

Can a Woman be an Imam? Debating Form and Function in Muslim Women's Leadership

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One day We shall call all people according to their Imams. Whoever is given his book in his right hand will read it and will not be subject to the slightest injustice. But whoever was blind in this world will be blind in the next and completely astray from the path. (Qur'an 17:71)

Islamic tradition is replete with references to the responsibility each Muslim bears for finding or establishing a group of Muslims with whom he or she can worship and fulfill communal obligations. According to the Qur'an (3:104, 110), it is within the community (*ummah*) of believers that society can be transformed for the better. As is the case with many issues, however, the Qur'an gives only general guidelines, not details about the way Muslims should organize themselves and choose their leaders. Among the principles of leadership established in the Qur'an is the requirement that believers obey their leaders (4:59) and that leaders consult with their followers (42:38). The Qur'an describes leadership as a proper aspiration of the believing community (25:74), just as it describes Isaac and Jacob in particular, and the Children of Israel in general, as having been leaders (*a'immah*—plural of *imam*) inspired by God to guide others (21:72-73). The Qur'an does not designate clear distinctions between political and religious leaders, and many of the prophets are shown to have exercised both spiritual and political authority.

Political leadership, in the sense of state power, is not the concern of this study; rather, we will attempt to formulate a framework for discussing religious leadership in the American Muslim community, as it affects women in particular. This distinction between political and religious leadership is not unnatural to Islamic societies, despite the common wisdom that there is no separation between “church and state” in Islam. In fact, throughout most of Islamic history, there was an identifiable class of religious scholars who placed significance on maintaining (at least the appearance of) independence from political authorities.ⁱ These religious scholars, the *‘ulama*, were joined in guiding the Muslim community by spiritual leaders (“*shaykhs*”—Sufi or otherwise), in addition to a variety of religious professionals: *imams*, *khatibs* (preachers), Qur’an reciters, *mu’adhdhins* (prayer callers), spiritual healers and others.

Of course, this does not mean that Muslim political authorities over the centuries had no role in shaping religious institutions and legitimizing religious professionals.ⁱⁱ This dynamic, however, is not the concern of this paper. Rather, we are primarily interested in examining women’s religious leadership within voluntary communities of Muslims in secular societies, especially in America. Again, this does not mean that the political leadership of secular societies refrains from trying to influence the dynamics of leadership within voluntary religious communities. The actions taken by countries such as France to designate officially recognized religious authorities are only extreme examples of the way secular states use their power to control and shape religious communities.ⁱⁱⁱ Indeed, I will argue in this paper that Muslims must take this dynamic into serious consideration if they are to develop models of religious leadership that are meaningful to them in countries such as the United States and Canada.

Why does women's leadership matter?

Before we discuss the variety of approaches that can be taken to advance the religious leadership of Muslim women, we should state why we consider this to be a valid and important goal. In other words, why does women's religious leadership matter?

In our experience, the main reason this is an issue of concern for many Muslim women is that they feel that religious authority has too often been used to suppress them. It is the rare Muslim woman who has not had some experience of being excluded from the mosque, having had to listen to demeaning sermons, or having been subjected to patronizing marriage counseling by religious leaders. This does not mean that this is the dominant experience of all Muslim women. There are, of course, many competent male religious leaders who are sensitive to women's experiences and listen to their counsel and their concerns. When few or no women in a community have recognized spiritual authority or positions of leadership, however, there is a good chance that the women of that community will experience religious authority negatively. This is a serious matter, because it defeats the very purpose of religious institutions, whose primary purpose is to bring people closer to God. We need to be conscious of the unfortunate reality that institutions—including religious institutions—often develop in ways that lead them to defeat the very purposes they were created to serve.

In many cases, Muslim women feel that restrictions placed upon them in the name of Islam are unjust, but they have neither fluency in the Islamic legal discourse nor the religious authority to convincingly argue their objections. As a result, some simply suppress their inner voice that calls for justice; others cannot do that. The latter are like the famous companion of the Prophet, Khawla bint Thalabah, who was ennobled by God in the Qur'an (58:1) with the title, *al-mujadilah* "the woman who disputes." When Khawla first went to the

Prophet Muhammad complaining of the injustice she was suffering as the result of her husband disassociating himself from her according to an Arabian custom, she was disappointed. The Prophet indicated that at that time, existing customs remained normative unless God revealed a new ruling, and he had received no revelation about this issue. Khawla did not give up hope, for she knew that this custom was unjust; she continued to complain to God, and waited near His Messenger, expecting him to receive a revelation. Soon, the revelation came, and God confirmed Khawla's conviction that what had been done to her was unjust and was henceforth to be prohibited by law.

