Men in Charge?

Rethinking Authority in Muslim Legal Tradition

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The Interpretive Legacy of *Qiwamah* as an Exegetical Construct

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The objective of this survey is to trace the accumulation of interpretations and understanding of the Qur'anic term *qawwamun* in the genre of *tafasir* literature, noting significant evolutions, changes or shifts in meaning that have occurred along this chronological path. How exactly did the Qur'anic sentence *'al-rijal qawwamun 'ala al-nisa' bima faddala Allah ba'dahum 'ala ba'd wa bima anfaqu min amwalihim'*[1] – which is part of the larger verse 4:34, in its turn part of a larger passage, and part of a larger structure of governing principles – become an independent and separate (transcontextual) patriarchal construct? Perhaps if we understand this historical and cultural process, we will be able to refute certain meanings and reconstruct others.

In the last ten years, in particular, recent scholarship has proliferated in the specific area of scrutinizing *tafsir* literature with regard to certain terms

[1] Abdullah Yusuf Ali's (1989) translation of this sentence in verse 4:34 reads, 'Men are the protectors and maintainers of women, because Allah has given the one more [strength] than the other, and because they support them from their means.' The remainder of the verse is, 'Therefore the righteous women are devoutly obedient, and guard in [the husband's] absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them [first], [Next], refuse to share their beds, [And last] beat them [lightly]; but if they return to obedience, seek not against them Means [of annoyance]: For Allah is Most High, great [above you all].'

or phrases related to gender notions.[2] Needless to say, the foremost terms to attract the attention of scholars and researchers interested in rethinking and reinterpreting gender verses have been *darajah*, *faddala*, *qawwamun*, *qanitat*, *nushuz*, etc.[3] Producing research on verse 4:34 has turned into an obsession and an industry. It is indeed the verse that most often touches our lives as Muslim women and so deserves our attention and scholarly contestation. This increasing research also embodies the very idea of Muslim women's right to participate in *ijtihad* and the production of Islamic knowledge.

The traditional division and categorization of the exegetical corpus is usually made according to either methodological approaches or historical phases. The first set of classifications include: a) interpretation according to reported traditions (*bil-ma'thur*); b) interpretation according to individual opinion (*bil-ra'y*); c) symbolic Sufi interpretation (*al-ramzi* or *kashfi*); d) the thematic or topical approach (*al-mawdu'i*); e) rhetorical/literary analysis (*al-bayani*); and f) scientific interpretation (*'ilmi*). Historically, works of Qur'anic interpretation are divided into three phases. The first phase is the initial period of the Prophet Muhammad and his Companions; the second phase corresponds to the second generation of the Followers or disciples; and the third phase marks the beginning of formal documentation and the emergence of the 'science of exegesis' (*'ilm al-tafsir*) as a separate branch within the religious sciences.[4]

The commentaries this chapter examines belong to this latter formal phase and cover only the two initial classified methodological approaches of *ra'y* and *ma'thur*. In general, it appears that an individual exegete's hermeneutical stance or theological school (*madhhab*) has little bearing on particular gender notions and interpretations. Hence, this genealogical investigation of *qiwamah* demonstrates a powerful, traditional legacy of its own.

The first section of this chapter presents examples of exegetes' formulations and discourse relating to *qiwamah* over the course of ten centuries. The

[2] The following are selected samples of articles (not including discussions that appear in book chapters): al-Hibri (1982), Hassan (1999), Marin (2003), Mahmoud (2006), Ammar (2007), Bauer (2009), Shaikh (1997; 2007), Elsaidi (2011) and Chaudhry (2013).

[3] Abdullah Yusuf Ali (1989) translated *darajah* as 'degree (of advantage)'; *faddala* as 'favour'; *qawwamun* as 'protectors and maintainers'; *qanitat* as 'devoutly obedient'; and *nushuz* as 'disloyalty and ill-conduct'. Muhammad Asad (1980) translated *darajah* as 'precedence over'; *faddala* as 'bestowed more abundantly'; *qawwamun* as 'take full care of'; *qanitat* as 'devout'; and *nushuz* as 'ill-will'.

[4] See al-Dhahabi (1976) for the most authoritative scholarly work on the history and development of the science of *tafasir* and its schools.

second turns to a brief mapping of current proposed strategies by Muslim feminists and reformists towards reinterpreting the term and concept. I conclude with suggestions of further trajectories and nuances to explore in future research.

THE CHRONOLOGICAL PATH OF MEDIEVAL AND MODERN CONSTRUCTIONS

This evolution from *qawammun* to the patriarchal construct of *qiwamah* went through four discursive stages. The initial stage was turning the descriptive *qawwamun* into a normative or prescriptive conception, signalled by the transformation to a grammatical *masdar* (a verbal noun or infinitive), namely *qiyam*, which later developed into *qiwamah*. The second stage was consolidation through amassing reasons for the hierarchal concept of *qiwamah*. Third, jurists expanded the concept through linking it to *darajah* (degree) in Qur'anic verse 2:228 and selected *ahadith*. Finally, there was a modernist turn of linking it to the ideology of domesticity and women's *fitrah* (created nature).[5]

The first stage – turning the descriptive *qawwamun* into the normative prescriptive construction *qiyam* – began with Abu Ja'far Muhammad al-Tabari, a scholar and historian who was born in 839 CE at Amul in the province of Tabaristan and died in 923 CE in Baghdad. Al-Tabari created the first comprehensive commentary on the Qur'an, *Jami' al-Bayan fi Tafsir al-Quran*, by collecting and documenting the ample material of traditional understandings that survived until his time. This earliest *tafsir* became a standard work upon which later commentaries drew, and it contains valuable information for modern historical-critical research. Al-Tabari used a meticulous, systematic method to cite the diverse chain of authorities and reports used in understanding and interpreting each verse, then evaluated them, exercised his judgement and presented his own explanation and commentary.

