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*Gender Justice and Gender Jihad:
Possibilities and Limits
of Qur'anic Interpretation for
Women's Liberation*¹

1. Muslim women and Islamic traditions

In the middle of the nineteenth century, a wave of awakening and revival movements began in the Islamic world. Part of this swell of enthusiasm were Muslim women,² conscious of their isolated and largely marginalized position in the family and society, increasingly demanding the right (again) to exercise their own *ijtihād*.³ Muslim women have begun to generate and bring into play ideas about feminism and

1 An earlier German language version of this chapter was published as "Geschlechtergerechtigkeit und Gender Jihad. Möglichkeiten und Grenzen frauenbefreiender Koraninterpretationen," in *Nahe ist dir das Wort Schriftauslegung in Christentum und Islam*, eds. Hansjörg Schmid, Andreas Renz, Jutta Sperber, Abdullah Takim and Bülent Ucar (Regensburg: Theologisches Forum Christentum–Islam, 2010), 129–143. The English translation was prepared by Anna Dinwoodie.

2 These were mostly middle and upper class women who alone had access to education and research. Some women are named here as examples: 'A'isha 'Abd al-Rahmān, born 1913, who was a professor of Arabic literature in Egypt and later held a professorship of Islamic theology in Morocco. In her work she advocated a contextual interpretation of the Qur'an and emphasized eternal ethical and spiritual values. In her work, Nāzira Zayn al-Dīn, born 1908, criticized not the Qur'an per se, but rather Muslim scholars, for women's underprivileged living conditions, and published her critical analyses. Egyptian 'A'isha Taymūriyya, Lebanese Zaynab Fawwāz, and in South Asia Rokeya Sakhawat and Nazār Sajjād Haydar simultaneously made important contributions to the critical literary reappraisal of women's situation. For further names and examples refer to: Leila Ahmed, *Women and Gender in Islam* (New Haven: Yale University Press, 1992) and Yvonne Yazbeck Haddad, *Daughters of Abraham: Feminist Thought in Judaism, Christianity, and Islam* (Gainesville, FL: University Press of Florida, 2001), as well as to literature mentioned in the following footnote.

3 See Haifaa Jawad, "Muslim Feminism: A Case Study of Amina Wadud-Muhsin's Qur'an and Women," *Islamic Studies*, 42 no. 1 (2003): 107–123, and John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 2001), s.v. Margot Badran, "Feminism."

Islam⁴ through literature, everyday activism, and participation in organized movements, particularly extensively and cooperatively in the last twenty years. Some of these motivations for confronting the sources of Islamic tradition, in anticipation of a critical reflection on the documentation and history of their reception and impact so as to bear liberating fruit, are:

- › their idea of a righteous God who desires fair and egalitarian conditions for men and women;⁵
- › the belief that a text cannot be understood without taking into account the context of its origin and various interpreters;⁶
- › the recognition that the traditional disciplines of Islamic learning (ethics, law, theology, philosophy, and mysticism) were more or less male-dominated and therefore shaped by patriarchy;⁷
- › the development of a hermeneutics of suspicion,⁸ in which texts and their interpretations or alleged authenticity should not be accepted uncritically.⁹

4 For discomfort with the term “feminism” from an Islamic perspective, see Sa’diyya Shaikh, “Transforming Feminism: Islam, Women and Gender Justice,” in *Progressive Muslims: On Justice, Gender and Pluralism*, ed. Omid Safi, 147–162 (Oxford: Oneworld, 2003). Rabeya Müller, head of ZIF, used the term “gender justice” to address reservations expressed by some Muslims regarding the term “feminism.” See Rabeya Müller, *Feminismus, Geschlechterdemokratie und Religionen in lokaler Praxis*, <http://www.fit-for-gender.org/webseiten/fachtagung4.htm> (accessed January 2, 2010). The term *gender jihād*, i.a., was coined by Farid Esack and gained additional popularity as, for example, the program title of a 2005 international women’s conference in Barcelona. See Farid Esack, *Qur’ān, Liberation and Pluralism: An Islamic Perspective of Interreligious Solidarity against Oppression* (Oxford: Oneworld, 1997).