This inner voice, this innate sense of justice that Khawla had such confidence in is part of the *fitra*—the natural moral sense—that Muslims believe God has implanted in every human being. After the death of the Prophet Muhammad, it is religious leaders to whom ordinary Muslims must appeal to articulate the normative discourse that validates this inner voice. It is my observation that when this religious leadership does not include women, their experiences, concerns and priorities will not be well represented. I am aware that there are those who would argue that this is not inevitable. There are those who are convinced that men are capable of guiding and leading the Muslim community in a just manner without female peers. I would argue that common sense tells us that even the most compassionate and insightful group of men will overlook some of the needs and concerns of the women of their community. More compellingly, experience teaches us that when women are not in leadership positions in their communities, they are often assigned inadequate prayer spaces (if any), they are cut off from much vital religious education, and they have few means to access the rights they possess in theory. There are many reasons why women's leadership is important; the most important one for Muslim women is so they will not be prevented—by

being blocked from sacred texts or houses of worship and study--from accessing the liberating message of obedience to God alone.

An archeology of women

Islam is a religion strongly oriented toward the conservation of traditional forms and practices. The Qur'an itself validates a certain wariness of innovation in its presentation of the Islamic message as an archaic message, revealed to the ancient Arabs as well as the Jews and the first Christians.^{iv} There is no doubt that pre-Islamic Arabs, because they placed great value on preserving the practices of their ancestors, were able to replace many of their customs with practices introduced by the Prophet because the Qur'an associated these practices with their revered ancestor Abraham.^v Once Muhammad was accepted as their leader, the idea that his followers should imitate his practices (*sunna*) was easily absorbed by the early Muslim community.

In keeping with this conservative tendency, appeals for change in Islamic societies have usually been phrased as calls for "renewal" (*tajdid*) (even the term *islah*, often translated as "reform," literally means "to repair," not to "reshape").^{vi} According to orthodox Islamic theology, since Islam is the final religion, what each generation needs are not new models and practices (new "forms"), but to continually cleanse society of ideas and practices that have corrupted the originally pure model community of the Prophet. The statement attributed to the Prophet Muhammad that "At the beginning of every century, God will send to this community someone who will renew its religion"^{vii} reaffirms this sense that renewal is the primary paradigm for legitimate social change.

This discourse of renewal has been especially prominent in modernist Islam, which has looked at much of traditional Islamic society as ridden with superstitious practices and

stagnant institutions alien to the pure Islamic message and irrelevant to modern society. The call for renewal has been, to a great extent, empowering to those who want to free Muslim women from customary limitations on their public presence. Scholars like the Egyptian Muhammad Abu Shuqqah in his *The Liberation of Women in the Era of the Message*, have revived neglected hadith that demonstrate the extent to which women were active participants in all aspects of the life of the Prophet's community.^{viii} Other researchers have shown how Muslim women contributed to Islamic scholarship in later generations. Muhammad Zubayr Siddiqi, for example, has surveyed the participation of women in hadith scholarship over the centuries, listing dozens of women who authoritatively interpreted the prophetic sunnah for generations of men and women.^{ix} Just as Fatima Mernissi uncovered a neglected history of Muslim women as political rulers,^x these and other studies have uncovered a forgotten history of women involved in shaping the religious discourse of Islamic society.^{xi}

This "archeology of women"-- this rediscovery of women who raised authoritative voices from the beginning of Islam and in later generations--has been truly empowering for Muslims who have been taught that pious women have always been silent among men and absent from the public sphere. In America and in other countries, increasing numbers of Muslim women have found new confidence and acceptance in the field of Islamic scholarship. Now, fully aware of the importance of 'A'isha, the wife of the Prophet Muhammad as the foremost scholar of her generation, Muslim women are confident that they have a right to study and speak about Qur'an interpretation, the sunnah and Islamic law. Confidence springs from the knowledge that it is not an innovation to have women authoritatively and publicly interpreting and teaching Islamic texts; rather, this is a renewal of the spirit of the early Islamic community.

