

2. Background and methods in the thought of Fatima Mernissi

There are a number of approaches to academic philosophy. Not all of them become important fields of study. Feminist philosophy is one of those approaches that has not had a central place in academic philosophy. In response to the current radical changes in academia, however, the question of which approaches are of most interest may be shifting. Indeed feminist philosophy has been gradually gaining acceptance. For this reason, it is one of the focal points in this study. Feminist philosophy plays an important role in transforming traditional philosophical problems and concepts in the mainstream of academic philosophical debate. It critically analyzes the ways in which traditional philosophy reflects and perpetuates bias against women. Feminist philosophy defends philosophical concepts and theories that assume women have the same rights as men.¹

In the first part of this study, I introduce the concept of gender justice as a feminist philosophical concept. The aim is to shed light on a different aspect of feminism than the discourses that have developed in the context of Western feminism tend to focus on. Feminist and gender discourses are culturally and socially constructed and rooted in different contexts. They vary from place to place, time to time, language to language, and ideology to ideology. Therefore it is fair to say that today, debates about gender equality, about women's political, legal, and socioeconomic rights, must be transcultural. In this sense, the task is to rethink the issue of women's rights in the Global South and the Global North by considering the various social contexts such as class, race, ethnicity, and faith. Accordingly, this research addresses academic debates that develop and expand theories of feminism that are confined within sociocultural boundaries, norms, and stereotypes. It explores an alternative discourse on feminism in Islam by analyzing the contemporary thought project of Fatima Mernissi, whom I have selected because she is a Maghrebian thinker. Before I begin to situate the structure of this research, I give an overview of Mernissi's thought. The ideas I briefly introduce here are helpful in situating her thinking on gender justice and postcolonial theory. The subsequent chapters will analyze her

¹ Hall and Ásta 2021.

concepts and theories in more detail in terms of their intellectual development and change.

Fatima Mernissi (1940–2015) received her PhD in sociology from Brandeis American University in 1974 with a dissertation entitled *The Impact of Modernization on Male-Female Dynamics in a Muslim Society: Morocco*. Her dissertation was published in a book entitled *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society* (1975). This book became one of the classic texts in cultural studies in the United States and was reprinted several times and translated into French under the title *Sexe, idéologie, Islam*. In 1975, Mernissi returned to Morocco and became a professor of sociology at the University Mohammed V in Rabat. Through her academic writings and her numerous activities in the civil and educational fields, Mernissi became known as a defender of women's rights in Morocco and in Muslim countries. One civil society project that was close to Mernissi was Synergie Civique, a project that ran from 1997 to 2004. Mernissi arranged with selected NGO leaders for an exchange of ideas between their intellectual members (musicians, intellectuals, artists, poets, and writers). The members of two of these NGOs helped Mernissi with her research and formed a bridge between the people of rural and urban Morocco. She helped the NGOs and groups write and publish collaborative books. She also organized writing workshops in Tunis that led to the publication of the anthology *Tunisiennes en devenir*.² Moha Ennaji (2020) argues that Mernissi's activism in civil society plays a prominent role in her shift from a secular to an Islamic feminist approach to defending women's rights. He writes:

Her contact with women from different socio-economic and cultural backgrounds helped her get into grips with the reality of Moroccan women on the ground. This action had a strong impact on the evolution of her writings and perspective on women and society and on the pragmatic approach and practical ways leading to their empowerment.³

This biography shows that Mernissi is a theoretical scholar who has drafted academic books to convey her thoughts on feminism. At the same time, she is also an empirical researcher interested in practical work. Mernissi bridges the theoretical and empirical realms of research. Her shift from secular to Islamic theories of feminism is the result of her diverse intellectual education. Her goal was to empower Moroccan women and Muslim women in general. Thanks to her meticulous work on the cultural history of Arabo-Islamic heritage and the presentation of an alternative image of women, Mernissi is considered one of the most prominent figures in

2 Talahite and Ennafar 2017: 68.

3 Ennaji 2020: 6.

feminist thought not only in the Maghreb but also in the wider Muslim world and beyond.⁴

During the Arab revolution of 2011, there was a demand for justice. The issue of women's rights continues to be a subject of debate between modern and traditional adherents. In most Muslim countries, women are eager to defend their rights and resist the assumptions of traditionalists. Today, it is imperative to revisit the issue of feminism in Islam in order to challenge the fundamentalist interpretation of Islamic heritage. For this reason, Mernissi's thought is helpful because she rethinks the Islamic heritage to address women's rights. Moreover, Mernissi's thought actively engages with contemporary debates about freedom, individualism, and freedom of thought, which are current issues in most Arabo-Islamic societies.

