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Understanding Islamic Feminism:
Interview With Ziba Mir-Hosseini

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Born in Iran and now based in London, Ziba Mir Hosseini, an anthropologist by training, is one of the most well-known scholars of Islamic Feminism. She is the author of numerous books on the subject, including *Marriage on Trial: A Study of Family Law in Iran and Morocco* (I.B.Tauris, 1993) and *Islam and Gender, the Religious Debate in Contemporary Islam* (Princeton, 1999). She is presently associated with the Centre for Islamic and Middle Eastern Law at the School of Oriental and African Studies, London.

In this interview with Yoginder Sikand she talks about the origins and prospects of Islamic feminism as an emancipatory project for Muslim women and as a new, contextually-relevant way of understanding Islam.

Q: In recent years, a number of Muslim women's groups have emerged across the world, struggling for gender equality and justice using Islamic arguments. Most of them are led by women who come from elitist or, at least middle class, backgrounds. Many of them seem to lack a strong popular base. How do you account for this?

A: I think the majority of the women who are writing and publishing about what is popularly called 'Islamic feminism' are definitely from the elite or the middle class. But then, globally speaking, feminism has always had to do with the middle class, at least in terms of its key articulators and leaders. I believe that Islamic feminism is, in a sense, the unwanted child of 'political Islam'. It was 'political Islam' that actually politicized the whole issue of gender and Muslim women's rights. The slogan 'back to the shariah' so forcefully pressed by advocates of 'political Islam' in practice meant seeking to return to the classical texts on fiqh or Muslim jurisprudence and doing away with various laws advantageous to women that had no sanction in the Islamists' literalist understanding of Islam. Translated into practice, law and public policy, this meant going back to pre-modern interpretations of shariah, with all their restrictive laws about and for women. It was this that led, as a reaction, to the emergence of Islamic feminism, critiquing the Islamists for conflating Islam and the shariah with undistilled patriarchy and for claiming that patriarchal rule was divinely mandated. These Muslim women were confronted with horrific laws that Islamists sought to impose in the name of Islam, and so began asking where in all of this was the justice and equality that their own understanding of the Quran led them to believe was central to Islam. These gender activists, using Islamic arguments to critique and challenge the Islamists, brought classical fiqh and tafsir texts to public scrutiny and made

them a subject of public debate and discussion, articulating alternative, gender-friendly understandings, indeed visions, of Islam. That marked the broadening, in terms of class, of the fledgling Islamic feminist movement.

But, that said, I am not sure how far the Islamist feminist discourse has been able to effectively reach out to and influence the so-called 'grassroots'. One heartening development, however, is the emergence of a number of NGOs working with Muslim women who are using this discourse and relaying it further, using Islamic and human rights frameworks to stress the need for gender equality and justice in Muslim communities.

Q: Surely it isn't possible to bracket all Islamists together. There is a large diversity of opinion, including about women, even among Islamists, isn't it? Some of them do at least sound less regressive than others on women's rights.

A: That's true, of course. But, for all Islamists the gender issue is of paramount significance. One of their main claims to legitimacy, which they all seem to share, is their critique of the West, a central plank of which is a moral vision that rests on strengthening the family. They don't say that women have no rights—after all, the language of 'political Islam' is also one of rights. Rather, they claim that Islam gives women all the rights they need, though, what this actually means for women is, for all practical purposes, the same patriarchy.

That said, I would say that the tension between Islamic feminists and patriarchal Islamists is as acute as that between the former and many fellow feminists, who believe that Islamic feminism is an oxymoron and that, in fact, it will only strengthen the Islamists in the long-run with its use of Islamic, instead of secular, human rights, arguments.

I must also add here that just as Islamists are not a monolith, there is also considerable diversity among those who could be referred to as Islamic feminists. Many of them would even refuse to be called feminists or even Islamic feminists for that matter. But one common concern that brings them together is their demand for gender equality and justice, which they claim using various Islamic arguments. Even here, however, there may be differences in the way they conceive equality and justice.