At the same time as there is progress in opening the field of religious scholarship to women, there are significant challenges in developing institutions and forms of religious leadership through which women can exercise authority. Because there is no ordination in Islam and no universally recognized body that legitimizes scholars, scholarly authority is always relational. Bernard Weiss notes with respect to the legal scholars of classical Islam that,

The Muslim jurists enjoyed authority by virtue of the respect accorded to them by the rest of society . . . [this respect was] born of genuine confidence in the expertise the jurists possessed, an expertise resulting from years of professional training. The jurists were the ones to whom one could turn when in need of legal advice or assistance. In the eyes of the lay masses, the jurists were indeed what they claimed to be, persons qualified to declare what the law of God was. Thus the social ground of juristic authority meshes with the formal ground.^{xii}

Here Weiss identifies a number of things necessary for a jurist to be successful, in particular, professional training and the ability to help people with their problems. One limitation for many indigenous American Muslim scholars is that, lacking access to respected and professional Islamic seminaries or colleges, their credentials are seen as (and in terms of technical ability, often are) inferior to those of immigrant scholars. Some have tried to compensate for this deficiency with overseas training, but most Muslim women have not been successful at being accepted at such institutions, or they have found the perspective at these institutions too conservative and not particularly relevant to their American context. As a result, American Muslim women are perhaps even more eager than men to see the development of professional American Islamic educational programs.

Weiss's observation that Muslim religious leaders acquire authority to the extent that they are able to help people with their problems is profound. The ability of leaders to help others depends on a number of factors, including the strength of their social standing,

political influence, communication abilities and institutional support. The main challenge for Muslim women, in earlier times and today, is not only to increase their knowledge, but also to increase their authority by attaining a position in society that enables them to effectively help others. Ruth Roded, for example, has shown that medieval Muslim women not only had trouble accessing religious learning as easily as men, but that those who were able to acquire a substantial education were almost completely excluded from holding office.^{xiii}

This does not mean, however, that only Muslim leaders who hold office have spiritual authority or are able to help people with their problems. Indeed, accepting an official position may diminish a leader's authority, if the position is under the authority of a discredited political regime, or if holding office is seen as an indication of excessive worldliness. In some Muslim communities, complete independence from any institution may be interpreted as a sign of piety, giving such a person a spiritual authority that can be powerful. However, if the community considers an institution legitimate, there is no doubt that if women are excluded from office in that institution, their ability to help others will be diminished.

What relevance does this discussion hold for the potential for Muslim women's leadership in America? If religious office is an important consideration in women's religious leadership, is it therefore necessary for women to be "imams"? In my experience, this is the question most frequently posed by observers of the American Muslim community when religious leadership and gender is discussed. No doubt this is because the leader of a local congregation—the priest, minister or rabbi—appears to be the most familiar and influential religious authority in the lives of Americans who attend religious services. The imam—the leader of Islamic congregational prayers—is the closest Muslim counterpart to the clergy of American Christianity and Judaism.

The problem I have with this question is that if we assume that the center of religious power and authority lies with the imam (and we are not assuming this about ministers and rabbis either), not only might we be misunderstanding the past and present reality of the dynamics of Islamic religious leadership, we may be narrowing the possibilities for a relevant, more gender inclusive religious leadership for Muslims in the future. It is my view that it may be more helpful to begin with a functional approach to identifying religious leadership in the Muslim community than to assume that certain positions are the norm and then try to squeeze women into those positions.

Form and function in Islamic worship

In making this proposal, I am keenly aware of the possibility of eliciting suspicious or negative responses from some Muslims because of the conservative principles I have identified as so important in Islamic thought. This is particularly true when it comes to worship, where adherence to the prophetic sunnah is essential. Of course, Muslims look to the Prophet as their normative model in all areas of life, but in acts of worship (*ibadah*), it is obligatory, especially because although the Qur'an exhorts believers to pray, fast, etc., most of the details of these rituals are derived from the sunnah. Deviations from established prophetic practices are considered odious by Muslim scholars who make frequent reference to the statement the Prophet made during one of his Friday sermons, "The best of speech is the book of God, the best guidance is the guidance of Muhammad, the most evil matters are the most recent ones, every innovation (*bid'ah*) is an error." It is a widespread tradition that the person delivering the Friday sermon (the *kehatib*—the preacher) quotes this statement before he begins his own sermon.

