of its people; if one of its provisions begins to harm rather than benefit the community . . . the application of that provision has to be changed according to the changed needs of the group."⁷ "Exceptions will always be possible—as in the case of the barren wife—but must be decided upon by a judge. There is no impediment to this in religion. What prevents [its implementation] is merely custom (*ada*)."⁸ Abduh was equally concerned with the harmful effects of divorce on public morality. He described at great length and in passionate language the inequities of the divorce system for women. A wife should have the right to request divorce with a judge in the case of "harm" from her husband, such as unlawful neglect, unlawful beating, abuse, etc.; in these cases, the burden of proof would rest with the wife. More important, men should mend their ways and live up to their religiously sanctioned obligations toward their wives, former wives, and children.⁹

Abduh's *ijtihad* was not put forth to benefit women in and of themselves but as a means to bring about the moral rebirth of Islamic society which Abduh perceived possible only through the "re-Islamization" of the family.¹⁰ He proceeded from the premise that women's status is causally linked with the well-being or decay of social life as a whole, as demonstrated in the Quranic revelations. The community, however, "takes of the revelations only that for which it is ready," and so this truth was disregarded as the people reverted to the ignorance of the *Jahiliyya* (pre-Islamic Arabia) to which they added the licentiousness and animal drives they had learned from the Franks. "See how we have become an argument against our religion."¹¹

Among the reform measures Abduh proposed were, first, the education of women in the obligations and rights established for them by their religion. "How can a nation prosper in this life and the next when one half of its members are like beasts of burden, neglecting their duties toward God, themselves, and their relatives?"¹² Second, he called for the education of men "in the true meaning of Islam," which would make them give up all selfishness, material greed, power hunger, and love of tyranny, so they would begin to deal with their wives in the spirit of love, compassion, and equality that the Quran enjoins.¹³ "Know that the men who try to be masters in their houses by oppressing women beget but slaves for others."¹⁴ Third, this would lead to the reestablishment of righteous marriage as a solemn covenant that is part of the natural order of being and reconfirmation of the "exact equivalence" of the spouses in the family.¹⁵

This, then, was Abduh's reading on Sura 4:34, in concert with that of his editor, commentator, and later spokesman Rashid Rida (d. 1935): that in the God-willed natural order of the family, the man is charged with leadership (*qiwama*) to protect domestic life and well-being. He is to the wife as the head is to the body. Men merit this "superiority" because of qualities they alone possess, some innate and some acquired. Among them are a stronger, more perfect, more complete, and more beautiful constitution, as is the case with the males in all species. This physical constitution is linked to a stronger mind and sounder perceptions, the ability to earn money and administer affairs in a creative way. Women, in turn, should be gratified that their dependency, even though it is a matter of natural constitution, is actually rewarded with "remuneration" or "wages" (dower and maintenance). The husband's *qiwama* over his wife consists not of acts of tyranny but of guidance toward righteous behavior, education, domestic efficiency, houseboundness, and fiscal responsibility to his budgetary guidelines. Then the woman can keep her house in safety, and order and bear and raise the children.

God has not "preferred" men over women. In individual cases, wives can even surpass their husbands in knowledge, work, bodily strength, and earning power. But it is by their biological and social functions in the family that the sexes as a whole are addressed and organized in Sura 4:34. From this system follows the man's leadership in concluding the marriage contract and deciding upon divorce. Man's exclusive obligation to fight holy war also derives from his role as protector of the woman, and his larger inheritance share relates to fact that his expenses are greater. According to Abduh, all other prerogatives mentioned by the classical interpreters (prophethood, government, prayer-leading, religious ritual, call to prayer, sermonizing on Friday), while following from man's more perfect disposition and lack of preoccupation (with other things), have nothing to do with his "guardianship" of women (of Sura 4:34). Because even if the law had endowed women with all these prerogatives, by innate nature men would still be "in charge" of them in the family.¹⁶