Q; You mentioned fiqh and you also spoke about the shariah. How would you distinguish the two?

A: The shariah denotes what Muslims believe to be the divine path, while fiqh represents the historical tradition of human attempts to discern the mandate of the shariah in different situations. Now, while the two are very distinct, the former is considered to be divine and, hence, unchangeable, the latter being historically created or determined, and hence not sacrosanct and, therefore, amenable to change. However, very often both traditionalist Muslim scholars or ulema as well as Islamist ideologues conflate the two, taking fiqh, a human product, to represent or to appear as synonymous with the shariah. Therein lies the major problem that Muslim women continue to be faced with in terms of a whole slew of regressive laws that, deriving from the fiqh tradition, are wrongly presented as mandated by the shariah.

Personally, I think it makes more sense, when discussing the issue of legal reforms, to speak about the 'Muslim legal tradition' rather than the shariah, which remains a nebulous, furiously contested terrain.

This tradition, one must recognize, is a human and historical creation and is immensely diverse. That is why there have been, and still are, so many fiqh schools which often proffer conflicting opinions on a vast range of issues, including those relating to women. Recognising this opens up the possibilities of substantial reform for it effectively highlights the separation between the sacred and the legal. This crucial distinction was widely recognized in the past, when no faqih or Muslim jurist of note would ever claim that his fiqh position was absolute and final. He would offer his own views, of course, but at the end would invariably add the phrase ‘And God knows best’, indicating that he recognized that he might well be wrong. Today, however, this practice is rare and so you have people who, completely lacking this humility, would insist that their own opinion is absolute truth, the sole or the correct shariah opinion on any matter.

In this regard I think it is crucial to always foreground the fact that what we understand of Islam—or any religion for that matter—is always just that—simply one understanding out of many, which is heavily influenced by our own personal and social location.

Q: A number of NGOs working with Muslim women, including some prominent ones that are engaged in articulating what could be called an Islamic feminist discourse, rely heavily on Western funding. Doesn't this further open them to the accusation of being 'tools' in the hands of what are branded as 'enemies of Islam'?

A: It certainly leaves them open to that oft-hurled charge, but then anyone who works for gender justice, even if she doesn't depend on foreign money, is quickly branded with the same label! So, what other option do they have? The fact of the matter is that many Muslim women live in undemocratic contexts that lack strong civil society institutions that can support the sort of work they are engaged in. This forces many NGOs working with Muslim women to fall back on Western funding agencies. After all, the oil-rich Saudi Wahhabis are certainly not going to fund NGOs working for justice and equality for Muslim women, even if these are articulated in an Islamic paradigm. But that said, those women's groups who, for lack of any other alternative, are forced to depend on Western funds, must be clear that they don't become their puppets.

Q: Islam has often been critiqued for allegedly denying women their rights. The Islamists' claim that Islam provides all the rights that women need can possibly be seen as a defensive or apologetic response to that critique. Do you think Islamic feminists are also engaged in the same sort of apologetic defense vis-à-vis critics of Islam?

A: There is undoubtedly an element of apologetics involved here, and Islamic feminism is certainly reacting to critiques and circulating discourses about Islam. It is crucial to examine the forces which the emerging Islamic feminism is facing and reacting to. These include 'political Islam' or what is loosely called 'Islamic fundamentalism' that advocates a return to the patriarchal texts and advocates what it calls an 'Islamic state'; 'Islamic traditionalism', which is not necessarily political, in the conventional sense of the term, but sees the fiqh tradition as almost sacrosanct and divine; 'secular fundamentalism' that regards religion as, by definition, unjust and rules out the very possibility of any progressive or feminist interpretation of religion; and, of course, Western, including Orientalist, critiques of Islam. What is common to all these different sets of discourses to which Islamic feminism is reacting is a very essentialised, non-historical understanding of Islam, one that refuses to recognize the diverse, alternative understandings of Islam that have always existed. Islamic feminism is also

reacting to dominant Western feminist trends, according to which to be a feminist you have to be secular and must work within a secular framework, an understanding that is something heavily influenced by white, middle-class Western women's experiences and cannot be said to be universal at all.

