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Rereading the Qur'an: A muslim woman's perspective

Manea, E

Abstract: 'It is the Qur'an that we have to deal with, if we are to succeed in paving the path for a humanistic Islam. Qur'an has been treated as synonyms to God. It is as if we dared to question the nature of Qur'an, we are questioning our faith in God, and at the same time we declare our rejection of Islam itself. Qur'an in this sense is the Church of Islam. Separating this church of Islam from state's laws and jurisprudence is imperative; not only for the future of a humanistic Islam, but also for instituting legal gender equality.

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Editorial

Joachim Duyndam & Renée van Riessen

By exception, the present issue of the Journal of the Dutch-Flemish Levinas Society (*Mededelingen van de Levinas Studiekring*), volume 16, 2011, is published in English. Covered by the theme 'Interreligious Dialogue', the volume at hand includes contributions to the International Memorial Conference in Honour of Nasr Abu Zayd, organized by the University of Humanistic Studies in Utrecht, The Netherlands, on April 14-15, 2011. Although only a few of the conference papers are explicitly related to Levinas' thought, the central theme of the memorial conference – *How Can a Humanistic Approach to Islam Be Realized?* – is in the spirit of Levinas' philosophy as it can be articulated as a 'humanism of the other' and 'intercultural / interreligious dialogue'. Therefore, the editors have considered it justifiable to share the present variety of interesting papers with the Levinas-minded scholarly audience of this Journal. Despite their different cultural and religious roots, Nasr Abu Zayd (1943-2010) and Emmanuel Levinas (1906-1995) have their humanism of the other – or should we say: humanism *to* the other – in common, including their striving for peaceful dialogue and careful interpretation.

The editors are indebted to Coby van Pagée and Annelot de Wit for their assistance in editing this volume.



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Rereading the Qur'an: A Muslim's Woman Perspective●

Elham Manea¹

'It is the Qur'an that we have to deal with, if we are to succeed in paving the path for a humanistic Islam. Qur'an has been treated as synonyms to God. It is as if we dared to question the nature of Qur'an, we are questioning our faith in God, and at the same time we declare our rejection of Islam itself. Qur'an in this sense is the Church of Islam. Separating this church of Islam from state's laws and jurisprudence is imperative; not only for the future of a humanistic Islam, but also for instituting legal gender equality.

If there is one sphere that illustrates this statement in no compromising manner, it would be the private sphere of the family in Arab societies. The reason is straightforward; family laws, with the one exception of Tunisia, are justified and based on religious provisions! All of them!

Perhaps this fact can clarify to a great extent the confusion that many here in Europe feel when approaching cosmopolitan Arab societies such as Egypt, Lebanon, or Syria. On the one hand, these states took drastic steps to modernize their legal structures after their independence; on the other hand, they left the religious provisions governing the family sphere untouched. They tried to codify some of these provisions; making them more 'friendly' to women; but the basis remained religious, and thus inherently biased towards women.

Notice that I did not use the word Islamic provisions here. I said religious provisions. The reason is also surprising. Arab women are left to the laws of their respective religions to govern their family relations. A Syrian Orthodox, a Lebanese Maronite, or an Egyptian Copt who would like to divorce her husband will be subject to the religious laws set by their respective churches. And these, just like their Islamic counterparts, are not exactly gender friendly. This clarifies the joke told to me by Syrian women' activists in a dinner I attended in Damascus in mid summer 2007. The activists, representing a wide spectrum of NGOs of different ideological backgrounds (Islamic, Christian, and secular) said while laughing: *"The Vatican and Arab countries disagree on everything. But when it comes to our rights (in international conferences), they miraculously agree!"* Why have Arab societies refrained from modernizing their family laws and steering them from their religious basis is the question I pose in a

● This paper is adapted from a chapter from Manea, Elham, *Ich will nicht mehr schweigen: Der Islam, der Westen und die Menschenrechte*, Freiburg: Herder Verlag, 2009.

¹ Elham Manea is an Associate Professor at the Political Science Institute, Zürich University. She is author of several books and novels. Her latest academic book will be published by Routledge, London, in Summer 2011 under the title: *The Arab State and Women's Rights: the Trap of the Authoritarian Governance*.



book that is due to be published this summer by Routledge in London. Answering it goes beyond the scope of this note.

