



musawah

For Equality in the Muslim Family

Honouring Fatima Mernissi

Ziba Mir-Hosseini

February 2016

“There are years that ask questions and years that answer.”
From *Their Eyes Were Watching God* by Zora Neale Hurston

As fate would have it, the day that Fatima Mernissi left this world, Musawah was in Morocco holding one of its capacity-building courses - Islam and Gender Equality and Justice (I-nGEJ). It was Sunday 30 November 2015, the second day of the course; we were at Dar Eddiya, only an hour away from Rabat. The news reached us around noon, during Amina Wadud's session on “Reading for Gender in Qur'an: Text and Context”, with Zainah Anwar as facilitator. It was Amina's first visit to Morocco, and she was keen to meet Fatima for the first time. Asma Lamrabet had arranged to bring them together over lunch, but Fatima was too ill to come; there was no chance to schedule another meeting, as Asma had travel plans, and Amina was leaving before the end of the course. So they never met.

Asma had left Rabat on the day Fatima died. On 5 December, the last day of the course, she sent us this e-mail from Lisbon:

Just wanted to share with you this last words on the phone with Fatema when she apologized for not attending the lunch with Amina ... she said "tell her that she is a pioneer and Musawah is the future." With a very weak voice. She was suffering but still with hope for the future ... *Rahimaha Allah*

When writing this piece to honour her I came across this sentence from a 1937 novel by American-African writer Zora Neal Hurston: “*There are years that ask questions and years that answer.*” Hurston's words captured for me what appear to be two phases in Mernissi's writings on Islam and gender issues; those phases also marked the journey that some of us shared with her (though not all at the same time) and that brought us together in Musawah.

Mernissi's first book, *Beyond the Veil: Male-Female Dynamics in Muslim Society* was published 1975. It was based on research she did for her doctoral thesis. In the first part, she explored what she called “the Muslim ideology of sexes as revealed through the institution of family”; in the second part, focusing on Morocco, she analysed “the modernizing trend as embodied in women's gradual acquisition of the right to be educated and to compete for jobs.” She had something new and different to say; her book was a rich tapestry of arguments, assertions, observations and insights that she drew from different sources, ranging from her readings of early and contemporary Muslim sources to psychological and sociological theories and her own data from Morocco. She contrasted ideas of sexuality in Muslim and Christian traditions and the different ways in which they were manifested and shaped the form and scope of women's subordination; as well as the conflicting trends and values that Muslims had to negotiate and the options open to them. The book's main aim was to throw light on “the link in the Muslim mind between sexuality and the

Shari'a" and how this link was further reinforced in the course of the 20th century as a response to Western colonialism and intervention. It was this link, Mernissi argued, that shaped the ideological history of the Muslim family and has now become one of the main barriers to economic development and democracy, which Muslims cannot achieve without a major transformation of family structure and sex roles.

I want to demonstrate that there is a fundamental contradiction between Islam as interpreted in official policy and equality between the sexes. Sexual equality violates Islam's premiss, actualized in its law, that heterosexual love is dangerous to Allah's order. Muslim marriage is based on male dominance (pp. 18-19)

In Islam's ideology of women's position in the social order, women are subject to male authority. Allah considers women to be socially destructive, so there must be laws that seclude them inside the family. These laws, Mernissi argued, place women under the authority of fathers, brothers or husbands and, by mandating sexual segregation, deny women equal access to public space, to work and education.

There is a paradox here, as

[c]ontrary to what is commonly assumed, Islam does not advance the thesis of women's inherent inferiority. Quite the contrary, it *affirms the potential equality between the sexes. The existing inequality does not rest on an ideological or biological theory of woman's inferiority, but is the outcome of specific social institutions designed to restrain her power: namely segregation and legal subordination in the family structure.* Nor have these institutions generated a systematic and convincing ideology of women's inferiority. Indeed, it was not difficult for the male-initiated and male-led feminist movement to affirm the need for women's emancipation, since traditional Islam recognizes *equality of potential*. The democratic glorification of the human individual, regardless of sex, race, or status, is the kernel of the Muslim message. (p. 19; emphasis added).

