

Book Reviews

Politics of Piety: The Islamic Revival and the Feminist Subject, by Saba Mahmood, Princeton, N.J.: Princeton University Press, 2005, 264 pages. \$23.95.

REVIEWED BY MAX WEISS

As interest continues to grow in what is occasionally called the global resurgence of religion, the importance of understanding and explaining the Islamic revival (*al-sahwa al-islamiyya*) has never been greater. Indeed, no longer the exclusive domain of scholars, students, and policymakers working in and around the Islamic world, the politics and practices of Islamism are now, suddenly, issues that matter to all. It is in this connection that Saba Mahmood's *Politics of Piety* has already proved to stand as one of the most meaningful contributions to the field of Islamic studies over the past five years, with striking resonance across such disciplines as cultural anthropology, women's studies, religion, and critical philosophy.

Mahmood aims to explicate how certain forms of desire, embodiment, and agency have been and continue to be articulated through daily bodily practices among pious Muslim women in contemporary Cairo. Her theoretical interventions are interwoven with colorful participant observation that lends the book a unique style and political charge. Strongly influenced by the thought and writings of Talal Asad on the genealogies of the secular and the anthropology of the modern, Mahmood seeks to engage with what she calls "the mosque movement" in early 21st century Cairo on its own terms and, to borrow an often-used phrase from the critical sociology of religion, to take religion and religious belief seriously.

In chapter one, "The Subject of Freedom", Mahmood situates her interest in the women of the "mosque movement" within the broader context of Western feminist discourses on the notion of positive and negative freedom(s), with specific emphasis on the implications those debates have had for non-Western struggles towards equality and liberation. Traditionally, feminist norms have sought to promote the maximization of freedom, and have called for more effective strategies to liberate women from patriarchal structures and societies. Such an approach to feminism, however, is short-sighted, limited, and biased, as Mahmood argues, inasmuch as Western feminist theory and practice have elided and short-changed other life-worlds and other kinds of women's agency and experience by making a veritable fetish out of the notion or category of "resistance" to power.

In order to demonstrate what Mahmood considers to be other strategies for articulating feminist subject positions beyond the purview of such hegemonic feminist norms, in chapter two, "Topography of the Piety Movement", she turns to the contemporary landscape of Islamist women's engagement, focusing on various kinds of talk about faith. By centering the work of piety rather than the work of politics or struggle or solidarity, or any other political buzzword, Mahmood would appear to be venturing into terrain that is far different from what might be expected in a discussion of feminism and feminist agency. Even more problematic for such feminist common-sense is to consider how such engaged women could be perceived as agents even as Mahmood situates them within the context of "why and how movements of ethical reform – such as the piety movement – unsettle key assumptions of the secular-liberal imaginary even when they do not aim to transform the state" (p. 78). Without subverting apparently oppressive

practices of submission to male authority or religiously validated patriarchy, then, these women are to be understood as engaged in a project of ethical reform and reconstruction by other means. chapter three, “Pedagogies of Persuasion”, continues this discussion by looking at the educational techniques and strategies used by the women of the mosque movement.

If the women’s mosque movement is perceived as a move towards greater agency for women even through ostensible submission to dominant modes of patriarchal oppression, how are scholars and observers appropriately to distinguish between intentional and unintentional action? In other words, if the intention of an agent no longer signifies substantive meaning for making sense of human behavior – ritual, daily life, or otherwise – what standards remain for evaluating the content and character of various modes of social practice? These and other such questions surround and bedevil the last two chapters: chapter four on “Positive Ethics and Ritual Conventions” and chapter five on “Agency, Gender, and Embodiment”. Returning to deal more directly with the philosophical implications of this line of argumentation, Mahmood proposes an engagement with the genealogy of Aristotelian “positive ethics” as one possible means of circumventing the stranglehold of Liberal and Kantian perspectives on the proper place of “traditional” forms of religious practice. By the logic of that latter discursive formation, religious practice would gradually be restricted to “private” spheres of human action, and the pull of “the religious” on rationalist individual citizens would precipitously decline. Rather than viewing the continuing engagement of pious women in contemporary Cairo as anomalous or somehow incomprehensible within the progressivist narratives of Liberalism and Western feminisms, Mahmood locates these women and their engaged submission otherwise. In other words, by “uncoupling the analytical notion of agency from the politically prescriptive project of feminism, with its propensity to valorize those operations of power that subvert and re-signify the hegemonic discourses of gender and sexuality”, Mahmood aims to demonstrate how “to the extent that feminist scholarship emphasizes this politically subversive form of agency, it has ignored other modalities of agency whose meaning and effect are not captured within the logic of subversion and re-signification of hegemonic terms of discourse” (p. 153).