The period in which al-Tabari lived, studied and travelled across Iraq, Syria and Egypt can be characterized politically as the breakdown of the traditional, centralized authority of the Abbasid caliphate, yet socially, culturally and intellectually as a formative age. Ira Lapidus (1988) calls these historically significant centuries – the ninth to thirteenth centuries CE – the 'post-imperial' period, when the diffusion of certain forms of social, educational and religious

[5] Unless otherwise noted, all translations from the original Arabic are my own.

organization across Muslim lands became the new determinants of a discernible identity for these societies:

> [This new formation] bequeathed a repertoire of cultural and religious ideas which remain operative in Islamic lands to the present day. From this era came the forms of Islamic orthopraxis contained in hadith and law, Sufi forms of ethical and spiritual self-cultivation, Shi'i concepts of religious leadership, ideals of mystical and Gnostic transcendence, popular saint worship and magical practices, and a socially active and reformist Islamic idea. This period also gave rise to the basic elements of Islamic social organization: states, schools of law, and Sufi tariqat. Finally this era set the precedent for a separation between state institutions and Muslim religious communities. (p. 237)

Hence, this period witnessed the solidification of Sunni schools of law and subsequent ulama communities or associations of scholars, teachers and students, organizing higher education and training teachers and judges. As Lapidus (1988) notes, the ulama were not so much involved in politics as in community affairs and the control of legal administration and educational and charitable activities: 'Their concern was to uphold public morality, to apply the Shari'a to family and commercial affairs, to educate, to heal, and to mediate local conflicts' (p. 233). In other words, in studying the ideas, notions and voices embedded in theological writings, we try to understand the mutuality of the reflection of sociocultural norms in these writings and, at the same time, the influence of these discourses on reconstructing social reality.

Al-Tabari's exegesis is identified as the masterwork that laid the foundation for this genre and set numerous concepts and trajectories in motion thereafter. In his explanation of *qawwamun*, he used the phrase *ahl qiyam 'ala nisa'ihim* (watching over or being in charge of their women) to establish men's collective task or responsibility of *qiyam* in disciplining women (al-Tabari, 1961, vol. 8, p. 290). He understood the second portion of the verse – 'because Allah has given the one more [strength] than the other, and because they support them from their means' – as the reason why men were designated to be 'people of this disciplining task'. The main basis for the right to discipline was that God privileged them to provide women with their dower and sustenance. Hence, not only did al-Tabari initiate and put into motion the hierarchal idea of moral superiority and the right to discipline (*ta'dibihinna*), but he also instituted the twisted logic of turning the divine assignment to provide economic support

into a reason for privilege: 'they provide because they are better, or they are better because they provide'.

Thus, the original direct meaning of *qawwamun/bima faddala* (financial support by the means God gave them) developed this way: 1) from descriptive to normative/from responsibility to authority; 2) introducing the noun *qiyam* (which paved the way to the later *qiwamah*) as an essentialist notion of moral superiority;[6] 3) from the restricted meaning of providing financial support to a wider range of a generalized status of all men everywhere and at all times; and 4) from a relative, changing condition of material bounty on account of inheritance to an unconditional favouritism based on gender. As Amina Wadud (1999) puts it, what Allah has preferred is restricted to the material, and not absolute (p. 71).

The second stage – consolidation through amassing reasons for the hierarchical construction of *qiwamah* – can be identified with the Persian-Arab scholar Abu al-Qasim Mahmud ibn Umar al-Zamakhshari (d. 1144), who completed in 1134 his *Al-Kashshaf 'an Haqa'iq Ghawamid al-Tanzil*, which is rich in linguistic-rhetorical analysis and strongly revealed his Mu'tazilite ideas and doctrine. Modern researchers maintain that this 'pronounced dogmatization of the exegesis' made his commentary less influential and significant in the general history of Qur'anic commentaries (Gatje, 1976, p. 36). However, examined from the perspective of highlighting the interpretation of *qiwamah*, his text picked up the strand of hierarchy from al-Tabari and dropped the reference to economic provision. He concentrated on two points. First, he consolidated superiority and the right to discipline by introducing a metaphor that likened the relationship between men and women to the relationship between 'rulers' and 'subjects', in that they 'manage them by ordering and forbidding' (*amirin, nahin*). Second, he consolidated the notion of *tafdil* (favouring) as the God-given reason for the fact that they are in control (*musaytirin*) (al-Zamakhshari, 1948, vol. 1, p. 394). Again, notice the transformation of *bima faddala*, the verb, to a general conceptual noun.

[6] Amani Saleh (2002) has made the point that 'the term *qiwamah* in its verbal noun form did not occur in the Qur'an in the same manner as other notions that occurred textually thus [as a noun], and the Qur'an was careful to clarify accurately their connotations and elements, such as the terms of *iman, taqwa, kufr, fusuq*...etc.' (p. 49). She goes on to say, 'The term *qiwamah* seems to be more of a *fiqhi* concept coined by the *fuqaha'* to express their special reading of the issue of gender in the Qur'an, just like other *fiqhi* concepts that became *shar'i* later on, e.g. *al-hakimiyyah, al-imamah*...etc.'

Al-Zamakhshari provided a long list of justifications for this divinely ordained preference: men are better in 'reason, resoluteness, determination, strength, writing (in most cases), horsemanship, spear-throwing'; among them are 'the prophets and the ulama'; further, 'they perform the *imamah*, the *jihad*, the *adhan*, the *khutbah*, *'i'tikaf*, loud *takbirat*[7] (according to Abu Hanifah), bearing witness in *hudud* and *qasas*,[8] increase of inheritance shares and divisions, *wilayah* in marriage, the right to pronounce divorce and revoke it, the number of spouses, lineage, in addition to having beards and wearing turbans'. Notice the mixed bag of innate qualities, social customs and *fiqhi* deductions, a confusing and arbitrary mix that has stayed with us for centuries.

The famous Persian-Arab theologian and religious philosopher Fakhr al-Din al-Razi (d. 1209), a Shafi'i who also wrote on physics, medicine and astronomy, was opposed to Mu'tazilite doctrines. Throughout his works, he attempted to reconcile philosophy and religious traditions, hence he was accused at times of rationalism. His *Al-Tafsir al-Kabir* is considered an Ash'arite answer to Mu'tazilite Qur'anic exegesis, as represented by al-Zamakhshari, since he brought in a great deal of his own philosophical views. He began his interpretation by taking the verse back to its financial implications and linking it to inheritance. He attempted to explain the justification of the increase in men's inheritance shares: 'Although both men and women share their mutual enjoyment of one another, God ordered men to pay to them dower and sustenance; hence, the increase in one side is met by an increase in the other side, so as if no excess (*fadl*) whatsoever' (al-Razi, 1938, vol. 10, p. 87). Al-Razi meant that the monetary increase to men through inheritance was met by the increase in financial responsibility towards women; hence, no surplus, but rather equality in the distribution of financial resources. The interpretation would have been quite reasonable had it stopped there. Unfortunately, he proceeded to maintain the previous circular logic that men's responsibility of support arose from their privileged status.

