MANY HIJABS: INTERPRETATIVE APPROACHES

TO THE QUESTION OF ISLAMIC FEMALE DRESS

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Abstract

The question of who has the right and authority to interpret women's dress is part of a wider debate on religious authority and the role and visibility of religion in the public arena, which has arisen in the context of Muslims responding to forces of modernity and globalisation. In this chapter, I examine four orientations–Traditionalism, Secularism, Fundamentalism, and Contextualism–that take different positions on the issue of appropriate public attire for Muslim women, thereby highlighting the different sources of authority that each orientation emphasises. Traditionalists acknowledge the heritage of received interpretations developed over many centuries, however in the process of reacting to modernity and postmodernity, have codified and crystalised pre-modern patriarchal notions of gender norms that remove most women from the public sphere. Secularists promote the Orientalist narrative of the archetypal oppressed Muslim woman in order to reject her, and call for wholesale unveiling as part of the privatisation of religion. Fundamentalists seek a definitive, monosemous reading on Islamic dress, through a pragmatic, selective retrieval of past doctrines, but their approach cements patriarchy as a universal prescription. Finally, Contextualists question classical interpretations and rulings, and call for the right to perform *ijtihād* in order to develop appropriate modern responses to questions of appropriate female dress that vary depending on time, place and culture.

Introduction

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Islamic female dress, referred to colloquially as *ḥijāb*,[1] is overloaded with contradictory symbols and meanings that reveal as much about the commentator as the object of comment (Werbner 2007, 162). As such, there is not one *ḥijāb* that is universally liberating or oppressive, but many *ḥijāb*s that declare a range of symbols and meanings. As Franks (2000, 918) argues: "the power relations with which it is associated are situated not only in the meaning with which it is invested but also in the circumstances under which it is worn." In addition, women wearing Islamic female dress (however interpreted) are performing a religious act, even if it has other cultural, sociological and political implications. Thus, the question of who has the right and authority to interpret religious dress is part of a wider debate over religious authority generally, where women's bodies have become the contested battle-ground for Islamic authenticity and identity (Yeğenoğlu 1998, 99; Werbner 2007, 162; Mir-Hosseini 2007, 90–91).

Saeed (2007) has provided a preliminary taxonomy of various trends and orientations current among Muslims in the context of responding to modernity and globalisation. These are: legalist traditionalists; theological puritans; militant extremists; political Islamists; secular liberals; cultural nominalists; classical modernists; and progressive *ijtihādī*s. In more detail: legalist traditionalists are "primarily concerned with maintenance of the law as conceptualized in the classical schools" (Saeed 2007, 397). They reject reform and reinterpretation of Islamic law, and attempt to revivify pre-modern interpretations and apply them without contextualisation. Theological puritans, who are Wahhabi-Salafis, emphasise a strict monotheistic theology, reject what they consider to be un-Islamic innovation, particularly what has developed in Shi'i and Sufi Islam as well as in the traditional schools of jurisprudence. Militant extremists focus on and react to what they perceive as the subjugation of Muslims at the hands of Western neo-colonialists, most specifically the United States of America. They reinterpret jihad and permit the use of terror, particularly given the power and

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[1]There are many words associated with Islamic female dress, however the word *ḥijāb* (which literally means veil or curtain) increasingly is being used to represent both the practice of covering the head and body (and sometimes face) in public with loose, opaque clothing, as well as the Muslim female headscarf specifically.

resource differential between themselves and the states and coalitions they fight. Political Islamists believe the establishment of an Islamic state (and the primacy of Islamic law within the state) through gradual conversion and change, will counter the decline of Muslim societies that has occurred, particularly since colonisation of much of the Muslim world. They are contrasted by secular liberals who eschew the politicisation of religion and call for the separation of mosque and state. Cultural nominalists are those Muslims whose link with Islam is purely through cultural heritage and not through the meaningful practice of Islam as a religion. Classical modernists seek reform of Islamic law, through a revival of the tool of *ijtihad* and with an emphasis on harmonising rationality and religious faith. This group has spawned the birth of progressive *ijtihadi*s, who call for a major overhaul of the methodologies of interpreting Islam and Islamic law. They focus particularly on the arena of human rights, justice and pluralism. Accordingly, representatives of these orientations possess varied opinions on the role, meaning and interpretation of *ḥijāb*.

Saeed's useful classification shifts the focus from historical boundaries of political, legal and theological difference and instead asks how Muslims respond to questions of modernity, secularism, globalisation and the conceptualisation of law, justice and human rights. However, the classification is preliminary and there is a group missing from Saeed's taxonomy: those whose contact with and expression of Islam comes through Islamic mysticism known as Sufism. This group includes Muslims raised in the faith as well as Western converts who may or may not incorporate other aspects of Islamic practice into their experience. I call this group Ṣūfī practitioners.