Sura 4:34 and Mid-century Modernism

The Abduh/Rida tafsir was written in the traditional style as an interlinear (verse by verse) Quranic exegesis, although it had cross-references to other Quranic sections dealing with the same topic. Many later Quran interpreters, especially of the modernist kind, have chosen to present their commentary on selected Quranic passages in formats other than tafsir, such as monographs, collections of lectures, sermons, and the like. This tendency was strengthened by the creative impulse of disciplines other than theology; one example can be seen in the work of the Egyptian philologist and literary critic Amin al-Khuli (d. 1967) who, though not the author of a tafsir work himself, propagated the importance of the mantic tafsir (*tafsir mawdu'i*).¹⁷ By the 1940s, al-Khuli had introduced some new, Western-inspired courses and projects in literary criticism at Fu'ad (now Cairo) University; he had also decided to work toward a new methodology in Quranic interpretation that, though being mainly literary and philological, also was to use various other disciplines such as history, psychology, and sociology. Thus, textual background studies and what we would now call "close reading" of the Quran as literary text were thought essential to the proper understanding of the Quran.¹⁸ As indicated, al-Khuli was not a theologian but an Arabist, a specialist in language and literature.

Here it is perhaps useful to compare the Arabic linguists of the present age, such as al-Khuli and Nasr Hamid Abu Zayd (to be dealt with later), with the Arabic linguists of the classical age. The latter were among the major constructors of the meaning of the Quranic text. Much of their lexicographic work related to pre-Islamic (that is, pagan) literature, especially poetry, and many of their methodological approaches and grammatical categories may at least partially have been influenced by foreign (Greek, Indian, Persian) traditions. However, Arabic linguistics in the Middle Ages had a secure place within the religious sciences, as had the Arabic linguists within the religious establishment. It is only now, as new (originally Western) theories of literary criticism and new approaches to text, its formation and meaning, have found some creative proponents among Arab Muslims in Arabic linguistics, that theology views this discipline as a new menace.

With al-Khuli, as with Abduh/Rida and increasingly so with later interpreters, theologian and lay alike, emphasis lies with the Quranic text as an organic unity, whence the arrangement of verses in the suras, and the arrangement and progression of suras themselves, are hermeneutically significant.¹⁹ Mahmud Shaltut (d. 1963), the Egyptian modernist Rector of the Azhar from 1958 to 1963, represents this trend on the theological side. Shaltut approached the Quranic text as an organic whole, emphasized interpretation by themes, considered the hadith at best a secondary source of interpretation and legislation (with large parts of it unreliable), and stressed mutamalat, sociopolitical issues and the like, with the purpose of moral reform of the community.²⁰ For Shaltut, the asbab al-nuzul traditions could be useful in clarifying the original intention behind a Quranic law; nevertheless, the Quran itself remains universal, valid for all Muslims and at all times. To understand it properly requires not reliance on old tafsir scholarship but a new inner-Quranic interpretation that includes a consideration of context, of a verse or phrase, instead of the atomistic approach of the classical interpreters.²¹ Nevertheless, to Shaltut, all information in the Quran, including the stories on events that occurred long before the Prophet's time, is absolutely true; perhaps these stories are primarily told to teach the believers "lessons," but nevertheless they also impart historical truth.²²

Surely this traditional stance represented a rejection of more literary-critical approaches to the Quranic text, such as those of al-Khuli and, especially, al-Khuli's student Muhammad Ahmad Khalafallah, whose dissertation on *The Art of Storytelling in the Qur'an* raised a public furor in Egypt because of the underlying premise that the Quran's narratives are to be taken as principles of direction and guidance, not historical fact.²³ Therefore, and even though the reformist tenor is a central aspect of Shaltut's paradigm, its roots lie securely in tradition. Like his ideological predecessor Muhammad Abduh, Shaltut and many others like him of the modernist school maintain the validity of background studies for a better understanding of the Quran's original meaning (in seventh-century Arabia) but insist on the universality and absolute truth of all of the Quran's tenets.