This conservative approach to forms of worship, this revulsion at innovation (*bid'ah*) is responsible for preserving a remarkable unity among Muslims as they have established communities across the globe over the last fourteen centuries. The core of Islamic worship, despite some slight differences among schools of law and regional communities, remains remarkably uniform. Across the world, Muslims fast during the month of Ramadan, pray five times a day, reciting the revelation in the original Arabic, and travel to Mecca to make the pilgrimage together. This uniformity in ritual practices is perhaps the most important factor in preserving a sense of unity and community among Muslims, despite their great diversity of cultures, political structures and even theological orientations.

I have a personal anecdote to illustrate this point. A few years ago I was praying in a mosque in China with a group of American Muslims. None of us shared a common language, but we wanted to communicate to the Chinese Muslims that we would be combining our prayers according to the prophetic sunnah because we were traveling. We said the Arabic word *musafir* "traveler" and immediately the women understood our purpose and made sure that the late afternoon prayer (*asr*) did not begin in the mosque until we had time to catch up on our delayed noon prayers (*dhubr*). None of these women, and few from our group, could use the Arabic language for communication. However we all shared common core rituals, identified by the Arabic terms used in the Qur'an and the sunnah, and thus were able to both communicate basic information about our worship and were able to pray together.

But there is the catch to this story: if Muslims are so conservative and uniform in their worship, why is it that this exchange I had with Chinese Muslims took place in a "women's mosque," a phenomenon I had never experienced, nor heard of, before traveling to China? A greater paradox was to be found in the fact that, although these women

followed the minority Hanafi legal position that women should not pray together in congregation, the woman's mosque was headed by a *nu abong*, literally, a “woman imam.” I had never heard of such a thing—how could I understand this phenomenon within the context of the paradigms of religious leadership I had learned?

To begin to understand this apparent paradox, we might want to consider the relationship between the function and form of the imam. The term “imam” literally means “leader” in the Arabic language and is normally used to signify a person who is a leader in some religious field or practice. For example, a person can be a leader in scholarship; in this sense, the eponyms of the Sunni schools of law are called “Imam” (Ahmed, Malik, al-Shafi`i and Abu Hanifa). The term “imam” also applies to the person who performs the function of leading a congregational prayer. Many statements attributed to the Prophet Muhammad indicate the primary importance of the five daily prayers (*salawat*) as opportunities for forgiveness, spiritual refreshment and dialogue with God.^{xiv} That these prayers are primarily intended to strengthen the relationship between each individual and his or her Merciful Creator is demonstrated by the fact that they must be attended to whether one is alone or in the company of others. It is not obligatory that these prayers be made in congregation, unless one is in a setting that provides the necessary conditions for congregation. If we examine these conditions set by traditional Islamic scholarship, we see that maintaining a communal unity is an implicit goal. Thus, if one enters a setting where a congregational prayer is being held, one should join the group, and not establish another prayer group or pray by oneself. According to the sunnah of the Prophet, all congregational prayers, even if the congregation is only a few people, need to be led by one person.

Given the importance of congregational prayer in Islam, we expect Islamic tradition to pay significant attention to the requirements for leadership of the prayer. What I find

fascinating and significant is that the requirements are almost always relational and contextual.^{xv} The most important criteria are the ability to recite the Qur'an since this is the primary liturgical element of the prayer, and knowledge of the rules from performing the prayer. Other relative considerations that the various legal schools emphasize somewhat differently include age and piety. Some of the contextual considerations include the place in which the prayer is being held. Thus, no man can lead prayer in another man's house without his permission, just as no one can lead prayers in the mosque if the appointed imam is present without his permission.

The majority of legal schools consider it "recommended" (*mandub*—a technical term indicating a religiously meritorious act) for women to pray together in congregation with one of them leading as imam, if they are not praying with the general (i.e., male inclusive) congregation.^{xvi} These schools base their position on a number of reports that the wives of the Prophet Muhammad led women in congregational prayer. Many of the Hanafi scholars who reject the practice of women praying in congregation do not mention the example of the wives of the Prophet. It seems in this matter, as with a number of other issues, the Hanafi school retains a position that was formulated on the basis of reasoning early in Islamic history when they did not have access to all the hadith that were later compiled together for easy reference.