However, for this chapter I have collapsed Saeed's categories into four general orientations: Traditionalists; Secularists; Fundamentalists; and Contextualists. Traditionalists are Saeed's legalist traditionalists as well as those Ṣūfī practitioners whose source of authority lies in the pre-modern interpretations of the religion. They look to the past with a sense of melancholy, and wish to re-establish the link that modernity ruptured between themselves and their societies, and the generations of pre-modern Islamic scholars who developed the normative, orthodox interpretations of Islam and its sacred law. Secularists are Muslims who

argue for the separation of religion and state, and the privatisation of religion. They see no role for religious institutions in the structures of society, particularly as they pertain to governance and legislation. Because of their lack of interest in religion as a political and sociological force, we can include within this group the cultural nominalists, whose affiliation with Islam is primarily through cultural connection to Muslim ancestors, families and friends rather than active religious belief and practice. Fundamentalists,[2] incorporating theological puritans, militant extremists, and political Islamists, feel that the present pitiable state of Muslims is caused partly by stagnation of traditional pre-modern Islamic institutions, the incorporation of inauthentic innovations (both historical and modern) into the interpretations of Islam, and the consequent inability of Muslims to withstand the onslaught of Westernisation. Although they are fully rooted in the modern world, their solution is to seek a return to the fundamentals of Islam, what they believe are the Prophet's original teachings carried on by the first generations of Muslims. Fundamentalists, being modern, assert there is an objective historical truth to possess: a pure Islam that is untainted, and of which they are the only guardians. Contextualists, evolving out of classical modernists are Saeed's progressive *ijtihādī*s. They are those Muslims who accept the postmodern premise of bracketed truth-claims, and whose approach to interpreting Islam takes into consideration that Muslims are characterised by diversity through time and space. Thus, Muslims living in different periods, cultures and climes are required to assess and reassess whether particular interpretations of religion live up to the underlying Qur'anic Weltanschauung and the Prophet Muhammad's paradigmatic example, with a particular focus on human rights, justice and pluralism.

These groups, along with interested non-Muslim politicians, policy-makers, academics, media representatives and other social commentators are engaged in a contest of authority, to speak for Islam and Muslims. The purpose of this chapter is to examine the different interpretative approaches to the sources and claims of authority asserted in the context of discourse about the *ḥijāb*, which has become so emblematic of Islamic identity. As such, it

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[2]I use the label fundamentalist with some caution, as it is a hotly contested term.

can be placed amongst the literature that looks at the authoritative interpretation of Islamic beliefs and practices—particularly in regards to women and female dress—and the underlying political and sociological trends that propel questions of authoritative interpretation (Abou El Fadl 2001a, 2001b, 2005; Esack 2001; Mir-Hosseini 1999; Wadud 1999; Donnan 2002; Abu Zayd, Amirpur and Setiawan 2006; Marty and Appleby 1991a; Saeed 2006b). The rest of the chapter will survey the main positions on Islamic female dress offered in the four orientations, looking at their interpretative approaches to claims of authority.

Sources for Interpreting Islamic Dress

A comprehensive survey of pre-modern Islamic dress is outside the present chapter's scope, and has been addressed elsewhere (for example, see Stillman 2003; El Guindi 1999). However briefly, there are a number of passages in the Qur'an that deal with male and female dress, the most commonly cited of which are the following passages:

- O Children of Adam! We have bestowed upon you raiment (*libāsan*) to cover your nakedness and as adornment. And the raiment of God-consciousness–that is the best. That is from the signs of God; that they may remember (Q7:26).[3]

- O Children of Adam! Procure your beautiful apparel (*zīnatakum*) for each place of worship, and eat and drink, but do not waste for verily He does not love the wasters (Q7:31).

- O you who believe! Do not enter the houses of the Prophet except when permission is given to you … And if you ask them [the Prophet's wives] for things, ask them from behind a curtain (*ḥijābin*). That is purer for your hearts and for their hearts (Q33:53).

- O Prophet! Tell your wives and your daughters and the women of the believers to lower over themselves their outer gowns (*jalābībihinna*); thus it is more likely they will be known and not annoyed. God is forgiving, merciful (Q33:59).

- And tell the believing women to lower their gaze, to guard their private parts (*furūjahunna*), and to not display their adornments (*zīnatahunna*) except that which is

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[3]All translations of the Qur'an are mine.

outwardly visible of them, and to cast their headcovers (*khumurihinna*) over their breasts (*juyūbihinna*), and to not display their adornments except to their husbands or their fathers, or their husbands' fathers, or their sons, or their husbands' sons, or their brothers, or their brothers' sons, or their sisters' sons, or their women, or their slaves, or those male servants who lack sexual desire, or children who are not cognisant of women's nudity; and to not stamp their feet in order to make known the adornments they hide. And turn to God in repentance all of you, O believers, that you may succeed (Q24:31).

• And the post-menopausal from among the women that are not hoping for marriage, carry no blame if they discard their garments (*thiyābahunna*) provided they do not become flaunters with their adornments. And their being modest is best for them, and God is hearing, knowing (Q24:60).