But how Qur'anic verses are interpreted and how religious provisions are being applied, contribute greatly to the problem of women in Arab societies. No reformation of Islam is possible, in my opinion, without dealing with the gender question. And *a real reformation has to acknowledge the shortcomings and limits of Islamic stipulations regarding women*. Acknowledging that will pave the way for adopting positive and civil laws, that best protect the woman as a human equal to man in dignity and rights.

In the next part, I will present how the issue of women's rights has been constantly discussed in a '*safe boundary of thinking*'. Two examples of discourses will be presented, the first acknowledge that there is a problem and tries to find a solution through new interpretation of Qur'anic verses, and the second denies that there is a problem to deal with, and instead urges women to accept God's orders and submit to their natural duty. In a second phase I will then try to step out of that safe boundary and set the mode for a counter humanistic argument.

Women's rights: Talking from a Safe Boundary of Thinking

Two discourses can be discerned in discussing the issue of women's rights in Islamic societies from a '*safe boundary of thinking*'. *Both argue that 'Islam respects women's rights and has always guaranteed them; the problem has mainly to do with the society that is interpreting or implementing these rights. The problem has to do with the people themselves'*.

A Reformist Argument

The first discourse is espoused by Muslim reformers and scholars, who recognize that women are discriminated against within Islamic legal tradition and seek to find an enlightened interpretation of Qur'anic verses. In this endeavor they use modern interpretations techniques and activate the Islamic principle of Ijtihad.

Muslims, according to this paradigm have to re-read their Qur'anic text and separate its message from their traditions and patriarchal structures. That was the argument of some of the early reformers of the 19th and early 20th Century and it is still the argument of some enlightened reformers today. The discourse is featured with heterogeneity especially in the type of approaches used and the scope of reforms they call for. Baring this heterogeneity in mind, I will use the scholar Amina Wadud as an example to illustrate her



argument.

Amina Wadud is a modern scholar who seeks to reform Islam from a feministic perspective. Her arguments, important as they are, were made from a *safe boundary of thinking*, which did not question the nature of Qur'an as God's literal word.

*Amina argues that the "Qur'an acknowledges that men and women function as individuals in society. However there is no detailed prescription set on how to function, culturally. Such a specification would be an imposition that would reduce the Qur'an from a universal text to a culturally specific text – a claim that many have erroneously made. What Qur'an proposes is transcendental in time and space."*²

Using hermeneutical techniques, Wadud tried in her book entitled '*Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*', to prove that the Qur'an has indeed provided a universal message, treating man and woman as different but equal individuals. And she came to the conclusion that "*they have the same rights and obligations on the ethico-religious level, and have equally significant responsibilities on the social-functional level*".³

Wadud does have a point in arguing that the Qur'an treated man and woman as equal in front of God in their religious responsibilities and treatment in the afterlife. There are several Qur'anic verses that corroborate this argument. Nevertheless it is very difficult to draw the same conclusion when we talk about the social functional level. Often, when it concerns this level, when it involves rights in family and society, the *Qur'an does not provide a universal message*, certainly not for a woman living in the 21st century. I will come back to this point later.

An Islamist Argument

The second discourse argues that the problem with women has to do with the Muslims themselves, who are not Muslims enough. This has been the argument of the early Islamists like Hasan al Banna, the founder of the Muslim Brothers movement, and it is the argument that has been used in the re-islamization process that is taking place in Arab societies. Islam, according to this line of argument, is in no need for reformation. The religion is there, pure and solid, and it is the duty of Muslims to return to its puritanical provisions and doctrines, and stick to its rituals to the letter. Accordingly, there is no need to seek a '*solution*' to the problem; for there is no problem to start with.

² Wadud, Amina, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, Oxford: Oxford University Press, 1999, pp. 8-9.

³ Ibid, p. 102



This discourse insists too that Islam is not the problem. But unlike the reformers who, while reiterating the statement, try to come up with different interpretations to what they clearly see as problematic religious provisions; Islamists consider what Islam offers a woman an idealistic system that guarantees her dignity and protection and *'perfectly suits' her 'natural duty' and "biological nature"*. So instead of seeking a new reading of Islamic text, they focus on convincing Muslim women to accept the *'Islamic social order'* as they see it.