Building on al-Tabari's idea of authority to discipline (*musallatun 'ala 'adabihin*) and al-Zamakhshari's idea of men as rulers ('as if God made the man *amir* upon her with executed rule concerning her'), al-Razi discussed the reasons why God instituted 'men's *saltanah* over women'. He stated two main reasons

[7] The translations of the respective terms are as follows: leading the prayer; fighting for the cause of God; calling for the prayer; giving the sermon in collective prayer; spending time of solitude and prayer in the mosque; calling *Allahu Akbar* (God is great) in a loud voice.

[8] *Hudud* are understood to be particular types of crimes for which the punishment has been specified in the Qur'an, such as stealing, fornication, etc. *Qasas* is retribution for the crime of murder.

matching the two portions of the verse. The first reason that men are better than women was a combination of intrinsic (*haqiqiyyah*) characteristics and in *shar'i* rules: knowledge, mental capacity, physical ability, resoluteness, horsemanship, spear-throwing, being prophets, ulama and imams, undertaking *jihad*, the *adhan*, the *khutbah*, bearing witness, more inheritance shares, being charged with blood-money, with *wilayah* in marriage, divorce, and number of wives, and lineage. Notice that he automatically repeated al-Zamakhshari's list of reasons, but also added a few more of his own. The second reason, according to al-Razi, was the portion in the verse '*wa bima anfaqu min amwalihim*', which he took to mean 'a man is better than a woman because he gives her dower and sustenance'.

Another theologian and scholar from Persia in the time of the Atabek ruler Abu Bakr ibn Sa'd was Abd Allah ibn 'Umar al-Baidawi, who was educated in Baghdad, became a judge in Shiraz and died in Tabriz in 1286. In his *Anwar al-Tanzil wa-Asrar al-Ta'wil*, he summarized most of al-Zamakhshari's material, but also expanded and added from other sources, assimilating the commentary to mainstream Sunni theology. This work was highly regarded by Sunni scholars and used as a textbook in Islamic schools until the sixteenth century. Because of its condensed nature (two volumes), it was one of the first Qur'anic exegeses published in Europe (1846–8).

Al-Baidawi immediately began the commentary on verse 4:34 with what has become a standardized expression – the notion of men 'being their [women's] sovereign like rulers over subjects' (1968, vol. 1, p. 217). His contribution, however, lay in distinguishing between innate features or causes of divine preference (*wahbi*) and others that are acquired (*kasbi*), again matching the two portions of the verse. He reproduced the previous lists, adding a new expression in reference to divorce: *al-istibdad bi-l-furaq* (i.e. independently and autocratically taking the decision of parting). Notice how the assumption of 'rule' as the main indicator of the relationship between husbands and wives superseded the injunction of economic support.

The next commentator along this path was Abu Abdallah al-Qurtubi, a famous exegete, *muhaddith* and jurist scholar who was born in Cordoba, Spain, where he was first educated, went to Egypt to study *hadith* and *tafsir* after Cordoba's capture in 1236 and died there in 1273. His twenty-volume commentary, *al-Jami' li-Ahkam al-Qur'an*, was known to reflect his Maliki jurist point of view; however, this comprehensive work was not limited to legal issues, since all interpretive points were also thoroughly investigated and commented upon.

Al-Qurtubi's commentary on the verse recalls that of al-Razi, as he initially related *qiwamah* to men's spending from increased financial sources of inheritance shares, as referred to in verse 4:11. Al-Qurtubi explained that God showed the reason for this increased share in inheritance: it was because husbands paid dower and provided for women; hence, 'the benefit of this preference goes back to them [women]' (al-Qurtubi, 1967, vols 5–6, p. 168). However, he also resembled al-Razi in following this piece with a contradictory presentation of preference, not merely on account of material resources, but also based on innate gender characteristics expressed in that age's scientific terms:

> *It is said* that men have the privilege of mind and better management... and *it has been said* that men have strong natures that women do not have because men's disposition is determined by heat and dryness which gives them strength and hardness, whereas women's disposition is determined by humidness and coldness, giving them the characteristics of leniency and weakness. (Al-Qurtubi, 1967, vols 5–6, p. 169, emphasis mine)

Al-Qurtubi here signalled the beginning of a new trajectory that attempts to use either contemporaneous cultural views or the time's known scientific 'facts' as evidence to corroborate an exegete's perception of gender differences. This strategy has gained even more dominance in modern commentaries, which have further consolidated and elaborated on linking the biological to the personal, translating differentiation into hierarchy.

In interpreting the rest of the verse, al-Qurtubi maintained the right to discipline, with a warning to men 'not to abuse their companionship', and added to the list of male rights or privileges that of 'enjoining the right and forbidding the wrong'. Then he referred to the juristic understanding and interpretation that if a husband was incapable of providing, then he would not be *qawwam* over his wife – meaning that he can be sovereign only when he provides. Notice the confusion, back and forth, between two notions of *qiwamah*. Contingent upon financial support or an absolute condition? An injunction to spend or a feature of divine preference?

The third stage of expansion, elaboration and accumulation of evidence of men's superiority on all levels began with Abu al-Fida 'Imad al-Din Isma'il ibn 'Umar Ibn Kathir (1301–73), the Syrian historian, *muhaddith* and exegete. Influenced by Ibn Taymiyyah (d. 1328), his approach was conservative and strongly dependent on past traditions. According to the modern scholar of the

'science of *tafsir*', al-Dhahabi (1976), Ibn Kathir is the most famous of exegetes – since the pioneer al-Tabari – to use in exaggeration the *ma'thur* method (reported traditions and *ahadith*).

In this discursive stage, Ibn Kathir expanded the notion of men's superiority through the use of Abu-Bakara's famous *hadith* about women's leadership (No people will prosper that has delegated a woman to lead their affairs), and he stipulated that women cannot be judges in the context of verse 4:34, thereby extending the scope of male supremacy and authority from the domestic to the public sphere. In addition, Ibn Kathir linked verse 4:34 to the notion of *darajah* in verse 2:228 and obsessively compiled all of the *ahadith* on wifely obedience and reverence to husbands that he could gather (Ibn Kathir, n.d., vol. 1, p. 491). Ironically, when a classical exegete escaped the 'atomistic methodology' described by Amina Wadud (1999), he did it to render a 'false' or forced connection that extracted Qur'anic terms out of context and turned them into building blocks of concept construction. It is also baffling that because of this method of digging up various *ahadith* and sayings by the Companions to explain most verses, this exegesis has become a classic in the Muslim world today – popular and widely cited in *khutbas* and religious classes.

