



## IN SEARCH OF FEMALE AUTHORITY IN ISLAM: A CONTEMPORARY SHI'A *MOJTAHEDE*<sup>1</sup>

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**Abstract** Muslim women of all centuries have striven for religious knowledge at various levels. Historically women have had a prominent role in transmission of *hadith*, they have been teachers and Imams, and they have given *khutba* (religious sermons) at mosques. However, contemporary Islam has failed to produce prominent female religious authorities. This paper introduces a female Shi'a *mojtahede*. It aims to problematize the questioning of the concept of female religious authority within the framework of Islam. One religious scholar who came close to achieving such a position is known as *Banooy-e Irani*, the Iranian lady. In a time when Iranian women were becoming increasingly active in professions such as teaching, engineering, and medicine, as well as writing and designing, this religious scholar used a pseudonym to publish her multi-volume interpretation of the Qur'an. She established a high level of religious authority especially within Isfahan. Is religious authority measured by legacy, and if so what is the legacy of *Banooye Irani*?

**Keywords:** Religious authority, *ejtehad*, Shi'a jurisprudence, liberation, self-marginalization.

### Introduction

Women's representation, participation, and leadership<sup>2</sup> are among the challenges faced by all religious traditions today. Androcentrism and patriarchal constructs are by no means exclusive to Muslim societies but are nonetheless prevalent in Muslim communities. It is not a radical claim to submit that the identity of women in Islam has been historically determined by male-centered interpretations of the Qur'an and *hadith* and *sunnah*, sayings and the way of life

of the Prophet.<sup>3</sup> It is the *shari'ah* (Religious law of Islam) that most heavily constitutes an unequal place for women; however, it would be more precise to note that rather than *shari'ah*, it is *feqh* (jurisprudence) that fails to address issues of gender in an egalitarian manner. Distinguishing *shari'ah* from *feqh* implies that the former refers to divine instructions and guidelines as given in the Qur'an and the *sunnah* of the Prophet which is sacred as such, while the latter is human understanding of divine law and is prone to error as jurists say themselves.<sup>4</sup> Women are also marginalized in the interpretations and commentaries of the Qur'an. Marginalization of women in Islamic textual tradition can be seen as resulting in a vicious circle leading to women's self-marginalization from the textual tradition. Undoubtedly, male-dominated societal constructs, popular myths, and customs affect women's self-perceptions and identity projections. It is no surprise that the formation of women's self-image resembles the images created by men. My approach in this paper is influenced by the critical feminist theology of liberation. The liberation feminist critique of patriarchy has questioned the normativity of the male and how maleness has been constructed. According to this approach, in order for the male to remain the normative human, the minor physiological differences between male and female have been magnified.<sup>5</sup> In turn, women's identities have been reduced to sexuality and maternity, yet women's own experiences of sexuality and maternity are excluded from the definition.<sup>6</sup>

Meanwhile, many Muslim women believe that Islam principally adheres to the equality of women and men. However, *feqh* at its best gives men an authoritative role and women a supportive role and is heavily accommodating of patriarchal constructs and norms. Women from all religious traditions have engaged to various degrees with their scriptures, legal traditions, theological doctrines, and rituals and customs, and have raised questions and challenges in regard to women's representation, participation, and leadership. This paper aims to raise the question of female religious authority within the framework of Islam by introducing a female Shi'a *mojtahede*. The term *mojtahede* is the feminine application of the word *mujtahed*, meaning one who has the authority to derive the law from its sources including, but not limited to, Qur'an and the *hadith*. At its highest point, a Shi'a *mojtahed* is to be selected by the people as a *marja'-e-taqlid*: source of emulation in all matters of the *shari'ah*.<sup>7</sup> Muslim women have historically been prominent in the transmission of *hadith*; they have been teachers and Imams, and they also have given *khutba* (religious sermons) at mosques. However, contemporary Islam has failed to produce prominent female religious authority; none has reached the level of *marja'*.<sup>8</sup>