An article dedicated to Mernissi asks the question, "Le concept de 'Réflexivité est-il connoté culturellement? (Qu'en est-il en particulier dans le monde 'arabo-musulman?'" (2004). In this article, Wolfs and el-Boudamoussi not only target Mernissi as a feminist thinker, but they also portray her as a reformist Muslim thinker. They attempt to reveal the perspective from which most Muslim culture prescribes the meaning of autonomy, freedom of thought, and freedom of expression, defined as modern secular ideas. Hence they refer to Mernissi's book *Islam and Democracy Fear of the Modern World* (1992- 2002) and confirm that the concepts of autonomy, freedom of thought, and freedom of expression reactivate a feeling of fear. According to Mernissi, this fear is based on three historical aspects of the history of Islam : first, the pre-Islamic era, in which these terms are etymologically linked to the notions of egoism and arrogance, which were considered the personal character of humanity before the spread of Islam. Mernissi would argue that the fear of autonomy and freedom of thought and expression in the collective memory of most Muslims is activated because these precepts are reminiscent of chaos and violence, and of the polytheism that prevailed in Mecca in the pre-Islamic era. Second, in the collective memory of most Muslims, the concepts of autonomy, freedom of thought, and freedom of expression recall the history of Islam after the death of the Prophet Muhammad, when the Kharijite sect attempted to establish political justice by killing the despotic leader. In other words, autonomy, freedom of thought, and freedom of expression are associated by most Muslims with the violence and disorder of the Kharijites. Third, most of Muslim culture teaches that one should feel a sense of social solidarity with and loyalty to the ummah, the community of Muslims. In this sense, autonomy and freedom of thought and expression could endanger the unity of the Muslim community.⁵

Following a similar line of thought, Mernissi revives Al-Hallaj's (d. 922) philosophical stance by defending the concept of self-direction (freedom). Wolf and

4 Talahite and Ennaifar 2017: 68.

5 Wolfs and El-Boudamoussi 2004 : 23.

Boudamoussi argue that the fear that most Muslims have of the concepts of autonomy, freedom of thought, and freedom of expression cannot obscure the fact that there were Muslim thinkers in the 9th century who fought to assert these ideas. Al-Hallaj was among the Muslim intellectuals who defied political authorities because the ideas of autonomy, freedom, and freedom of thought that he defended threatened the leader's despotic regime.⁶

That article shows two contradictory understandings of the concept of autonomy, freedom, and freedom of thought. On the one hand, these terms remind most Muslims of the disorder and tyranny in the pre-Islamic period and after the death of the Prophet Muhammad. They remember the chaos, the assassination, and they see the contradiction with the idea of the community of Islam. For these reasons, fear of these ideas usually prevails in most Muslim culture. On the other hand, these ideas were the intellectual argument of some earlier Muslim intellectuals who were against the political despotism of their time. In modern times, autonomy, freedom, and freedom of thought are demanded by several Muslim individuals who seek their rights and protest against their dictator. Thus, one could conclude that Mernissi gives these terms the connotation of fear to describe the psychological feeling that most Muslims feel towards modern secular ideas. This fear is related to Islam's past socio-cultural history. Mernissi addresses Muslim individuals to correct the thinking that leads to this fear. She wants to state that in our modern times, autonomy, freedom, and freedom of thought are the basic rights of human emancipation.

It is instructive to look into this article dedicated to Mernissi, because it presents Mernissi as a revolutionary feminist thinker. She revisits the concepts of autonomy, freedom, and freedom of thought held by many Muslim citizens today expressing their opposition to their dictatorial rulers, especially during the Arab Revolution of 2011. This makes Mernissi's thoughts a challenge for our times. In what follows, the aim is to understand according to which philosophical feminist theories Mernissi advocates gender justice. The question must be asked: What are the fundamental problems of modern Muslim societies that Mernissi intends to examine as part of her revival of the Islamic heritage?

Situating Mernissi's feminist thought: Her contributions both to secular and Islamic feminism

In Mernissi's work, I am particularly interested in her defense of women's rights, which she conceptualizes in two ways: Mernissi defends Muslim women's rights within both the secular feminist approach and the Islamic feminist approach. In what follows, I briefly present her contribution to these feminist theories.

