

Muslim Women's Rights:  
Frameworks and Interpretations

Asma Barlas

Conference on Gender Equality and Women's Empowerment in Muslim Societies  
11-12 March 2009, Jakarta, Indonesia

I would like to thank ICIP and UNIFEM for inviting me to speak at this conference and Syafiq Hasyim for his tirelessness in clarifying the terms of reference for my talks.

Let me start by saying that I am delighted to be back in Indonesia and to see that, even in the four short years since I was last here, there has been such an increase in activities around Muslim women's rights, both locally and globally.

And there has certainly been a sea change since I was a young girl growing up in Pakistan and just beginning to discover the inequalities that define Muslim women's lives. However, unlike my peers today, I didn't then have the benefit of knowing that our understanding of Islam is filtered through patriarchal Muslim cultures, or that we can interpret the Qur'an differently than we do. Indeed, I didn't know how to define patriarchy even though I could see the signs of male privilege everywhere. So, the fact that we now read the Qur'an on behalf of women's rights in the language we do, and we recognize the importance of being able to name the world in order to transform it, are the most significant markers of change in my own life-time, and I feel very fortunate to have lived to see them.

The task assigned to me for the keynote is to speak about gender equality but to "dwell less on the normative and focus on the challenges and practical ways forward," and also to elaborate "on the Shariah or *fiqh* affecting the position of women." Since I will be deviating quite a bit from this charge let me start with an apology and an explanation.

I don't think an academic can teach activists much about practical issues and, in fact, I am looking forward to learning some things from them about the next steps forward. Then, too, I feel that a better place for me to discuss the Shariah and *fiqh* is in my panel presentation for reasons that will become clear. Lastly, as someone whose work is on Qur'anic norms I am the wrong person to be asked not to dwell on normative issues! As I see it, the struggle for women's rights is above all a struggle over norms and I think we always need clarity about which principles are worth struggling for and why.

For all these reasons I have focused my comments on two key themes identified in the TOR: the framework for understanding gender equality in Muslim societies and the

potential for “progressive interpretations of Islam.”<sup>1</sup> The two are of course related but I will consider them separately, starting with an overview of frameworks.

## Frameworks

As the TOR points out, the debate on Muslim women’s rights is sharply polarized between fundamentalists and feminists and it describes fundamentalists as those who “claim absolute religious freedom,” and feminists as those who view religion as oppressive. I am not averse to using these categories but I do want to point out two things. First, Muslims like myself also believe in absolute religious freedom but we define it differently than fundamentalists so. Second, we now have the phenomenon of Islamic feminism and so it is not correct to represent all feminists as being anti-religion.

I am therefore going to use the term “secularists” for those people who not only want to separate religion and politics (I want this separation too), but who are also anti-religion. More controversially, I am putting some “progressive Muslims”<sup>2</sup> in this category too because they believe that the only way to secure gender justice for Muslims is to move “beyond the text” or say “no”<sup>3</sup> to it, the text in question being the Qur’an. Though secularists and progressive Muslims don’t share the same view of Islam, they draw on human rights and secular feminist discourses to critique the teachings of the Qur’an.

I should also point out that fundamentalists aren’t really a party to the debate on women’s rights since they don’t acknowledge sexual oppression. However, what nonetheless makes them relevant to these debates is that they want Muslim states to adopt the Shariah. By this they mean nothing more than stoning adulterers to death, reducing the weight of a woman’s testimony, banning girls from school and women from the workplace, beating wives, practicing polygyny, and so on.

This deep ideological split between both sides masks certain similarities in how they view not just religion (which they both essentialize, as the TOR points out) but, also the law. Both confuse it with justice; both regard it as the ultimate agent of social change; both treat it as if it is socially, culturally, and politically neutral, and both believe that their own versions of the law should be universalized. One can find fault with each of these assumptions but, unfortunately, I don’t have the time to do that today.

Additionally, one can criticize the fundamentalists (and Muslims in general) for confusing the Shariah with *fiqh* and for ignoring that both are equally products “of human interpretation,”<sup>4</sup> as some scholars argued in a debate right here in Indonesia in 2004. More crucially, I believe that Muslim understandings of the Shariah and *fiqh*

---

<sup>1</sup> Terms of Reference for the conference and my talks.

<sup>2</sup> This is how they identify themselves; see Omid Safi (ed.) *Progressive Muslims*. Oxford: OneWorld, 2003.

<sup>3</sup> Farid Esack, “What do Men Owe Women?” <http://uk.geocities.com/faridesack/fewhatdomenowe.html>.