This is not to say that women have not striven for religious knowledge. In Iran, the first official female seminary was established after the 1979 revolution. Generally labeled as *howzeh-ye 'elmiyyeh-ye khaharan* (lit. learning centers for sisters), these seminaries provide traditional Islamic sciences such as *feqh* (jurisprudence), *osul* (principles of jurisprudence) Qur'an and *tafsir* (commentary), as well as *manteq* (logic) and *kalam*, theology and philosophy, in addition to high levels of Arabic grammar and syntax. The first and largest Jame'at a-Zahra<sup>9</sup> was established in 1984 naturally in Qom, which has long been a center for all male Shi'a religious seminaries producing great figures of Shi'a *feqh* and scholarship.<sup>10</sup> Since the early 9<sup>th</sup> century, the city has also been home to the shrine of *hazrat-e Massumeh* Fatemeh, daughter of the seventh Imam (Imam Musa Kazem) and the sister of the eighth Imam (Ali Ibn Musa Reza). It was Imam Reza who gave her the title *massumeh* (sinless) for her purity and blissful pure life. Stories about the life of Lady Massumeh includes an incident where visitors had come to the city to see her father Imam Musa Kazem, who was out of town. The visitors left their questions for the Imam to be answered upon his return. When they arrived at a later point to collect the response, they found their questions answered, yet the Imam had not returned from his trip. Someone noted that it was Massumeh Fatemeh who had given the response. She was six years old at the time. On their way back they encountered the Imam as he was entering the town. They recounted the story and the Imam asked to review the responses. He evaluated them as accurate, and ended his remark by adding a phrase indicating terms of fervent endearment towards his daughter: "*fedaha abuha*" (may her father be sacrificed for her).<sup>11</sup> Most women seminaries in Iran bear the name of *hazrat-e Massoumeh* or that of *hazrat-e Fatemeh Zahra*, beloved daughter of the Prophet.

Today Iran is home to over 250 women's seminaries. The state also offers official academic degrees in Islamic sciences to women enrolled in theology departments in accredited universities and higher institutions of learning. In the early eighties when I was enrolled in the school of theology at Tehran university, my male professor of *feqh*, a cleric, would repeatedly refer to me and my peers as *faqihe* (female of *faqih*, jurist) even if none of us had chosen to specialize in *feqh*.<sup>12</sup> Indeed contemporary Muslim scholarship is a field in which women are active, yet becoming a *mojtahede* or a *marja'*, a source of emulation, has yet to be achieved by a woman. One religious scholar who came close to achieving such a position is known simply as *Banooy-e Irani*, the Iranian lady. In a time when Iranian women were becoming increasingly active professionals as teachers, engineers, physicians, novelists, architects, etc., this religious scholar used this pseudonym to publish her work, including a multi-volume interpretation of the

Qur'an. My interest in this figure, a Shi'a theologian and *mojtahede*, was shaped in the late eighties when I was studying *feqh* and *osul* as part of the curriculum for a degree in Islamic Studies at the University of Tehran. The mysterious pen name she had chosen added to the intrigue. Not so coincidentally, these were the early days of the formation of an Islamic theocracy in Iran with an overwhelming emergence and increased presence of Shi'a male clergy in all aspects of societal life. Along with questions of whether a woman could become president, discussed on the floor of the *Majles* (parliament), there was a need to address the issue of women's religious authority. *Banooy-e Irani* became the enigmatic example of a devout Muslim woman, learned in matters of theology and *feqh*, and yet one who extended no threat to the authority of the regime.

### **Early Life of Nosrat-e Amin: *Banooye Irani***

Nosrat-e Amin o-Dawla Isfahani (hereafter referred to as Amin) was born on June 20, 1895 (d. June 13, 1983)<sup>13</sup> to a wealthy religious family in Isfahan. Her father, known as Amin o-Tujjar, was a merchant respected throughout the city of Isfahan with a good reputation beyond that city. Her mother, also from a highly respected family, who remains unnamed in Amin's biographies, is however described as a devout, generous, and charitable woman. It was through her mother's initiative that Amin started her education at age five. Like most girls of her time, Amin was married at age fifteen, but she continued her studies with enthusiasm throughout her life. With dedication and perseverance, she ultimately gained the title *mojtahede*, thus becoming the first woman with such a title in contemporary history within the Shi'a tradition. She wrote several books in Arabic, including a fifteen-volume commentary of the Qur'an and a few other works in Persian. Her works also included translations, the most important of which was Ibn Miskawayh's *Tahdhib al-akhlaq* (Cultivation of Morals).<sup>14</sup> Despite her wealth, she lived a simple life and was known throughout Isfahan for her charity work, especially related to education. The proceeds of the publication of her books were donated directly to orphanages and families without support. Her biographers report that her husband first learned about her work when he saw a copy of her books at a gathering in a friend's house. This incident is noteworthy because it indicates that she wrote in her private space, and that she alone arranged for the publication of her work and decided on the allocation of the proceeds. Her husband did not have a role in the economic or intellectual process.

