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EXEGETICAL VIOLENCE: NUSHUZ IN QUR'ANIC GENDER IDEOLOGY

"The manipulation of sacred text has always been a structural characteristic of the practice of power in Muslim societies"

Fatima Mernissi.

1. Introduction

Qur'anic scholarship over the past fourteen centuries has developed into a prolific and highly specialised field. Historically this discipline has primarily remained the domain of men and has chiefly represented their experiences and worldviews. This male bias has resulted in the systematic exclusion of women's perspectives from the dominant religious discourses.

In this paper I will show how the practice of patriarchal power in medieval Muslim societies has been mediated through understandings of the Qur'an. I will examine and analyze medieval Qur'anic exegesis in order to focus on how the practice of religious power defined and reflected existing gender ideology and gender relations. I will argue that the ideological tenets embedded in a patriarchal understanding of the Qur'an and Islam fosters a mode of gender relations which practically disempower Muslim women. My particular interest in this study is directed at the relationship between Islamic gender ideology and its implications for violence against women.

I begin with a preliminary outline of the significance of the Qur'an in Muslim societies and the related centrality of exegesis. Here I provide a rationale for my focus on the interpretations of particular exegetes. Secondly, I describe my methodology which is the application of feminist hermeneutics to the exegetical studies. Thirdly, I proceed with my own analysis of the exegesis. Here I focus on the interpretations of the verse Q.4:34 as the index of socio-religious gender constructions.

2. The Qur'an and its Interpretation

"As God's own words Qur'anic statements are normative for the thought and behaviour of Muslims"

Jane McAuliffe.

The centrality of the Qur'an in a Muslim worldview has been well recorded.¹ It is generally perceived by Muslims as the ultimate reference point, the distinguishing criterion (al-Furqan) for good and evil and as the transcendent authority which sets parameters and standards for

¹. Toshihiko Izutsu, *Ethico-religious Concepts in the Quran* (Montreal: McGill University Press, 1966); Sachiko Murata & William Chittick, *The Vision of Islam* (New York: Paragon Press, 1994); Muhammad Husayn Tabataba'i, *The Quran in Islam: Its impact and influence on the lives of Muslims* (London: Zahra, 1987).

human existence.² Consequently it occupies centre-stage in the Muslim religious *imaginaire*. It thus influences social structure, ideas of normative human relations and boundaries for appropriate behaviour.³ Hence the Qur'an is not only a religious text but also a profoundly political text which shapes the understandings of Muslim societies. Due to this powerful position of the Qur'an in Muslim consciousness it is appropriate to examine its implications for gender relations.

The Qur'an mediates itself into social and collective consciousness through human understanding.⁴ Therefore in analysing the application of the Qur'an to society and gender relations it is necessary to examine the authoritative mediations of the Qur'an. Qur'anic understandings do not enter socio-cultural vacuums but are presented into already symbolically and culturally meaningful contexts.⁵ Hence Qur'anic readers and interpreters bring to the texts their own "prior-texts", their own worldviews and their own traditions of meaning informed by particular socio-historical positioning.⁶ Thus the creation of meaning of and from the Qur'an fundamentally involves the human interpretive attribution. Qur'anic scholar Richard Martin asserts that:

getting at the meanings must focus on the interpretations of meaning, which means the interpreter and his\her historical\cultural horizon of understanding.⁷

Historically the most powerful and authoritative interpretive body of Qur'anic scholarship is known as *tafsir* (exegesis). Adams asserts that *tafsir* is a critical index of Muslim self-understanding. According to Adams:

there is probably no richer or more important key to the basic always evolving significance of the Qur'an in the Muslim religious consciousness than the tradition of *Tafsir* writing.⁸

Given the above, it may be inferred that the exegetical texts reflect the dynamic interaction between sacred text, consciousness and social reality. I believe that it is at the nexus of these three critical junctures that the religious constructions of gender are most powerful and influential. I have chosen to focus on the exegetical writings of selected medieval Islamic

². Jane McAuliffe, *Qur'anic Christians* (Cambridge: Cambridge University Press, 1991).

³. Tabataba'i, *The Quran in Islam*.

⁴. Farid Esack, "Contemporary Religious Thought in South Africa and the Emergence of Quranic Hermeneutical Notions", *Islam and Muslim-Christian relations* 2, 2 (1991): 216-218.

⁵. Richard Martin, "Understanding the Qur'an: Text and context", *History of Religions* 21, 4 (1982): 367.

⁶. Amina Wadud-Muhsin, *Quran and Woman* (Kuala Lumpur: Penerbit Fajar Bakti Sdn. Bhd., 1994), 1-7.

⁷. Martin, *Understanding the Qur'an*, 363.

⁸. Charles Adams, "Islamic Religious Tradition," in *The Study of the Middle East: Research and Scholarship in the Humanities and the Social Sciences*, ed. Leonard Binder (New York: John Wiley, 1976), 65.

scholars to analyse the historical scriptural world of gender within Islamic discourse. My aim is to elicit how gender is conceived, imagined, and created by these interpreters of the Qur'an.