Islamic feminism is thus reacting to these discourses all at the same time. So, in a sense, it is an apologetic or reactive discourse, directed against those who claim that Islam does not countenance gender justice and equality.

Q: For some Islamic feminists, their use of Islamic arguments for gender equality may indeed be a serious expression of closely-held religious convictions. However, one gets the feeling, although this is just speculation, that for some others employing Islamic arguments for gender justice might simply be an instrumental use of alternate understandings of Islam in order to counter Islamists and traditionalists on their own turf or simply because operating in a Muslim context necessarily demands the use of Islamic arguments in order to gain a hearing. Do you agree?

A: It is impossible to generalize, of course, but I think there is an element of both—of sincere faith as well as, in some cases, a tactical use of Islamic arguments to reach the same conclusions and make the same demands as secular feminists would in a non-Muslim context. Public space in Muslim communities is heavily defined or influenced by Islam, and so many women's groups believe that without using Islamic counter-arguments to press the claim for equality they would hardly get any hearing at all. Since political discourse in Muslim countries is so heavily influenced by appeals to Islam, especially with the global rise of 'Islamism', whether or not gender activists in Muslim contexts are believers they have been forced to engage with Islam. Since a whole range of regressive laws, as far as women are concerned, are sought to be imposed in the name of Islam, these activists, irrespective of their own personal religious beliefs, have been compelled to seek to articulate alternative Islamic interpretations to counter them.

A: With just a few notable exceptions, the key articulators of Islamic feminist discourse are all non-Arab Muslims. Does that strike you as strange, given the marked tendency among many Arabs (and many non-Arab Muslims as well) to see the Arab world as the 'heartland' of Islam?

A: Yes, most of the cutting-edge writing and publishing on Islamic feminism is happening at the so-called 'periphery' of the Muslim world, outside the Arab belt—in countries like Iran, Indonesia, and, of course, among Muslims in the West. Interestingly, much of this publishing work is happening not in Arabic, but in languages such as English, Persian and Bahasa Indonesia. I think political conditions in the Arab world are simply not conducive for such discourses to be publicly articulated. Doing this could well cost you your life. You could easily be branded as an apostate and killed.

Q: Recent years have witnessed the mushrooming of girls' madrasas or Islamic seminaries in various parts of the world. Do you think these institutions could help galvanise and popularize Islamic feminist tendencies while empowering their graduates to become women religious authorities in their own right?

A: Frankly, I do not think so. At least, this is not happening now, though I don't know how the future will unfold. The girls studying in most such madrasas are trained in the same traditional way. They are not allowed to question things, leave alone criticise received views. They are not encouraged to ask

any questions—if they do they are made to feel as if they are questioning Islam itself. They are reared on the patriarchal fiqh tradition, which, although a human product, is treated as almost as sacrosanct as the Quran itself. In such a situation, how can one hope for Islamic feminist stirrings to emerge from these madrasas?

Q: Not all the ulema of the madrasas are horribly misogynist, unlike what is sometimes made out. I know a few younger Indian madrasa graduates who are quite receptive to the sort of arguments that Islamic feminists are making. Don't you feel it is crucial to identify and work with such ulema, rather than to brand all ulema as irredeemably sexist or misogynist?