It was not customary for urban elite women to leave their homes at the time. Accordingly, Amin selected teachers—all male—and had them come to her house to instruct her in classical Islamic education, including Arabic, Logic, Astronomy, and Geometry. During these lessons, she sat behind a curtain to preserve her modesty. Neither the traditional duties of wife and motherhood<sup>15</sup> nor the loss of five of her children kept her from her studies. Her students who have undertaken the writing of her biography,<sup>16</sup> point out this persistence as a marker of her serious engagement with learning. One such example occurred when the death of one of her children prompted a teacher to assume she would not wish to continue her lessons. Amin sent one of her staff to escort the teacher to the house. The instructor was taken by surprise at the enthusiasm of the lady for knowledge, such that even the emotions of motherhood would not interfere with it. Maternity as an emotional weakness rather than as a strength has long been one of the facets of patriarchal culture affecting the identity of women. She defied that identity and that image of motherhood by insisting that her lessons continue after the birth or even the death of her children. However, while defying it by her action, in her teachings and writings she placed heavy emphasis on the duties of women as mothers.

She continued her private studies until she reached age forty, when she was granted a degree of *ejtehad*. This title gave her the authority to interpret the law from its sources and to quote and interpret the *hadith*. Many respected scholars, including *Ayat-Allah* Mohammad Kazem Shirazi (1873-1948) and *Ayat-Allah* Abdulkarim Haeri-Yazdi (1858-1937), were among those who wrote letters of recognition (*ejāzeh*) for her.<sup>17</sup> The document by the two major *mojtaheds* is dated May 1935. According to Shi'a jurisprudence, those who are learned in matters of *shari'ah* law are not *moqaled* (followers or emulators). While in theory *ejtehad* is to ensure the ongoing interpretation of the law, in practice the history of Shi'a jurisprudence has had long periods when a few figures became so dominant that all others were overshadowed and became imitators (*moqaled*).<sup>18</sup> In the formal permission letter, granting her the degree of *ejtehad*, *Ayat-Allah* Muhammad Kazem-e Shirazi gives her permission to practice authority to derive the law from the sources, and to abide by her understanding of those sources with *ehtiat* or vigorous caution.

Amin was recognized as an absolute *mojtahede*: her authority was not limited to the realm of laws regarding *ebadat* (matters of worship), but extended to all matters and included *mu'amalat* (transactions). However, she did not compile a guidebook (*resaleye 'amaliye*)<sup>19</sup> as is the practice of the *mojtahedin*.<sup>20</sup> Technically her degree implied only that she was a guide unto herself and that

she needed not emulate other *mojtaheds*. Although both men and women regularly sought her advice on spiritual as well as worldly matters, in matters of law she could determine only a case for her own path and not for others.

Education was important to her, but so were religious tradition, customs, and mores. Like other religious families and individuals in Isfahan, Amin was not happy at the government's implementation of the family reform law in the Pahlavi era, and especially the unveiling of women. In order to counter the secular education of women in Iran that was becoming widespread, she became the sole financial support for the establishment of two religious schools for girls in which her own students took on the roles of teachers and administrators.<sup>21</sup> In spite of creating venues for women's education, she remained staunchly traditional on the issues of segregation of sexes and abiding by the rules of *hejab*. It was due to this heightened sense of modesty that she did not use her surname on her writings. She was known in Iran not by her given name Nosrat-e Amin, but by the indistinctive title, her chosen pen name, *banooye Irani*, the Iranian lady, or at times *banooye Isfahani*.<sup>22</sup> This title also intentionally emphasizes her identity as an Iranian rather than a Muslim.