Face-veiling itself is not specifically mentioned, although references exist to specific items of clothing commonly worn by Arab women of the time, namely the *khimār* (headcover), the *jilbāb* (long, loose gown) and the *thawb* (clothes, garments, or more specifically a gown with sleeves) (El Guindi 1999, 139; Roald 2001, 269; Stillman 2003, 12).

The *ḥadīth* dealing with dress are too numerous to mention in any great detail, but cover matters of permissibility, prohibition and general comment on what the Prophet and his companions wore. I have provided a selection below, each demonstrating particular sartorial practices that have been invoked in the various interpretations of appropriate female dress:

• It is related that Umm 'Atiyya said, "We were ordered to bring out the … veiled women on the days of the two festivals. … A woman said, 'Messenger of Allah, what if one of us does not have a veil?' He said, 'Her friend should share her veil with her'" (Al-Bukhārī 9/344).

• It is related that Ibn 'Umar said, "A man stood up and said, 'Messenger of Allah, what clothes do you command us to wear in *ihram*?'[4] The Prophet, may Allah bless him and

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[4]Sacred state a pilgrim enters to perform the rites of pilgrimage. Some things that are ordinarily permissible are prohibited in the state of *iḥrām*, including wearing perfume, having sexual intercourse with one's spouse, and trimming the hair and nails, among other restrictions.

grant him peace, replied … 'The woman in *ihram* should not wear a veil on her face nor gloves' (Al-Bukhārī 33/1741).

- It is related that 'A'isha said, "When this ayat was revealed: 'That they should draw their head-coverings across their breasts' (24:31), they [the female *émigrés* from Makkah] took their wrappers and tore them at the edges and veiled themselves with them" (Al-Bukhārī 68/4481).

- Az-Zuhri said that Anas ibn Malik had told him that he saw Umm Kulthum, peace be upon her, the daughter of the Messenger of Allah, may Allah bless him and grant him peace, wearing a striped silk mantle (Al-Bukhārī 80/5504).

- Narrated Abu Hurayrah: The Apostle of Allah (peace be upon him) cursed the man who dressed like a woman and the woman who dressed like a man (Abū Dawūd 32/4087).

- Narrated Umm Salamah, Ummul Mu'minin: When the verse "That they should cast their outer garments over their persons" was revealed, the women of Ansar came out as if they had crows over their heads by wearing outer garments (Abū Dawūd 32/4090).

- Narrated Aisha, Ummul Mu'minin: Asma', daughter of Abu Bakr, entered upon the Apostle of Allah (peace be upon him) wearing thin clothes. The Apostle of Allah (peace be upon him) turned his attention from her. He said: "O Asma', when a woman reaches the age of menstruation, it does not suit her that she displays her parts of body except this and this," and he pointed to her face and hands (Abū Dawūd 32/4092).

- Narrated Dihyah ibn Khalifah al-Kalbi: The Apostle of Allah (peace be upon him) was brought some pieces of fine Egyptian linen and he gave me one and said: "Divide it into two; cut one of the pieces into a shirt and give the other to your wife for veil." Then when he turned away, he said: "And order your wife to wear a garment below it and not show her figure" (Abū Dawūd 32/4104).

According to Stillman (2003), male and female clothing worn in the Prophetic period consisted of largely similar items, but differed in the style of wrapping, choice of fabric textures and colours, and accoutrements. Both men and women wore at least a wrap or mantle when moving about in public, and for free men and women usually some form of

headcovering (see also El Guindi 1999, 111, 119). Over time, the male headcovering become synonymous with Muslim identity, so much so that it was called a "badge of Islam" and "divider between unbelief and belief" (Stillman 2003, 16).[5] As in the pre-Islamic period, noble women also covered their faces, as men occasionally did as well. (Stillman 2003, 20–21).

Traditionalists on *Ḥijāb*

It is undoubtedly true that pre-modern religious law, which evolved from around the second and third centuries onwards,[6] rested firmly on a patriarchal reading of the religion that differentiated between the male and the female, divinely endowing the former with rights and prerogatives on the basis of this essentialised biological difference (Al-Hibri 1982; Wadud 1999; Barlas 2002).[7] Nevertheless, interpretations of rulings could be extremely flexible, a natural feature of *ijtihād* and the diversity of opinions that flourished in Islamic civilisations over the centuries (Hallaq 1984; Sonbol 2003).

Unlike in the modern period, classical jurists were mostly concerned with female dress pertaining to that necessary for the two categories of free and slave women to cover during ritual prayer (Mir-Hosseini 2007, 90–91; Abou El Fadl 2001b, 256). A majority opinion on appropriate female dress in public did emerge in each of the various schools of religious law, with distinctions made for different social classes and in different environments and contexts.[8] Areas of disagreement occurred over whether slave women were required to cover their breasts and back; and whether free women were expected to veil their faces, and if so to what

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[5]It is ironic that in the modern period, interest in male dress has now given way to obsession with female coverings: it is now the *ḥijāb* and not the turban that has become the boundary-marker of Muslim identity.