Many Sunni scholars claim that there is a consensus that women should not lead men in prayer, although they acknowledge that a few scholars have made exceptions for family congregations and the optional night prayers in Ramadan (*taramih*) if the only qualified person available to lead in those situations is a woman.^{xvii} There are many indications from the sunnah that when men and women prayed together, the Prophet explicitly ordered that women should pray behind the men. The primary purpose of this arrangement seems to be

to keep women from having to undergo scrutiny by men as they are praying, but there may be other reasons. The Sunnah, not the Qur'an is the main source of legislation for prayer. It is only because of hadith that we know the timings of the five daily prayers, how many rak'at there are in each prayer, whether the prayers should be recited loudly or silently, etc.

Similarly, we only know the timing and forms of Friday congregational prayer from the hadith, not the Qur'an. The arrangements for congregational prayer established by the Prophet must therefore be followed--necessarily in order to be faithful to the sunnah—and then to maintain unity among Muslims in this fundamental part of ritual life.

In light of this discussion of the imamate of prayer, how are we to make sense of the phenomenon of women's mosques in China? What does it mean to be an imam of a (women's) mosque, if the imam does not lead others in congregational prayer? Are Chinese women's mosques strange deviations, or are they useful models for building relevant Islamic institutions?

In an excellent study of the women's mosques of China, Maria Jaschok and Shui Jingjun show that some Muslims are now concerned that these women's mosques, which have existed in China for hundreds of years, may be considered the kind of reprehensible innovations we have mentioned.^{xviii} There is no doubt that this concern is due to the influence of the "salafi" discourse in modernist Islam that is hostile to many of the institutions of traditional Islam. However, in the context of traditional Islam, women's mosques do not seem particularly strange. In fact, like many of the religious institutions of traditional Islam, their establishment was a relatively simple case of form following function. To understand what I mean by this, we need to return to the "innovation" hadith we discussed earlier.

In his commentary on the “innovation” hadith, the great medieval scholar Imam al-Nawawi said,

What is meant by (innovation in) this (hadith) is most innovations. . . . Scholars say that there are five classes of innovation: obligatory, laudable, prohibited, reprehensible and permitted. Among the obligatory (innovations) are: organizing the proofs of the theologians against the heretics and innovators and things like that. Among the laudable (innovations) are writing books of (religious) knowledge, building *madrāsas* (religious schools) and *ribat* (religious retreats) and other things.^{xix}

Thus, even the ubiquitous madrasas in the Muslim world can be considered innovations, albeit, laudable innovations.

Alongside the establishment of religious schools and other institutions across the Muslim world, form following function also led to the specialization of religious professionals in all fields. Islamic courts, for example, developed multiple specialized offices to ensure that the aims of the court were met. In any court of significance, the judge (*qadi*) may have been assisted by a number of the following professionals, among others: clerk (*katib*), official character witness (*muẓakkki*), advisors (*mashura*), mufti (*jurisconsult*) and various expert witnesses (*shuhūd*), including female expert witnesses.^{xx} A similar tendency towards specialization is seen in the area of ritual law. Even at the beginning of the twentieth century, the Umayyad Mosque of Damascus employed a number of individuals to perform only one of each of the following functions: give the call to prayer, lead the daily prayers, repeat certain utterances of the imam for those who were too far away to hear them (*tabligh*), preach the Friday sermon, recite certain parts of the Qur’an on particular days, recite special litanies (*dhikr*) at certain times of the day, scent the mosque with incense, supplicate for particular causes, recite devotional poetry during various seasons and teach all different religious disciplines.^{xxi}

Some scholars might not use the discourse of innovation with respect to these developments at all. Rather, these scholars may refer to new practices and institutions as

“means” (*wasai*) to an end (*ghayah* or *maqsid*). I once heard a lecture by a strict Saudi scholar, famous for his dislike of innovation, who was asked by his (even stricter) student if the lines drawn on the floor of the mosque should be considered an “innovation.” Even this scholar felt this was taking things too far and he replied along these lines, “You are confusing means with ends. The lines are simply a way to achieve straight prayer rows; they have no meaning in themselves.” Then he referred to the legal maxim, “What is necessary in order to fulfill an obligation is itself an obligation.”^{xxii}