<sup>4</sup> This was Ziba Mir-Hosseini and Abdullahi An-Naim’s position. See Kari Vogt, Lena Larsen and Christian Moe, “Can the State Enforce Shariah?” in Vogt et. al, eds, *New Directions in Islamic Thought*, I.B. Tauris, 2009, p. 215.

undermine important aspects of the Qur'an's teachings and the Prophet's Sunnah. For instance, the Qur'an doesn't mention stoning as a punishment, it gives a wife's testimony precedence over her husband's if he accuses her of adultery on his own witness, and it does not permit polygyny as a general practice. Nor do its teachings suggest that girls should not be educated or that women should not work. As for the Sunnah, in spite of the misogyny ascribed to it by some hadith, the Prophet is said to have told men to treat their wives kindly and not to beat them notwithstanding verse 4:34 which Muslims almost universally read as the "beating" verse.<sup>5</sup>

Given these gaps between the law, scripture, and Prophetic praxis, I'm not sure whether Muslim states that implement this interpretation of the Shariah will be Islamic in any meaningful sense. Nor am I even clear what it means for Muslim intellectuals to say that "what we need is not an Islamic state but a state where Islam will be respected."<sup>6</sup> How can Islam be respected if the law derived from it doesn't respect Islam?

Secularists, on the other hand, can be criticized for wanting to make the world over in their own image, much like the fundamentalists they excoriate. In fact, secularism is as proselytizing and universalizing in its impulses as fundamentalism. However, there is something quite intolerant in assuming that the historical trajectories of Western states should be mapped onto Muslim or in wanting Muslim societies to adopt the values and priorities of a secular West.<sup>7</sup>

Then, too, secularists often use double standards in dealing with Muslims societies. For instance, the same people who condemn Muslim states for not ratifying CEDAW are silent about the U.S.'s refusal to do so too. However, why is it alright for the U.S. not to enforce egalitarian laws and how is this any less unjust to women than some Muslim states' refusal to adopt CEDAW? Lastly and, on a related note, the secularist—or rather, the progressive Muslim—paradigm is just as rigid as the fundamentalist when it comes to Muslim women and I will say more about this in a moment.

A third approach to Muslim women's rights, and one that seems to be fore-grounded at this conference, holds that religion is not the only source of women's oppression but that it is nonetheless necessary to delink Islam from misogyny and to rethink Muslim law, theology, ethics, and methodology in light of liberatory readings of the Qur'an. By liberatory, I mean readings that recuperate the idea of a just God who is beyond sex/gender and thus also beyond any investment in patriarchy and women's oppression. I also mean readings that make women-friendly verses in the Qur'an the ethical and hermeneutic site from which to articulate the principle of gender equality. Although many people refer to such readings and to this framework as Islamic feminism, it also includes people like me who do not identify as feminists.

---

<sup>5</sup> I examine this verse in detail in Asma Barlas, "'Believing Women' in Islam: between secular and religious politics and theology," in A. Barlas, *Reunderstanding Islam*, Spinoza Lectures, Holland: Van Gorcum, 2008.

<sup>6</sup> Fikret Karcic, quoted in Vogt et. al, *ibid.*, p. 218.

<sup>7</sup> I dislike this way of framing things (Islam vs. the West), but, in some things it seems unavoidable.

This is the only framework that has so far yielded progressive interpretations of Islam, to use the TOR's language, though I hesitate to use the word "progressive" here for reasons I will now explain by looking at the issue of interpretation more closely.

### Interpretations

It should be obvious from what I have said that the fundamentalist framework cannot generate liberatory readings of Islam. This is not just for the obvious reason that it is anti-women but also because it lacks any interpretive flexibility. As you know, fundamentalists believe that the meanings of the Qur'an and Shariah were fixed once and for all by the first generation of Muslims and they cannot be changed. To believe this, however, is to be truly caught in the "hinges of history,"<sup>8</sup> which is paradoxical for a people who also believe that Islam is universal, hence beyond history and that the meanings of God's words are inexhaustible, hence open to multiple meanings.

The secularist framework, on the other hand, while certainly women-friendly, is equally rigid. Thus, progressive Muslims who advocate moving "beyond/outside" the Qur'an or saying "no" to it because they see it as a patriarchal text also cannot and do not *want* to read it in liberatory ways. Indeed, they are harshly critical of liberatory readings which is why I question the phrase "progressive interpretations" of Islam. Since so much hinges on interpretation and since we now have a new generation of Muslim scholars who are engaging in Qur'an interpretation, I would like to engage some common progressive Muslim criticisms of feminist and liberatory readings.<sup>9</sup>

