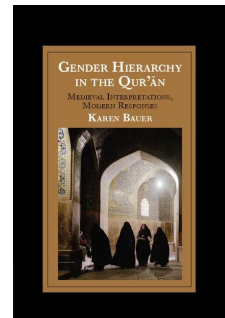


*Gender Hierarchy in the Qur'ān: Medieval Interpretations, Modern Responses*, by Karen Bauer

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This book explores certain issues relating to gender through a close study of four key Qur'anic verses, the major classical exegeses (*tafsir*) to these verses by pre-modern Muslim scholars (*'ulama'*) and a diversity of modern sources, including comments by scholars interviewed



by the author in Syria in 2004–5 and Iran in 2011, some modern *tafsirs* and other relevant writings.

There are three main sections. The first deals with Qur'an 2:282, which refers to a woman's testimony as half of a man's testimony. The second deals with Qur'an 4:1, which recounts the creation of the first humans. The third and longest section deals with Qur'an 2:228 and 4:34, which speak directly of the marital hierarchy, including men's "degree" over women, the necessity of the wife's obedience and the husband's right to punish a recalcitrant wife. Within each section there is a discussion of medieval interpretations and then of modern interpretations (medieval is defined as from the eighth century to about 1800 CE).

In her discussion the author traces the ways in which the passages are interpreted and reinterpreted over time and discusses in detail the various constraints that condition this process, including legal precedents, genre constraints, ethical and rational considerations, the exegete's own reasoning, and the social contexts and cultural assumptions that may be taken for granted as common sense. As a result the continuing tradition is fluid but this fluidity is limited by the fact that each interpreter has had to take account of his predecessors. The author also notes that the authority to produce *tafsir* has until very recently been limited to men with a specific education.

One cultural assumption that persisted through the whole medieval period, the author tells us, was that men stood above women in the gender hierarchy. Modern times have seen a "tectonic shift" (10), so that the basic assumption is now the equality of the sexes, accepted even by conservatives who want to retain medieval rulings. Another major change is the use of modern science to prove points, whether by conservatives or reformists. Still, there is regular reference to the medieval tradition.

The author's presentation is extremely detailed, with the major themes appearing and reappearing throughout the book, so that it is hard to give a good concise summary of the whole. In order to give an indication of the contents I sketch some of the points made in the first section and a smaller number from the second and third (due to limited space).

The first section deals with women's testimony, mentioned in Qur'an 2:282, specifically in the context of contracting debts. The earliest interpreters focused on grammar and the meanings of words while al-Tabari (d. 310/923) added an interest in variant readings. Only in the fifth/eleventh century did jurisprudence (*fiqh*) and hadith enter more systematically into *tafsir* and then interpreters began to ask not only what a verse meant but

why it said what it did. At this point they began to mention women's supposedly deficient intelligence in connection with this verse. Thus a changing idea of what was allowed within the genre of *tafsir* led interpreters to say what was probably culturally assumed before. The author also discusses the hadith on women's deficiency in religion and reason, which was well known and probably influenced *tafsir*. She points out that jurists varied in the degree to which they allowed women's testimony beyond the specific case of contracting debts. The testimony of mid-wives was accepted, for example, because there was no alternative. In the later medieval period the basic pattern of interpretation was set but interpreters could pick and choose from the existing interpretations and sometimes create new interpretations in the process. Although the majority simply took inequality for granted, some tried to explain why such inequality was fair, just, and according to God's will. Such interpretations, the author thinks, may reveal more about the worldview of the interpreters than about the Qur'an.

Today it is hard for many Muslims to imagine how justice can be served if women cannot testify in all arenas, but most 'ulamā' still do not grant women and men equal rights in this. The author discusses three approaches among interpreters: conservative, reformist and neo-traditionalist.

The conservative approach retains the core medieval rulings on women's testimony, but with modern justifications, often including references to scientific findings. For example the author records an interview with a woman scholar who draws on ideas about hormonal cycles and other scientific arguments to defend traditional rulings. The idea that men and women are fundamentally equal but women's emotions can overpower their reason appeared often in the author's interviews with Iranian 'ulama' and has been present in modern *tafsir*. Most modern written *tafsirs* are conservative, as is indeed the genre itself, since they demand a familiarity with tradition and may be produced to demonstrate this.

At the opposite extreme reformists begin from a premise of change and development and seek to engage directly with the basic sources of authority, the Qur'an, the Prophetic example and, for Shi'is, the Imāms, reinterpreting them if necessary. They assert that women's and men's testimony is equal in all arenas. The famous *Manar* commentary by Muhammad 'Abduh (d. 1905) and Rashid Rida (d. 1935) was reformist but did not have lasting effect on the field of *tafsir*.

Intermediate is the neo-traditionalist approach, in which the 'ulamā' are open to reinterpreting some aspects of women's right to testify while retain-

ing some elements of the traditional rulings against their testimony. Their reference is still ultimately to medieval *fiqh* as the base point. Grand Ayatollah Saanei (who was close to Khomeini) speaks of “dynamic *fiqh*” and says we must take time and place into account but this is not the same as making new laws. He claims to deduce from Qur’an 2:282, with the aid of science, that there is no difference between the testimony of a woman and that of a man, but elsewhere sometimes takes a conservative position.

The division between conservatives and reformists is sharpened by the fact that this is a defining issue that marks their general position. Also, the codification of law in modern times means that the courts have to enforce one particular interpretation and dissenting ‘*ulama*’ may find themselves arguing against the state, which can have consequences. The author warns against simply equating these “reformist” or “conservative” positions with political reform or conservatism, and provides an example from Syrian politics.

In the second section, on Qur’an 4:1, “created you from a single soul and from it its mate”, the author particularly wishes to show how interpreters use different hermeneutical strategies to build the Qur’anic Eve into the archetypal woman. The author believes that some version of the biblical account was known in the Qur’an’s milieu and that the Qur’an referred to it. This may be why interpretations have generally gone well beyond the Qur’anic text. Among other things the author discusses are the variant versions of Eve’s creation from Adam’s rib and also grammatical points connected with words in the text. She deals in some detail with Shi’i and philosophical interpretations. Modern interpreters agree that Qur’an 4:1 gives equal value to the sexes, but most of them reject evolution, though the *Manar* commentary accepted it.

The third section deals, as mentioned, with the hierarchy of marriage as found in the interpretations of Qur’an 2:228 and 4:34. Interpreters relied heavily on common cultural understandings and sought to frame marriage within the context of the idea of just rulership. After al-Tabari they begin to talk about men’s inherent superiority to explain the reason for the judgments and were influenced by the science of the time. That some women may equal men was hinted at but not stated openly before the eighteenth century. Issues relating to the husband disciplining the wife are dealt with in detail. In modern times the language of equality is used but conservatives defend the traditional hierarchical arrangement, though with some flexibility. Modernists and neo-traditionalists interpret the prescriptions more flexibly; some modernists even claim that Qur’an 4:34 has been abrogated.

These sketchy summaries by no means cover all the important points made in the book, but should give the reader some idea of its contents. The book's detailed nature may make it confusing at times, but it is precisely in the detail that its strength lies. Particular interpreters, living in particular times and places, subject to particular influences and pressures – these are presented and speculated about and from these come interesting observations and hypotheses, and the reader can get immersed in the material and get a sense of it. I would not recommend this book as the first one to read on the subject of gender in Islam, but for those with interest and some prior knowledge it could be a gold mine of information and inspiration.

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