Another example of the relationship between form and function in ritual law is the issue of the language in which the Friday sermon is delivered. Some Muslims insist that the sermon must be delivered in the Arabic language, because they consider the sermon to partake in the worship aspect of the prayer. Since the sermon is part of *‘ibadah*, it should be performed in the manner of the Prophet Muhammad, who delivered the sermon in Arabic. These Muslims consider it an “innovation” to deliver the sermon in any language other than Arabic. However, in order to take advantage of the opportunity the Friday gathering provides to instruct a large number of people in important religious matters, those who hold this position often deliver a religious lesson in the vernacular before the formal Friday service begins. Other Muslims consider it an innovation to give such a lesson before the Friday service and argue that the goal of the sermon is communication. To that end, the Prophet Muhammad spoke in the language of his congregation, and all preachers after him should do the same.^{xxiii} What we observe here is that what some Muslims consider reprehensible innovation, others consider laudable innovation.

It is in this context that we can consider the establishment of women’s mosques in China as a means to a vital end without abandoning the Prophetic sunnah: Muslims in China wanted to transmit their faith to their children; Chinese Muslim leaders believed that

women needed to be educated in their faith in order to teach their children; in accordance with Islamic (and Confucian) norms of gender segregation, women needed their own space to learn their faith; it was not suitable for men to staff women's mosques; communities appointed female leaders—"imams"—for the women's mosques. All of this was done without violating the traditional rules of ritual law: female imams do not conduct Friday congregational prayer and, in accordance with their Hanafi legal tradition, they do not even lead other women in daily congregational prayer. Rather, these women teach other women how to pray, how to read Qur'an, they visit the sick, they wash the bodies of deceased women and they live in the women's mosque, available to give spiritual support, advice and assistance to women in need.

This is not to say that all women consider the way Chinese women's mosques function ideal. For example, the degree to which these women's mosques are or should be subsumed under the authority of the community (ie, men's) mosque is an interesting and contested topic of discussion. The point of discussing the women's mosques of China here is to give Muslims in countries such as the United States a different perspective on women's religious leadership and institution building.

What kind of religious leadership do we want?

According to the Qur'anic verse cited at the beginning of this article, God declares that all people will be called on the Day of Judgment according to their leaders. For many of us, this is a terrifying thought. The reality is that many American Muslims are unhappy with their religious leadership, but they have not taken the responsibility to reshape their institutions and do what is needed to cultivate better leadership. According to the Qur'an, this is not a responsibility we can avoid.

In recent years, the tendency in American Muslim communities has been to concentrate religious authority in the office of the imam, who is also expected to perform multiple, distinct functions for the community. In addition to leading the daily prayers and giving the Friday sermon, the imam is expected to represent the community to the public, draft marriage contracts, issue judicial divorces, teach children, teach adults and counsel people with all kinds of problems, among other things. In addition, the imam may, whether he is explicitly authorized to do this or not, make policy decisions for the community, such as what kind of educational gatherings and spiritual practices will be permitted in the building, how the prayer space will be divided between men and women, and how charitable contributions will be spent. It is no wonder that so many American Muslims are dissatisfied with their local religious leadership. No one person could perform all these functions well. Even if he could, given that the imam for the general congregation has to be male, placing all religious authority with the imam means that women will necessarily be excluded from this field. How, then, should we structure the leadership of our communities?

A few years ago, I conducted a workshop with a Muslim women's organization in North Carolina. I divided the women into groups and asked each group to come up with a list of the functions they felt needed to be performed in a competent manner by someone in their local mosque. Then I asked them to create positions that would allow different people to perform those functions. In the end, I asked each group to share their ideal slate of leaders and officials for their community. When they shared their results, it turned out that everyone felt that it was most important to have an imam who could recite the Qur'an well. This indicated to me that the charisma of the office of imam really derives from the blessing manifest in the Qur'an. At the same time, the women agreed that they did not want the person who was charged with carrying that blessed recitation to do anything disgraceful or

dishonorable. The imam should act in an ethical and dignified manner in order to be worthy of reciting the Qur'an. Many of the women did agree that their communities needed women in leadership positions. Some felt that a female scholar or spiritual leader would be most helpful, others felt that their communities needed a female counselor or social worker, in particular, to help the imam understand the dynamics of family conflict. Some of the women said that if their mosque could afford to pay for only one professional, they would like to hire a youth director, and the community members could take turns leading the prayers.