I will analyse the interpretations of three classical exegetes, namely, Abu Ja far Muhammad b. Jarir al-Tabari (839-922) and Abu al-Qasim Mahmud b. Umar al-Zamakshari (1075-1144) Fakhr al-Din al-Razi (1149-1210). Spanning the period from the ninth century to the thirteenth century, they represent classical medieval scholarship. Al-Tabari was a traditionist, al-Zamakshari a Mu'tazilite and al-Razi an Asharite.

My rationale for selecting these scholars is based on the fact that they are viewed as leading exegetical authorities among Islamic orthodoxy. Their work represents the dominant evolving historical legacy of traditional Islamic interpretation. It also provides a window into the socio-cultural gender norms which informed their interpretations of the Qur'an. They represent historically significant schools of traditional Islamic thought spanning three centuries and their interpretations are taught and transmitted as authoritative understandings of the Qur'an in most traditional Islamic institutions.⁹

In South Africa, as elsewhere, most of the traditionally trained Muslim leaders have been schooled in these classical texts which then inform their own perspectives.¹⁰ These perspectives are transmitted into society by virtue of their roles as religious leaders, marriage counsellors and Islamic legal advisors. Hence their understandings impact upon notions of normative gender relations and consequently on the way in which religious discourses of violence against wives are conceptualised.

3. Methodology

My approach to the study of *tafsir* is informed by my own positioning as a Muslim feminist. In terms of intellectual foundations I am strongly influenced by the progressive perspectives of modernist scholar Fazlur Rahman (d.1988). I proceed from the premise that there are significant and relevant overlaps between Islam and certain feminist discourses. I am suggesting that there is a profound confluence between the pervasive Qur'anic ethos of social justice and feminism's appeal for human equality. I will summarize a working definition of feminism as follows: an ideology for social transformation which aims to resist the oppression of women and advances the ideals of justice, equality and anti-sexism.¹¹ Furthermore there are a number of extremely valuable research tools developed in both secular and Christian feminist scholarship which may be utilized, albeit critically, in the examination of gender in Islam and Muslim societies.¹² It is with these interdisciplinary assumptions that I embark on an examination of medieval Qur'anic *tafsir*.

⁹. These include traditional Islamic institutions in the Indo-Pakistan subcontinent, the Middle East as well as many of the local "*Dar-ul-ulums*" in South Africa.

¹⁰. Esack, *Contemporary Religious Thought*, 207.

¹¹. Maggie Humm, *The dictionary of feminist theory* (Harvester: Wheatsheaf), 74; Lisa Tuttle, *Encyclopedia of Feminism* (Essex: Longman, 1986), 107.

¹². For a more comprehensive discussion on the complex relationship between Islam and feminism see

Historically most *tafsir* (exegeses) were written almost exclusively by men.¹³ In examining a historical narrative of gender from the *tafsir* of these scholars, I will employ a particular mode of analysis, namely, feminist hermeneutics. Feminist hermeneutics is a "theory, method or perspective for understanding and interpretation" which is sensitive to and critical of sexism.¹⁴ I approach the *tafsir* texts with a "hermeneutic of suspicion" which is alert to both explicit and implicit patriarchal bias.¹⁵ A hermeneutic of suspicion does "not trust or accept interpretive traditions as 'truth'" but rather adopts a stance of suspicion.¹⁶ 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.¹⁷ Thus I approach the selected exegetical works as representative of a patriarchal historical cultural milieu.

I will also use a particular mode of feminist hermeneutics derived from a model presented by biblical scholar Gerald West which involves "reading behind the text".¹⁸ This mode focuses on sociological and historical reconstructions of the society behind the text. Accordingly, I will excavate from *tafsir* texts, which are predominantly male records and understandings of reality, underlying images of the ordinary women. The aim is to redress the silences on women's lives, to lift out the marginalised voices, to reconstruct the absent female and to be vigilant of the patriarchal assumptions. According to Sakenfield:

Our contemporary responsibility is to listen to past and present voices who have been heard least, including women, because hearing voices that have been ignored or silenced enables the community to question its own assumptions and thus to have a greater likelihood of encountering the God who seeks to encounter us.¹⁹

This article then examines the evolving, gendered worldviews of the authoritative Islamic legacy through an analysis of the historical interpretations of the Qur'an. Specifically the aim is to apply a critical feminist hermeneutic to the *tafsir* texts. In so doing I will subject some of the formative gender discourses in traditional Islamic exegesis to ideological examination

chapter one in Sa'diyya Shaikh, "Battered Women in Muslim Communities in the Western Cape: Religious Constructions of Gender, Marriage, Sexuality and Violence" (M.A. Thesis, University of Cape Town, 1996), 1-54.

¹³. Wadud, *Quran and Women*, 2.

¹⁴. Elizabeth Schussler Fiorenza, *Bread not stone: The challenge of feminist Biblical interpretation* (Boston: Beacon Press, 1995), X.

¹⁵. Gerald West, "Silenced Women Speak: Biblical Feminist Hermeneutics," in *Women Hold up Half the Sky*, eds. Denise Ackermann et al. (Pietermaritzburg: Cluster Publications, 1991), 76-77.

¹⁶. Fiorenza, *Bread not Stone*, X.