[6]With the emergence and coalescence of the schools of religious law, the five largest and most well-known of which are the (Sunnī) Ḥanafī, Mālikī, Shāfi‘ī, Ḥanbalī and (Shī‘ī) Ja‘farī schools.

[7]It is worth nothing that there exists a history of early female scholarly activity that is largely unacknowledged in the English-language literature about Islam. The possible exception to this is wife of the Prophet ‘Ā’ishah's role in transmission of Sunnī *ḥadīth* and religious interpretations, which is all but impossible to ignore.

[8]I.e. rules on veiling during pilgrimage and negotiating marriage differed than when generally in public.

extent (Roald 2001, 268–71; Abou El Fadl 2001b, 255–258).[9] Important jurists who gave opinions permitting the face, hands and/or feet to remain exposed, which Abou El Fadl (2001b, 232) states is the majority opinion, include Abū Ḥanīfah and al-Ṭabārī.

However, the experience of modernity intertwined with colonialism had a rupturing effect on many Muslim societies. Many classical structures of pre-modern *sharī'ah*-based societies were eliminated in the name of progress, and what was once a relatively flexible and organic *sharī'ah* -system, became a mutilated, codified and increasingly fossilised set of rulings restricted to the realm of piety and family law (Hatem 1986; Kandiyoti 1991b). As Sonbol (2003, 232–33) writes, the new *sharī'ah* courts crystallised "particular laws suitable to nineteenth-century Nation-State patriarchal hegemony." Because traditionalists argue that Muslims need to emulate and implement pre-modern religious law, despite and against the cultural and sociological differences that modernity has brought, there is little questioning of the perceived immutability of patriarchy, or taking into consideration the diversity and adaptive nature of pre-modern *sharī'ah*.

An example of this, is an online fatwa[10] given by Ebrahim Desai (2006), a Deobandi mufti based in South Africa, to a question on veiling submitted from Pakistan.[11] Desai's reply, based on his reading of both classical and Deobandi texts,[12] provides an interpretation of veiling and seclusion that effectively and permanently removes women from the public sphere:

> Veil is legitimately defined as the dress that covers the whole body of the woman including her head, face, hands and feet. It should be long, loose and plain not defining her shape. … As Allah states, 'And stay in your houses, and do not display yourselves like that of the former times of ignorance.' … Veiling is the tradition of Muslim women. Since its prescription, the prophet's wives, daughters and other believing Muslim women have strictly observed it. Today also, the Muslim ladies must keep it up.

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[9]For example, the following classical texts narrate the opinion preferring body and face veiling: (Keller 1999, 512; Ibn Rushd 1994, 126; Thanwi 2004, 328).

[10]A fatwa (pl. *fatāwá*) is an answer given by a mufti on a question of religious law.

[11]The international and technological character of Desai's fatwa demonstrates the globalised and postmodern context of this traditionalism.

[12]He references *Ma'āriful-qur'ān* by Muḥammad Shafi 'Usmani; *Fat'ḥ al-bārī* by Ibn Ḥajar al-'Asqalānī; *'Umdat al-qārī* by Badr al-Dīn al-'Aynī; and *Fatāwā rahimiyah* by 'Abd al-Raḥīm Lajpuri.

Traditionalists are thus required to explain the discrepancy between the historical freedom of movement of early Muslim women, as well as the differences of opinion that pre-modern jurists held on the extent of women's covering in public,[13] in comparison with their advocating the effective removal of women from the public realm. They do this by explaining that women's entrance in the public sphere is only permitted where there is not a fear of *fitnah*, a word that originally referred to the tests suffered by believers and the trials of civil war, but which later took on overtones of sexual immorality when applied to the movement of women. They then freeze the state of potential *fitnah*, rendering women's freedom of movement relegated to the past. In *Ma'āriful-qur'ān* (Shafi' and 'Usmānī 2005), the Deobandi Qur'an commentary which Desai references, Muḥammad Shafi' writes:

> According to those who have called it permissible [for a woman to leave her face and hands uncovered in public], the permissibility is subject to the condition that there should be no apprehension of *fitnah* (situation resulting in some evil consequence). Since the face of a woman is at the center of her beauty and embellishment, therefore, the absence of any apprehension of *fitnah* is a rare likelihood. Ultimately, for this reason, under normal conditions, opening the face etc. is not permissible (vol. 7, 223).

As Abou El Fadl (2001b, 240–42) points out, these rationales become nonsensical when acknowledging the classical position of slave-women and female servants (whether Muslim or not) appearing bare-breasted and bare-headed in public. Nevertheless, the arguments chosen by these Traditionalists demonstrate a tension between patriarchal gender norms, class distinction and modern sensibilities, particularly those advocated by the next group to be discussed in this chapter: the secularists.