The writing of Hasan Al Banna, the founder of the Muslim Brothers movement, on women is a very good example in this regard, for he set the tone for the discussion of women's rights from an Islamist perspective in his famous tract entitled *"The Muslim Woman"*. He argued that knowing the opinion of Islam towards woman and man, their relationship and duties, *"is not important!" "What is important, and i am quoting him here, is to ask ourselves are we prepared to accept the judgment of Islam"*.⁴

The question is vital because al Banna sees a danger looming, coming from the West: *"In reality, this country and other Islamic countries are swamped by a cruel unruly wave of infatuation with the imitation of European (way)"*. And he insists that Muslims have to prepare themselves *"to accept God's orders and prohibitions"*.

Writing the sentence *"to accept God's orders and prohibitions"* was necessary in my opinion. For Al Banna is very aware that, while Islam *"elevates the status (value) of woman and makes her a partner to man in rights and duties"*, Islamic provisions do discriminate between man and woman. He said: *"But on the other hand, it should be noticed that when Islam took away something from the right of woman, it called for something better in another side; or this detracting is done for her benefit and well-being before anything else'.*

He justifies this discrimination by saying that it *"comes from their natural differences, which are unavoidable (inevitable), compatible with the difference in the task each is conducting, and for the protection of the rights given to each"*.

Women's Rights - Stepping out of the Safe Boundary of Thinking

So far we have been discussing discourses that were either trying to provide an enlightened and a different interpretation to religious texts dealing with woman's

⁴ Al Banna, Hasan, "The Muslim Woman", In Arabic.



position while insisting that Islam by itself is not the problem; or arguments that do not see a problem to solve and rather implore the Muslim woman to accept her position in the social hierarchy of an Islamic order. Both however never questioned the nature of Qur'an as God's literal words. A humanistic reading of Islam seeks to approach this issue by stepping out of the safe boundary of thinking. It argues that insisting that '*Islam is not the problem*' is counterproductive and rather complicates the matter, for it sets the argument on a defensive level. Trying to defend an 'idea' will reflect on the outcome, makes it hard to provide a rational reading of the problem, call it by its name, and then deal with it.

A humanistic reading of Islam insists that a real reformation of Islam has to *acknowledge the limits of the religious texts in providing solutions to the women's problem and maintain that these religious texts must be seen within its historical context and should therefore cease to be relevant when regulating the social reality of family and state in the 21st century*. In other words, it argues for the separation of state and religion. Again, it insists that *it is the Qur'an that we have to deal*

with, if we are to succeed in separating religion from state'. The Qur'an is the church of Islam.

The limits of the religious texts in providing solutions are clear regarding the issue of women's rights. Qur'anic verses did treat women as equal to men in their judgment in front of God in the afterlife. Verse 40:40 states: "*whoso does evil will be requited only with the like of it; but whoso does good, whether male or female, and is a believer – these will be provided therein without measure*".

”من عَمِلَ سَيِّئَةً فَلَا يُجْزَى إِلَّا مِثْلَهَا وَمَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ يُرْزَقُونَ فِيهَا بِغَيْرِ حِسَابٍ“

My interest, however, pertains to the verses that concern a woman's status in this life. Put simple, on the social level Qur'anic verses discriminated against women to the advantage of man. This discrepancy is obvious in verses regulating family relations, sexual relations within marriage, inheritance, and testimony - the culmination of which points to the end that, indeed, there are clear inconsistencies between Qur'anic provisions and the 1948 Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1987 in relation to the status of women.⁵

⁵ This opinion has been emphasized by thinkers who are seeking a reformation from within Islam such as Abullahi Ahmed An-Na'im in his book "Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law, Syracuse: Syracuse University Press, 1990;



These inconsistencies are not theoretical when it concerns women's daily lives. Qur'anic verses have been translated into family laws that sanction the inferior role of women in family and society. They are very much anchored in the most basic unit of society – the family – and its relations, perpetuating a system of inequality between husband and wife. A serious reformation will have to address this inequality. The question is therefore how do we address this inequality?