¹⁷. Katharine Sakenfeld, "Feminist uses of Biblical Materials," in *Feminist interpretations of the Bible*, ed. Letty Russell (Philadelphia: Westminster Press, 1985), 55-56.

¹⁸. West, *Silenced Women Speak*, 77.

¹⁹. Sakenfield, *Feminist Uses*, 166.

and critique. The particular issue which constitutes the focal point of such an analysis is the relationship between gendered Islamic consciousness and discourses of violence against women by their husbands.

4. Qur'anic Exegesis, Gender Ideology and Violence

In my analysis of the exegetical literature, Surah Nisa verse 34 (Q.4:34 - from now on also referred to as the *nushuz* verse) is used as a central hermeneutical key around which the debate on gender constructions and violence against women will unfold. The translation of this verse reads as follows:²⁰

*Men are (qawwamun) the Protectors and maintainers of women,
Because God has given the one more strength than the other,
and because they support them from their means.
Therefore the righteous (salihat) women are devoutly obedient (qanitat),
and guard in their husbands absence
what God would have them guard.*

*As to those women on whose part you fear
(nushuz) disloyalty and ill conduct.
Admonish them (first), refuse to share their beds (next)
and (last) beat them
But if they return again to obedience
seek not means against them
for God is the most high, Great above you*

The rationale for focussing on this verse is due to the fact that it has been understood to condone violence against wives. Interpreted to be espousing hierarchical gender relations, these verses are seen to create the space for the "legitimate" physical punishment of women by their husbands.

4.1. The Occasion of Revelation

The occasion of revelation (*sabab ul-nuzul*) of this verse is presented by the exegetes as follows. A woman whose husband had slapped her left the marital home and complained to the Prophet. He condoned her departure from the home of her husband, advising her to maintain the separation until revelation provided guidance. It was at this point that the revelation of the Q.4:34 was reported to have occurred.²¹

²⁰. Certain crucial Arabic terms are contested and open to different translations and interpretations. In these cases I will provide a preliminary translation but will primarily use the Arabic terms in the rest of the text. The English translation of the Qur'an used is Abdullah Yusuf Ali, *The Holy Qur'an: Text Translation and Commentary* (Brentwood: Amana Corps.), 1983.

²¹. Fakhr al-Din al-Razi, *al-Tafsir al Kabir* (Makkah: Darul-Fikr, n.d.), 90-91; Abu Ja'far Muhammad b. Jarir al-Tabari, *Jami' al-Bayan 'an ta'wil ay al-Quran* 30 vols. (Beirut: Dar al Fikr, 1948) 58-9; Abu al-Qasim Mahmud b. Umar al-Zamakshari, *al-Kashshaf 'an Haqa'iq Ghawamid al-Tanzil wa-'Uyun al-Aqawil fi Wujuh al-Ta'wil* 4 vols. (Beirut: Dar al-Haqq. n.d.), 506.

Zamakshari adds that the Prophet, prior to revelation, permitted the wife and her father to demand compensation (*qisas*) from the husband. Thus revelation of these verses abrogated the Prophet's recommendation and he is reported to have responded by saying "we (meaning himself) wanted something and God wanted something else and what God wants is best".²²

This context of revelation of the verse sets the scenario for the rest of its interpretation by these scholars. I have divided my analysis of their exegesis into four parts. Firstly, I present reflections on interpretations of *qiwama*, which provides the framework for the definition of gender. Secondly, I analyse the definitions of the *qanitat* which is the term used to describe righteous women. Thirdly, I examine constructions of the *nashiza*, the "disobedient" woman. Finally, I assess their notions of female repentance. This analysis follows the chronological arrangement of the verse in the exegetical style of the classical scholars. Simultaneously it makes holistic thematic connections between the interrelated exegetical narratives of gender.

4.2. Qiwama: The Framework of Gender Relations

*Men are the Protectors and maintainers (qawwamun) of women,
Because God has given the one more strength than the other...*

²². al-Zamakshari, *al-Kashshaf*, 506.

In defining the relationship of *qiwama* the medieval commentators presented their framework for understanding gender relations. Al-Tabari stated that the relationship of *qiwama* is premised on the material preference that men had been granted.²³ He suggested that this preference implied the financial responsibility of men to provide their wives with marriage dowers (*mahr*), and with financial maintenance (*nafaqa*).²⁴ Thus al-Tabari conceptualised the relationship of *qiwama* as contingent on a socio-economic phenomenon rather than some inherent quality of man or woman per se.

Two centuries later also during Abbassid rule, al-Zamakshari interprets *qiwama* as the unambiguous and categorical rulership (*musaytirun*) of men over women.²⁵ He suggests that the male-female relationship parallels the relationship between sovereign political leader and a male citizen. In the same way that a political leader instructs his subjects to perform or abstain from particular acts, so do also men command and forbid their women.²⁶ This comparison reflects prevalent socio-political images of autocratic political authorities over ordinary, male citizens. In this way state political power relations have a mimetic effect on domestic politics and this illustrates the fluidity between "private" and "public" discourses.