5 This is a central idea in the tradition of Islamic liberation theology. For history and content of Islamic liberation theology see Asghar Ali Engineer, *On Developing Liberation Theology in Islam* (Delhi: Sterling, 1990); Irfan A. Omar, “Islam,” in *The Hope of Liberation in World Religions*, Miguel A. De La Torre, 99–112 (Waco, TX: Baylor University Press, 2008); as well as Halima Krausen, “Befreiungstheologie im Islam,” in *Über Befreiung. Befreiungspädagogik, Befreiungsphilosophie und Befreiungstheologie im Dialog*, ed. Thorsten Knauth and Joachim Schroeder, 116–129 (Münster: Waxmann, 1999).

6 See Farid Esack, *The Qur’ān: A Short Introduction* (Oxford: Oneworld, 2002), here Ch. 6.

7 See Khaled Abou el-Fadl, “Legal and Juristical Literature: 9th to 15th Century,” in Sa’ud Joseph and Afsaneh Najmabadi, *Encyclopedia of Muslim Women and Islamic Culture. Vol. 1: Methodologies, Paradigms and Sources*, 37–41 (Leiden; Boston: Brill, 2007).

8 Shaikh is an advocate of this hermeneutical approach, significantly influenced by the Catholic theologian Elizabeth Schüssler Fiorenza: “[...] Feminist hermeneutics is a ‘theory, method or perspective for understanding and interpretation’ which is sensitive to and critical of sexism. [...] I approach the *tafsir* texts with a ‘hermeneutic of suspicion’ which is alert to both explicit and implicit patriarchal bias. [...] A hermeneutic of suspicion does ‘not trust or accept interpretive traditions as ‘truth’ but rather adopts a stance of suspicion. [...] The aim is to critically evaluate and expose patriarchal structures, values and male-centred concerns. This approach focuses on the text as an ideological androcentric product. [...] Thus I approach the selected exegetical works as representative of a patriarchal historical cultural milieu [...],” in Sa’diyya Shaikh, “Exegetical Violence: *Nushūz* in Quranic Gender Ideology,” *Journal for Islamic Studies* 17 (1997): 49–73.

9 For the process by which texts became authoritative texts in the Islamic tradition and how their content and methods can be critically examined, see Khaled Abou el-Fadl, *Speaking in God’s Name: Islamic Law, Authority and Women* (Oxford: Oneworld, 2001).

This questioning of religious texts and their theological arguments, re-defining and expanding a gender-equitable hermeneutics against this backdrop, was and continues to be important in improving social conditions for Muslim women. The underlying idea was and is to show women's contributions by rereading the historical sources in order to shape further perspectives on the past and open new possibilities for the future.

2. *Questions of Hermeneutics*

The primary sources in Islamic tradition are the Qur'an, the practice of the Prophet (Sunna), argument by analogy (*qiyās*) or reasoning (*'aql*), and scholarly and community consensus in particular periods and regions (*ijmā'*). The Qur'an contains a number of verses that deal with gender. These verses speak of an ontological equality between man and woman and call for equal standards of ethical behavior, asking both sexes to participate in their community and their environment as a manifestation of their God-given responsibility. The following verse serves as an example:

Verily, for all men and women who have surrendered themselves unto God, and all believing men and believing women, and all truly devout men and women, and all men and women who are true to their word, and all men and women who are patient in adversity, and all men and women humble themselves (before God), and all men and women who give in charity, and all self-denying men and self-denying women (...), and all men and women who are mindful of their chastity (...), and all men and women who remember God unceasingly: for (all of) them God has readied forgiveness of sins and a mighty reward (33:35).¹⁰

On the other hand, there are Qur'anic verses with a long history of interpretations that marginalize women, verses that raise issues such as polygamy, inheritance shares, possibilities of divorce, evaluation of testimony, and resolution of marital conflict.¹¹ This raises the ques-

¹⁰ This and the following quotation of the Qur'an are taken from *The message of the Qur'an*, trans. and explained by Muhammad Asad (Gibraltar: Dar al-Andalus, 1980).

¹¹ See Sūras 2:282, 2:227–233, 4:34.

tion: According to which hermeneutic approach should these verses be read, and how can they be synthesized coherently?