Secularists on *Ḥijāb*

In the twentieth century, many social commentators predicted that secularism would spell

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[13]Abou El Fadl (2001b, 255–58) notes that juristic discourse about free women's covering, which was discussed in the context of what is covered in prayer, arrived at the majority position of requiring the whole body with the exception of the face and hands to be covered. Minority opinions variously allowed feet, calves, forearms, upper-arms and/or hair to be uncovered, or alternatively required the whole body including face and hands to be covered. In contradistinction, most jurists held that female slaves and servants are not required to cover their hair, forearms or calves, with some permitting the breasts to remain uncovered, and others requiring headcovers during prayer, but not in public generally (El Guindi 1999, 104). Thus, a mutually reinforcing spiral was generated between the sartorial customs of early Muslim cultures and the opinions of religious lawyers generating interpretations of sacred law.

the death of religion, both in the Western world and in the Muslim-majority world where it was prophesied that secularism would bring the Arabs and Muslims into the modern world and bestow on them progress and enlightenment. Women and their bodies became emblematic of the struggle between the opposing forces of secularism and religious revivalism in the construction of the modern nation-state (Kandiyoti 1991a, 432). This was the philosophy behind the changes wrought by Mustafa Kemal Atatürk in Turkey and the Mohammad Reza Pahlavi, the last Shah of Iran, both of whom banned traditional forms of cultural dress including male turbans and female veils. As Nasr (1999) writes: "Controlling popular culture as a prerequisite for socioeconomic change has been the avowed policy of secular nationalist states" (560).

Secular positions have animated much Western feminist writing on Muslim female dress, usually with virulently anti-Islam passion, for which reason secular feminism has found little acceptance amongst Muslims except, perhaps, with the Western-educated elite (Hamid 2006, 87–88). For secularists, female veiling practices are associated with backwardness, misogyny, and the undesirable imposition of patriarchal religion intruding in public life. With contradictory arguments, secularists have asserted the *ḥijāb* represents *both* the passive oppression of women as victims, and the aggressive assertion of religion in the public sphere (Werbner 2007; Scott 2005), whilst denying any other symbols or meanings for Muslim female dress.

This was the case with French arguments surrounding the ban on religious symbols in public schools that particularly targeted Muslim girls wearing headcovers (Werbner 2007, 173–74). In a telephone interview for *Voice of America*, French sociologist Juliette Minces (Felten 2004) superimposes a monolithic veiling semiotic thereby muzzling the voices of those Muslim women who might object to her categorisation of Islamic dress.

> The veil has a real meaning in religion and in the society. And the meaning of the veil is the fact that women are inferior to men. They are not equal to men. They have to obey men. They have to be defined. They have to be nice. And they have to hide from other men. So, it means that every other man who doesn't belong to the family is a potential rapist and is superior to a women. So, as a feminist, for example, we cannot accept these differences.

She continues by describing wearing the veil as "a political challenge" implying the visibility of the headscarf is a threat to notions of French identity. Minces belongs to the Orientalist category of Western observer, which Said famously criticised as a way of "dominating, restructuring, and having authority over the Orient" (Said 1995, 2–3). She speaks about Muslim women, for Muslim women, denying any alternative readings those women themselves might give to Islamic female dress.

The secularist voices decrying the influence of Islam in public life generally, and Islamic dress specifically, are found not only amongst Western observers like Minces, but also from Muslims and former Muslims such as Parvin Darabi, Taslima Nasrin, Ayaan Hirsi Ali, Irshad Manji and Maryam Namazie. Mirroring the French secularist arguments, central committee member of the Worker-Communist Party of Iran, and spokesperson for the Council of Ex-Muslims of Britain, Namazie has called for Islamic dress to be banned (Namazie 2007): "A ban on the burqa, chador, neqab and its likes is important but it is no where enough. The hijab or any conspicuous religious symbol must be banned from the state and education and relegated to the private sphere." She describes such dress as sexual apartheid, and on par with straightjackets, body bags, chastity belts, female genital cutting and *satī*,[14] hence she rejects women's right to choose the veil as a religious freedom. In protesting forced veiling, she calls for forced *un*veiling. She infantilises veiled Muslim women by denying they are able to choose Islamic dress, and paternalistically says: "It is about protecting human beings sometimes even from themselves."

Secularism imposed on, or adopted by, Muslims, references modern Western ideas and ideals, without acknowledging the passionate internal debate that is animating the question of what it means to be Western. Roy (2007) points out that the particular "problem" of Muslim migrants and their religion, is a mirror focussing a crisis of identity for Europe. That crisis has been occasioned by the permanent settlement of non-European minorities; the rise of religious revivalism; and the reassertion of conservative religious voices (Christian, Muslim, Jewish

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[14]A funeral ritual pratised by some Hindus (but now outlawed in India) in which a recently widowed

etc.) rejecting the secular, liberal values that dominated European intellectual and political consciousness, particularly since the second-half of the twentieth century. Islamic female dress is thus seen as tangible evidence that secularism in Europe and elsewhere in the Western world is under threat, most specifically from the third orientation discussed in this chapter: fundamentalism.