Al-Zamakshari asserts that the relationship of *qiwama* is based on natural preferences which God has granted to men over women.²⁷ Writing a generation after al-Zamakshari, al-Razi, the Asharite, concurs with this view.²⁸ These exegetes' understandings of humanity is based on the premise of intrinsic natural differences between men and women. Both these exegetes, al-Zamakshari and al-Razi, regard men as naturally gifted with a number of superior attributes which range from intellect and determination to literacy and the ability to ride.²⁹ Due to this notion of a qualitatively superior male constitution, they argue that men are natural leaders in the spheres of religion, politics, the judiciary, and marriage.³⁰ Thus in presenting a set of criteria for difference between men and women, al-Zamakshari and al-Razi conflate "biological" and socially constructed potentials. This religious discourse of intrinsic gender difference pervades the rest of their interpretations and points to underlying anthropological assumptions. Such religious or theological anthropologies underpinning the exegesis will now be excavated, examined and interrogated.

²³. al-Tabari, *Jami'al Bayan*, 57-59.

²⁴. Ibid., 57.

²⁵. Zamakshari, *al-Kashshaf*, 505.

²⁶. Ibid.

²⁷. Ibid.

²⁸. al-Razi, *Al-Tafsir*, 90.

²⁹. Ibid., 91; al-Zamakshari, *al-Kashshaf*, 505.

³⁰. Ibid.

4.2.1. *Qiwama*: Theological Anthropology and Difference

The notion of a theological anthropology raises the question of what it means to be human within a religious framework.³¹ This involves an analysis of how religious discourses of values, beliefs and practices define human beings. It is therefore an implicit component of any religious discourse. The questions that arise from an inquiry into theological anthropology are as follows: What does it mean to be human? What is the vision of humanity? What goal for human life is proposed in religious scripture? These questions are integrally related to religious understandings of gender and gender relations.

Al-Zamakshari and al-Razi's definition of male *qiwama* (rulership; *musaytirun*) as pointed out earlier, is premised on hierarchical and dualistic anthropological categories. Their framework positions men and women as polar opposites whose interactions reflect power relations of dominance and subjugation.³² Men and notions of masculinity are associated with rationality, intellect, and spirituality. In contrast, women and "femininity" are constructed as emotional, irrational, carnal and sexual.³³ Thus patriarchal anthropologies posit a transcendence/immanence polarity, a body/mind dualism where the male pole is considered more powerful and more valuable than the female.³⁴ This dichotomy translates into a hierarchical understanding of humanity which prioritises mind over body, reason over passion, spirituality over carnality, and male over female.³⁵

Patriarchal anthropology is apparent in the interpretations of those exegetes who interpret *qiwama* as the God-given relationship of power and authority that men are granted over women. They consider male *qiwama* to be based on an inherent intellectual and spiritual superiority.³⁶ Accordingly, they argue that all social roles that require intellectual or spiritual strength, such as political and religious leadership, be viewed as exclusively male.³⁷ Zamakshari and al-Razi's interpretation of *qiwama* as the "natural" preference that men are granted may be seen to reflect the normative gender ideology and gender roles prevalent in these exegetes' socio-political and cultural realities.

As described earlier a hermeneutic of suspicion involves reading behind the text since silences and omissions betray an ideological bias. These silences and omissions together

³¹. Anne Carr, *Transforming Grace: Christian Tradition and Women's Experience* (New York: the Free Press, 1988), 117.

³². Ibid., 121-123; Rosemary Ruether, *Sexism and Godtalk* (Boston: Beacon Press, 1983), 93-95.

³³. Ruether, Ibid.

³⁴. Carr, *Transforming Grace*, 121-122.

³⁵. Denise Ackermann, "Feminist Liberation Theology", *Journal of Theology for Southern Africa* 62 (1992): 19-20.

³⁶. al-Zamakshari, *al-Kashshaf*, 505; al-Razi, *al-Tafsir*, 91.

³⁷. Ibid.

with the statements of the exegetical text may be interpreted to reflect the socio-cultural realities behind the text. In terms of the exegetes' understandings of natural male intellectual superiority, I infer that the development and manifestation of women's intelligence (as defined by male discourses of knowledge) were absent or marginalised. Their exegeses therefore imply that the most visible arenas of knowledge discourse were unavailable and inaccessible to women. This also becomes apparent in the language of the exegetes who regularly address the male reader as "you" while women are referred to as "they", the third party or the 'other'. An example of this in al-Razi's writing: "If YOU [emphasis mine] fear something in your heart from your women...if there is something in THEIR [emphasis mine] behaviour...".³⁸ This language also implies that the prevailing readership and scholarship was primarily male.

What is evident from the exegesis is that the multi-dimensional differences between men and women in a specific historical context are indiscriminately clustered together as natural and eternal givens. Acquired skills or culturally determined roles are constructed as "facts", "truth" and inherent properties of maleness and femaleness.

The anthropological paradigm of difference and dualism used by the exegetes in their interpretation of *qiwama* frames their understanding of women. This is explored further in their interpretation of the rest of the verse which discusses the *qanitat*, referring to the righteous or normative woman and then the *nashiza*, the "disobedient" or non-conforming woman.