### Her Work and Writings

Among those involved with religious scholarship in Iran her name is familiar, but her books are rarely read and can only be obtained through publishers with much difficulty. Throughout her writings her primary interest was *'erfan* (gnosis) and *akhlāq* (ethics) rather than gender-specific issues. Nowhere does she present herself as a woman, and the complex theological language of her work indicates that she does not expect to have women as readers.

One exception among her works is the short book entitled *Ravesh-e-Khoshbakhti wa Tawsiyeh be Khāharān-e Imānī* (The Way to Happiness and Advice for Sisters in Faith).<sup>23</sup> It is in this work that she defines her identity as an Iranian Muslim woman. The book, which addresses ordinary people and especially women, is written in Persian and is simple in style and form. Her stated aim in writing this book is to bring about an awakening to those who are deemed as having lost their way in the wake of the modern secular state.<sup>24</sup> She is concerned about the loss of traditional Islamic values such as the women's *hejab*. In that context she implies that the key to the knowledge of God can be found in the knowledge of self. Serenity and happiness can be achieved by two basic principles: 1) correct doctrine and 2) correct ethics. In short, all faith depends on understanding Divine unity. A derivation of the unity of God is the unity of human beings and therefore the immorality of one person or certain individuals

within a society can hurt the entire community. She goes on to say that the sin that is committed publicly is far worse than the sin committed in private and with that prelude she addresses the issue of women's veiling or *hejab*. She takes a very strong position and writes:

You, who consider yourself a civilized European-mannered woman, consider not wearing the *hejab* a small sin. It is in fact as grave as tearing the page of the Qur'an. If you are a Muslim this is not the Muslim way of life.<sup>25</sup>

Amin strongly supports the segregation of the sexes,<sup>26</sup> but she believes that Islam and its Prophet have placed women at the same level as men in all aspects of life. What she means by equality seems to be spiritual equality and not equality in public, social, and professional activities. This is evident in the following explanation she offers on Muslim women and what she describes as their triple duties: 1) towards her husband, 2) her children, and 3) other people and society.<sup>27</sup> She believes that the rights of a husband over his wife on the issue of *tamkin*, being available to satisfy the sensual/sexual desire of her husband, are among the most important duties according to sacred law.<sup>28</sup> She juxtaposes the right of the husband over his wife with the right of the wife over her husband; while adding that women have been exempted from the burden of earning a living and financially supporting the family, tasks the husband is obligated to do. This differentiation, according to Amin, is due to men and women's biological nature: a woman carries a child and gives birth, a task that men cannot take up. On this issue, her views are in line with other traditional prominent scholars of her time.

Abiding by the traditional understanding of Islam and matters of gender, she declares that the Prophet of Islam placed women at the same level as men and liberated them from slavery. He has given them the right to hold and control their own wealth, to sell and to buy property, to lease, and to bear witness, among other rights. Amin emphasizes the responsibility of a wife in the household, but refers to classic statements within the law stating that the husband should not obligate his wife to do housework, including that she is not obligated to nurse her own child; if she chooses not to, her husband is obligated to hire a woman for the task. A husband is required to maintain his wife in the lifestyle to which she is accustomed. The rights of women as directly pertinent to the traditional division of tasks, in which men work outside the home and women inside the home, remains intact in her interpretation.<sup>29</sup>

Amin's work shows ambivalence towards the social responsibilities of women. This ambivalence does not emerge from a belief that women can become involved in social affairs while abiding by the rules of *hejab*, but lies elsewhere. In one instance, she restates her position on the traditional gender-based division of tasks to argue against women taking a role in social issues by stating that this freedom will lead to immorality. She writes:

In the name of equality of men and women, they try to place the burden on the shoulders of both men and woman and that both should take part in the provision of the family and in involvement in social issues ... that absolute freedom "*azadi-ye motlagh*" is not only not beneficial for women but it also brings about corruption "*fesad*" and threatens the well being of the society."<sup>30</sup>