But if Islam affirms the potential equality of sexes, why has it neither been reflected in law nor achieved in practice? This, Mernissi argued, has to do with how sexuality has been perceived and the laws devised to regulate it. Sexuality is valued and needs to be fulfilled through channeling sexual desire in the right direction, so as not to disturb the sacred ideology and the social order. Since the assumption is that women are powerful and dangerous beings, they must be controlled; their sexuality is a potential danger to order and distracts men from serving Allah. Hence, there is a close link between authoritarian political and family structures; one cannot function properly without the other. This is what makes equality between the sexes and love between spouses such a threat to authoritarian political order and culture in Muslim society.

I first read *Beyond the Veil* in 1985, as I was beginning my research in the Tehran family courts, on how women experience the breakdown of marriage under Islamic law. The Iranian clerics, who were brought to power after the 1979 revolution, had set out to 'Islamize' law and society. I found Mernissi's analysis relevant both to the Islamists' promotion of the 'culture of hijab', and to what I was witnessing in marital disputes that came to the Tehran courts. I could see the ways in which women were chained and controlled through a set of laws that the clerics claimed were divine and part of Shari'a. These laws, as Mernissi argued, were designed to limit women's scope of action, their freedom and choices in life; by restricting their access to public space and making them insecure in the private space of the family, they placed women at the mercy of men, who had the right to unilateral divorce and to take another wife. All these rights and restrictions, justified on the basis of Islam's sacred texts, were now championed and translated into policy by Islamists under the slogan of 'return to Shari'a'.

Then a friend gave me a book that was rumoured to be written by Mernissi under a pseudonym, *Women in the Muslim Unconscious*, by 'Fatna A. Sabbah'. Published in French in 1982, the English translation appeared two years later. The book began with a question: "Why are silence, immobility, and obedience the key criteria of female beauty in the Muslim society where I live and work?" It was a tour de force, written in a personal style, with a novel framework of analysis:

As a woman who belongs to Muslim society and has access to writing (a male privilege and the incarnation of power), I am indulging in the indescribable pleasure of rewriting the cultural heritage – a subversive and blasphemous act, par excellence. What I mean by 'rewriting' is an active reading – that is, a process of decoding the heritage and at the same time of coding it in a different way. I am going to indulge myself and take the elements that have been assembled by the religious authorities and philosophers into a specific order and cut them up and reassemble them according to an order fantasized by me. And my fantasy is to try to understand how a man molded by Muslim philosophy loves a woman. Why must I be silent in order to excite the desire and win the love of my partner? Why is it that every time I assert myself, exercise my will, or attempt to escape from the control of others – in short, every time I exercise my freedom – I feel the love and desire that I inspire fade and evaporate? (p. 6)

What followed spoke to me. I loved the way it was written; it articulated what I was experiencing. After reading it I was convinced that to change women's situation in society, we must change the law; and that patriarchy and religion are so intertwined that both must be resisted. What I took from the books was that gender equality and Islam do not sit together.

In 1988 I went to Morocco for the last leg of my research project, seeking to give it a comparative dimension by studying marital disputes there. After obtaining permission to do research in the courts, I was introduced by a friend to Fatima Mernissi – who was by then my intellectual hero. I went to her apartment in Agdal, Rabat, and told her about my research project; she was encouraging and asked me how long I was staying; I said one year. She said, "then start writing here; come and see me every month with a chapter." I saw *Women in the Muslim Unconscious* on the shelf among Mernissi's books, which confirmed the rumour of its authorship.

I never went back to her with a chapter, as I found I just could not write while doing fieldwork; I was finding my own way, making sense of a new place, a new culture, a new language. I saw a lot of her, however, as she included me in the events that she organized and I went to all her talks. It was then that I became a 'feminist'. Women's groups were asking for change, for equality in law. Their main demand was reform of the Moudawana, the personal status law that was in effect a translation of Maliki jurisprudence, codified in 1957 after Morocco gained independence.