One way of addressing the problem is to resort to a selective reading of Qur'an trying to come up with an argument supporting gender equality in family relations. *The problem with this method is that once it makes Qur'an its point of reference it is bound to be confronted with the passages that do not corroborate the equality argument.*

Let me use Qur'anic verse 34 of Sura 4 as an example of what I just stated above. Verse 34 is a long verse, but I want to focus on one part of it which says: "(...) *Ermahnt diejenigen, von denen ihr Widerspenstigkeit befürchtet, und entfernt euch von ihnen in den Schlafgemächern und schlägt sie. Wenn sie euch gehorchen, dann wendet nichts Weiteres gegen sie an. Gott ist erhaben und groß*"

”واللاتي تخافون نشوزهن فعضوهن واحجروهن في المضاجع واضربوهن..”

This part of verse 34 provides the 'disciplinary' steps in which a husband can follow in the case of his wife's *noshouz* - *disobedience*. The word *Noshouz* has generally been defined as *rising against the husband, deserting him, or resisting him*.⁶ Fatima Mernissi emphasized her opinion that this type of *noshouz* covers also a woman's *rejection of her husband sexual demands*, while Amina Wadud was of the opinion that the word means *disruption of marital harmony*.⁷

Whether the word means rising against the husband or disruption of marital harmony, the question that many Muslims have been struggling with has been *'how to deal with the fact that this verse allows the man to beat his wife as a last disciplinary measure?'*

While the reactions differ, two approaches are discernable. The first is more common and tries to *justify* it; the second is scholarly and attempts to *explain* it using a hermetical approach, but often falls in a *denial* syndrome. Both are missing the point!

The first has been propagated by male Muslim preachers and scholars alike who would argue along the following line: *beating a wife is the husband's last resort that he can use if his wife insists on disobeying him. Women are irrational, and*

⁶ The Holy Qur'an: Arabic Text with English Translation & Short Commentary, Edited by Farid, Malik Ghulam, London: Islamic International Publications Limited, 2002, p. 196; The Holy Qur'an, Tafsir Al Imamien al Jalalien, in Arabic, p. 84; Ghalib, Hanna, Thesaurus of Arabic: An Encyclopedic Reference of Synonyms, Antonyms & Expressions, Beirut Librairie du Liban Publishers, 2003, p.486
⁷ Mernissin, Fatima, The Political Harem: Mohammad and the Women, in Arabic, Second edition, Damascus: Dar Hasad, 1993, pp.196-203; Wadud, Amina, Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective, Oxford: Oxford University Press, 1999, pp.74-78.



sometimes they do not see where their interests are. They can jeopardize the wellbeing of their family. A man, being rational as he is, has sometimes no resort to this method to bring her to reason! But if he did that, there are conditions as to how he beats her. He should not slap her on her face! No, he should not. He should not leave any marks on her body. No, he should not. Other than that, he can of course beat her!

Every time I hear this line of argument, my blood pressure raises. But this type of discourse is common in Saudi, Kuwaiti, Yemeni, or even Egyptian TVs. In many religious programs the issue will be discussed within the above parameters to justify the Qur'anic verse. And of course part of the

argument is to make sure to mention that *Mohammad the Prophet never used force against his wives and that he repeatedly called on Muslim men not to beat their wives!* Logic is not the basis on which this type of justification is founded.

The second reaction is scholarly, conducted mainly by feminists Muslim Scholars, and is meant to find an explanation for the verse from a hermeneutic perspective. The work of Amina Wadud in her book "Qur'an and Woman" and that of a group of scholars in their book "Ein einziges Wort und seine grosse Wirkung" falls within this category.⁸

The two books mentioned above tried to shed doubts on the word "daraba" – beating- saying that it may have a different meaning than, well, beating. Amina Wadud, for instance, argued that in some references this word '*does not necessarily indicate force or violence*', rather it has been used to indicate setting an example or leaving.⁹

Although this type of academic research deserves to be highly commended for seeking a different feministic approach to understanding the Qur'an, there are limits as to how far one can go with this approach.

Try hard as you may, the meaning of the word 'beating' will not change, especially if read within the context of the whole verse itself. A man trying to get his wife to stop disobeying him may use several methods, the last of which is the hardest - beating her. If the woman '*obeyed*' him, then he should stop these measures.