Fundamentalists on *Ḥijāb*

The third claimant to authority in the discourse about Islamic female dress is fundamentalism, a modern phenomenon that developed in reaction to colonialism married with secularism and Westernisation. Fundamentalists are critical of what they see as the excesses and innovations of classical interpretations of Islam; the harrowing pace of modernisation affecting Muslim-majority countries; and the thread of identity-loss for Muslims living in diasporas. They are characterised by feelings of threat, of being part of a cosmic war between good and evil, and of needing to preserve their distinct identity (Marty and Appleby 1991b).

Fundamentalists claim to resurrect the original teachings of Islam that have been neglected or masked by incorporation of un-Islamic innovations. They do this through a pragmatic, selective retrieval of past doctrines, where "the retrieved and updated fundamentals are meant to regain the same charismatic intensity today by which they originally forged communal identity from the formative revelatory religious experiences long ago. In this sense contemporary fundamentalism is at once both derivative and vitally original" (Marty and Appleby 1993, 3).

Because, Fundamentalists seek a purified Islam, they do not accept the notion of culturally mediated forms of Islam, where the manifestation of the religion takes on different particular cultural forms depending on time and space. Roy (2004) writes:

> Fundamentalism is both a product and an agent of globalisation, because it acknowledges without nostalgia the loss of pristine cultures, and sees as positive the opportunity to build a university religious identity, delinked from any specific

woman immolated herself on her husband's funeral pyre.

culture, including the Western one perceived as corrupt and decadent (25).

However, a reverse movement also occurs with the ethnicisation of religion, where Muslims become a minority ethnic group within the Western world, whatever the state of religiosity of individual Muslims, and despite their ancestral diversity (Roy 2004, 133; Bloul 2008; Humphrey 2001).

The discourse about Islamic female dress is one of the most important symbols and boundary markers of Muslim identity. The *ḥijāb* in fundamentalist discourse is removed from any notion of cultural traditional Islamic dress, and Fundamentalists have sought to elucidate an objective singular truth on what *ḥijāb* means for all Muslim women, everywhere. That veiling practices in the pre-modern era varied (as mentioned previously) is of little consequence to Fundamentalists who seek a definitive teaching of the Prophet on the topic that is eternally prescriptive. Mir-Hosseini (2007, 87) argues that by doing this, they effectively move the question of Islamic female dress from the realm of *muʿāmalāt* to *ʿibādāt*.[15]

Although proposing a definitive interpretation, in practice Fundamentalists differ on what they define as proper *ḥijāb*. Some (mostly those of the Wahhābī-Salafī persuasion) require that for the woman, the entire body be covered with an opaque, loose, flowing outer cloak or wrap that starts from the head. The face must be covered, either with this garment, or with a separate piece of affixed material, often referred to colloquially as *niqāb* "mask, face-veil". Eyes may be uncovered depending on need. For example, from *fatāwá* given on the *Islam Q&A* website (Al-Munajjid 1997–2008): "The difference between hijaab and niqaab is that the hijaab is that which covers all the body, whilst niqaab is that which covers a woman's face only." Thus women are to cover "the entire body from head to toe" including the face although an opening "only as big as the left eye" is permitted.

Other Fundamentalists (such as the Muslim Brotherhood and al-Jamāʿa al-Islāmiyah)

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[15]Traditional jurists divided the realms of law into matters of *ʿibādāt* (ritual worship) and *muʿāmalāt* (generally used to mean social affairs). The rulings for the former category were strictly defined based on the Prophetic prescription. The latter category was more loosely regulated, and therefore contained a

give permission, even encourage, Muslim women to leave the face and hands uncovered, but require loose, opaque clothing that covers the body, usually some sort of coat or dress, coupled with a headscarf pinned or tied so that it that covers the ears and neck, draping down onto the shoulders and/or chest. This is a new type of Islamic dress, referred to by Fundamentalists as *al-ziyy al-Islāmī* "Islamic attire" or *al-ziyy al-shar'ī* (*sharī'ah* attire) (El Guindi 1999, 134; Stillman 2003, 158). It is not taken from any one particular traditional culture, but quickly become globalised, in much the same way that men from many different non-Western cultures around the world now wear the Western-style business suit. As Douglass (2007) wryly notes:

> The [Western] business suit confers modesty by conforming almost exactly to the requirements for Muslim women's public appearance: it covers all but the head and the hands, and does so in a way that is sober, often with dark, uniform color, and a shape that conceals more than it reveals. … The best way to think of the difference between Muslim and Western norms of dress is as follows: In Western culture, the norm of understated dress that completely covers the body is applied to the male, whereas in Islam, it is applied to the female (11).

Fundamentalists, with a very modern rationality, attempt to provide sociological and political arguments for why women should dress and cover in the manner they prescribe, often relying on an essentialist interpretation of biological difference between men and women and holding women responsible for preserving moral decency in society. The most common themes in fundamentalist arguments are: *ḥijāb* (as interpreted by the Fundamentalists) is commanded by God; it promotes dignity, respect, modesty and chastity for Muslim women, and prevents men from falling into temptation; it protects women from the untoward advances of predator males; it is in concert with the true feminine nature that is modest, shy, virginal etc.; it negates the objectification of women's bodies; it allows women to move freely in public; and it preserves a woman's beauty for her husband's consumption only.