It took me two years after my return from Morocco to finish my first book, *Marriage on Trial*. By then I had learned, from sitting in the courts in both Iran and Morocco, that there was nothing 'sacred' in what was being applied in the courts in the name of Shari'a. I could see the huge gap between marriage as defined by law and marriage as lived by people, and I had observed how the courts became the arena for negotiating that gap. 'Islamic' law itself, as applied in the courts, was one of the main causes of marital breakdown: men's rights to *talaq* and polygamy could destroy a marriage. I had seen how women could find religion empowering, as some Iranian women were challenging 'Islamic' law on its own ground, by using the very elements that gave their husbands power, to make them pay. So 'Shari'a' was indeed a double-edged sword, and it all depended on who was able to claim it and wield it. Now my earlier assumptions and certainties were no longer there; the thesis of an inherent incompatibility between Islam and gender equality was crumbling.

As I was struggling with writing my book, I read Mernissi's new one. It had been published in France in 1987 under title *Le harem politique: Le prophète et les femmes*, but I read the English translation that appeared in 1991 under two different titles: *The Veil and Male Elite: A Feminist*

Interpretation of Women's Rights in Islam (Reading, Mass.: Addison-Wesley) and *Women and Islam: An Historical and Theological Enquiry* (Oxford, Blackwell). For the English edition, Mernissi wrote a Preface in which she said:

This book is an attempt to recapture some of the wonderful and beautiful moments in the first Muslim city in the world, Medina of the year 622 (the first year of the Muslim calendar), when aristocratic young women and slaves alike were drawn to a new, mysterious religion, feared by the masters of Mecca because its prophet spoke of matters dangerous to the establishment, of human dignity and equal rights. The religion was Islam and the Prophet was Muhammad. And that his egalitarian message today sounds so foreign to many of our Muslim societies that they claim it to be imported is indeed one of the great enigmas of our times. It is our duty as good Muslims to refresh their memories. *Inna nafa'at al-dhikra* (of use is the reminder) says the Koran. When I finished writing this book I had come to understand one thing: if women's rights are a problem for some modern Muslim men, it is neither because of the Koran nor the Prophet, nor the Islamic tradition, but simply because those rights conflict with the interests of a male elite. (pp. viii-ix).

This was so different from the other two books in approach, tone, and perspective. She was no longer decoding the patriarchal messages that Islam as 'a religio-cultural system [was] inscribed on a woman's body' and shaped gender relations. She was now looking for other messages; those that had been hidden, obscured, distorted, erased and forgotten and she told us why: the resistance of the male elite. She did what religious scholars had done: she went back to Islam's sacred texts – but in order to recover the egalitarian message and to challenge patriarchy from within. This she did with verve, love and commitment. She began the book with a question: "Can a woman be a leader of Muslims?" The answer is simply that they *were* in positions of leadership, and that the Prophet's message was the liberation of all humans – including slaves and women. In an interview with US National Public Radio in 1993, re-broadcast after her death, the interviewer asks her "So, I take it you've remained a Muslim even though you've challenged a lot of people's beliefs about Islam?" Mernissi answers:

Absolutely. And you see one of the frontiers I crossed is actually the act of analyzing the memoir and the religious text and the historical text and how history is made and framed and produced and packaged. And just by looking and doing that – I mean, reading history for myself – I discovered, first of all, that the Prophet is a wonderful person and any Muslim woman could claim it as an inspiring model. And this is on one hand. And on the other hand, I showed that – and the real mistake of women was to let the memoir, the collective, the history, space of producing history to let it in the hands of men. I started this slogan. I, as a Muslim woman living in 1993, I want to have two things – the mosque and the satellite, both at the same time. And no one can mutilate me by telling me I cannot have the mosque or the Koran. Someone else is going to read for me or go at my place to the mosque, and/or to tell me you shouldn't take anything from the West because the West is the enemy and so on. It is to me to decide. I am intelligent enough to be critical towards the West and take what I need and reject what is bad for me. <<http://www.npr.org/2015/12/10/459223430/remembering-islamic-feminist-fatema-mernissi>>