4.3. The Normative Woman

Q.4:34 describes the "righteous" women as:
*Therefore the righteous (salihat) women
are devoutly obedient (qanitat),
and guard in their husbands absence
what God would have them guard.*

The verse links *salihat*, (meaning those women who do "good", are "pious" and "righteous") to *qanitat*. The word *qanitat*, meaning "devout" or "obedient" women, has provoked considerable controversy amongst the exegetes.³⁹ Among the classical exegetes the disputed point related to whom the "object" or recipient of this female obedience was. Was it God?, her husband, or both?

Al-Tabari's tafsir presents *qanitat* as a contested definition without committing himself to identifying the object of obedience.⁴⁰ However, both al-Zamakshari and al-Razi combine

³⁸. al-Razi, *al-Tafsir*, 92.

³⁹. al-Tabari, *Jami' al-Bayan*, 59-60; al-Razi, *al-Tafsir*, 91-92 .

⁴⁰. al-Tabari, *Jami' al-Bayan*, 59.

and equally prioritise the importance of female obedience to both man and God.⁴¹ In fact, al-Razi states that obedience to God and obedience to one's husband are both DEMANDED of the righteous woman.⁴² He adds that "the woman is not pious who is not also obedient to her husband".⁴³ Thus women's obedience to their husbands assume sacred proportions.

al-Razi's association of a God-conscious woman as one who is also obedient to her husband introduces a discourse of religious and spiritual hierarchy. The relationship between husband and wife becomes instrumental in the relationship between female believer and God. By suggesting that a religious woman is necessarily an obedient wife, marital hierarchy is prescribed at a religious level. Thus sacralised male authority and marital hierarchy become foregrounded in the relationship between female-believer and God. In this spiritual hierarchy God occupies the pinnacle, men the centre, as mediators, and women (as well as children and male slaves), the bottom echelon.

The final condition or description of righteous women in this verse is that they should *"guard in their husbands absence what God would have them guard"*.

All three exegetes interpret this to mean that a wife must guard her husband's wealth and her sexuality in his absence. The rationale that al-Razi provides for this female chastity is two-fold. Firstly female chastity is considered necessary so that the MAN'S honour is not violated and secondly so that she does not give birth to children from seed other than his.⁴⁴

The control and ownership of women's sexuality is central to most male interpretations of the verse. Such readings implicitly evoke the sense that the sexual fidelity of wives form an integral part of their religious duty to God. The sacralising of female sexual fidelity can be construed as the elevation of patriarchal sexual politics to the divine realm.

My critique of this part of the exegesis is based on the fact that the ban against female adultery is not premised on a moral imperative of the female believers' relationship with God. Rather, the motivation for her abstinence from adultery is based on the issue of MALE honour and maintaining a pure lineage. Hence, even in the depiction of female piety or spirituality, her sexuality and relationship to men is instrumental. This implies that in terms of women, the God-believer relationship becomes secondary and only accessible via a "correct" man-woman relationship. This inadvertently projects men as divine intermediaries if not demi-gods, as the objects and instruments of female accountability. A feminist critique which is pertinent in this regard is "it is idolatrous to make males more 'like God' than females".⁴⁵

⁴¹ al-Zamakshari, *al-Kashshaf*, 506; al-Razi, *al-Tafsir*, 91-92.

⁴² . Ibid.

⁴³ . Ibid.

⁴⁴ . al-Razi, *al-Tafsir*, 92.

⁴⁵ . Ruether, *Sexism and Godtalk*, 23.

Finally, the textual neighboring of women's sexuality and men's wealth as 'objects' for protection continues the narrative of male possession. These are both depicted as the objects to which a husband has sole rights of possession and which are instrumental to his comfort and tranquility.⁴⁶ Accordingly, women are constructed as the property of men, to be owned and possessed. Such discourses are premised on power relationships of control, male domination and female subjugation. They function to objectify and dehumanise women, leaving them significantly disempowered. Moreover, the discourse of male ownership allows for unfettered male power which in turn creates the space for the occurrence of legitimate and privatised violence against women. It is precisely this violent potential which is the focal point of the exegesis in relation to the rest of the verse: the issue of solutions or recourses against the "disobedient" woman (nashiza).

4.4. Nushuz as Female "Disobedience"

Having defined the normative woman, the exegetes proceed to deal with the case of deviation from this norm i.e. the instance of aberrance (nushuz).

Q.4:34:

*As to those women on whose part you fear (nushuz) disloyalty or ill-conduct
Admonish them (first), refuse to share their beds (next)
and (last) beat them*

*But if they return again to obedience
seek not means against them*

for God is the most high , Great above you.

Literally "nushuz" means to protrude or project out from the ground or a hillock.⁴⁷ However, it is metaphorically defined by al-Tabari as "isti la" which refers to the case where a woman is arrogant, refuses to have sexual relations with her husband or refuses to submit to his authority.⁴⁸ The classical exegetes begin their discussion of nushuz by referring to the cases of suspected nushuz.⁴⁹ In this case it may be purely subjective male suspicion of female infidelity which may lead a husband to label his wife as disobedient, a nashiza. This suspicion creates the space for irrational and often unjustified male jealousy, which is often among the primary reasons for men beating their wives.⁵⁰

All three exegetes are unanimous that a woman who refuses to have sex with her husband is nashiza. The exegetes then proceed to interpret the Qur'anic response to female nushuz.