The mid-thirteenth to mid-sixteenth century is roughly the period of the Mamluk regime that governed Egypt, Syria, southeastern Asia Minor and western Arabia. This regime was known for its military power and prosperity. Historians note in particular a flourishing in the area of higher religious education: Cairo, for example, saw the establishment of dozens of madrasas, through the pious foundations and endowments of sultans and emirs, in addition to generous funding to support teachers and students. This is also the period that witnessed the spread of dozens of women *muhaddithat* and *faqihat* (specialized religious scholars and teachers) across Muslim lands, who taught in their homes, lectured in major mosques and graduated male students (Abou-Bakr, 2003). In addition to the works that documented the learning, teaching activities and travels of these elite women scholars, other historical sources from the same period recorded details of the social and public lives of ordinary women in the urban centres of Mamluk states. A good example is *Al-Madkhal* by Abu Abdallah ibn al-Hajj al-'Abdari (d. 1336), a didactic treatise in which he vehemently criticized the manners, lifestyles and public activities of women, which were becoming very apparent during his times (Lutfi, 1991). Similar tracts concerned with public morals and order were meant to

combat the *bid'a* (false innovations in religious practices) of popular culture of the times, such as visitation and veneration of graves, widespread visibility of women, and women's participation in street festivities and musical celebrations (singing, using tambourines and dancing). A number of Mamluk rulers went as far as banning certain activities, especially women's visitation to graves on Fridays and during the *'eid* (Shoshan, 1993, pp. 68–9).

This context may explain the concomitant rising tone of moralizing and bias against women in particular and religiously justifying restraint. We can view the *tafsir* by Jalal al-Din al-Suyuti (d. 1505) in this light. He was a prolific Egyptian scholar of all fields in religious learning and held teaching and legal positions in the Shafi'i school of law. His commentary, known as *Tafsir al-Jalalayn*, is still widely in use today because of its conciseness and practicality. Ironically, we may notice a departure from the general methodological characteristic of concise paraphrase of verses and vocabulary related to the *qiwamah* concept. His explanation instead is an excellent example of the interpretive strategy noted in Ibn Kathir, as well as its pinnacle, for the number of pages devoted to verse 4:34 alone reached six pages and the relevant *ahadith* or analogue citations reached twenty-seven. The majority of *ahadith* cited were weak (mainly from the less authoritative collections) and the excessive accumulation and repetition of negative pronouncements on women, ascribed to the Prophet or the Companions, recall typical medieval misogynistic literature found in European traditions.[9] Among the most famous troubling *ahadith* are the metaphoric wifely 'prostration' to husbands, the 'licking of ulcers and pus', and 'responding to a husband's desire even when on a camel's back' – all appearing for the first time in a *tafsir* work in the context of interpreting *qiwamah* in verse 4:34 with exaggerated insistence or obsession.

Two themes in particular are reiterated hysterically: a wife's absolute subservience and obedience to a husband's orders, and the prohibition of going outside the house without his approval. The question can be raised here about the need felt by this fifteenth-century exegete to stress these issues. In line with what has been mentioned before, Ruth Roded in her *Women in Islamic Biographies* (1994) observed that particularly during the thirteenth- and fourteenth-century Mamluk period, historical records showed the widespread appearance of Muslim women in the public arena in various fields and that

[9] See the chapter 'Faith-Based Assumptions and Determinations Demeaning to Women' in Abou El Fadl (2001) for a comprehensive and excellent refutation of these traditions.

official edicts were issued trying to stop or limit their presence and free circulation outdoors (p. 138).[10] Are these religious texts simply a conservative reaction to contemporaneous social reality and a growing desire to limit women's movements in the public arena? In other words, such exegetical, jurist and *fatawa* texts and the dominant religious discourse could indicate what some religious scholars envisioned and wished for gender relations and the place of women; they are not necessarily an authentic reflection of social reality in all its dimensions and practicalities.

The fourth stage came with the modernist development of adding the ideology of domesticity and the 'scientific' justification of biological essentialism through the use of the notion of women's *fitrah* – their 'inborn' nature. The first modern exegete to make extensive use of these ideas was the Egyptian reformist Muhammad 'Abduh (d. 1905) at the turn of the twentieth century. In *Tafsir al-Manar*, his seminal and influential early modern work, he introduced the notion of 'the *fitri* reason' *of qiwamah* ('Abduh, 1990, pp. 55–8). He also wrote about wives 'living under the *riyasah* [rule and leadership] of husbands' as a condition that followed the requirements of human nature. 'Abduh particularly elaborated on the compound notion of *riyasah–ra'is–mar'us* (i.e. rule/leadership–leader–ruled), constructing the marital relationship as a boss–subordinate relationship. He was also the first exegete to adapt a relevant biblical reference[11] when he stated that 'a man is like the head, and the woman is the body', and it is 'no shame for a human being to have his head better than his hand'. Huge emphasis was put on enumerating and explaining women's biological and domestic functions, beginning with pregnancy, childbirth, nursing and child-rearing, to being 'manager/keeper of the house', since 'the home is like a small kingdom'. This 'house/domestic life' (*al-hayah al-manziliyah*) was a woman's 'natural work' (*'amaluha al-tabi'i*) according to 'the system of innate natural disposition' (*nizam al-fitrah*). These are all terms incorporated for the first time in a *tafsir* work and strongly reflect the beginning of the modernist ideology of sanctifying domesticity and 'naturalizing' or 'essentializing' the division of gender roles. A serious consequence to this discourse is the conclusion that 'even if the *shar'* had allowed women to deliver the Friday *khutbah*, the *adhan*, and lead the prayers, this wouldn't have prevented that the *fitrah* requires for men to be sovereign *qawwamin* over

[10] For more on the Mamluk period, see Stilt (2011).

[11] '[T]he head of every man is Christ; and the head of the woman is the man; and the head of Christ is God' (1 Cor. 11:3).

women' ('Abduh, 1990, vols 5–6, p. 58). 'Abduh's pronouncements directly opposed those of the classical jurists, who did not include domestic service as incumbent upon women in marriage.