However, she proposes an alternative view that seems to be in contradiction with the one presented above. She states that a woman is able to become a mother, focusing on the wellbeing of herself and her family, or she can give up these responsibilities and take on public roles in society; to do both puts an unfair burden upon her.<sup>31</sup> At times, she states that men are stronger, but later in the book she revisits the subject and amends her earlier statement by observing that each sex has certain strengths. Elsewhere she states that women's capabilities have fewer limits than men's, acknowledging that foreign women have participated in public affairs, and that even in rural areas of Iran women have always worked as hard as men.<sup>32</sup>

More disturbing to her than the issue of women's public role is the view that not abiding by the rules of *hejab* is justified by the argument that the practice does not have a Qur'anic origin. She quotes verses of the Qur'an with the aim of presenting clear indications regarding the necessity of following the rules of *hejab*. On the one hand she sees the rejection of *hejab* as a move on the part of secularists, and on the other she blames it on the maltreatment of women by men who claim to be Muslim but in fact know nothing about the tenderness of spousal relationship which are part of Islam. It is such oppressive behavior that has led to what she refers to as the revolt of women against it.

Corruption of women, rejection of *hejab*, and adoption of improper clothing by women today is the result of the behavior of men in the past. They bring an innocent girl into their home and expect her to attend to the chores of the household during the day and stay awake all night attending to the children without getting any



praise. Instead the husband's family and relatives often add to her burden by saying hurtful things ... those who behave in such manner know nothing of the tradition of the Prophet regarding the relation between spouses.<sup>33</sup>

Hence, she blame on men as well as on women for denouncing public practices of Islam such as donning the *hejab* as a result of losing the more important elements of Islamic ethics of tenderness, kindness, and harmonious spousal relationship within the framework of marriage and family.

### A Forlorn Legacy

Although the religious schools for girls and women which Amin had funded are no longer in service, this part of her legacy has been praised. One of the goals of these schools was to create opportunities for girls who wished to be educated but were unwilling to give up their religious belief to do so. Their founding was a direct response to secularism and to the modernization of Iranian society. Amin's school created opportunities for women to gather and interpret the Qur'an. Women's gathering and participation in ritual practices have always been common in Muslim cultures as a freelance mode of education. These schools could have created a movement for women's entry into the realm of textual Islam and a gateway to official entry into the realm of 'authoritative' engagement with classical, textual Islam. Today, in 2013, in spite of the large number of women seminaries in Iran, and despite the fact that female graduates of the seminaries are numerous, there is still no women *marja'-e taqlid*. Many of the authoritative *mojtahedin* such as Ayatullah Ruh-Allah Khomeini, Ayatullah Javadi Amoli, and Ayatullah Morteza Motahari believed that the necessary conditions for being a *marja'* are not only being sane, an adult, a Twelver Shi'a, alive, and just, but also being a man. There are a few clerics who do not consider the condition of maleness as a mandatory element for a *marja'*; they are, however, isolated voices. Many women in Iran are unaware that they can earn the degree of *ejtehad*. Few who set on the path to earn it believe that women should become expert on women's issues within *feqh* and that they cannot become *mojtahede motlagh* (absolute *mojtahed* or *marja'e taqlid*), but only *mojtahed-e motejazi* (one who can determine the rules for themselves). Among these is a female *mojtahede*, Zohre Sefati (1948-), who is actively heading a committee on jurisprudence and law within an organization called Women's Socio-Cultural Council. Although she left her teaching position in Jami'at al-Zahrā because it had become more a venue for propagation rather than serious education by government initiatives,<sup>34</sup> she remained active in other venues of public life. On the issue of women becoming *marja'-e taqlid*, she is of the opinion that theoretically it is not forbidden

to emulate a female *marja'*, but that realistically women have not reached the status of *mojtahed-e motlaq* to function as a *marja'*.<sup>35</sup> I had always pondered about this question.