⁴⁶. al-Razi, *al-Tafsir*, 92

⁴⁷. Muhammad Ibn Mukkaram Ibn Manzur, *Lisan al-Arab* 15 vols. (Cairo:s.n., 1981), 4425.

⁴⁸. Al-Tabari, *Jami' al-Bayan*, 62.

⁴⁹. Ibid.,61.

⁵⁰. This is reflected in a number of interviews which I conducted with battered woman in South Africa in 1995. It is also cited in the psychological and sociological literature on wife battery. See for example, Teresa Angless, "An Exploration into the Counseling Needs of Battered Women" (M.A. thesis, University of Cape Town, 1990).

4.4.1. Male Response to Nushuz

4.4.1.1. "Verbally admonish them": Fa izuhunna

In their interpretation of the Qur'anic term fa izuhunna, "verbally admonish them" (i.e. the women), all three exegetes suggest that the husband should threaten his recalcitrant wife with God's punishment.⁵¹ They suggest that she is to be reminded to fear God and hence refrain from disobedience.⁵²

This invocation of the presence and fear of God operates as a means of wielding male disciplinary power. The construction of an omnipresent God watching over male interests operates as the means to instill female discipline. Male power, with its appeal to God's constant surveillance, creates self-policing female subjects.⁵³ This process is underpinned by the assumption that

...it is more efficient and profitable to place people under surveillance than to subject them to some exemplary penalty.⁵⁴

4.4.1.2 "Separate them from your nuptial beds": Wahjuruhunna

The next disciplinary measure for persistent female disobedience is that men leave the marital bed. Despite the obvious meaning of literally separating beds, the exegetes' interpretations range from confining the wife in the home⁵⁵, to "abandon" her during sex, that is, refusing to talk to her while having sex with her⁵⁶, to tying her up and forcing her to have sex⁵⁷. This illustrates how a simple recommendation to separate beds, when interpreted by patriarchal lenses, can be construed to mean have sex with a wife even against her will. This is tantamount to marital rape.

Such an interpretation explicitly condones marital rape and epitomises oppressive and abusive gender relations. Male sexuality is depicted as

⁵¹. Al-Tabari, *Jami' al-Bayan*, 62; al-Razi, *al-Tafsir*, 92-93; al-Zamakshari, *al-Kashshaf*, 506.

⁵². Ibid.

⁵³. This parallels Foucault's understanding of the all-seeing "panopticon", the central guard tower in prisons which is symbolically omnipotent. It creates within the prisoner, the feeling of being under constant surveillance. Thus it serves as a control mechanism which creates internal supervision in prisoners. The concept of the panopticon is discussed extensively in his book *Discipline and Punish* (1977).

⁵⁴. Madan Sarup, *An Introductory Guide to Post-Structuralism and Post-Modernism* (London: Harvester Wheatsheaf, 1989), 73.

⁵⁵. Al-Tabari, *Jami' al-Bayan*, 65.

⁵⁶. Ibid.

⁵⁷. Al-Zamakshari, *al-Kashshaf*, 507.

unapologetically omnipotent. There is no male accountability or recognition of the woman as human. It is clear that such a framework which views women as utilitarian "objects" is inherently violent, and explicitly proposes extreme sexual violation and dehumanisation of women.

4.4.1.2.1 Nushuz and female sexuality

As pointed out previously the exegetes interpret the nashiza as the sexually "rebellious" woman. She is either one who refuses to have sex with her husband or one who is suspected of sexual infidelity. In both cases her sexuality is beyond the control of her husband. This preoccupation with controlling a wanton female sexuality is a pervading undercurrent of the medieval Islamic worldview.⁵⁸ Fatna Sabbah describes this construction as the "omnisexual women".⁵⁹ Accordingly, womanhood is defined as a powerful sexual principle which is threatening, uncontrollable, and potentially anarchic to male order and stability.⁶⁰ Moreover, her supposedly consuming sexuality is accompanied by an active intelligence or guile (kayd) which is solely directed at the maintenance and satisfaction of her libido.⁶¹

Sabbah and Malti-Douglas illustrate how classical and contemporary Islamic discourse feared that women's sexual allurements would beguile and distract men from religious devotion. It is in reaction to this threat of the "omnisexual" woman that many discourses of male control are created, including the traditional Muslim ideal of a submissive, docile and obedient women.

The preoccupation with the control of an overwhelming female sexuality once again demonstrates the existence of a dualistic anthropology. Women's existence is determined by biology. She incarnates the "lower" body or sexual principle which needs to be restrained and controlled by the "higher" spiritual and intellectual male principle. Hence the ideal female role is an obedient wife whose sexuality and womb are securely controlled by her husband. I suggest that the inability of classical exegetes to synthesise a unity between sexual, spiritual, emotional and intellectual facets of self has resulted in what Ruether terms "a case of projection".⁶² Accordingly the male exegetes "as monopolisers of theological self-definition, project onto women their rejection of their own 'lower' selves."⁶³

⁵⁸. Fedwa Malti-Douglas, *Woman's body, Woman's word: Gender and Discourse in Arabo-Islamic writing*. (Princeton: Princeton University Press, 1991).