It is my hope that all American Muslim communities will undertake this kind of creative, visionary and thoughtful dialogue about their priorities and needs. Unfortunately, because the present leadership of many local communities is so poor, it is difficult to even begin a process of renewal. Many Muslim communities do not have clear governance procedures and there is often confusion over who is authorized to make important decisions. Muslim communities must establish better procedures for decision-making. At the same time, the urgency of a sound decision-making process does not mean that Muslims will arrive at a clear and easy method of determining religious authority. It is my opinion that this should not necessarily be viewed negatively. Rather, I believe it is only proper that religious authority should continually be negotiated (informally and formally) among fellow believers in the Muslim community. I realize that this fluidity makes many people anxious, so they flee to the comfort of a rigidly hierarchical model (usually some form of *bay'ah*—an oath of obedience to a religious leader). In this, I am reminded of the words of the Canadian philosopher John Ralston Saul when he argues that the genius of humanity lies in our attempt to keep a number of different qualities in balance. We cannot let just one of the essential qualities, like reason or memory, dominate the others. “We are uncomfortable,”

Saul states, “with our genius being tied to attempting an equilibrium we will never achieve.”^{xxxiv} Likewise, I would argue that the genius of religious authority in traditional Islam is that it is always relational, and that every member of the community must take part in creating and sustaining authority; otherwise, it is oppression.

Let us take the common problem of the way the prayer space is divided between men and women in mosques. In some North American mosques, only men are in leadership positions, both as imams and as trustees of the institution. Many of these men, if they are interested in justifying their authority at all, consider that it derives from their knowledge and their (self-perceived) religiosity. Many of the women and youth of the community believe these self appointed leaders to have no real religious authority—only power. They experience unauthorized power as oppression when they find themselves being forced out of the main prayer hall and generally treated like nuisances in the mosque. What justification is offered for this treatment? The response these men may give is that according to the sunnah, women are not obligated to attend the mosque and further, according to some hadith, it is better for women to pray at home.

It is at this point that we recognize the need for women who are both knowledgeable about Islamic law and authorized to participate in community decision-making. A hypothetical female scholar might respond to this justification saying, “The sources you cite may be authentic, however, you fail to mention that during the time of the Prophet, women not only came regularly to the mosque for prayers, there were also women living in the mosque. All the men of that time were not pious. The Qur’an itself mentions “hypocrites” (*munafiqun*) who tried to create problems among believers. Yet women still came day and night to the mosque. Further, the Prophet Muhammad explicitly stated, ‘Do not forbid the maidservants of God from the mosques of God.’^{xxxv} If you cannot forbid them, do you really

think it is permissible to harass and discourage them? Where do you think you get the authority to do such a thing?” Female board members might put forth the following argument, “It is true that in some contexts it is better for women to pray at home. But we have women in our community who live by themselves; they need to come to the mosque to learn about their religion and to strengthen their faith. Other women have recently immigrated to this country, they are lonely and depressed at home, they need to get out and be with other Muslims. They could go to the mall, but wouldn’t it be better to come to the mosque?”

Of course, there is no guarantee that every woman present on a mosque board would represent the concerns of other women well. Inclusive representation is a necessary, but not sufficient condition for good governance. Muslim communities must have accountable leadership as well as inclusive decision-making bodies. Such a community will, in turn, help develop informed and responsible individuals who can represent their values and concerns to the larger society. In contemporary North American society, there are many opportunities for religious leadership that are not directly related to traditional Islamic models. In many American faith traditions, “lay” leaders can serve in public and private institutions on ethics boards, as chaplains and as student leaders. In Islam, there should be no distinction between lay and clergy and these new opportunities for religious leadership should not be neglected or marginalized by the Muslim community. The best way American Muslims can ensure responsible religious leadership is to allow the functions we want performed to determine the positions and institutions we create, and to support the men and women best able to perform these functions.

ⁱ Bernard Weiss, *The Spirit of Islamic Law* (Athens, GA: University of Georgia Press, 1988), cpt. 1.