Opinion is fundamentally divided in the Islamic tradition over, among other things, the reading of the following verse:

He is who has bestowed upon thee from on high this divine writ, containing messages *that are clear in and by themselves*¹²—and these are the essence of the divine writ—as well as others that are *allegorical*. (...) Now those whose hearts are given to swerving from the truth go after that part of the divine writ (...) which has been expressed in allegory, seeking out (to arrive at) its final meaning (in an arbitrary manner): but none save God knows its final meaning. Hence those who are deeply rooted in knowledge say: “We believe in it; the whole (of the divine writ) is from our Sustainer—albeit none takes this to heart save those who are endowed with insight.” [alternate reading: “[...] but none save God knows its final meaning and those who are deeply rooted in knowledge. They say: “We believe in it; the whole (of the divine writ) is from our Sustainer—albeit none takes this to heart save those who are endowed with insight” (Sūra 3:7)

Scholars committed to the tradition of *ahl ar-rʿay*¹³ believe that Qurʾanic verses are open to human interpretation and demand an interpretative endeavor, whereas scholars committed to the principle of *ahl al-ḥadīth*¹⁴ are prone to leave unclear Qurʾanic passages unquestioned and rely on tradition to clarify the text.¹⁵

Furthermore, scholars disagree about which verses are indisputable and therefore fundamental to the Book, with permanent and universal application, and which ones may allow for varying interpretations and be limited by historical context.¹⁶ This has interpretative relevance because the basis of the method interpreting the Qurʾan us-

12 Author’s italics throughout this verse.

13 Those scholars who exercise their own best rational judgement, especially in cases where there are no proof texts. Harald Motzki, *Anfänge der islamischen Jurisprudenz. Ihre Entwicklung in Mekka bis zur Mitte des 2./8. Jahrhunderts* (Stuttgart: Steiner, 1991), 17, terms them “speculative jurists.”

14 From Motzki, *Traditionsgelehrte*, see *ibid.*, 17.

15 In Ashʿarite theology, this attitude is described by the phrase *bi-lā kayf* (without asking how) and is attributed to Mālik bin Anas, founder of the Maliki school of religious law. See Hermann Stieglecker, *Die Glaubenslehren des Islam* (Paderborn: Schöningh, 1962), 48, 91–96.

16 Other approaches have emerged in addition to the atomistic, verse-by-verse reading of the Qurʾan, including *tafsīr al-qurʾān bi-l-qurʾān*, interpretation of the Qurʾan using the Qurʾan. In this approach, Qurʾanic verses are arranged according to their attitude and, if applicable, their relation to one another. Thus verses are subdivided into categories of general messages (*ʿāmm*) and specific referents (*khāṣṣ*). For further categorization, see El Fadl, *Islamic Law*, 119–120.

ing the Qur'an (other Qur'anic verses) is that general verses (for example, verses that speak about equality of men and women) provide hermeneutic access to verses with specific messages (for example, the verse about the weight of testimony, which, according to the common reading, gives the testimony of two women the same weight as that of one man). This approach, in the *ahl al-ra'y* tradition, is a starting point for the development of gender-equitable readings of the Qur'an, as it opens up a whole category of verses to ever-changing interpretations and adaptations.¹⁷

3. *Adam and Eve*

a. Non-Qur'anic creation stories

The Qur'an references events from the mythic historical past of Abraham's children. Background information filling out the Qur'an's concise narrative style can and has been found in various historical works, such as al-Ṭabarī (839–923),¹⁸ that begin with Adam and Eve and also rely on other sources from Jewish and Christian traditions.¹⁹ Here one finds a wealth of messages hostile to women. This material has served and continues to serve many Qur'anic interpreters as a hermeneutic key for understanding the Qur'an.²⁰

The following passage is a good illustration of al-Ṭabarī's use of non-Qur'anic sources for the creation story. The historian and scholar al-Ṭabarī collected and collated legends in order to explain the Qur'anic text. One of the legends²¹ al-Ṭabarī included says that God made Adam fall into a deep sleep and took his left rib and created Eve from it, so he might have rest and calm. Adam saw her and said, "My

17 This approach is not entirely novel as it was also employed by Muḥammad 'Abduh to explain the division of Qur'anic verses into the categories of *'ibadāt* (worship) and *mu'āmalāt* (transactions between people), as a basis for later *ijtihād*.

18 al-Ṭabarī's works in general are highly authoritative in the Islamic tradition. See Kristen E. Kwam, ed., *Eve and Adam: Jewish, Christian, and Muslim Readings on Genesis and Gender* (Bloomington: Indiana University Press, 1999), 185.