These are all themes put forward in a Wahhābī-Salafī article (*Why Should I Wear the Hijaab?* 2007) where the anonymous author concludes with a sentence packed with binary

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great deal more diversity in interpretation and implementation.

oppositions: "So a Muslim woman in hijaab is dignified, not dishonoured, noble, not degraded, liberated, not subjugated, purified, not sullied, independent, not a slave, protected, not exposed, respected, not laughed at, confident, not insecure, obedient, not a sinner, a guarded pearl, not a prostitute" and asks how any Muslim woman could thus fail to see the beneficial nature of *ḥijāb*.

One important distinction is that in the fundamentalist conception of Islamic female dress, the purpose of *ḥijāb* is to provide women access to the public realm, not to seclude them from it. In many pre-modern cultures, upper-class women's seclusion was a badge of wealth and distinction. In fundamentalist discourse, the *ḥijāb* provides a portable privacy that allows women to participate in public (El Guindi 1999, 144). It is not insignificant that this new form of veiling was adopted when women in emerging middle-classes needed to participate in the workforce due to economic necessity (Ahmed 1992, 221).

However, although Fundamentalists are modern in their methodology of interpreting Islam, as An-Na'im (1995) points out, they are "backward-looking in content." Fundamentalists do not question the underlying patriarchal premise of their interpretations, and often quote the same Qur'anic *ayāt* and *ḥadīth* as Traditionalists, although as Mir-Hosseini (96–97) points out, they are sensitive to criticisms of patriarchal bias, hence the apologetic tone of their arguments. Where they differ is in the search for one definitive ruling in a question of Islamic law that applies for all Muslims across time and space, and in their desire to "return" to the original source texts for interpretation, dismissing unquestioned allegiance to received wisdom of the traditional schools of law. In their search for the definitive, monosemous reading on Islamic dress, Fundamentalists cement patriarchy as a universal Islamic prescription. It is precisely this notion that is challenged by the last group to be covered in this chapter, the Contextualists.

Contextualists on *Ḥijāb*

Contextualists are Muslims who argue that Islam—and in particular religious law—must be understood contextually (Esack 2005, 142–44). That is, Muslims have always interpreted

religion through the paradigmatic lens of particular time-periods, places, cultures, language-groups and classes. Because of this, Muslims developed rich and varied interpretations of Islamic belief and practice, unified around the core doctrines of monotheism and the prophethood of Muhammad. Contextualists argue that Muslims must continue this interpretative project for Muslims living in the modern world, both in Muslim-majority contexts and in as minorities in the West. They argue that classical exegetes and jurists were fallible human beings who approached the texts with their own particular biases (Mir-Hosseini 2007, 94). Therefore, today's Muslims have the right to question the classical interpretations and rulings, where they no longer make sense or appear to contradict the Qur'anic Weltanschauung (Barlas 2002, 168–69). Thus, they assert the right to perform *ijtihād*.[16] Contextualists come from the modernist school of thought that arose in the late nineteenth and twentieth centuries (for example see Fazlur Rahman's methodology for interpreting Islam in Rahman 1982, 2–11; Sonn 1991, 213–14; Saeed 2006a, 42–43).

Among the Contextualists are Muslim feminists who question the traditionalist, secularist, and fundamentalist assumption that Islam prescribes patriarchy. Their argument goes as follows: the Qur'an recognises that patriarchy has been the normal state of affairs for most societies, and provides rulings to limit its more extreme manifestations (Wadud 1999, 9). Nevertheless, it does not prescribe patriarchy as a desired state, but instead promotes an underlying ethic of egalitarianism towards which Muslim societies should strive to move (Afkhami 1997, 110). The few Qur'anic *ayāt* that appear to limit women's rights, are always context-specific. Where the societal context changes, and gender equality and women's autonomy may be pursued, then the application of these limiting rulings no longer applies (Barlas 2002; Wadud 1999; Hassan 1996, 383). Furthermore, Muslim feminists seek to establish precedents from the lives of the women surrounding the Prophet, and the earliest generations of Muslim women, many of whom acted in ways that contradict the stereotype of the passive, secluded, subordinate female (Stowasser 1994, 134).

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[16]*Ijtihād* is the application of mental exertion in independent systematic reasoning to derive an answer to a unique question of religious law.

In the context of Islamic female dress, many Contextualists have taken the view that the underlying thrust of the Qur'an and Prophetic tradition is one of modesty, whilst different cultures may interpret the specifics of modest dress differently (Barlas 2002, 56, 158; Shahroor 2000; Shaaban 1995; Zuhur 1992). This was a theme that arose in a 1990 meeting organised by Women Living Under Muslim Laws, where participants discussed a variety of different gender-related issues in Qur'anic interpretation, including dress, modesty and sexuality. Participants drew a distinction between the philosophy of modesty, and the elaboration of what constitutes modest dress in diverse situations (Women Living Under Muslim Laws 1997, 201–226). As one participant argued: "The law of modesty in the Qur'an applies to men and women both and applies to them equally. … You have to interpret the Islamic law of modesty, a) according to your own conscience and b) according to your cultural context. What is modest in one society is not modest in another society and so on" (215).