Subsequent twentieth-century exegetes continued using this composite of meanings and definitions, refining and developing medieval gender biases through the division of male and female psychological natures, one disposed to rational and abstract thinking, the other emotional, nurturing and fixated on details. This 'natural' organization of human nature led to a corresponding God-ordained division of private domesticity versus public work. Hence, the discourse here reshapes the old medieval hierarchy in modern, pseudo-scientific terms.

Among the most typical of this trend are Sayyid Qutb (d. 1966) and Shaykh Muhammad Mitwalli al-Sha'rawi (d. 1998). Qutb, an Egyptian critic and Islamist thinker and activist, called for the immediate and exact application of God's laws as part of his vision of a truly Islamic state, and so was known for his politically radical ideas and considered an icon of some factions of current political Islamism. He produced a full Qur'anic commentary, *Fi Zilal al-Qur'an* (1952), in which he explicated verse 4:34 and other verses related to gender in terms of biological and psychological essentialism, in addition to a strict division of gender roles according to a private/public divide. He argued this is a God-inscribed organization of human society.

Qutb was among the early twentieth-century writers to articulate in very clear terms the basically modern, conservative view of 'the human institution of the family' (Qutb, 1952, pp. 57–60). He reasoned that, like in any other formal organization, it is necessary that parties in the family perform their 'specialized functions' according to their 'capabilities and readiness'. Because men have the function of working and providing, God provided them with 'innate physical, neural, mental, and psychological characteristics' to aid them in performing this function. Since women are to concentrate on their function of bearing and raising children, they were also provided with the appropriate innate characteristics. Qutb continued in a long passage to detail women's special qualities of gentleness, kindness and quick emotional response (to children's needs), and men's attributes of toughness, slow response and the use of thinking and deliberation – on account of the primeval hunting and protective instincts.

The second proponent of this discourse, Shaykh Muhammad Mitwalli al-Sha'rawi, was a popular and loved Egyptian religious scholar and preacher, most famous for his early televised weekly sessions of Qur'anic interpretations,

which are still occasionally aired on Egyptian and Arab television. Like Qutb, he consolidated further the conservative gender ideology, including the complementarity of the sexes and the paternalistic attitude towards wives and mothers (al-Sha'rawi, n.d.; 1982). The thrust of al-Sha'rawi's argument revolved around the unique biological functions of pregnancy, childbirth and nursing, which for him formed the basis of gender difference in essential life tasks and in human nature. Al-Sha'rawi felt that a woman's role as mother is what determines her very character, so she is ruled by nurturing drives and emotions; this is in contrast to the main masculine traits of reason and rationality. Although al-Sha'rawi stated that this division of functions does not mean men are better than women (or vice versa), this kind of superficial reasoning has always been used to justify female intellectual inferiority and unsuitability for any work other than motherhood.

Just as the Mamluk sociocultural context could help explain the gender views of contemporaneous exegetes, this 'Islamist' version of modernist gender norms can be explained as arising from intellectuals' reactions to colonial modernity and their defensive attitude of protecting and preserving cultural identity in the form of the status of women and traditional family relations.

The last example to consider in this journey is the current standard and officially sanctioned understanding of *qiwamah*, which can be read in the 1978 sixth edition of *Al-Muntakhab fi Tafsir al-Qur'an al-Karim* (Selected Interpretation of the Sublime Qur'an), the simplified and widely used commentary by al-Majlis al-'A'la lil-Shu'un al-Islamiyah (the Higher Council of Islamic Affairs of Egypt) (1978). I translate the passage literally:

> Men have *the right* of maintenance and care of women, as well as managing their affairs by what God gave them of attributes that qualify them to undertake this *right*. Further, because they are the ones who strive and work hard to earn the money that they spend on the family. (p. 114, emphasis mine)

In terms of discourse analysis, 'maintenance and care' are described as a 'right' belonging to men, not a divine injunction or a duty incumbent upon them, and financial providing occurs as a secondary issue, superseded by the idea of personal attributes. Furthermore, there is a clear assumption that only men work and earn money.

REFORMIST INTERPRETIVE STRATEGIES

An early precursor of the attempt to shake the 'absolute' essentialist understanding of *qiwamah* and suggest an element of contingency or relative status is the Egyptian poetess and writer A'isha Taymur (1840–1902) in her treatise published in 1892, *Mir'at al-Ta'ammul fi al-Umur*. Taymur, who belonged to the upper elite class, expected men to fulfil the material needs of wives even if the latter were themselves affluent. She voiced a conservative, classist view, blaming husbands for abandoning their expected social and leadership roles. However, she presented a conditioned understanding of *qiwamah*. Her original intention was to reform the ways of negligent and wayward husbands of the upper class who were not performing their duties of 'fulfilling the needs of their wives' (Taymur, 2002, p. 29) and not assuming their marital responsibilities.[12]

The logic of her discussion was as follows: when men abandoned their duties, they forced women to assume the role of managers of their families and their lives, and so men lost their status when they stopped fulfilling its requirements. In the course of the argument, Taymur included a short allegorical narrative that used animal symbolism. A lion grew lax in his hunting duties and stopped bringing the kill; he let the lioness hunt instead. After some time, she began eating the best parts of the prey and giving him the leftovers. The lion got angry and demanded a priority share in keeping with his high status. The lioness replied, 'No, that's when you were you, and I was I; now, I became *you*, and you became *me*: you are entitled to get from me what I was entitled from you, and I am entitled to get from you what you were entitled from me.'

Even if the intended moral of this story was a warning to men and society at large of the danger of this 'unconventional' reversal of roles, Taymur's contribution was to shed light on a conditioned, shifting *qiwamah*, contingent on men fulfilling their material and moral responsibilities. She viewed financial support of women as a *condition of*, not a reason for, guardianship – which was a subtle but important distinction at this early historical stage. I would also describe this approach as gender sensitive or reflecting woman's

[12] The phenomenon of men marrying into rich families for greed and squandering their wives' fortune on gambling and alcohol was one of the social ills of the time. For a full biography of Taymur and an extensive analysis of the political, social and cultural context of Egypt at the end of the nineteenth century and the impact on middle-class gender relations, see Hatem (2011).

perspective in observing that temporary financial guardianship may be needed so as not to overburden mothers, especially when giving birth and nursing, with the responsibility of supporting themselves, and in shifting the discourse of blame and self-reform to men. Another interpretive possibility is that she was problematizing the notion that men have more rights than women because of the financial obligations assigned to men.