19 For critical assessment of these texts see Riffat Hassan, "The Issue of Woman-Man Equality in the Islamic Tradition," in *ibid.*, 436–476, here 466.

20 See *ibid.*, 463–476.

21 This and the following legends are translated, edited and partially condensed by the author and they draw on Wilferd F. Madelung and Alan Jones, ed., *Abū Ja'far al-Ṭabarī, The Commentary on the Qur'an, Vol. 1* (Oxford: Oxford University Press: 1987), 244ff, 251–55, 257f.; also see Franz Rosenthal, ed., *The History of al-Ṭabarī, Vol. 1: General Introduction and From the Creation to the Flood* (Albany: State University of New York Press, 1989), 273–281.

flesh, my blood, and my wife,” and he named her Eve, since she had been created from a living thing.

This legend reprises the language of the Qur’anic text and overlaps with the sequence of events in which Eve was created from Adam. Sūra 4:2 reads as follows:

O mankind! Be dutiful to your Lord, Who created you from a single person [or soul (*nafs*)], and from him He created [mate] and from them both He created many men and women. [...]

Al-Ṭabarī assembled the following versions, here shortened and reproduced, of the transgression of Adam and Eve:

The angels ate the fruit of the tree in order to remain immortal, and this tree was forbidden the humans. Iblīs hid himself in the stomach of a snake, which had four legs and looked like a camel, in the garden, and he offered Eve fruit from the tree, praising the fruit’s beauty and flavor or effect, namely that it bestowed immortality and great power. She ate the fruit and offered it to Adam, and he ate.

According to some legends, Eve was able to persuade Adam to disobey God’s commandment through her beauty and the seduction Iblīs gave her. According to other versions, Eve first had to make Adam drink. Thereupon, God cursed the earth from which Adam came and condemned Eve to difficult pregnancy and childbirth under threat of death, and he made her stupid and vain. And God cursed the snake and took its legs, and made it and humans mutual enemies.

The following, more prosaic Qur’anic text and passages paralleling it were and still are commonly interpreted under the influence of these dramatic accounts:

[...] And We said: “O Adam, dwell thou and thy wife in this garden, [...] and eat freely thereof, both of you, whatever you may wish; but do not approach this one tree, lest you become wrongdoers.” But Satan caused them both to stumble therein, and thus brought about the loss of their erstwhile state [...] (Sūra 2:35–36).

Eve is therefore *never* blamed in the Qur’an for her and Adam’s disobedience to God, yet this blame attributed due to other sources has had seriously detrimental consequences for women and their possi-

bility to have socio-political influence, according to Islamic theological anthropology. Due to Eve's purported behavior in the Garden, it was concluded that women are in themselves a source of *fitna*²² and the reason for moral failings in men. As a result, Islamic legal tradition sometimes defines, not only woman's body, but also her voice, as '*awra*,²³ and acts as a reason for banishing women from public and confining them to the sphere of domesticity.

It is noteworthy that al-Ṭabarī recorded another traditional version of this story that he also classified as being likely, since it was very similar, in his opinion, to the Qur'anic text. According to this tradition, Iblīs recognized and exploited weakness in both Adam and Eve, and was able to persuade them both to eat the fruit of God's forbidden tree. Therefore it is plausible that, on the other hand, al-Ṭabarī was among the scholars of his time who trusted qualified women to occupy judicial offices just like qualified men,²⁴ categorized men and women as equally valid witnesses, and saw women as eligible for the position of Imam (political leader).²⁵ Assuming women were morally weak based on quasi-biological determinations could not have led him to these conclusions.

b. Critical revisions

How could material from ancient lore enter the Islamic canon of authoritative texts when the Qur'an does not support these stories, or when they contradict the Qur'an and other narratives that not only describe an ontological equality of men and women, but also document the active participation of women in all sectors of the early Islamic community? The inconsistency of the evidence automatically calls into question the authenticity of each legend.

Scrutiny of the documents that marginalize women reveals in almost every case that assessing the narrators of such reports casts sub-

22 Literally, a trial or probation, seduction, temptation such as wealth, children and women. See Edward William Lane, *An Arabic-English Lexicon: Derived from the best and most copious Eastern Sources, Vol. 1, Part 6* (Beirut: Williams and Norgate, 1997), 2335. Also see: Sa'diyya Shaikh, "Knowledge, Women and Gender in the Hadith: A Feminist Interpretation," *Islam and Christian-Muslim Relations*, 15 no. 1 (2004): 99–108, here 101f.