On women's issues, Shaltut's position was both tied to tradition and had a modern apologetic aspect to it; this modern aspect pitted the humaneness and morality of the Quranic family laws and other women-specific laws in general against their narrow literal readings by the critics of Islam. To Shaltut, marriage is not about demanding one's personal rights, but rather about achieving spousal cooperation and harmony (as addressed elsewhere in the Quran). Therefore, man's "authority" over his wife, while established as such by Sura 4:34, is not a right as much as an obligation that entails the burdens of domestic leadership. In Shaltut's view, this is the nature of authority in general, on all levels of society. The specific formulation of 4:34, "because God has given the one more/because God has made some of them to excel others," does not indicate men's superiority over women in an absolute sense, but rather it indicates their superiority within an organic whole, just as the right hand is superior over the left in the human body.²⁴

Islamism (Islamic "fundamentalism") differs from the modernist school established by Abduh by way of its politicization and engagement. In their active struggle to Islamicize (infuse Islamic values into) immoral and corrupt (and often "Western") structures and practices, Islamists translate the sacred text directly into contemporary thought and action. Thus, an individual textual approach to the Quran jitihad as well as some interpretations, especially on gender, indicate the existence of tight ideological links between Islamism and the Abduh tradition—except that a spirit of revolution sets Islamism apart from the modernists' spirit of reform.

Islamism by nature differs more profoundly from traditionalism. The latter is the mainstream conservative school of thought that views Islam as an inherited, balanced system of faith and action based on and sanctioned by scripture and its interpretation through the verifying authority of past scholarly consensus. In letter and spirit, hermeneutic approaches and political stances, Islamism differentiates itself from mainstream conservatism. Yet its vision of women (and minorities) remains similar to that of establishment Islam, and it also derives from a fairly literal application of the Quran's gender laws. Thus, the Islamist Sayyid Qutb (d. 1966) interprets Sura 4:34 in a mixture of traditionalism and some modernist ingredients, all clad in the language of Islamism's warning that gender equality (in the Western sense) would bring societal and cultural destruction in its wake. Qutb sees the social and psychological import of 4:34 within the institution of the family, that cornerstone of Muslim society, a safety haven for the spouses, a nurturing shelter for the young.

From this perspective, the Quran gives the man the right of "guardianship" or "superiority" over the family structure in order to prevent dissension and friction between the

spouses. The equity of this system lies in the fact that God both favored the man with the necessary qualities and skills for the "guardianship" and also charged him with the duty to provide for the structure's upkeep. In any human organization, power and authority belong to the most qualified candidate—how much more so here. Both man and woman are God's creatures, and neither is to be oppressed. However, each was fashioned for a special task—the woman to bear and raise children and the man to provide for her necessities and protection—so that she can devote herself to her important task without worry about "work" or her safety and that of her child.

Equity lies in the specific physical, mental, and psychological qualities with which each sex is endowed beyond the other. For the woman, this means tenderness, a swift and unconscious positive reaction to the demands of the children, while for the man it is hardness, sternness, and the use of consciousness and thought before moving and reacting. "Oppression" would be to burden the woman with this "guardianship" for which she is not prepared. To be assigned such a task would mean that she loses the abilities to perform her primary task, that of motherhood. Whenever these rules of sound original nature (*fitra*) are violated, human life breaks down and destruction threatens. Children raised in families where the "guardianship" lies with the mother (because the father is weak or there is no lawful father) are usually perverted in some way. Man's "guardianship" is not about quashing the woman's personality or her civic rights; rather it is an obligation to direct and protect the family.²⁵

Sura 4:34 and The New Epistemology

Modernity has meant a number of new and different approaches to the problematic of the Quran's eternal nature versus its day-to-day cultural specificity, most often now written in the form of theoretical treatises rather than Quranic commentary. The Pakistani scholar Fazlur Rahman, one of modernism's most thoughtful spokesmen, stipulated that "objective knowledge" of the past is possible through rational discovery of the Quran's value system in its extrahistorical, "transcendental" dimension; that value system can then be infused into the equally rationally researched sociohistorical context of the present "in order to determine priorities afresh . . . and implement the Quranic values afresh."²⁶ Past interpretations and applications (legal, theological, and philosophical) are of limited use:

With the passage of time and the rise, growth, and hardening of different points of view and preconceived notions, subjective interpretations have multiplied. The historical tradition will therefore be more an object of judgment for the new understanding than an aid to it, although this historical traditional product can undoubtedly yield insights.²⁷

Rahman, then, sought to establish a theoretical model that distinguishes between the Quran's "literal," situation-specific laws on the one hand and the eternally valid "reasons," *rationes legis*, behind those laws on the other. To Rahman, the Quran was "the divine response, through the Prophet's mind, to the moral-social situation of the Prophet's Arabia." To apply this divine truth to all later ages, including our own, requires scripturalist interpretation in the form of "a double movement, from the present situation to Quranic times, then back to the present."²⁸ For Rahman, the first movement consisted of "understanding the meaning of the Quran as a whole as well as in terms of specific tenets that constitute responses to specific situations"; it was "to generalize those specific answers and

enunciate them as statements of general moral-social objectives that can be 'distilled' from specific texts in light of the sociohistorical background and the often-stated *rationes legis* . . ."²⁹ Whereas the first movement occurs:

from the specifics of the Quran to the eliciting and systematizing of its general principles, values, and long-range objectives, the second [movement] is to be from this general view to the specific view that is to be formulated and realized *now* . . . The general has to be embodied in the present concrete sociohistorical context . . . [after careful assessment of the present situation] so we can determine priorities afresh in order to implement the Quranic values afresh.³⁰

Decrying the error of the Muslim legal tradition, "which essentially regarded the Quran as a lawbook and not *the religious source* of the law,"³¹ Rahman attributed that error to traditionalist adherence to the letter of the law, while in truth the *ratio legis* is "the essence of the matter," so much so that "when the law fails to reflect the *ratio*, the law must change."³² Thus, for example, men's superiority over women in 4:34 to Rahman is not inherent but purely functional. If a woman is economically self-sufficient and contributes to the household expenditure, "the male's superiority would to that extent be reduced, since as a *human*, he has no superiority over his wife."³³

Other modernist, reform-minded Muslim thinkers have dealt with the problem of the Quran's inner structure and the nature of its legislation in related ways. Ismail Ragi al-Faruqi emphasized not only the necessity of getting at the motive, intent, or purpose behind Quranic passages, but also the need to discover a "hierarchy" in the Quran's value system; this is reminiscent of the process by which the Quranic values were first applied to the newly encountered social situations in the formative period of Islam. Such "hierarchy" involves a differentiation of textual "levels" in scripture, the identification of the timebound from the eternally valid, or specific socioeconomic laws from the underlying principle.³⁴ Applying the method of "hierarchization" of Quranic values, al-Faruqi and other modernist scholars then argue that the moral and religious equality of men and women "represents the highest expression of the value of equality,"³⁵ and therefore constitutes the most important aspect of the Quranic paradigm on this issue. Sura 4:34, stipulating men's *qiwama* over women, would be an example of a Quranic law specifically revealed for the patriarchal Arabian society of the Prophet's time. In the social context of the twentieth century, when many women are no longer dependent on their husbands for protection and maintenance, the concept of "priority" of husband over wife in the socioeconomic sphere is subject to change. What prevails is the "higher" principle of ethical-religious equality of women with men, amply legislated in the Quran, which is independent of social circumstances.³⁶

An Islamic feminist example of this mode of argumentation is expressed in *Qur'an and Woman* by Amina Wadud-Muhsin.³⁷ This author's theoretical stance consists of the differentiation between two textual levels in the Quran, the historically and culturally contextualized "prior text" and the wider "megatext" of essential or culturally universal relevance. In the latter, gender distinctions (based on early Arabian precedent) are superseded by the Quran's emphasis on gender equality.³⁸ Wadud-Muhsin distinguishes three categories of Quranic interpretation: the traditional, reactive, and holistic. "Traditional" exegesis is faulted for its atomistic methodology and lack of recognition of the Quran's structure of thematic unity; the main fault, however, is that all traditional Quran

interpretations were written by men. "Reactive" interpretation is largely the use of the Quran by feminist and other ideologically motivated individuals who "vindicate the position of women on grounds entirely incongruous with the Quran's position on women." Finally, the "holistic" category, chosen by Wadud-Muhsin herself, involves consideration of the context of a Quranic revelation, the grammatical and semantic composition of its given text, and also the overall Quranic worldview.³⁹