A: I agree with you entirely, but the problem is that most Muslim societies are characterized by a yawning educational, indeed epistemological, dualism so that there is now little or no contact between the ulema of the madrasas and 'secular' or 'modern' educated Muslims, who also include key Islamic feminists. This dualism marks a major departure from the classical past, where knowledge of the times was an integral component of education in the madrasas where the ulema were trained. Colonialism pushed aside Islamic Studies from the educational 'mainstream', a process that continued in the post-colonial period in Muslim countries. So, now, the ulema—or at least the vast majority of them—have no idea of contemporary sociology, economics, political science and so on. They are wholly incapable of dealing with the new and myriad challenges of modernity. That, incidentally, is something that makes them so defensive. It is also a class issue. Modernity came to Muslim countries on the back of colonialism, and so it is mainly the poor who now inhabit the madrasas. Their economic location and the overall culture of the madrasas, which cannot be seen apart from this economic issue, further inhibits their receptivity to the ideas being generated by Islamic feminists.

Q: You have worked extensively on Islamic feminist articulations in Shia-dominated Iran. Do you think that the Shia version of Islam, because it allows for continuous ijthihad or independent interpretation of the sources of Islamic tradition, might be more progressive, as far as women's issues are concerned, than the Sunni version?

A: Frankly, despite ijthihad I do not think that with regard to women's rights the Shia ulema are any different from their Sunni counterparts. Of course, the possibility of ijthihad in the Shia tradition is a good thing, but we need to go beyond theory and see how the religious tradition plays itself out in the real world, in its interaction with the state, the wider society and the international context. What is really key here is the presence or absence of political will for reform. So, for instance, in Sunni Morocco, because the King was heavily in favour of women's rights, and because the palace, the parliament and women's groups were able to come together on this issue, the country now has a reformed personal law wherein women and men have almost the same rights. Now, despite the presence of ijthihad in the Shia tradition, the Iranian ulema have, by and large, displayed no such enthusiasm for legal reform for promoting women's rights in Iran.

Q: The focus of many key Islamic feminist NGOs is the reform of personal laws in Muslim contexts that militate against women's equality. Do you see this as a somewhat narrow focus? After all, personal law is not the only problem that many Muslim women face? For many of them, grueling poverty, for instance, might be an even more pressing concern.

A: I think the issue of gender relations within the family—which is what personal laws are all about—

actually relates to the core of power in society at a broader level. Since the family is the basic unit of society, only if there is justice and democracy within the family can you possibly have justice and democracy in the wider society. In other words, the key to democratizing the whole society is to democratize its basic unit, the family, and for this legal reform is crucial.

Q: By exploring and articulating gender-friendly fiqh prescriptions, do you feel that, somehow, many Islamic feminist scholars are unwittingly further legitimizing and strengthening the fiqh tradition that, on the whole, is solidly patriarchal? Why not circumvent the fiqh tradition altogether and articulate an Islamic feminist understanding based simply on what could be called core Quranic values, such as justice, kindness, mercy and equality? Wouldn't that make the whole effort much simpler?

A: Fiqh as a legal tradition with centuries'-old roots in Muslim societies cannot simply be wished away even if you wanted to! Ignoring fiqh won't make it disappear! But Islamic feminist scholars and activists are not just articulating alternate fiqh prescriptions to counter blatantly patriarchal ones. Many of them are engaging with several paradigms at the same time—progressive fiqh and tafsir or Quranic interpretation, human rights arguments, international instruments, laws and treaties, and, above all, the lived realities of Muslim women. This is something that the book I am presently working on seeks to grapple with—exploring questions of Islamic feminist constructions of family law or, even, feminist family law, looking at the writings of new reform-minded Muslim scholar-activists with a focus on issues related to gender. In a sense it is a modest attempt to go beyond the two major blind spots that we have for so long been faced with—the blindness of Islamic Studies as an academic discipline to gender issues, and the blindness, indeed, aversion of the secular feminist 'mainstream' towards religion, its language, categories and frameworks.

Q: Are Islamic feminists simply arguing for the same ends as secular feminists but by using Islamic arguments? In other words, is it a case of the ends being the same but only the means being different? Or is it that Islamic feminists (or, some of them, at any rate) might be offering something in their vision of gender and womanhood that the secular feminist project lacks?