23 Literally: shame, nakedness (among others). See Hans Wehr, *Arabisches Wörterbuch für die Schriftsprache der Gegenwart* (Wiesbaden: Harrassowitz, 1977), 588.

24 Mohammad Fadel, "Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought," *International Journal of Middle East Studies* 29 (2, 1997): 185–204.

25 Khaled Abou El Fadl, *Conference of the Books: The Search for Beauty in Islam* (Lanham, MD: University Press of America, 2001), 392.

stantial doubt over their authenticity. One example is the narrator Abū Hurayra. By citing the following elaborations it is not my intention to discredit Abū Hurayra personally, but rather to point out issues of contradictory transmissions.

He referred to a story known to Arabs on the Arabian Peninsula as the hadith “Tale of the Rib” and recounted:

that the Prophet purportedly said that woman comes from a crooked rib; if you tried to straighten her, you would break her, but if you let her be (defective) and take care of her, you could lead a good life with her.²⁶

It is also attributed to him

that on seeing a group of women, the Prophet purportedly said that they should pray more, since they would constitute most of the inhabitants of hell, they were a temptation for men, and they were deficient in reason and religion.²⁷

Investigations into the figure of Abū Hurayra reveal that he was a later convert and not particularly close to the Prophet. He was unmarried and known for being unsympathetic toward women; he had no regular occupation. According to numerous accounts, ‘Ā’isha, in addition to ‘Umar and ‘Alī, criticized and corrected him because he circulated false stories about the Prophet. In some stories, he confessed to factual errors and mistakes in his accounts of the Prophet’s statements and is regarded as a figure whose accounts often caused him criticism. However, he claimed that his memory was phenomenal due to a magical memory-strengthening ritual that the Prophet purportedly performed on him. Many of the reports hostile to women are attributed solely to him.²⁸

However, opinion is still divided on Abū Hurayra today. While some of the material he passed on has been viewed critically, a book

26 See Khaled Abou El Fadl, *Speaking in God’s Name*, 224, referencing: Ibn Ḥajar al-‘Asqalāni, Shihāb al-Dīn Ahmad bin ‘Alī, *Fatḥ al-Bārī: Sharḥ Ṣaḥīḥ al-Bukhārī* (Beirut: Dār al-Ma’rifā, 1959), 6:363.

27 Ibid., 225.

28 For a critique of Abū Hurayra, see Khaled Abou El Fadl, *Speaking in God’s Name*, 215–217 and Fatima Mernissi, “Women’s Rights in Islam,” in *Liberal Islam*, ed. Charles Kurzman, 112–126 (New York: Oxford University Press, 1998), here 124–126. In analyzing the available material, it is important to consider how to take into account the methodological problem of circular reasoning, by which (Hadith) texts are classified or refuted by other (Hadith) texts. An explanation of each hermeneutic key, while not entirely solving the problem, would help with comprehending, categorizing, and critiquing results.

29 ‘Abd al-Mun‘im Ṣāliḥ al-‘Alī al-‘Izzī, *Dif‘ā’ an Abī Hurayra [In Defense of Abū Hurayra]* (Beirut: Dār al-Qalam, 1981).

about him²⁹ authored a few decades ago initiated a sort of renaissance in admiration of this figure.³⁰

c. Texts as mirrors of their time

Liberal Muslim legal expert Khaled Abou El Fadl sees the texts' contradictory positions on gender issues as an indication of controversy in the early Islamic community over the influence that women had or should have. It is unsurprising that a counter-movement exists when one considers that a third of the textual materials that became foundational for law and theology were passed down by women (and here, of course, her testimony counts as much as a man's),³¹ that patriarchal structures were cut back or broken down, and that women took on key roles in political decisions,³² economic positions,³³ and the production and exchange of knowledge.³⁴ Willingness to promote texts that could oppose such a reform movement can be easily understood from a patriarchal perspective. As in the case of Abū Hurayra, the correlation between his reports and his attitudes enables the reconstruction of a hostile position regarding women that very likely developed in corresponding texts and found an echo in society. This history has had a significant impact on women's status in Muslim societies.