I loved *The Veil and Male Elite* as much as I had loved and learned from her other books. Now she was clearing the ground and loudly placing her feminism in Islam, something that was happening elsewhere. New Muslim women's groups and voices were emerging; some shied away from the term 'feminism', others didn't; some openly wanted both Islam and feminism, and a new discourse emerged that came to be labeled 'Islamic feminism'. I was interested in studying these voices; two that I was closely following then were: *Zanan*, a monthly magazine in Iran, and Sisters in Islam in Malaysia, to whom Amina Wadud had dedicated her *Women and Qur'an: Reading the Sacred*

Texts from Women's Perspective (1992). This was the context in which Mernissi's work should be placed. In her other books, she had two main projects: to let women's voices be heard (*Doing Daily Battle*: original 1984), and to rewrite history so as to reclaim a humanist Islam (e.g. *Forgotten Queens of Islam*: orig. 1990; *Islam and Democracy*, 1992; *Women's Rebellion in Islamic Memory*, 1996) as well as to debunk the Orientalist narrative of Islam and the distorted perceptions of contemporary Muslims (*The Harem Within: Tales of a Moroccan Girlhood*, 1994; *Scheherazade Goes West: Different Cultures, Different harems*, 2001).

I did not return to Morocco until 2006. By then Mernissi was no longer writing on women's issues – *Scheherazade Goes West* was her last book on the subject – and in 2004, after decades of activism, Moroccan women succeeded in bringing radical reforms to the Moudawana. I now was pursuing new research, comparing women's activism and Muslim family law reforms in Iran and Morocco – and I've been back almost every year since. I had begun working with Zainah Anwar in Sisters of Islam and other women activists on projects that led to the founding of Musawah in 2009 as a global movement for equality and justice – we adopted the Moroccan activists' slogan: "Change is Necessary and Change is Possible".

In 2010 I went to see Fatima Mernissi, and told her about Musawah and took its publications for her. She was as ever full of energy and plans, connecting people, wanting me to conduct workshops, to do collaborative work in Morocco on Islam and women, telling me that Musawah must come to Morocco. In 2011, when Musawah was planning to hold a workshop on rethinking male authority (the *Qiwamah* and *Wilayah* project) in Rabat, I was there and investigated the possibilities; but the Moroccan women's groups did not seem keen to host us. When I told Fatima, she said, "go and talk to Asma Lamrabet – she is incredible, read her books." I said, "I know her, and I've been working with her; she too admires your work." "Where is she?" she asked. "In Rabat," I said, "I saw her this afternoon." "Then please call her." The next time I saw Asma, I learned that Fatima had formed a study group with Asma and others, called *Vivre Ensemble* (Living Together). Zainah and I and others were invited to talk there. The last time we saw her was in September 2015. Musawah held a board meeting in Rabat, where it was in the process of moving. Asma organized a dinner for us to meet Fatima, saying that her health was not good, so she could only stay for an hour. In fact, she stayed much longer, talking with us so enthusiastically about Musawah and our plan to move to Morocco.

The fact of her passing is difficult to accept, not merely because it happened just when she and Amina Wadud, both great foremothers of 'Islamic feminism' who had never met, happened to be in town, and when Musawah's team was there. In my mind Fatima Mernissi inhabited a sense of hope and discovery. She was a bridge-maker; she spoke to different audiences, and challenged patriarchy in whatever shape it came. She was not afraid to ask difficult questions and had the audacity to question old dogmas. It is her critical and loving approach to our religious tradition that more than ever needs to be heard now, when extremist patriarchal voices are becoming louder, with the support of Gulf oil money and Western arms. Arabic translations of many of her books were published in Damascus – but appear to have been ignored if not banned in other Arab countries. *Women and Islam* was translated and published in Iran, but then banned. She was widely honoured abroad, but only posthumously in her own and some other Arab countries.

With Fatima Mernissi's death we have lost a great thinker and a visionary ally in our search for equality and justice. She was a free spirit and a creative writer with deeply perceptive and intuitive capacities, who came to play a critical role in articulating a feminism that is indigenous to Islam. In her work, she transcended ideological binaries like 'secular' versus 'religious' feminism, and 'Islam' versus 'democracy' – binaries that have obstructed Muslim women's quest for equality and dignity since the early twentieth century.

Ziba Mir-Hosseini is a co-founder of Musawah and a member of its International Advisory Group.