⁵⁹. Fatna Sabbah, *Women in the Muslim Unconscious* (New York: Pergamon Press, 1984), 34-43.

⁶⁰. Ibid., Malti-Douglas, *Women's Body*.

⁶¹. Malti-Douglas, *Women's Body*, 51.

⁶². Ruether, *Sexism and GodTalk*, 93.

⁶³. Ibid., 94.

This underlying ideology of hierarchical dualism is innately conflictual and when women do not acquiesce to meet their defined roles, the possibility of violence ensues. This is reflected in the interpretation of the final and controversial male Qur'anic recourse to female disobedience (nushuz), that of the darb, "to strike", or to "beat".

4.4.1.3. Wadribuhunna: The Beating

The final recourse in the Qur'anic verse reads :

"... *wadribuhunna (and strike them)*"

Al-Tabari interprets this last resort as "to strike her without hurting her (gayr mubara)".⁶⁴ Al-Razi appears the least prone to offer an endorsement of violence. He interprets this part of the verse by saying that while hitting is permissible, to desist from it is better.⁶⁵ Here he quotes the hadith where the Prophet says that men who beat their wives are not "among the better men".⁶⁶ Al-Razi suggests that this is a clear indication that it is preferable not to hit women. He suggests that the rationale for the three-step conflict resolution (first to admonish, then to separate beds and finally to strike) was not a license but rather a restriction on prevalent male violence.⁶⁷

Al-Razi's interpretation should be understood in the context of a misogynist and machismo culture where men regularly beat their wives.⁶⁸ It was considered an exhibition of strength and "manliness" or masculine virility (muruwa). In such a context a statement that men who hit their wives were not amongst the "better ones" undermined and countered the prevalent misogynistic values and norms.

Even when al-Razi concedes that men may ultimately resort to the darb, he attempts to practically abrogate the violence by stating that only a folded handkerchief or miswak (a small twig used as a toothbrush) could be used for such purposes.⁶⁹ This recommendation implies that the "darb" was a token or symbol of male authority, which al-Razi appears quite willing to maintain.

⁶⁴. Al-Tabari, *Jami' al-Bayan*, 68.

⁶⁵. Al-Razi, *al-Tafsir*, 93.

⁶⁶. Ibid.

⁶⁷. Ibid.

⁶⁸. Indicative of the "normality" of violence against wives is a *hadith* quoted in the exegesis of al-Zamakshari. Asma bint Abu Bakr is reported to have said that "I was one of four wives of Zubair ibn al-Awwam. If he got angry he would hit us with a stick, on which clothes are hung, until he broke it". Her husband is reported to have responded by saying that "if her sons were not around then I would hit her more" (al-Zamakshari, *al-Kashshaf*, 507). Hence the evidence points to the fact that the Prophetic society was one where a marked level of violence against wives was prevalent.

⁶⁹. Al-Razi, *al-Tafsir*, 93.

However it was the substantively violent component of the darb which he tried to reduce through interpretation.

Al-Zamakshari, unlike al-Razi, is unapologetic about condoning violence in his interpretation of the darb. He quotes a hadith where the Prophet is reported to have told the husband to "Hang your whip in such a place that the family can see it".⁷⁰ However he concedes that this hadith is weak (da if) since it has a weak chain of narration. The assertion and perpetual visibility of male power and control is evidently not only directed at the wife but at the broader family.

This type of interpretation and narrative provides religious legitimacy for a worldview which sanctions violence against women. For example, even al-Razi who makes constant practical recommendations to men to be restrained and prudent still acknowledges the ideology of acceptable male violence against women. Within this mentality the female body becomes a political anatomy...where it enters a machinery of power that explores it, breaks it down and rearranges it...this mechanics of power defines how one may have a hold of another's body not only so that one may do as one wishes, but also that one may operate as one wishes, with the techniques and efficiency that one determines. This discipline produces subjected and...docile bodies.⁷¹

Thus I propose that the narrative and worldview of the exegetes aims at producing docile and subjugated female beings. The "disobedient" woman (nashiza) is seen as aberrant and the religious psychology inherent in the exegesis condones corporal punishment against her. Normativity demands that the female be docile and obedient and the non-conformist who contravenes this order of things needs to be disciplined even if such discipline includes violence.

4.5. The Repentant Woman

The last part of the verse deals with the repentant nashiza:

*...But if they return again to obedience
seek not means against them
for God is the most high, Great above you*

In urging men to forgive the repentant woman al-Zamakshari reminds men that while they may have power over their subordinates, Allah has power over men. He quotes a hadith where the Prophet saw a man about to hit a slave with a whip and said: "Oh, Abu Masud, Allah is more powerful over you than you are over the slave" and consequently Abu Masud threw the whip away and freed the slave.⁷²

⁷⁰. Al-Zamakshari, *al-Kashshaf*, 507.

⁷¹. Foucault, *Discipline and Punish*, 138.

⁷². Al-Zamakshari, *al-Kashshaf*, 507.