d. Hermeneutic Gender Jihad in the work of Amina Wadud

Amina Wadud focused primarily on the Qur'an as a source in her development of gender-equitable interpretations. In her treatment of the Qur'an, she differentiates between three ways of reading.³⁵ First she describes a *traditional approach*, in which linguistic questions are discussed, historical stances are considered, or texts are interpreted in terms of legal questions. According to Wadud, this approach lacks the

30 As indicated above, it should not and cannot be about personally discrediting Abū Hurayra, but rather about critical awareness of the criteria by which some texts are put through an authoritative process and some are not. See also: Kecia Ali, "A Beautiful Example: The Prophet Muhammad as a Model for Muslim Husbands," *Islamic Studies*, 43 no. 2 (2004): 273–291.

31 See Mohammad Fadel, "Mohammed, Two Women, One Man," 190f.

32 See Khaled Abou El Fadl, "Speaking in God's Name," 229–231.

33 So, for example, the second Caliph 'Umar (634–644) appointed a woman, Shaffa' bint 'Abd Allah, as head of commercial supervision in Medina. See Khaled Abou El Fadl, "In Recognition of Women," available at <http://scholarofthehouse.stores.yahoo.net/inreofwobykh.html> (accessed February 2, 2010).

34 Khaled Abou El Fadl, *Speaking in God's Name*, 229–231.

35 Barbara Stowasser, "Gender Issues and Contemporary Qur'an interpretation," in *Islam, Gender and Social Change*, ed. Yvonne Yazbeck Haddad and John L. Esposito, 30–44 (New York: Oxford University Press, 1998).

development of hermeneutic principles that would be provided by a method of reading the Qur'an through the Qur'an, since verses are not studied in relation to one another. Wadud criticizes what she terms the *reactionary interpretation* for blaming the marginalized situations of Muslim women on Islam and the Qur'an without distinguishing between the sources themselves and their interpretations. She follows what she calls a *holistic approach*: text and context are placed in connection with one another and individual verses are interpreted according to the *Qur'anic worldview*, which is shaped by the key terms of God's oneness, guidance, individual responsibility, and equality.³⁶ One major priority in Wadud's work is to carefully examine these terms, their meaning, and their grammatical functions. For Wadud, two levels of text exist for dealing with the Qur'an. The prior-text comprises the perspectives, circumstances, and backgrounds of each interpreter, while the mega-text is the body of the Qur'an itself.³⁷

Her interpretation of Sūra 4:2 challenges the idea of Adam as being the primary creation with a secondary Eve by calling attention to the fact that the term for "soul" (*nafs*) is grammatically feminine and conceptually gender-neutral, while the term for "companion" (*zawj*) is grammatically masculine and also conceptually gender-neutral. The preposition 'from' (*min*) in Arabic can mean both 'extracted from something' and 'of the same kind'.

36 Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999), 25f.

37 In later works, Wadud's hermeneutical approach has undergone a significant development. While previously she affirmed or modified the Qur'anic text itself as a document, so a "yes" to the literal reading at some level, holding to the document and yet interpretively inclined toward a "maybe not," subsequently, in some cases she proclaims a decided "no" to the text. She describes this new approach as "textual intervention," implying possible rejection of explicit verses. See Amina Wadud, *Inside the Gender Jihad* (Oxford: Oneworld, 2006), 202–204 and <http://www.muslimwakeup.com/main/archives/2005/02/amina-wadud-muhsin-res.php> (accessed December 1, 2010). It seems that Wadud sees no other way here than to reject texts with a history of extremely detrimental reception in terms of women's rights as material not to be considered anymore, without wanting to remove the relevant texts from the Qur'anic canon. This is problematic because she almost equates the text and its interpretation on this point, indirectly affirming a certain (sexist) tradition of interpretation and giving it additional authoritative weight, and thus makes it as unassailable as it has been throughout Islamic history and is today. In addition, this viewpoint is stated implicitly in order to narrow the scope of various hermeneutic resources and historical patterns of reception of certain texts. So it is with, for example, argumentation in Islamic law; when a document's legal basis (*'illa*) changes, the document's corresponding legal effect (*hukm*) must also change. This includes the modification of inheritance laws: If it seemed just in a predominantly patriarchal seventh-century society, taking into account all socially relevant factors, that women should inherit proportionally less than men, and if these structures are now changing or dissolving and justice is to be maintained, then inheritance laws should be modified accordingly. They would no longer follow the exact wording of the Qur'an, but rather its spirit. (The discussions that have led and are leading in this direction can only be hinted at in this setting.)