Every "reading" reflects, in part, the intentions of the text, as well as the "prior text" of the one who makes the "reading," that is, the reader's own perspectives, circumstances, and background. While a large variety of readings can thus coexist, mere relativism is prevented by the permanence and continuity of the Quranic text itself on which all readings converge; "it is not the text or its principles that change, but the capacity and particularity of the understanding and reflection of the principles of the text within a community of people."⁴⁰ No interpretation involving the separation of principles and applicability, however, can ever be final,⁴¹ because to impose a single cultural perspective—even that of the original community of the Prophet—contradicts the essential nature and universal purpose of the Quran.⁴²

Within this framework, Wadud-Muhsin's reading of Sura 4:34, the verse on men's *qiwama* over women, begins with an inner-Quranic context-focused study of essential lexical terms in this verse. Such a study shows that *qiwama* (being in charge of), *faddala* (prefer), and *ba'd* (some) have relative meaning in the Quran in general; it is especially so in this verse, which relates to other gender-specific economic legislation such as inheritance shares and specific support obligations. While Wadud-Muhsin follows Sayyid Qutb and others in understanding this verse as legislative of the *functional* relationship between man and husband (protector and provider) and woman and wife (mother of his children), she then extends those other interpreters' principle of "gender equality *qua* mutual dependency in the family" to society at large. Here, in the societies of the modern world, the verse's meaning is revealed as the expression of an ideal (neither biological nor inherent, but valuable) obligation for men to create a better society by bettering their relationships with women, indeed as a part of fulfilling their God-given *khilafa* (trusteeship) on earth.⁴³

The hierarchization of disparate levels in the Quranic message has also been employed in different ways. The Sudanese Mahmoud Mohamed Taha (d. 1985) took an "unorthodox, reformist" approach in his book *The Second Message of Islam*.⁴⁴ Taha differentiated between the Quran's early (Meccan) message (tolerant and egalitarian) and its later (Medinan) message (seen at least in part as adaptation to the socioeconomic and political situation of the Prophet's Medinan community). Shaykh Taha's student Abdullahi Ahmed An-Na'im has since developed his mentor's general principles into a framework for the radical reform of Islamic institutions, of which gender equality forms an important part.⁴⁵ An-Na'im maintains that:

ijtihad under sharia cannot be exercised in matters governed by clear and definite texts in the Quran and Sunna, [thus] none of the objectionable principles and rules relating to the status of women and non-Muslims [to be examined in his book] can be varied or changed through a modern exercise of *ijtihad* in the historical sense of the term.⁴⁶

Therefore, in the spirit of his mentor, An-Na'im proposes the adoption of a new "evolutionary principle" of Quranic interpretation, which is to reverse the historical

process of sharia positive law formation (which was based on the Quran's Medinan verses) and elaborate a new sharia public law (based on the Meccan revelations),⁴⁷ by way of the time-honored theological and juristic principle of *naskh*, the abrogation or suspension of Quranic verses for legal purposes.⁴⁸ This puts An-Na'im's methodology beyond that of modernists like Fazlur Rahman; An-Na'im credits Rahman for differentiating the "legal" from the "moral" in the Quran, but he faults Rahman for shirking full consideration of all that this implies, that is, whether the legal should remain legal and the moral should be beyond the realm of legal requirement, or whether the moral should be enacted into law, which would mean the elimination of the corresponding legal principle of the past.⁴⁹ In short, to An-Na'im, Rahman's shortcoming lies in failing to transform academic insights into a concise and practical reform methodology.⁵⁰