A: For me feminism is both a consciousness that women suffer discrimination at home, at work and in society and in life because of their gender, as well as action to do something about this. So it is a striving for justice and equality for women in a just world; it is a frame of mind and a way of life, a kind of path that can be followed by everyone – regardless of gender, sex, race, faith and other differences among us. But justice and equality are contested and relative concepts, in the sense that they mean different things to different people in different contexts. There is also an epistemological side to feminism, it is also a knowledge project; in the sense that it tell us how we know what we know. Feminist scholarship in Islam as in any other religious tradition has a lot to offer to both the understanding of religion and the search for justice. But feminism, as an ideology, as a movement, as well as a knowledge project, in order to grow and not to become dogmatic, needs to have a critique from within. In the 1970s and 1980s, Black and 'Third World' feminists provided that critique; for instance, Audre Lorde's criticism of mainstream feminist literature of the 1960s for its focus on the experiences of white, middle-class women and their values; Chandra Mohanty, with her seminal article "Under Western Eyes: Feminist Scholarship and Colonial Discourse", offered a potent critique of the complicity of feminism and colonialism. Such criticism helped feminism to grow theoretically and become more inclusive.

In my view, what Islamic feminists have to offer now is to help ‘mainstream’ feminism to look at its own troubled relation with religion and to re-examine some its dogmas – now that religion has come out into public space, and that the whole thesis that modernization will bring the decline or privatization of religion is now seriously questioned. Feminists need to reconsider why, in the course of the 20th century, was it necessary for them to be secular? And what does being ‘secular’ and what does being ‘religious’ mean in today’s context?

Q. What could secular feminists learn from Islamic feminists? Do you personally agree with the overall secular feminist critique of the notion of the complementarity of the sex roles that underlies general Muslim understandings? Might there not be some merit in this notion, which Western and Western-influenced secular Muslim feminists in general do not (or refuse to) acknowledge because of their particular way of conceiving gender equality as sameness?

A. I would certainly insist that we all can learn from each other. As for the notion of ‘complementarity of sex roles’, I passionately disagree with the way it has been conceived and articulated by dominant Muslim discourses. It is simply a new and ‘modern’ way of justifying inequality and discrimination, but expressed in a language that can fool women and Muslims. If one probes deeply in the literature and engages with those who argue for complementarity – as I have done in my work – one finds that in fact they accept the premises of classical fiqh and its conceptions of gender – for instance, men’s right to polygamy and unilateral divorce – but they either try to modify its harsh edges or provide new justifications for it. I must say that I have become allergic to the terms ‘equity’ and ‘complementarity’, because they have come to mean inequality and discrimination. The fact is that both polygamy and men’s right to talaq are basically unjust in our context and in our time; and they are at the very root of suffering for the vast majority of Muslim women. There is no way that one can rationalize and justify them in the name of Islam and shariah – these rights were not given to men by the Qur’an, but by classical jurists; the way the jurists originally formulated these rights did provide women with a measure of protection in a culture and society in which patriarchy and slavery were part of the fabric of life. In other words, they are juristic constructions that no longer reflect contemporary notions of justice.

But, then, there can be a good side to ‘complementarity’, in the sense that feminist theory has now come to appreciate that the kind of equality that basically entails a purely legal or formal reversibility of roles does not bring women real equality. Women do not start from the same starting point in life as men, and they are not on a level playing field, so we need a new concept of equality that takes into account difference. The fact is that neither are all women exposed to discrimination nor do they experience it in the same way; race, class, education, ethnicity, being part of the ‘third’ or ‘first’ world – all these factors matter. Men are as oppressed as women in many situations, and are sometimes are dominated by them. There has been a shift in feminist theory from formal models of equality to what is now called substantive equality – there is now a big debate going on, and Muslims need to take part in this debate. We need to rethink old dogmas, both religious and feminist, and this is where we can learn from each other.

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