Wadud concludes, by comparison with all the Qur'anic passages paralleling it, that this verse is closer to the original Arabic in the following translation:

O mankind. Be dutiful in the service of your Lord, who created you from a single soul (*nafs*), and in the same way your companions, and from this pair he had many men and women spread across the Earth (4:2).³⁸

For Wadud, there is no Fall from Paradise, for God wanted humanity to be His trustees on Earth, rather than in Paradise. Wadud sees the tree as a symbol of a test from God, in which Adam and Eve, as the parents of all people, undergo the experience of forgetting, being seduced, remembering, repenting, receiving forgiveness, and obtaining guidance. For Wadud, it is a maturation process meant to strengthen humanity, so as to deliberately cultivate their relationship with God.³⁹

4. Possibilities and limits in dialogue with revealed scripture, hermeneutic approaches, and interpretative findings

A hermeneutical approach to the Qur'an that is committed to equality can help show the injustice of interpretations of the revealed scriptures that marginalize women. And yet, it would be an exaggeration, factually wrong, and apologetic, to regard the Qur'an as a feminist handbook. It speaks to a patriarchal society.⁴⁰ But it would also be a violation of the Qur'an not to consider its reformist and revolutionary potential. Moosa expressed the human stake in this potential as follows:

Text fundamentalism in part perpetuates the fiction that the text actually provides the norms, and we merely 'discover' the norms. The truth is that we 'make' the norms in conversation with the revelatory text.⁴¹

38 For the original English version see Wadud, *Qur'an and Women*, 15–28; see also the commentaries of Muhammad Asad and Yusuf Ali for Sūra 4:2.

39 See Wadud, *Qur'an and Women*, 23–27.

40 For patriarchal modes of expression in the Qur'an see Andrew Rippin, "Qur'an: Qur'an and Early Tafsir," in *Encyclopedia of Women and Islamic Culture* 5, ed. Suad Joseph, 266–268 (Leiden; Boston, Brill, 2007).

41 Ebrahim Moosa, "The Depths and Burdens of Critical Islam," in *Progressive Muslims: On Justice, Gender and Pluralism*, ed. Omid Safi, 111–114 (Oxford: Oneworld, 2003).

This means simply that every interpreter, with his/her questions, desires, and knowledge, shaped by the times and his/her own personality and experience, found standards and values in the Qur'an and in turn used them as a hermeneutic key for his/her interpretative work.

It will therefore be nearly impossible to determine who is right and who is wrong. To answer this question cannot be the aim of the discussion, because interpreters would behave arrogantly in claiming a full and final understanding of God's words and thus lay claim to have the authority to end the quest for understanding.⁴²

It will be far more suitable to discuss and argue for the plausibility of one's own methods and results. And it must be possible to critically revise seemingly fixed historical facts. Putting the discourse about women's public participation on a meta-level once again, it is illustrative to take into considerations the argument of Mohammad Fadel,⁴³ who has dealt with discrepancies in the conceptualizations of male and female and their practical consequences. In a historical deconstruction of this debate, Fadel shows that in order to conform to a society with a patriarchal structure, the spheres of activity of males and females were gradually separated. While normative discourse remained more or less gender neutral (concerning the production and dissemination of knowledge), political discourse—in ignoring the general ethical principals of the Qur'an (according to Fadel)—annulled the concept of equality to the disadvantage of women. As a consequence women's access to socio-political and representative spheres of activity was limited or fully denied. The insight that the debate seems to be mainly determined by pragmatic-social-political considerations within a patriarchal perspective and less by theological-legal considerations (while of course being influenced by them) may be sobering. At the same time it facilitates the interrogation of established convictions and conventions at the very centre of theology and ethics, which throughout centuries of Muslim tradition had never been accepted without dissent.

42 See Abou el-Fadl, *Speaking in God's Name*, 92–95

43 See Mohammed Fadel, "Two Women, One Man: Knowledge, Power and Gender in Medieval Sunni Legal Thought," *International Journal of Middle East Studies* 29 no. 2 (1997): 185–204.