Equating the status of a woman to that of a slave appears to be a pervading notion in the medieval universe.⁷³ The medieval Islamic scholar Abu Hamid al-Ghazzali (d.1111) stated that marriage is "a type of slavery" (*naw min al-riqq*) and that the wife is the slave of her husband (*raqiqa lahu*) and she is obligated to obey all his orders except for anything that entails sin.⁷⁴

In this stratified and hierarchical worldview men are more human than both free women and slaves. In this context violence against subordinates, whether they are women or male slaves, appears to be acceptable. In fact the medieval Islamic world, as reflected in its general legislative culture, saw the punishment of the body as a normative disciplinary measure for all citizens.⁷⁵ However free men were subject to such punishment only within the public sphere, whereas women and male slaves were also subject to such discipline in the home.

Al-Razi's commentary on this final part of the verse reasserts a spiritual hierarchy by illustrating the inextricable association between man and God:

Men are not to seek a path against women purely to demonstrate their physical superiority and power, because God is the most powerful. Despite God's exaltation he has not burdened you beyond your capacity of endurance. Therefore do not demand love from your wife when she is unable to do so. God does not continuously punish the repentant sinner once he has returned to obedience. Therefore, if a wife terminates her disobedience and repents, forgive her and do not harbour feelings of vengeance. Finally, despite God's omnipresence, he is content with judging you by your external behaviour and does not hold you accountable for the secrets within your heart. Therefore judge women by their overt behaviour and do not pursue them about their feelings concerning love and enmity.⁷⁶

This is the most distinct parallel drawn between God and men. While on the surface it is a plea directed at men to be merciful towards women, again the implicit pattern of gender power relations is one premised on structural hierarchy and paternalism.

There is an explicit and primary relationship between men and God and similarly there is an explicit and primary relationship between men and women. Implicitly, the human- God relationship only engages men. In this way al-Razi effectively silences and marginalises the direct relationship between women and God.

⁷³. Malti-Douglas, *Women's Body*.

⁷⁴. Vardit Rispler-Chaim, "Nusuz between Medieval and Contemporary Islamic Law: The Human Rights Aspect", *Arabica* XXXIX, 3 (1992): 318.

⁷⁵. Ibid.

⁷⁶. Al-Razi, *al-Tafsir*, 95-96.

Salient amongst the God-images of the classical exegetes are the divine qualities of omnipotence, omniscience, benevolence and absolute dominance. This is evidently paralleled in the positioning of man to woman. Given the above, I suggest that the relationship between men and women is dialectically fashioned on the relationship between men and God. This analogy was also evident in the exegetes definitions of the qanitat (righteous) women.

However, a less cynical interpretation could understand al-Razi to be placing limitations on the husband. In terms of the context where violence was normative, the reminder to men that "God is above you" was effectively an attempt to instill in men a sense of accountability. In this way it was aimed at reducing the sense of unfettered power that men enjoyed both psychologically and practically and to deflate, albeit ironically, their 'God-complexes' in relation to women. It is within such a context that commentators interpreted this verse as a restriction on male power. It reflects the contextual realities of male power and female powerlessness. The relationship between meaning and context is thus primary and inextricable.

4.6 Conclusion

In this paper I have analysed and critiqued a selection of authoritative medieval Qur'anic tafasir (exegeses). I began by examining the importance of the Qur'an in a Muslim worldview and the related significance of interpretation. I then provided a brief outline of the relevance of feminism and feminist hermeneutical methodology. This was followed by an analysis of the medieval exegeses of Q.4:34. It included an examination of firstly, the religious framework of normative gender relations (qiwama), secondly, the constructions of righteous women (qanitat), thirdly, the "disobedient" women (nashiza) and finally, the repentant women.

The interpretive discourses of gender employed by classical exegetes provides a window into the gender relations of their socio-historical contexts. Their hermeneutical lenses are evidently created by a patriarchal worldview and thus their interpretations are the ideological products of a male-centred society. These texts constitute the religio-cultural legacy of Islam which provide the vehicle for the reception of the Qur'an in the minds of Muslims. They are instrumental in the transmission of a consciousness and worldview that implicitly and sometimes explicitly legitimates violence against women. The purpose of this paper was to examine the ideological assumptions embedded in the authoritative interpretations of the Qur'an. These exegetical studies are indicative of the structural complicity of religion in discourses of violence against women.

However, even within such patriarchal discourses there persists a subversive element. It has been demonstrated how al-Razi consistently attempts to abrogate and minimise the violence inherent in darb ("beating"). Both al-Razi and al-Zamakshari state explicitly that the verse Q.4:34 functions to place a limitation on the power and authority of men and to restrict their retributive action against their wives. A verse which in contemporary understanding can be seen to create a space for the violation of women, in a medieval context may be arguing to limit the physical violation of women. There is thus a dynamic interplay between context and hermeneutics.

The hermeneutical lenses of the classical exegetes has and continue to inform authoritative Islamic discourses. However it is necessary to challenge and critically engage their gender ideology and interpretations of the Qur'an in the contemporary Muslim world. It is vital to provide alternative constuctions of women and men if we believe in the dynamism of Islam and the continuing relevance of the Quran to people in their full humanity.