6 Wolfs and El-Boudamoussi 2004: 23.

On the one hand, one could argue that Mernissi is interested in the approach of secular feminism because it improves democracy and grants civil rights to women. I refer here to secular feminism as elaborated by Western feminists and by which Mernissi herself was influenced at the beginning of her intellectual career. Secular feminism emerged in the mid-1850s with a liberal stance that sought women's rights to political activism, to full citizenship including universal suffrage, to self-determination, and to higher education.⁷

Mernissi defends the same rights as secular feminists in her early writings. An example of these rights would include a woman's right to participate in political decision-making, her family law rights, and her social and economic rights. To realize these rights, Mernissi sees the secular modern regime as guaranteeing the rights of all women, including Muslim women, as it renounces the patriarchal interpretation of Islamic tradition by creating a modern legal system. In other words, the secular regime is based on the separation of the state and religion, thus, preventing the interference of religion and its use in the public affairs of the state. According to Mernissi, Muslim women should be able to demand political, social and legal justice without being restricted by fundamentalist religious groups.

To shed light on the connection between secular insight and the demand for political, legal, and social rights within feminist discourse in the Arabo-Islamic world, it should be noted that the first feminist movement in the Arab world emerged in Egypt in the early twentieth century.⁸ The goal of Muslim secular feminists was initially to open up public space for women as citizens so that they could freely participate in political and social life. In other words, Muslim secular feminists believed that equality between men and women should be realized primarily in the form of political and social equality. This meant that women, as members of society, should participate in public life on an equal footing with men. Secondly, they believed that it should be realized in the religious sphere, that is, in the private sphere of family law, as far as legislation in Islam is concerned. In fact, the Muslim secular feminists called for legislative and legal reform where, for example, the woman can legally go through the divorce process while the man should fulfill his family responsibilities. However, Muslim secular feminists have failed to call for a complete reform of Islamic legislation. As a result, Islamic legislation based on Shari'a law continues to be constrained today by religious interpretations that conform to patriarchal ideas. This is the case even though the understanding of Shari'a law varies across Muslim countries, depending on their cultural and social background.⁹

One could argue that Muslim feminists have recognized that a comprehensive demand for women's rights in countries that apply Shari'a law requires the devel-

7 Hawthorne 2007: 539.

8 Badran 2009: 243.

9 Badran 2010 a: 27–28.

opment of Shari'a-based legislation. It is true that secular feminism has fulfilled its historical role in most Muslim countries by paving the way for women's entry into politics and society.¹⁰ However, since the Arab revolution, we have seen the rise of a phenomenon called political Islam. Muslim women are still affected by the domination of men over religious discourse.

On the other hand, Mernissi's shift from secular to Islamic feminism indicates her recognition that women cannot exercise their rights without the improvement of Islamic laws. Therefore, Mernissi's defense of Muslim women's rights focuses on Islamic feminist theory. Indeed, she attempts to reveal the egalitarian rights of women within the Islamic heritage. Mernissi does this within the framework of interpreting the established texts of Islam. In doing so, she attempts to expose the falsity of many Hadith (sayings of the Prophet Muhammad) and to point out the patriarchal and misogynistic interpretation of some verses. In this context, I would like to define the theory of Islamic feminism in order to better situate Mernissi's thinking within this feminist theory.

"Islamic feminism has been a widely discussed phenomenon since the emergence of the term in 1990s".¹¹ Islamic feminist discourse is, thus, represented by (Arab) Muslim feminist scholars who challenge the patriarchal readings of the Qur'an and the Hadith. They point out that it is not the texts themselves, but their interpretation which has enabled the patriarchal traditions in Islamic culture. Indeed, Islamic feminists argue that the Qur'an contains principles of gender equality and broader issues of gender justice.¹² Islamic feminism seeks to discover a hidden meaning of Islam that promotes social justice and equality. For example, Islamic feminists re-read Islamic sources to show that the inequalities enshrined in Islamic jurisprudence (*fiqh*) do not represent Islamic heritage or an irredeemably backward social system, but are constructions of patriarchal interpretations.¹³

The movement of Islamic feminism involved not only Muslim women; feminists of different beliefs have been able to contribute to this movement.¹⁴ For example, women who have converted to Islam, women who are not Muslims, and even secular (Muslim) women could contribute to Islamic feminism.¹⁵

As a working method, Islamic feminist scholars apply hermeneutic interpretation (*tafsir*) of the Qur'an and Hadith, as this methodology is vouched for in the tradition of Islamic legacy. In other words, they rely on the time-tested right of intellectual struggle (*ijtihad*), alongside the use of linguistic, historical, sociological, and

¹⁰ Mir-Hosseini 2006: 644.