Various participants also challenged and disagreed with some of the traditionalist, secularist, and fundamentalist rationales for the purposes behind Islamic dress and covering practices. These included that *ḥijāb* itself does not protect against molestation; that emphasising *ḥijāb* may have a counter-effect of permitting/encouraging the sexualisation and objectification of women's bodies and even sometimes violence against women; that segregation and the reserving of public space for men is not an Islamic ideal; that there is not a single interpretation of what Islamic im/modesty means; that precedents from Islamic history show women acted assertively and publicly; that veiling carries signals including pre- and non-Islamic meanings, and alternatively that *ḥijāb* has long been a part of Islamic practice; that there has been evolution in the meaning of *ḥijāb* and even the meaning of words describing specific items of clothing, over time; that dress can be liberating as well as oppressive; that women should not have to bear the weight of symbolising national identity; that Western standards of modesty and liberation are not necessarily normative for all women across the globe; that there are class dimensions to veiling practices; that change in challenging segregation or veiling practices should be slow and organic, not imposed quickly;

and that equality for women does not mean samenesss as men.

For Contextualists (including Muslim feminists), there is an acceptance of postmodern claims of bracketed truths. As such, there is not one single answer to the question of what is appropriate Islamic female dress. There is a strong emphasis on rationality and the right of individuals to interpret Islamic injunctions regarding modesty and dress, within the societal norms of their particular environments.

Conclusion

Ismail (2004, 623) questions the notion of a trans-historical, pure Islam against which Muslims are measured as moving closer to, or further away. Muslims construct and reconstruct their conceptions of Islam from a multiplicity of sources and referents including local context, the interplay of power relations, as well as the influence of transnationalism and globalisation. All of the four orientations discussed in this chapter, represent four competing and overlapping narratives of claims to authenticity and authority. First, Traditionalists, who acknowledge as their source of authority, the received interpretations and rulings of religious law that developed over many centuries, however in the process of reacting to modernity and postmodernity, have codified and crystalised pre-modern patriarchal notions of gender norms. Second, secularists, who in seeking Western-style models of the separation of religion and state and the privatisation of religion impose on Muslim women the archetype of the passive, oppressed, secluded and veiled creature, in order to reject her. Their source of authority is the Orientalist narrative that was developed in Western academia. Thirdly, Fundamentalists, whose source of authority lies with charismatic preachers arguing for a singular, definitive interpretation of God's will that de-contextualises and globalises the Muslim identity, promote an essentialised view of biological sex difference, affirming patriarchy. Lastly, Contextualists, who accept the postmodern notion of bracketed truth claims, and who assert the right of individuals (including women) to interpret religion and develop varying sartorial practices depending on time, place and culture. Their source of authority is the modernist trend of the twentieth century, which called for a revival of the use of *ijtihād*.

The four orientations discussed in this chapter represent broad trends, and I have not emphasised the diversity of voices also exists within these trends. There are milder forms of secularism, for example, that do not seek to eradicate religious influences in society, but merely to inhibit particular religious authorities from accessing and wielding state power in God's name. Not all Contextualists are feminists, and even among those whose field of interest is gender issues, not all claim the label feminist label, given its sometimes-pejorative connotations as being a Western imposition.[17] There are Traditionalists who recognise the usefulness of the tool of *ijtihād* appropriately wielded, and who have attempted to offer more gender-inclusive rulings within the traditionalist paradigm. Also, those who nevertheless reject the patriarchal premise of male rule over women have adopted a number of fundamentalist arguments about the usefulness of *ḥijāb*. These include some Western converts, for whom wearing Islamic dress is a matter of asserting Muslim identity, and feminists who use the veil to challenge the panopticon of the male gaze (Bullock 2002, 186–192).

So, what is the future of the debate about religious authority, particularly in the context of women and Islamic dress? It seems likely the question of the *ḥijāb*'s symbolism will not disappear any time soon. Periodically, debates about Islamic female dress flare up in the Muslim world (such as in Iran with the annual crackdowns on "bad *ḥijāb*") as well as in the Western world, where an underlying theme regularly appearing in political and social comment, is of Islamic dress marking wilful separation and avoidance of assimilation into Western society. The most recent example of the latter is French president Nicolas Sarkozy's 2009 speech against Islamic body and face veiling as being anti-French. All of the various meanings attributed to *ḥijāb* are symptomatic of the much deeper debate about who may speak for Islam and Muslims, and so long as that question is contested, Islamic female dress will continue to be a hotly contested issue.

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[17]Muslim feminists who accept the label disagree, however the mud has firmly stuck in many parts of

the Muslim world.

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