- ⁱⁱ There are many studies of this subject. A particularly good study of the early period is Muhammad Qasim Zaman's *Religion and politics under the early 'Abbasids: the emergence of the proto-Sunni elite* (Leiden: Brill, 1997). For a good study of the modern period in an important Muslim nation see, Malika Zeghal, "Religion and politics in Egypt: the Ulema of al-Azhar, radical Islam, and the state (1952-94)," *International Journal of Middle East Studies*, 31 (1999): 371-399.
- ⁱⁱⁱ See the article by Elaine Sciolino, "Another Step in France's Official Recognition of Muslim Leaders" in *The New York Times*, international edition, January 14, 2003.
- ^{iv} Among the many references to this are, Qur'an 2:132; 6:161; 16:123, 22:78; 42:13;
- ^v M.M. Bravmann, "Sunnah and Related Concepts," in *The Spiritual Background of Early Islam* (Leiden: Brill, 1972): 123-198.
- ^{vi} For a brief introduction to *tajdid* see, J.O. Voll, "Renewal and reform in Islamic history: tajdid and islah," in *Voices of resurgent Islam*, ed. by John Esposito (New York: Oxford University Press, 1983): 32-47.
- ^{vii} *Sunan Abi Daud*, 4 vols. (Cairo: Dar al-Misriyyah al-Lubnaniyyah, 1988), v. 4, pp. 106-107.
- ^{viii} 'Abd al-Halim Abu Shuqqah, *Tahrir al-mar'a fi 'asr al-risalah* (Kuwait: Dar al-Qalam, 1990).
- ^{ix} Muhammad Zubayr Siddiqi, *Hadith Literature: Its origins, development, special features and criticism* (Cambridge: Islamic Texts Society, 1993).
- ^x Fatima Mernissi, *The Forgotten Queens of Islam*, trans. Mary Jo Lakeland (Minneapolis: University of Minnesota Press, 1993).
- ^{xi} Ruth Roded, *Women in Islamic Biographical Collections: from Ibn Sa'd to Who's Who* (Boulder and London: Lynne Rienner Publishers, 1994); Mohja Kahf, "Braiding the Stories: Women's eloquence in the early Islamic era," in *Windows of Faith: Muslim Women Scholar-Activists in North America*, ed. Gisela Webb (Syracuse: Syracuse University Press, 2000): 147-171.
- ^{xii} Bernard G. Weiss, *The Spirit of Islamic Law* (Athens and London: The University of Georgia Press, 1998), 115.
- ^{xiii} Roded, 63-89.
- ^{xiv} Many of these statements are found in the chapters entitled "The Book of Prayer" (*Kitab al-Salat*) in the major hadith collections.
- ^{xv} The rules for congregational prayer are discussed in most books of Islamic law. For a summary of positions of the classical jurists, see Ibn's Rushd's *Bidayat al-Mujtahid* translated by Imran Ahsan Khan Nyazee as *The Distinguished Jurist's Primer* (Reading, UK: Center for Muslim Contribution to Civilization, 1994), v. 1, p. 155-178.
- ^{xvi} Ibn Rushd, v. 1, p. 161.
- ^{xvii} Ibn Rushd, v. 1, p. 191; Abu Shuqqah, v. 3, pp. 31, 60.
- ^{xviii} Maria Jaschok and Shui Jingjun, *The History of Women's Mosques in Chinese Islam: a mosque of their own* (Richmond, Surrey: Curzon Press, 2000).
- ^{xix} *Sahih Muslim sharh al-Nawawi* (Beirut: al-Dar al-Thaqafah al-'Arabiyyah, 1929), v. 6, 154-55.
- ^{xx} Emile Tyan, "Judicial organization," in *Origin and Development of Islamic Law*, v. 1 of *Law in the Middle East*, eds. M. Khadduri and H. Liebesny (Washington, DC: Middle East Institute, 1955): 236-278; for women see, Mohammed Fadel, "Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought," *IJMES* v. 29, no. 2 (May, 1997): 185-204.
- ^{xxi} Told to me by a scholar who grew up in the neighborhood of the Umayyad mosque.
- ^{xxii} 'Abd al-Karim ibn 'Ali ibn Muhammad al-Namlah, *al-Muhadhdhab fi 'ilm usul al-fiqh al-muqarin* (Riyad: Maktabat al-Rashid, 1999), v. 1, 220.
- ^{xxiii} See the discussion of this by Muzammil Siddiqi on the following web site: <http://www.isna.net/library/khutbahs/FridayKhutbahs.asp> (accessed March, 2004).
- ^{xxiv} John Ralston Saul, *On Equilibrium* (Toronto: Penguin Canada, 2001), p. 14.
- ^{xxv} See, *Kitab al-Salat* in any edition of *Sahih al-Bukhari*.