To An-Na'im, a sharia public law of equal human rights for all, including women and non-Muslims, will only be achieved through "creation" of a new sharia based on the tolerant and egalitarian revelations vouchsafed to the Prophet while he was in Mecca. The sharia in its present form perpetuates discrimination in many areas—such as declaring that women are unfit for full participation in public life, including the holding of public office that would involve their exercise of authority over men. For instance, according to the Shafiite legal school, women may hold no judicial office, while according to the Hanafite legal school they may act as judges in civil cases only. These restrictions are based on Sura 4:34 which was revealed in Medina.⁵¹ That Medinan verse, and its medieval sharia extension, made sense in societies characterized by the dependency of women on men for economic and security reasons. However, such dependency is no longer necessarily true, and thus, in a new sharia, male guardianship over women should be terminated. "Both men and women should now be equally free and equally responsible before the law, which guarantees economic opportunity and security for all members of the community."⁵²

From the field of linguistics and textual theory come new approaches as well. Mohammed Arkoun has long applied the epistemology of modern linguistics and semiotics to the reading of the Quran. In his latest book, *Rethinking Islam: Common Questions, Uncommon Answers*,⁵³ he deals briefly with some of the theoretical problems concerning a rethinking of women's issues; his thoughts culminate in the appeal for "a cultural revolution that would for the first time integrate the emancipation of women into a modern philosophy . . . of the human being." According to Arkoun, however, that modern philosophy is "yet to be written."⁵⁴

Linguistics and literary criticism also provide the theoretical background of the controversial work of Egyptian professor Nasr Hamid Abu Zayd of Cairo University who, especially in his books *The Concept of Text: Study in the Quranic Sciences* and *Critique of the Religious Discourse*,⁵⁵ applies theories of modern literary criticism—most especially semiotics—when dealing with the Quranic text from the perspective of "text as cultural product." Abu Zayd skirts the danger of "explaining" the Quran as a product of seventh-century Meccan and Medinan culture by separating its metaphysical being from the historical manifestation.⁵⁶ Nevertheless, he dwells on the time-and-place specificity of, especially, the *asbab al-nuzul* and *naskh* traditions, whose authenticity traditional Muslim scholarship has long affirmed while simultaneously insisting on the text's word-for-word eternal nature—to Abu Zayd a logical contradiction.

Abu Zayd recently published a small book on women's issues entitled *Woman in the*

Discourse of Crisis,⁵⁷ which is a collection of topical articles previously published in the Egyptian press. Here the author distinguishes between the "fundamental" or "core" verses of the Quran that establish gender equality (meaning equal moral responsibility and in divine recompense) and a small number of "exceptional" verses that legislate gender inequality. For Abu Zayd, the latter carry direct historical and social connotations of seventh-century Arabian realities and must therefore be interpreted in light of the Quranic verses establishing gender equality.⁵⁸ Instead of engaging in true Quranic exegesis along these lines, the discourse of mainstream Islam to Abu Zayd is resorting to "justification" of its doctrine of gender inequality by emphasizing the biological difference between the sexes.⁵⁹ This emphasis reduces the woman to "female" and stipulates her inferiority to "the male" by outmoded labor laws that fail to consider that labor issues have become human rights issues.⁶⁰ Woman's enforced veiling and seclusion from larger society amount to her negation—indeed her abolishment and murder—and thus represent the essence of the crisis, the final surrender to defeat.⁶¹

This book, then, is polemic in nature and presents Abu Zayd's refutation of traditionalist writers, such as Muhammad al-Ghazzali, rather than a new in-depth semiotic analysis of key Quranic passages on women's issues. To Abu Zayd the questions of scripture, gender, and their interrelationship in a new religious discourse require another study, one which he plans to do independently in the future.⁶²

Abu Zayd, Arkoun, and other similarly secularist Muslim scholars are thus now using theories on scripture and hermeneutics that derive at least in part from extra-Islamic models of textual criticism. While gender issues are rarely the focus of such theoretical studies, they are directly affected by the implications of such studies. Such scholars are saying that solving the crisis of the contemporary Muslim world requires a break with the past, both in the type of scholars who do the reassessment and also in their approaches to the sacred text.