Again, this argument is arresting in its bold opposition to common sense, at least the common sense derived from what Mahmood terms the “liberal progressive imaginary” (p. 155). Opting out of the Enlightenment tradition of discourse on the generation of norms, positive law and the production of the autonomous human subject, Mahmood finds analytical power and insight within the tradition of behaviorism as it might be derived from Aristotelian positive ethics, only in this case, action is considered more meaningful – whether Mahmood would consider the term “meaningful” meaningful is an open question – than intention. Consequently, Mahmood is less interested in the meanings of her interlocutors’ actions – scoffing, at times, at a “hermeneutical” (read: structuralist) approach to social interaction – than in the practical work done by their actions in the world, their effects. Even as such a behaviorist approach to the study of religious practice becomes more accepted, one wonders whether there is space to demand the continued translation from and perhaps even interpretation of – call it hermeneutics, or not – the array of signifiers and signified at play in various world-historical contexts of religious culture and activism.

Part of the reason why these theoretical – or, better, philosophical – questions stand out so boldly in our reading of the book stems from another point that detracts from its overall impact: the paucity of empirical ethnographic evidence. While there is much stimulating material included in the book for illuminating discussions of the philosophical traditions of modernity and the limitations of Western feminist discourse, students and scholars of the contemporary Middle East

might want more snapshots of pious everyday life in Mahmood's Cairo. To be fair, those anecdotes and conversations included in the text are tantalizingly interesting, but one could still hope for more details in this regard.

These conceptual and empirical reservations notwithstanding, *Politics of Piety* has generated an enormous volume of discussion and has already become required reading for students of Islam, religious practice, gender studies, and political philosophy in the modern Middle East. Indeed, its specific time frame should not stand in the way of it continuing to be read well after the tumult of the "secularism debates" has died down.

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Women's Rights and Islamic Family Law: Perspectives on Reform, Edited by Lynn Welchman, London and New York: Zed books, 2004, 300 pages.

REVIEWED BY NAJLA HAMADEH

Recently, Islam in general, and Islamic family law in particular, have been the object of much interest and research. The particular focus on family law is justified not only by the importance of families, the building blocks that constitute society and mold individuals, but also by the fact that Islamic family law is often the most resistant to change, as it is the hardest to disentangle from religious authority.

Works dealing with Islamic family law are sometimes apologetic, defending the law's fairness to women, and sometimes critical of its blocking women's attainment of full human rights. However, from this volume (the fourth based on research projects directed by Abdallah al-Na'im of the school of law at Emory University, and funded by the Ford Foundation), a more nuanced and often confusing complexity of final positions seeps through. The book contains country studies and one thematic study (on domestic violence), and it is sometimes the Islamic origin of law that is criticized, as in Lisa Hajjar's view that *Qur'anic* verses that permit men to chastise, indeed beat, their women are the source of cultures in which violence against women is prevalent; and that it is these verses that prevent legal systems from redressing gender injustice. At other times, *shari'a* (i.e. Islamic law) seems to be kinder to women than civil laws, as in Fadwa al-Labadi's account of fourteen Palestinian women factory-workers who died in a fire at their work-place in Hebron. In this case, the *diya* (i.e. compensation for death paid to the family of the deceased) of each woman was estimated by the civil court as half the usual *diya* for a man, whereas the *qadi al-qudat* (i.e. chief judge), who rules according to *shari'a*, claimed that the women's *diyats* ought to have been equal to those of men (pp. 164-171). More nuanced (and perhaps more puzzling) is the way Essam Fawzi blames both the image of women in Islamic thought and poverty and ignorance for the legal injustices suffered by Egyptian women.

This apparent incoherence stems largely from the nature and aim of the book. All the chapters except the one on domestic violence focus on lived experience rather than on consistency of argumentation. The central aim of "genuine and legitimate reform", to quote from Lynn Welchman's introduction, is to be served by extracting from experience recommendations that may guide future activists in realizing reform. But since the book records experience that takes

place in different cultures and settings, lessons learnt and conclusions drawn may point in conflicting directions.

In line with the book's subject matter and chosen strategy, it is natural that the contributors belong to the legal professions, and that they are activists who have lived the struggle they write about. Thus Abdallah al-Na'im, the leader of the project, Lynn Welchman, the book's editor, and several of the authors of the various chapters are teachers and/or practitioners of the law. Most of them are also activists who either focus on Muslim women's rights, or champion those rights from within their general concern for human rights or conflict resolution. With the exception of Essam Fawzi, author of the chapter on Egypt, where he got his education and worked all his life, all the authors are graduates of Western universities. The four women who wrote the chapters on Palestine, namely Lynn Welchman, Penny Johnson, Rema Hammami, and Fadwa al-Labadi, are either previously or currently affiliated with universities in the Palestinian Occupied Territories (Birzeit and al-Quds). Lisa Hajjar, who wrote the chapter on domestic violence, teaches at the University of California and has written about political prisoners and the Israeli court system. Of the two women who wrote the section on the United States, Asifa Quraishi is a member of *Karamah* (i.e. dignity), the Association of Muslim Women Lawyers for Human Rights; and Najeeba Syeed-Miller is a trainer of activists for conflict resolution.