This view of the conditioned *qiwamah* appears as the cornerstone of several contemporary interpretations, including those of al-Hibri (1982) and Radwan (1988; 2005); Wadud's view of a 'flexible' and 'acquired' *qiwamah* (1999); Abou El Fadl hinging the status of maintainer on 'objective capacities' (2001, p. 210); Bayoumi's discussion of an 'extraneous and potentially changing' *qiwamah* (2009, p. 62); and Abu Zayd's understanding of *qiwamah* as descriptive of a social reality that we are urged to change (2007, p. 213). These articulations reject an inherent, permanent right of authority, suggesting a changeable state of affairs.

Another strategy of contemporary scholars is the textual contextualization used by Maysam al-Faruqi and Asma Barlas. Al-Faruqi (2000) relies on a method that privileges 'an interpretation corroborated by the verses of the Qur'an' themselves as 'stronger than an interpretation corroborated only by a source external to the Qur'an' (p. 88). This is done through a close textual reading that pays attention to the logical and linguistic coherence of the Qur'anic text and the context of its units and passages. Hence, she focuses on the meaning of *bima* in the first portion of verse 4:34 and connects this divine command to verses 4:11 and 4:32, which are concerned with the double inheritance share and the means of providing sustenance. Al-Faruqi's argument is that textual evidence does not warrant *qiwamah* as an endowed state of excellence because the term 'is used within an entire section that starts from the beginning of the same *surah* (chapter) with the issue of possessions in conjunction with marriage and inheritance' (p. 85). Through textual analysis of the context of the verses and entire passages in which they appear, she disproves unjustified favouritism or arbitrary preference.

Similarly, Barlas (2002) uses close scrutiny of the denotation of Qur'anic words to add more nuance and divest the concept of *qiwamah* of its patriarchal implications: 'Even though the Qur'an charges the husband with being the breadwinner, it does not designate him head of the household, especially as the term has been understood in Western feudal cultures' (p. 187). Such designation, she argues, 'was contingent on traditional patriarchal definitions of the father-as-husband and the husband-as-father'. The Qur'an does not

adhere to this right of rule for the father figure or use the concept of 'head of household'.

A third interpretive strategy can be seen in the work of scholars such as Gamal al-Banna (d. 2013) and Khaled Abou El Fadl. Al-Banna was an independent, erudite Islamic scholar and prolific writer who, as part of his comprehensive intellectual and hermeneutical reformist project that he called *da'wat al-'ihya' al-islami* (the call of Islamic revival), espoused the governing principle that Qur'anic pronouncements and commands are encompassing and general enough to merit within them developing diverse interpretations that can evolve with changing times and contexts.[13] Criticizing Muslims' abandonment of the Qur'an itself in favour of the body of superfluous exegetical literature, al-Banna called for a return to a basic understanding of 'Qur'anic discourse' (*al-khitab al-qur'ani*), a dynamic guide for centuries to come as consecutive times allow more progressive applications (al-Banna, 1995, p. 92; 1999, p. 179). This approach was adopted by Abou El Fadl and has influenced his specific reflections on *qawwamun*, which he describes as ambiguous.

In approaching the issue of how exactly to interpret the words of God today, Abou El Fadl outlines a methodology centred on two elements: first, exhausting all possible theological proofs and implications through a thorough investigation of the totality of evidence; and, second, following the moral trajectory of the Qur'an in its entirety and its comprehensive guiding principles. The sophistication – and complexity – of this method stems from the fact that Abou El Fadl is not willing to completely forgo consideration of the classical traditions and rely only on timely and contemporary interpretations. He also insists on using textual hermeneutics in the light of ultimate divine intent, refusing to ascribe to God 'what is immoral and ugly'. In other words, he makes a connection between the value of beauty and moral pursuit: 'I argue that there is much beauty in the traditional Islamic methodologies of knowledge, but I also argue that even the traditional methodologies should be reoriented toward an unrelenting and persistent exploration of a core Islamic value – beauty.' He maintains that '*Shari'a* is the search for the beautiful because it is the search for God'; hence, we may search 'the Divine Will through several avenues of evidence', yet it 'must also be searched through a moral and ethical inquiry' (Abou El Fadl, 2006, pp. 70–1).

[13] See al-Banna (2003), in which he critiques the foundations of both classical and modern exegesis and presents his own vision of an approach that restores to the Qur'an its revolutionary meanings and message.

This means that Abou El Fadl's interpretive method is neither totally literalist (relying only on intricate linguistic and stylistic analysis) nor solely focused on generalized and ultimate ethical values at the expense of marginalizing the Qur'anic text and its interpretative tradition (i.e. focusing on the purpose of the text, the spirit not the letter). His is a holistic method that combines and synchronizes textual analysis, overarching moral norms and the classical traditions. Thus, for Abou El Fadl, the word *qawwamun* in verse 4:34 does not have a fixed meaning. The textual reading suggests that guardianship means men being sustainers of women, including service and protection. However, the status of *qiwamah* is hinged on a particular operative cause (*'illah*), which is the ability to earn and spend. If a man is not supporting the family, if a wife is also contributing financially or has equal earning potential, then a man's *qiwamah* cannot exist. But, most of all, the legitimate possibility of constructing a meaning of *qiwamah* that fulfils the ultimate Qur'anic criteria of beauty and moral import is left open by the text and its underlying ethical principles.

The work of Kecia Ali and Amina Wadud, and particularly Wadud's recent work, represents a fourth interpretative philosophy. Their perspective towards hermeneutical strategies is marked by a tendency to transcend 'textual' interpretation altogether and to establish a different theoretical stance. This development is clearly articulated by Amina Wadud in her second book, *Inside the Gender Jihad* (2006), which records the change in her interpretive orientation. Describing her own previous project of 'Qur'anic hermeneutics from a gender perspective' in *Qur'an and Woman* as 'apologetics', she now states that this alternative interpretation has proven insufficient and there is a need to go beyond it. The inspiration of the Qur'anic worldview remains, but because particular articulations in the Qur'an as a text are problematic, there exists the 'possibility of refuting the text, to talk back, to even say "no"' (Wadud, 2006, p. 191). Wadud here tries to find a solution to the persisting problematic faced by Islamic feminist interpreters in dealing with difficult, explicit texts. Whereas previously such researchers have tried to resolve this difficulty by drawing attention to the general 'principles' of the Qur'an as a frame of reference, in the light of which specific texts and injunctions should be understood and interpreted, Wadud takes the issue to another level. The 'letter' of the divine text remains a problem, and it is time to stop grappling with it and direct our attention to its 'potential trajectory' – how and where it points humankind. As a divine guidance, the Qur'an should be looked upon as 'a window to look *through*', or a 'doorway with a threshold to pass *over* toward…infinite

possibilities' (Wadud, 2006, p. 197). This new perspective would be a means to avoid literal application or implementation of a text when it opposes our current, more progressive human development and understandings. Hence, one can maintain that in this sense the Qur'an is a text 'in process', and it forces us to move to a stage of 'post-text in this post-revelation social, cultural, and philosophical context' (Wadud, 2006, p. 192).