In the ever increasing Muslim debate on how to achieve both an authentic modernity and an authentic Quran-centered Islam, gender issues continue to hold center stage. The protagonists in the debate now are modernist Quranic scholars, (many of whom still have a grounding in past tradition), feminists, linguists, cultural anthropologists, philosophers, and sociologists. The number and variety of textual approaches and concomitant scripture-based paradigms on women's issues are a sign of the pluralism that characterizes contemporary Islamic thought.

Notes

1. J. Jomier, "Quelques Positions Actuelles de l'Exegese Coranique en Egypte: Revelées par une Polemique Recente," *Mélanges* 1 (1954): 70–71.

2. An example is the Moroccan sociologist Fatima Mernissi's *Le Harem Politique*, English translation: *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland (Reading, Mass.: Addison-Wesley, 1991), in which the author stipulates that although the Prophet Muhammad's vision of Islamic society was egalitarian, he eventually had to sacrifice this vision for the sake of communal cohesiveness and the survival of the Islamic cause. In this reading, the Quranic verses are related so closely to the historical events surrounding their revelation that a "causal" relationship between the two would logically follow. This book was banned in Morocco by theological fiat (*fatwa*). Cf. Barbara Freyer Stowasser, *Women in the Qur'an, Traditions, and Interpretation* (New York: Oxford University Press, 1994), pp. 132–134.

3. Abu Ja'far Muhammad ibn Jarir al-Tabari, *Jami' al-Bayan 'an Ta'wil 'ay al-Qur'an*, ed. Mahmud M. Shakir and Ahmad M. Shakir, vol. 8 (Cairo: Dar al-Ma'arif, 1972) pp. 290–317.
4. Abd Allah ibn Umar al-Baydawi, *Anwar al-Tanzil wa-Astar al-Ta'wil*, vol. 1 of *Reproduction Phototypica Editionis 1846–1848*, (Osnabruck: Biblio, 1968), pp. 207–208.
5. Known as *Tafsir al-Manar*; given form during a lecture course at al-Azhar University, it was first published in the monthly review *al-Manar* which was then edited by Abduh's friend and disciple Rashid Rida (d. 1935). Abduh's commentary, which ended with Sura 4:125, was transcribed and augmented by Rida, and when Abduh died, Rida continued the *Tafsir* until Sura 12:25.
6. Barbara Freyer Stowasser, "Women's Issues in Modern Islamic Thought," in *Arab Women*, ed. Judith E. Tucker (Bloomington: Indiana University Press, 1993), pp. 8–9.
7. Muhammad Abduh, *al-Islam wa-al-Mar'ah fi Ra'y al-Imam Muhammad Abduh*, ed. Muhammad 'Imara (Cairo, n.d.), p. 117.
8. *Ibid.*, p. 118.
9. *Ibid.*, p. 96.
10. *Ibid.*, pp. 136ff.
11. *Ibid.*, pp. 83, 105–106, 57.
12. *Ibid.*, pp. 58–59.
13. *Ibid.*, pp. 105ff.
14. *Ibid.*, p. 69.
15. *Ibid.*, pp. 75ff.
16. Muhammad Rashid Rida, *Tafsir al-Qur'an al-Hakim al-Shahir bi-Tafsir al-Manar*, vol. 5 (Beirut: Dar al-Ma'arif, 1973), pp. 66–80.
17. Kate Zebiri, *Mahmud Shaltut and Islamic Modernism* (Oxford: Clarendon Press, 1993), p. 139.
18. Cf. *Ibid.*, p. 140ff.
19. Cf. Mustansir Mir, "Tafsir," in *The Oxford Encyclopedia of the Modern Islamic World*, vol. 4, ed. John L. Esposito (New York: Oxford University Press, 1995), p. 174.
20. Zebiri, *op. cit.*, p. 150.
21. *Ibid.*, pp. 150, 161–162.
22. *Ibid.*, p. 168.
23. Muhammad Ahmad Khalafallah, *Al-Fann al-Qasasi fi al-Qur'an al-Karim*. (Cairo: Maktabat al-Nahda al-Misriyya, 1958). Cf. Stowasser, *Women in the Qur'an*, pp. 18–20.
24. *Ibid.*, pp. 62–63.
25. Sayyid Quth, *Fi Zilal al-Qur'an*, vol. 2 (Beirut: Dar al-Shuruq, 1982), pp. 648–657.
26. Fazlur Rahman, *Islam and Modernity* (Chicago: Chicago University Press, 1982), p. 7.
27. *Ibid.*, pp. 6–7.
28. *Ibid.*, p. 5.
29. *Ibid.*, p. 6.
30. *Ibid.*, p. 7.
31. Fazlur Rahman, *Major Themes of the Qur'an* (Minneapolis: Bibliotheca Islamica, 1980), p. 47.
32. *Ibid.*, p. 48.
33. *Ibid.*, p. 49.
34. Ismail Ragi al-Faruqi, "Towards a New Methodology for Qur'anic Exegesis," *Islamic Studies* (March 1962): 35–52; and John L. Esposito, *Women in Muslim Family Law* (Syracuse, N.Y.: Syracuse University Press, 1982), pp. 105–107.
35. Esposito, *Women in Muslim Family law*, pp. 107–108.
36. *Ibid.*, p. 108.
37. Amina Wadud-Muhsin, *Qur'an and Woman* (Kuala Lumpur: Penerbit Fajar Bakti Sdn., Bhd., 1992).