Try hard as you may, the meaning of the verse can not be separated from its historical context which provided the reason why this verse was issued and formulated in the first place. It came after a woman, hit by her husband,

⁸ Wadud, Amina, *ibid*; Zentrum für Islamische Frauenforschung und Frauenförderung (Hrsg.), *Ein einziges Wort und seine große Wirkung*, Cologne, 2005.

⁹ Wadud, Amina, *ibid*, p. 76.



complained to the Prophet. The latter decided to punish him, but the verse then came setting the course as to how to deal with this case.

Fatima Mernissi provided an excellent account of the difficult political situation the Prophet was facing, even within his own Muslim community. His rejection of using violence against women only complicated his position and caused much resentment against him. The verse was *necessary* to calm down the angry Muslim men.¹⁰

Our Egyptian thinker Nasr Hamid Abu Zaid was a matter of fact about this issue when he said that: "Daraba is correctly translated as beating; it is allowed according to this verse if only in a certain context. One sees that this verse is quite obviously directed to a male audience. The Koran is a text that is principally aimed to men, simply because it arose in a male dominated surroundings."¹¹

In other words, because the discourse used in the verse was directed to men, it reflected the social context of the period when Mohammad lived. A context which could be described as male dominated, tribal and patriarchal by nature. Can one expect from such a social and historical context equality between sexes that corresponds to our current understanding of gender equality? It is too much to ask for.

Trying to find a linguistic 'way out' of this dilemma of 'daraba' is, therefore, not convincing, not to me at least. The conclusion it came to, reflects rather the assumption that '*Qur'an can not sanction beating a wife. Hence the word beating may not have meant beating*'. Denial is not a good course of action.

A humanistic Islam approaches this issue differently. It does seek situating the verse within its historical and political context and provides an explanation to it. But it acknowledges at the same time the limits of such an approach in our daily conduct. For the question that one should pose is: *if we did indeed situate this verse within its historical and social contexts, what should we do next? Leave it, and say, yes Qur'an does contain a verse that sanction beating the wife, but that was a different historical period?*

That is one step in the right direction, but in itself it will not do. It is not enough; not when you have those who are using this very verse to justify domestic violence, it is necessary to set the lines straight. Hence, the rationality upon which a humanistic Islam is based on will empathize *that understanding the historical context of this verse is one step in the right direction. Making it clear at the same time that this verse*

¹⁰ Mernissi, Fatima, pp. 179-203.

¹¹ Abu Zaid, Nasr Hamid, Mohammed und die Zeichen Gottes: Der Koran und die Zukunft des Islam, Freiburg: Herder Verlag, 2008, p.160.



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*is not the point of reference when it comes to family relations is the logical step that should follow. Saying it clear and loud that this verse ceases to be relevant to society is the logical step that should follow. It ceases to be relevant to society because, quite frankly, using today's standards; to act on this verse will constitute a violation of human rights. For Today, we consider the woman an individual, a human, equal to man. Today we do not expect women to *obey* their husbands. We expect man and woman to be partners when they decide to establish a family. And today, we call the act of a man or a husband beating his partner or wife, we call it domestic violence. It is considered an offence, a *crime*.*

To be able to argue along this line, a humanistic approach to Islam requires that we distinguish between two levels of the Islamic religion: a) a spiritual side which seeks to establish a connection between the individual and God; and b) a legalistic and Sharia side whose provisions should cease to be a point of reference to our legislation.

Often, it is this legalistic and Sharia side of religion that we seem to be stuck with. It is as if we are kept paralyzed and frozen inside a certain historical period, a bubble of time-unable to break away of it to the 21 century. And we are frozen in time for good reasons. For we seem to keep using the same paradigm of thinking and lines of arguments in approaching the most critical question that should have been addressed long time ago: *What is the nature of Qur'an?*

Posing this question in this form will force us to step *into the forbidden Areas of Thinking and face the church of Islam. Without acknowledging the human nature of Qur'an we will remain stuck, posing the same questions about women's role in society that were asked more than one hundred years ago, and coming with answers that do not guarantee full gender equality.*