Kecia Ali (2006) elaborates on this new approach of going beyond literalism – in both interpretive endeavours and application. She suggests that 'the Qur'anic text itself requires Muslims to sometimes depart from its literal provisions in order to establish justice' (p. 55). It is still a source of divine guidance to the direction of righteousness, but its sometimes-insufficient regulations must be viewed as only 'a starting point for the ethical development of human beings and the transformation of human society' (p. 150). Her final expression on the issue comes in Platonic terms: there will always be limitations to the Qur'anic text 'as manifested in the earthly realm', and so it can only be 'a pale shadow of the ultimate Reality' (p. 134). Concern about such articulations arises from the implication that the Qur'an has either failed to fulfil its role as an applied system of divine guidelines to wisdom and righteousness, or that it ought to be emptied of its content while maintaining merely the form and symbolism of its sacred ontological status.

CONCLUDING REMARKS

The above has been a discourse analysis of some representative *qiwamah* interpretations in the exegetical tradition, plus a presentation of recent hermeneutical considerations relevant to our efforts to explain verse 4:34 anew.

General strategies of constructing dominant patriarchal interpretations on *qiwamah* have revolved around the following: a) conceptualization, i.e. turning it into a notion; b) separating it from the context of previous verses (4:11, 4:12, 4:32, 4:33) and establishing it as an isolated, self-contained principle; c) generalizing from a limited and specific financial injunction to a pervasive rule and standard criterion that govern all aspects of the marital relationship; and d) creating unfounded meanings, turning the responsibility of spending into a cause of privilege, hierarchy and authority.

Hence, the main task of this chapter was unpacking this process by underlying and analysing additions, transformations and creations of meaning by consecutive interpreters, according to their own personal views stemming

from their historical, sociocultural contexts. This unravelling has also demonstrated that the construction of *qiwamah* has been used to construct an 'Islamic model' of marriage and gender relations based on normative male leadership.

The contemporary reformists mentioned above have proposed the following alternative understandings of the concept: viewing *qiwamah* as conditioned and changeable; contextualizing it within either the totality of the Qur'an's non-patriarchal thrust or within whole verse units; situating it within the broader ethical paradigm of the Qur'an; or, finally, transcending the text. In these hermeneutical approaches, the following discursive counter-strategies can be noted: divesting *qiwamah* of meanings of power, domination or authority; decentring it within the general Islamic understanding of marriage and marital relations; and restricting or limiting it to the context of the relevant verse(s) (e.g. the Qur'an explaining the reason behind the double inheritance shares and that men's earnings or profit are meant to provide for women in their families, not for selfish enjoyment).

In the end, this analysis leads us to conclude that *qiwamah* is not hierarchy, not moral superiority or paternalism, not divine favouritism, not authority or sovereignty, not an absolute, unqualified right to rule and lead, not a fixed honorary status, not the privilege to spend, and not an exclusive right to earn money and be the sole breadwinner.

How then are we to read verse 4:34? A number of other interpretive possibilities are worth pursuing. Could it be, as it is commonly understood, an injunction to organize the distribution and expenditure of diverse earnings and inheritances? Could it be a gender-sensitive divine recommendation for men to be financially responsible for the women in their families, especially during times of pregnancy, childbirth and nursing, without this responsibility entailing something in return on the part of the wife (e.g. obedience or conjugal relations)? How do we break the link between this injunction and interpretations of privilege or exchange, while connecting it to a holistic Qur'anic paradigm that can produce an alternative meaning? The doors of *ijtihad* are to be reopened.

REFERENCES

'Abduh, Muhammad. 1990. *Tafsir al-Manar*, edited by Muhammad Rashid Rida. 12 vols. Cairo: Al-Hay'a al-Misriya al-'Amma.

Abou-Bakr, Omaima. 2003. 'Teaching the Words of the Prophet: Women Instructors of the Hadith: Fourteenth and Fifteenth Centuries'. *Hawwa* 1 (3): pp. 306–28.

Abou El Fadl, Khaled. 2001. *Speaking in God's Name*. Oxford: Oneworld.

Abou El Fadl, Khaled. 2006. *The Search for Beauty in Islam*. Lanham, MD: Rowman & Littlefield.

Abu Zayd, Nasr. 2007. *Dawi'r il Khof: Qi'rah fi Khitab al-Mara'ah*. Beirut: al-Markaz al-Thaqafi al-Arabi.

Al-Baidawi. 1968. *Anwar al-Tanzil wa-Asrar al-Ta'wil*. Cairo: Matba'at al-Babi al-Halabi.

Al-Banna, Gamal. 1995. *Nahwa Fiqh Gadid*, vol. 1. Cairo: Dar al-Fikr al-Islami.

Al-Banna, Gamal. 1999. *Al-mar'ah al-Muslimah bayna Tahrir al-Qur'an wa-Taqyid al-Fuqaha'*. Cairo: Dar al-Fikr al-Islami.

Al-Banna, Gamal. 2003. *Tafsir al-Qur'an al-Karim bayna al-Qudama wa al-Muhdathin*. Cairo: Dar al-Fikr al-Islami.

Al-Dhahabi, Muhammad Husayn. 1976. *Al-Tafsir wa-al-Mufassirun*. Cairo: Dar al-Kutub al-Hadithah.

Al-Faruqi, Maysam. 2000. 'Women's Self-Identity in the Qur'an and Islamic Law'. In *Windows of Faith: Muslim Women Scholar Activists in North America*, edited by Gisela Webb, pp. 72–101. Syracuse, NY: Syracuse University Press.

Al-Hibri, Azizah. 1982. 'A Study of Islamic Herstory: Or How Did We Ever Get into This Mess?' *Women's Studies International Forum* 5 (2): pp. 207–19.

Ali, Abdullah Yusuf. 1989. *The Meaning of the Holy Qur'an*. Beltsville, MD: Amana.