38. Vincent J. Cornell, "Qur'an," in *The Oxford Encyclopedia of The Modern Islamic World*, vol. 3, ed. John Esposito (New York: Oxford University Press, 1994), p. 392.
39. Wadud-Muhsin, *Qur'an and Woman*, pp. 1–4.
40. *Ibid.*, p. 5.
41. *Ibid.*, p. 10.
42. *Ibid.*, p. 6.
43. *Ibid.*, pp. 69–78.
44. Published in Arabic in 1967. English edition: Mahmud Mohamed Taha, *The Second Message of Islam*, trans. Abdullahi Ahmed An-Na'im (Syracuse, N.Y.: Syracuse University Press, 1987).
45. John O. Voll, Foreword to *Toward an Islamic Reformism: Civil Liberties, Human Rights, and International Law*, by Abd Allah Ahmad An-Na'im (Syracuse, N.Y.: Syracuse University Press, 1990), pp. IX–XII.
46. *Ibid.*, p. 58.
47. *Ibid.*, p. 56.
48. *Ibid.*, pp. 56–58.
49. *Ibid.*, p. 65.
50. *Ibid.*, p. 66.
51. *Ibid.*, p. 88.
52. *Ibid.*, p. 180.
53. Mohammed Arkoun, *Rethinking Islam: Common Questions, Uncommon Answers*, trans. and ed. Robert D. Lee (Boulder, Colo.: Westview Press, 1994).
54. *Ibid.*, p. 62.
55. *Mafhum al-Nass; Dirasah fi 'Ulum al-Qur'an* (Beirut: al-Markaz al-Thaqafi al-'Arabi, 1990); and *Naqd al-Khitab al-Dini* (Cairo: Sina lil-Nashr, 1994).
56. Here reminiscent of the Mu'tazila whose rationalist approach to Quran interpretation Abu Zayd analyzed in his *al-Itijah al-'Aqli fi al-Tafsir: Dirasah fi Qadiyat al-Majaz fi al-Qur'an 'inda al-Mu'tazila* (Beirut: Dar al-Tanwir lil-Tiba'ah wa-al-Nashr, 1993). Indeed, the Egyptian literary critic Gabir Asfour wrote a thoughtful essay on Abu Zayd's *Mafhum al-nass* which bears the subtitle "al-'itizal al-jadid" [Gabir Asfour, *Hawamish 'Ala Daftar al-Tanwir* (Kuwait: Dar Su'ad al-Sabah, 1994), pp. 47–82].
57. Nasr Hamid Abu Zayd, *al-Mar'a fi Khatib al-Azma* (Cairo: Dar al-Nusus, 1994).
58. *Ibid.*, p. 76.
59. *Ibid.*, pp. 75–77.
60. *Ibid.*, p. 90.
61. *Ibid.*, p. 103.
62. *Ibid.*, p. 101.