Writing about these countries and topics, however, does not justify al-Na'im's claim that the book is "a global study of Islamic family law" (inside cover). The book leaves out some important types of Islamic societies, such as Saudi Arabia, probably the most misogynistic and restrictive of women. The book would have been greatly enriched by including some European Islamic societies, such as Kosovo which has outlawed polygyny - considered by other Islamic societies as an integral right of Muslim men. Such inclusions would have made the book more "global" as well as more innovative and informative about new methods for achieving reform.

Where the choice of countries is concerned, though Egyptian and Palestinian societies are extremely important because they harbor tough and interesting activism for women's rights, they have already been covered extensively in previous works. Writing about the United States, however, is an original choice, since most previous works on Islamic family law have tackled either the Middle East or the United States, but have rarely combined the two in one work. It is also a useful choice, serving as an example of the ease and speed with which change can take place in a democratic society ruled by a strong state that separates the legal from the political, and where decisions follow a professional system, away from the various forms of authoritarianism that prevail in the Arab world. One example from the section on the US describes how it merely took an explanation by lawyer Abed Awad that Islamic marriage is a contract like any other, to convince the New Jersey court in the divorce case of *Odatalla vs. Odatalla* (2002) that the husband should pay his wife the *mahr* (i.e. bride-price or compensation) as agreed upon in the Islamic marriage contract. Previous court-rulings in the United States deprived wives of their *mahr*, because they considered Muslim marriage to be equivalent to a religious pre-nuptial agreement and hence less binding than a true (secular) marriage (pp. 202-206).

In contrast, the chapters on the Palestinian Occupied Territories and on Egypt show clearly how difficult it is to reform family laws there, and how even more difficult it is to implement such laws once they are passed. One telling example is the endorsement by President Arafat of the Palestinian Women's Charter of 1994. To the endorsement he added the clause: "As long as there is no contradiction with shari'a" (p. 147), an addition that reduced the endorsement to a political

gesture of little real impact. These chapters show how the long struggle of Palestinian women's movements has led to little more than lip service to reform where family law is concerned, and to non-implementation of reforms in the case of restrictions on marriage-age. In her chapter in the section on Palestine, Penny Johnson comments on the relative ease with which women's demands for rights in the public sphere have been granted, and wonders at the discrepancy between this and the extreme difficulty of reform of their status within the family. But if Fatima Mernissi's analysis in *Beyond the Veil* is correct, i.e. that it is only within the family that women do not have equality with men, then the rights that Johnson sees as gained by the Palestinian women's movement are "regained" rather than "gained", since such rights were always theirs according to Islamic precepts. Such "reforms" amount merely to heightening Muslim women's awareness of rights they already have.

In Egypt there is more movement, maybe because, though the country is authoritarian and complex, there is a state. The events surrounding "Jihan's Law" (1979) illustrate this point. Jihan, the wife of president Sadat, succeeded in having a law passed stipulating that a woman whose husband takes another wife without her consent is entitled to obtain a divorce, on the grounds that such an action is "injurious to the wife per se" (p. 35). This led to a huge demonstration that caused the law to be repealed. The majority of the demonstrators were women students of Al-Azhar University, who considered this law contrary to *shari'a*. Further, twenty out of twenty-seven judges ruled that the law contradicts the right to polygyny granted to men by the holy *Qur'an*, adding that it is also against women's nature as "the natural thing would be for a wife eager for her husband's happiness to be happy herself if he took another wife" (p. 37). Despite these strange "objections" and "arguments", 1985 saw the birth of law no.100, which allows a wife to get a divorce if she succeeds in convincing the court that her husband's taking another wife is injurious to someone of her cultural milieu and social circumstances. The account shows how in passing this law, religious authorities succeeded in defying Islamists and appeasing reformists and political authorities, while showing the latter which authority carries the day, as far as decisions on family law are concerned.

It seems to me that the chief value of this book stems from its being an important source of historical information concerning specific attempts to reform Islamic family law, rather than from its recommendations about how to achieve "genuine reform". Where the book opts to describe rather than to recommend, it becomes a rich source of indirect insights concerning the misogynistic fixations, resistance to logic, and hoarding of authority that the struggle for Muslim women's rights is likely to encounter. The straightforward recommendations to future activists are, to my mind, of less significance and value. This is because they are sometimes contradictory, and sometimes influenced by the preconception of the authors, for example concerning gender equality. Some of the conclusions concerning the need to strengthen the state, to promote democracy, and to avoid head-on clashes with religious authorities may be considered generally useful recommendations. But didn't we know this before reading the book?

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