One is that such readings ignore that the Qur'an speaks mostly to men *about* women.<sup>10</sup> This is true; but, the Qur'an generally speaks to men *as if* they already are in authority over women and not as if they *should* always be so. In other words, the fact that the Qur'an recognizes patriarchy doesn't mean that it "advocates patriarchal norms, since that was the historical condition in which ... [it] was revealed."<sup>11</sup> Nor is it true to claim, as some progressive Muslims do, that "Generations of Muslim scholars have correctly stated that the Qur'an advocates patriarchal norms."<sup>12</sup>

For one thing, it is not possible for generations of scholars to have called Qur'anic norms patriarchal because it is only within the last few decades that Muslim women have begun to apply the concept of patriarchy to read the Qur'an. And most of them have done so in order to make the opposite argument: that Qur'anic norms are not patriarchal. For another thing, dealing with a historical condition is not the same as advocating it as a timeless norm. The Qur'an also deals with the treatment of slaves

---

<sup>8</sup> Ashis Nandy, *The Intimate Enemy*, Delhi, India: Oxford University Press, fifth edition, 1991, p. xv.

<sup>9</sup> The following borrows from my first Spinoza lecture cited in footnote 4.

<sup>10</sup> Kecia Ali, *Sexual Ethics and Islam*, Oxford: Oneworld, 2006, pp.126-127.

<sup>11</sup> Ebrahim Moosa, "The Debts and Burdens of Critical Islam" in Safi, *ibid.*, p. 125.

<sup>12</sup> *Ibid.*, 125.

since slavery was also part of the historical condition in which it was revealed. This does not mean, however, that the Qur'an advocates slavery as a norm.

What is normative in the Qur'an aren't social structures since these are historically contingent and likely to change. Rather, what is normative are certain principles that the Qur'an advocated even to a seventh century tribal Arab patriarchy, and I believe these principles overwhelmingly tend towards love, *sukun*, equality, equity, kindness, mutuality, and consultation between spouses.

A second progressive Muslim criticism is that liberatory readings make "too much of a few verses . . . that suggest reciprocal rights and duties between unequal spouses and then hasten to suggest that [it] advocates egalitarianism as a norm." To critics, "privileging a few verses and then suggesting that these isolated and singular verses should control the meaning and interpretation of numerous other verses . . . is nothing short of hermeneutical acrobatics or a hermeneutics of wishful thinking."<sup>13</sup>

Paradoxically, this criticism applies equally to progressive Muslims who also make too much of a few lines in the Qur'an that can be read on behalf of male privilege and then hasten to suggest that the Qur'an advocates patriarchy as a norm. However, why is it more legitimate to read the whole text in light of the "anti-women" lines rather than of the women-friendly verses? Is it not just as much of a hermeneutical acrobatics to hold the Qur'an and women hostage to a few lines or words, thus doing violence to both?

In this context, the progressive Muslim contention that it is better to do violence to the text than to real people is not the only way to resolve the tensions between what we read the Qur'an to be saying and how we define gender justice and equality today. If the choice is between doing violence to the text, engaging in a hermeneutical acrobatics, or rejecting the word of God because we don't like our own reading of it, we should choose to be hermeneutical acrobats. Not only is there no sin in that but if it allows us to read the Qur'an in ever better ways, it may be the ethical thing to be since the Qur'an itself instructs us to read it for its best meanings.

To me, the question of meaning extends beyond how we read the text itself to how we conceptualize the divine being whose word it is. To fundamentalists, and to the secular and progressive Muslims who embrace their fundamentalized view of Islam, it doesn't seem to matter that reading the Qur'an as an oppressive and patriarchal text also means representing God as oppression and patriarchal. Such a view, however, undermines and corrupts the very essence of God as the Qur'an describes God, debasing our encounter not only with scripture but also, eventually, with one another.

This is why we cannot, and should not, avoid normative issues when we speak about Muslim women's rights. I'm sure most of you already know this argument and so it

---

<sup>13</sup> Ibid., 125.

may be less meaningful for you. But there is a new generation of scholars who, I hope, can stand to hear this message again, that we need to interpret the Qur'an in light of a view of a God who is just, uncreated, and beyond the most evolved human thought. It is this conception of God that allows us to read God's word as just and liberatory and it is liberatory readings of the Qur'an that allow us to define gender equality as an Islamic principle. The more clearly we can see these interconnections, the better able we will be to carry the struggle for our rights to the next level. Whatever the challenges we face, we need to be clear that Muslim women's rights cannot come at the cost of Muslim freedom to live in accordance with Islamic norms. The choice between Islam and freedom is the choice that the old European colonizers gave Muslims and if we have learned anything since then, it is that this wasn't and isn't a choice at all.

Of course, it doesn't help that in many Muslim societies, Islam now functions as an instrument to control and oppress women. However, the solution to this lies not in a flight from Islam but in a willingness to stand and fight for it. In lifting up Islam those of us who live by its teachings will also be lifting up ourselves.