### An Interview

In 2009 I set out for Isfahan to meet Amin's most prominent student, the one-time principal of her school and her biographer, Banoo Homayouni, at the time age 90. I had spoken to her months before on the telephone to set up an appointment for the interview. She was alert and informed enough to ask me about recent wildfires in San Diego. I confirmed our appointment once I arrived in Tehran. However, my arrival at her house in a dead-end alley in a quiet neighborhood of Isfahan was met with a rather cold welcome. Knowing her strong views on the *hejab*, I had donned the traditional black chador. Somehow, my demeanour had instantly revealed to her that I am not an observer of the *hejab* while teaching in America, perhaps made suspicious by my readiness to let my chador drop to my shoulders without any other layer of head covering such as a scarf. It was practically after saying our hellos that she began to question me and found justification for a lengthy admonition. She scolded me for my lifestyle, as expressed in the two words *talaq gereftam*: "I am divorced" in response to her first question about whether I was married. Further, she rebuked me for what I do as a university professor, teaching *koffar*, "unbelievers". Throughout the long rant it became clear to me that her emotions had not been set ablaze simply by my appearance—which was perhaps perceived as immodest—or by the fact that I were divorced. There was a more serious reason for the anger she expressed. She referred to an ongoing twenty-one day Israeli blockade of the Gaza strip, which had recently led to the killing of over a thousand Palestinian men, women, and children. Sadly, as I continued to be berated, I did not get a chance to express that I condemn the Israeli attacks on civilians as well as the occupation and that I shared the sorrow of that tragic event. My repeated attempts to begin the interview by posing questions about her responsibilities and work at the school of Fatemeh failed. She said that I clearly did not have the spiritual capabilities to understand what she could tell me about *hazrat-e* Fatemeh Zahra, the proper respectful reference to the daughter of the Prophet.

Amidst her admonishments, I managed to utter the words: "Thank you for your time" and "Goodbye." I donned my chador, put on my shoes, opened the door, and let myself out. Astounded and dazed but unwilling to give up entirely after having made the long journey, I set out to visit her teacher's mausoleum and to search the city's bookstores and libraries for Amin's books. Thoughts of this meeting lingered and occupied my mind for days. In the media

reports, she had been portrayed as a spiritual woman, and in person she looked like an aged saint. I cannot help but ponder how different my encounter with Banoo Homayouni was in comparison with stories of sinners' encounters with mystic saints throughout Islamic history. Magnanimity, generosity, and kindness are characteristics of the saints, and all are absent from my memories of the house in Isfahan.

### Conclusion

The fact that women remain in the margins with regard to interpretation of the Qur'an, both in the field of *tafsir* and in the realm of *feqh*, is commonly known among Muslims as well as Muslim feminists and Islamicists. However, the self-marginalization of women as a result of the male-dominated societal constructs, popular myths, and customs affecting women's self-perceptions is not commonly identified as part of the conundrum. Male-dominated structures within the realm of religious discourse lead to the prominence of men in dissemination of religious knowledge and become a model for women's self-image. It is natural that in the transmission of religious knowledge, and by extension in the interpretation of the Qur'an, women's voices often resemble the discourses created by men. Amin is not an exception, and her views are most often a reiteration of the traditional viewpoint. It is thus ironic that in spite of her abiding by traditional Islamic norms of womanhood in her works, she broke the norm herself by engaging in the discourse. In a highly male-dominated field, she contradicts the traditional image and re-envision national religious womanhood by her perseverance in obtaining the degree of *ejtehad*. She emphasized attaining a national Muslim woman identity as symbolized by her pen-name *banooye Irani*. Unlike feminist theologians who struggle against systemic androcentric interpretations of religious texts for collective gain in the front for liberation of women, Amin's approach earned her personal knowledge and prestige. There is nothing left of the school she had founded, as it failed to produce students with spiritual, theological, or juristic knowledge. While many Muslim women throughout the world are involved in acts of liberation in their daily private and public life, the task of structuring a theology of liberation in their involvement with the sacred text in a textual formative way is yet to be undertaken.

### Endnotes

- <sup>1</sup> An earlier and more detailed version of this paper titled "Twentieth Century Shi'a *Mojtaheda*: Images and Self Images" was presented by the author at a panel of the Study of Islam section at the American Academy of Religion annual conference in San Diego in November 2007.

