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ISLAMIC LAW AND MUSLIM WOMEN IN AMERICA

Azizah Y. al-Hibri

THIS YEAR PROMISES TO BE an historical year for Muslim women in America. A collection of articles on Muslim women's issues, written from both theoretical and practical points of view, will appear.¹ The collection is unique, because the women who contributed to it represent a microcosm of the Muslim community in America. No such book has ever been written before. It is the culmination of decades of effort at producing significant Muslim women's writings rooted in the Qur'an and uniquely informed by the American experience.

MUSLIM WOMEN AND THE WEST

For decades now, the absence of the Muslim woman's voice in America has been taken for granted. American secular feminist organizations, concerned about the status of women in Muslim countries, have been planning their strategies in full oblivion of the valuable role Muslim women in America could play. At times, they even consciously excluded them.² As a result, the strategies these secular women adopted were often not only culturally insensitive but, more significantly, hostile to religion. In Muslim countries that were historically either the cradle of all three Abrahamic religions or other globally recognized religions, one could quickly conclude that secular strategies would not be very promising. In fact, secular efforts of Western feminists in Muslim countries have already created a backlash, even against indigenous Muslim efforts at liberation. The door has thus been slammed shut in the face of any possible constructive dialogue on women's issues.

Muslim women in America must now repair the damage and painstakingly distinguish themselves from Western secular feminists in order to estab-

lish their credibility abroad as legitimate parties in the Islamic dialogue for change and progress. This is one reason why the forthcoming book is so important. It declares once and for all that Muslim women in America have come of age and henceforth they will speak in their own voice. With their sisters at home and abroad, they will create genuine alliances, based on equality and mutual respect, to preserve women's rights in the United States, the Muslim world, and the rest of the world.

MUSLIM WOMEN AND THE MUSLIM WORLD

In developing their views, Muslim women (and men) in America must also face another challenge, this time emanating from other Muslims. For the longest time, non-American Muslims themselves overlooked the American Muslim voice. The famous article written several decades ago by Seyyed Qutb, a major Egyptian scholar, and entitled "American Islam," does not refer to American Muslim jurisprudence as one might think.³ Rather, it ridicules Muslim leaders who bend Islamic doctrine to suit the demands of American foreign policies.⁴ These leaders, Qutb argues, are willing to use Islam as a tool to control the masses and fight communism.⁵ They are willing to permit the public to discuss its Islamic views on contraception or the right of women to run for political office, but they are not willing to permit the public to freely discuss broader social, political, and economic issues.⁶

In a way, Qutb's article explains the roots of Muslim discontent with American official and NGO (non-governmental) strategies over the years. Both have disdained religion, either by using it as a tool or by disregarding it altogether. Both ignored the will of the Muslim people in the process and sought their own predefined goals. But Muslims in America are now ready to present to the world a new "American Islam," an indigenous, authentic, and genuinely caring one, not a tool for some political end.

Today, Islamic thought in America is not the product of superpower politics but of constitutionally guaranteed freedoms within the United States and the demands of a technologically advanced society. Muslims who immigrated to the United States joined indigenous American Muslims in exercising their human rights, especially the right to free thought and free speech. Many discovered that they could now discuss previously prohibited topics and entertain previously prohibited thoughts. Furthermore, with the proliferation of modern technological innovations, new Islamic experiments in areas such as banking, corporate governance, and financing, have emerged.⁷