Ali, Kecia. 2006. *Sexual Ethics and Islam: Feminist Reflections on Qur'an, Hadith, and Jurisprudence*. Oxford: Oneworld.

Al-Majlis al-'A'la lil-Shu'un al-Islamiyah (Higher Council of Islamic Affairs of Egypt). 1978. *Al-Muntakhab fi Tafsir al-Qur'an al-Karim*. Cairo: Wizarat al-Awqaf, al-Majlis al-'A'la lil Shu'un al-Islamiyah (Ministry of Endowment, the Higher Council of Islamic Affairs).

Al-Qurtubi. 1967. *Al-Jami' li-Ahkam al-Qur'an*. 20 vols. Cairo: Dar al-Kutub al-Misriyah.

Al-Razi, Muhammad ibn 'Umar Fakbr al-Din. 1938. *Al-Tafsir al-Kabir*. 32 vols. Cairo: al-Matba'at al-Bahiyya al-Misriya.

Al-Sha'rawi, Muhammad Mitwalli. 1982. *Qadaya al-Mar'ah al-Muslimah*. Cairo: Dar al-Muslim.

Al-Sha'rawi, Muhammad Mitwalli. n.d. *Nazarat fi al-Qur'an*. 53 vols. Cairo: Akhbar al-Yawm.

Al-Tabari, Abu Ja'far ibn Jarir. 1961. *Jami' al-Bayan an Ta'wil ay al-Qur'an*, edited by Mahmud Muhammad Shakir and Ahmad Muhammad Shakir. 16 vols. Cairo: Dar al-Ma'arif.

Al-Zamakhshari, Mahmud ibn 'Umar. 1948. *Al-Kashshaf 'an Haqa'iq Ghawamid al-Tanzil*. 3 vols. Cairo: Matba'at al-Babi al-Halabi.

Ammar, Nawal. 2007. 'Wife Battery in Islam: A Comprehensive Understanding of Interpretations'. *Violence against Women* 13 (5): pp. 516–26.

Asad, Muhammad. 1980. *The Message of the Qur'an*. Gibraltar: Dar al-Andalus.

Barlas, Asma. 2002. *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*. Austin: University of Texas Press.

Bauer, Karen. 2009. 'The Male Is Not Like the Female (Q 3:36): The Question of Gender Egalitarianism in the Qur'an'. *Religion Compass* 3 (4): pp. 637–54.

Bayoumi, Abd al-Mo'ati. 2009. *Min Qadaya al-Mar'a* (Women's Issues). Cairo: Center for Egyptian Women's Legal Assistance.

Chaudhry, Ayesha S. 2013. *Domestic Violence and the Islamic Tradition: Ethics, Law, and the Muslim Discourse on Gender*. Oxford: Oxford University Press.

Elsaidi, Murad H. 2011. 'Human Rights and Islamic Law: A Legal Analysis Challenging the Husband's Authority to Punish "Rebellious" Wives'. *Muslim World Journal of Human Rights* 7 (2): pp. 1–25.

Gatje, Helmut. 1976. *The Qur'an and Its Exegesis*. London: Routledge & Kegan Paul.

Hassan, Riffat. 1999. 'An Islamic Perspective'. In *Sexuality: A Reader*, edited by Karen Labacqz, pp. 337–72. Cleveland: Pilgrim Press.

Hatem, Mervat. 2011. *Literature, Gender, and Nation-Building in Nineteenth-Century Egypt: The Life and Works of A'isha Taymur*. New York: Palgrave Macmillan.

Ibn Kathir, Abu al-Fida 'Imad al-Din Isma'il ibn 'Umar. n.d. *Tafsir al-Qur'an al-Azim*. 4 vols. Cairo: Dar Ihya' al-Kutub al-'Arabiyah.

Lapidus, Ira. 1988. *A History of Islamic Societies*. Cambridge, UK: Cambridge University Press.

Lutfi, Huda. 1991. 'Manners and Customs of 14th Century Cairene Women: Female Anarchy vs. Order in Muslim Perspective Treatises'. In *Women in Middle Eastern History*, edited by Nikkie Keddie and Beth Baron, pp. 99–121. New Haven: Yale University Press.

Mahmoud, Mohamed. 2006. 'To Beat or Not to Beat: On the Exegetical Dilemmas over Qur'an, 4:34'. *Journal of the American Oriental Society* 126 (4): pp. 537–50.

Marin, Manuela. 2003. 'Disciplining Wives: A Historical Reading of Qur'an 4:34'. *Studia Islamica* 97: pp. 5–40.

Qutb, Sayyid. 1952. *Fi Zilal al-Qur'an*. 8 vols. Beirut: Dar Ihya al-Turath al-Arabi.

Radwan, Zeinab. 1988. *Al-Islam wa Qadaya al-Mar'ah*. Cairo: al-Hay'ah al-'Ammah lil-Kitab.

Radwan, Zeinab. 2005. *Al-Tafsirat al-Khati'ah lil-Din*. Cairo: al-Majlis al-Qawmi lil-Mar'ah.

Roded, Ruth. 1994. *Women in Islamic Biographical Collections*. Boulder, CO: Lynne Rienner.

Saleh, Amani. 2002. 'Pairing and Impairing: Re-conceptualizing Gender through the Qur'an'. *Women and Civilization* 3: pp. 17–53.

Shaikh, Sa'diyya. 1997. 'Exegetical Violence: Nushuz in Qur'anic Gender Ideology'. *Journal of Islamic Studies* 17: pp. 49–73.

Shaikh, Sa'diyya. 2007. 'A Tafsir of Praxis: Gender, Marital Violence, and Resistance in a South African Muslim Community'. In *Violence against Women in Contemporary World Religion: Roots and Cures*, edited by Dan Maguire and Sa'diyya Shaikh, pp. 66–89. Cleveland: Pilgrim Press.

Shoshan, Boaz. 1993. *Popular Culture in Medieval Cairo*. Cambridge, UK: Cambridge University Press.

Stilt, Kristen. 2011. *Islamic Law in Action: Authority, Discretion and Everyday Experiences in Mamluk Egypt*. Oxford: Oxford University Press.

Taymur, A'isha. 2002. *Mir'at al-Ta'ammul fi al-'Umur*. Cairo: Women & Memory.

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

Wadud, Amina. 2006. *Inside the Gender Jihad: Women's Reform in Islam*. Oxford: Oneworld.