- <sup>2</sup> Disparity between men and women exists in all religious traditions, from Tibetan Buddhism with the unequal place and role of monks and nuns, to Orthodox Judaism with the disqualification of women from being part of the *Minyan*, to the controversial-ness of discussing ordination of women in Catholicism, and the illusive presence, yet unequal representation, of women in Hinduism, Jainism, and the Chinese traditions.
- <sup>3</sup> Muslim women and men, regardless of their gender, were highly engaged in the transmission of *hadith* (*naql*) in the early days of Islam. In fact, the wives of the Prophet had a prominent position, as Mothers of Believers, and played an important role in the process of transmission of *hadith*. However, the later writings, interpretations, and study of the *hadith* and *sunnah* were conducted predominantly by men.
- <sup>4</sup> For a comparative approach to the four Sunni *mazhabs* on the issue of marriage and divorce see Kecia Ali, "Progressive Muslims and Islamic Jurisprudence: The Necessity for Critical Engagement with Marriage and Divorce Law" in *Progressive Muslims*, edited by Omid Safi (Oxford: One World. 2003) 163-189.
- <sup>5</sup> Marjorie Proctor-Smith, *In Her Own Rite: Constructing Feminist Liturgical Tradition* (Nashville: Abingdon Press, 1990), pp. 15-16.
- <sup>6</sup> Proctor-Smith, p. 16; Amina Wadud's methodology in her *Qur'an and Women: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press. 1999) appears to be highly influenced by Christian feminist liberation theologians, particularly Proctor-Smith.
- <sup>7</sup> It should be noted that *taqlid* is allowed only in *furu'-e din* or secondary rules and not in *osul-e din* or principles of religion.
- <sup>8</sup> Recently there have been efforts across the globe to change this predicament. Women's Islamic Initiative in Spirituality and Equality (WISE), and its global advisory council of Muslim women scholars and activists (the Shura Council), is one among others that have taken up the initiative to address women's leadership roles in religious interpretation and spirituality. WISE's long-term goal is matriculating Muslim women scholars of Islamic law from all around the world in a doctoral program. See, Perin Gurel, "Feminine Fatwas" in *Azizah*, Vol. 6, issue 2, p. 32. Also, Tayyibah Taylor and Zahra Ayubi, "Muslim Women Scholars and Religious Authority," in *Azizah*, Special Report, Vol. 6, issue, 2, p. 30-32.
- <sup>9</sup> Not to be confused with Al-Zahra University in Tehran founded in 1964 (an accredited all female university with graduate and undergraduate programs in various fields of sciences, social science, and humanities) formerly headed by Zahra Rahnavard, wife of Mir Hossein Mousavi Iranian presidential candidate in the 2009 elections. Both Mousavi and Rahnavard have been under house arrest since 2010.
- <sup>10</sup> For a detail treatment of Women's Seminaries see Keiko Sakurai, "Shi'ite Women's Seminaries (howzeh-ye 'Elmiyyeh-ye Khaharan) in Iran: Possibilities and Limitations" *Iranian Studies*, 45:6, 727-744.
- <sup>11</sup> The story is noted in biographies of *hazrat-e Massumeh*. I recounted it from memory.

- 12 Such is the case not only in university settings but in seminaries as well. In other words, the large numbers of women who attend women's seminaries mostly specialize in *tafsir* of Qur'an, *kalam* (theology), ethics, or Arabic grammar and syntax. See Keiko Sakurai, "Shi'ite Women's Seminaries (*howzeh-ye 'Elmiyyeh-ye Khaharan*) in Iran: Possibilities and Limitations" *Iranian Studies*, 45:6, 727-744.
- 13 There is discrepancy regarding her date of birth. Information provided on the first page of one of her biographies gives her birth date as 1265-1362 AH (solar Jalili calendar) which is 1886-1983 in the Gregorian calendar. Banoo Amin's own short handwritten autobiography written in Arabic states her birth date as 1912 AH (Islamic lunar calendar). That is 1895 in Gregorian calendar. The autobiography is one of the documents included in the following biography of Amin by Nahid Tayyibi. See, Tayyibi, Nāhīd. 2001. *Zindagānī Bānū-yi Irānī: Banuū-yi Mojtahedah Nusrat al-Sādāt Amin*. Qum: Sābiqūn.
- 14 Aḥmad ibn Muḥammad Ibn Miskawayh. (940-1030) was a prolific writer. Amin translated passages from Miskawayh's Arabic language work *Tahdhib al-Akhlaq*. See, Amin, Nuṣrat, and Aḥmad ibn Muḥammad Ibn Miskawayh. 1981. *Akhlaq va rāh-i sa'ādat: iqtibās va tarjamah az Ṭahārat al-'Irāq ilbn Miskawayh*. Tih-rān: Nahzat-i Zanān-i Musalmān.
- 15 At age fifteen she had her first child, and subsequently several other children. Only one son lived, others died in childhood of prevalent diseases during World War II.
- 16 A short two- plus page hand- written autobiography of Amin written in Arabic does not mention four of her books. It was in possession of her prime student Zinat-e Homayouni (known as Alavi-ye Homayouni). It was she who later compiled and edited a detailed biography of Amin entitled, *Zendegani-e Banoo-ye Irani*, published in 2004 in Isfahan.
- 17 The handwritten official letters of these authorities are found as an addendum to some of Amin's books as well as the following autobiography. *Zendeganiye Banooy-e Irani*, edited by Alavi-ye Homayouni, (Isfahan: Golbahar publishers) 1382/2003. 275-286.
- 18 An example of this can be found in the prominent figure of sheikh al-Ta'ifa. For a century after his passing, his work and creative methods were being emulated by jurists who came after him. This is not to say that there have not been those who have broken the habit of emulation and have gone beyond their predecessors and criticized their work. Shaikh Tusi is one such example. In his book *As-Sarair* he severely criticized the work of Shakh al-Ta'ifa.
- 19 *Resale-ye Amali-ye* is a guidebook for all matters in life from rituals such as ablution and prayers to banking, marriage, and divorce regulations. A *marja'-e Taqleed* by compiling a guidebook often stamped by the mentor who approves its authority by so doing.
- 20 Plural of *mojtahed*.
- 21 Amin is credited for the establishment of two schools for girls, *Dabiristan-e Dukhtaran-e Amin* and *Maktab-e-Fatemeh*.

- 22 Such indistinct naming is not without precedent. Born in 1308 A.H, Maryam Khanom Khatoonabadi, daughter and wife of renowned Isfahani cleric of the time composed poetry since the age of twelve under the pseudo name "Banoo" (lady). *Daeratul-Ma'aref Zane Irani (Encyclopedia of Iranian Women)* Vol. II. edited by Asadullah Mo'azami Goudarzi, (Tehran: Markaze Mosharekate Zanan), 1382 (2003) 557.
- 23 Nusrat Khanum. 1961. *Ravesh-e khoshbakhti va tawşiyeh be-khwāhān-e imānī* Işfahān: \_Saqaḫī.
- 24 She wishes to prompt both men and women to consider the point that the immorality that she saw prevalent in the society is due to eradication or frailty of faith in the origins of life and in the hereafter.
- 25 Mojtahede Amin, *Ravesh-e Khoshbakhti* (Isfahan: Neshat Publishers, no date (henceforth *Ravesh*), p. 23.
- 26 She quotes Fatima, daughter of the Prophet, who is believed to have said: "there is nothing better for a woman than not to see any men and for no men to see her." See, *Ravesh*, p. 98.
- 27 In elaborating on the three duties, she switches from the "duties of a woman" toward children to the "duties of parents" toward children. *Ravesh*, Mojtahede Amin, (Isfahan: Neshat Publishers, n. d.), p. 64-7.
- 28 For more on the issue of *Tamkin*, see, Ziba Mir-Hosseini 'Tamkin Stories from a Family Court in Iran', in Donna Lee Bowen and Evelyn A. Early ed. *Everyday Life in the Muslim Middle East* (Bloomington: Indiana University Press, 2002), pp. 136-50.
- 29 *Ravesh*, pp. 63-4.
- 30 Ibid. p. 73-4.
- 31 Ibid. p. 74-5.
- 32 Ibid. p. 78-9.
- 33 Ibid. p. 95.
- 34 Mirjam Künkler and Roja Fazaeli, "The Life of Two Mujtahidahs: Female Religious In Twentieth Century Iran" in *Women, Leadership, and Mosques: Changes in Contemporary Islamic Authority*, edited by Masooda Bano & Hilary Kalmbach (Boston: Brill, 2012) 127-160.
- 35 Ibid. 152-153.

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