¹¹ Kynsilehto 9: 2008.

¹² Kynsilehto 9: 2008.

¹³ Mir Hosseini 2006: 642.

¹⁴ Cooke 1999: 95.

¹⁵ Badran 2009: 247.

anthropological tools,¹⁶ to reveal the egalitarian message of the Qur'an and Hadith. Indeed, they value the full potential of Islam, which they believe provides social justice, including gender equality.¹⁷

Islamic feminists believe that Islam upholds equality between men and women. They see Islam's message as different from and even contrary to the assumptions of patriarchal Islamists and official religious scholars who seek to impose their narrow view of Islam on Muslim women.¹⁸ While the ideals of Islam originally called for human equality, patriarchal beliefs have been replaced over time with theological, legal, and social theories that place Muslim women in an inferior position.¹⁹

Islam has been reframed to mean that "Women are created of men and for men; women are inferior to men; women need to be protected; men are guardians and protectors of women; also female sexuality differs, and is dangerous to the social order."²⁰

According to Mir-Hosseini and Ennaji, most opponents of Islamic feminist discourse fall into three broad categories: Muslim traditionalists, Islamic fundamentalists, and secular fundamentalists. First, Muslim traditionalists reject Islamic feminism because it challenges their eternal, valid, and dogmatic interpretation of Shari'a law. Second, Islamic fundamentalism developed in the Middle East and North Africa. It is in an increasingly open power struggle with the ruling state elite in the Arab world. Islamic fundamentalists are against Islamic feminism because they do not accept progress within Islamic thought and practices, but want to return to an earlier, 'purer' version of Islam.²¹ Third, secular fundamentalists are Western and non-Western advocates who argue that religion should be abandoned so that Muslim women can achieve their emancipation and liberation.²² Secular fundamentalists believe that Islamic feminism threatens their project, because Islamic feminism represents a renewal and reinterpretation of Islam based on equality between the sexes. This is in contrast to the stereotypical picture they try to paint of Islamic culture, in which they claim that Islam, at its core, has nothing in common with justice and equality. These opponents of Islamic feminism have one thing in common: an essentialist and non-historical understanding of Islam and Islamic law.²³

Having outlined secular and Islamic feminism as the basic insights of Mernissi's feminist thought, I must point out that there are scholars who claim that secular and

16 Badran 2009: 247.

17 Badran 2001: 50.

18 Badran 2001: 50.

19 Mir-Hosseini 2006: 642–643.

20 Mir-Hosseini 2006: 642–643.

21 Mir-Hosseini 2006: 642–643.

22 Ennaji 2020: 4.

23 Mir-Hosseini 2006: 644.

Islamic feminism diverge. They argue that secular feminism, and even the idea of feminism itself, "has strong associations with political modernity [and] is similarly a construct associated with European modernity."²⁴ Therefore, feminism is considered to result from a Western secular feminist approach, which is based on the tradition of modernity and criticizes all religious beliefs. In contrast, Islamic feminism is grounded in Islam as a religion that takes for granted "strict rules and norms about existence and behavior."²⁵

To respond to these claims, one could argue that there are points of convergence between secular and Islamic feminist discourse. One could argue that both discourses share the goal of emancipating women from the patriarchal cultural structures of their societies in order to realize their political, social, and legal rights. Indeed, women's rights and feminism are the common theme that both secular and Islamic discourses seek to defend.²⁶ Moreover, Islamic feminism demands the right of everyone to speak about women and Islam. In this way, Islamic feminists work against Islamist orthodoxies and Western prejudices about Islam. Through their work, they encourage debate between Muslim and non-Muslim scholars, which could also help establish a dialogue between different approaches to feminism.²⁷ From this perspective, Margot Badran affirms:

Islamic feminism is a global phenomenon. It is not product of East or West. Indeed, it transcends East and West. As already hinted, Islamic feminism is being produced at diverse sites around the world by women inside their own countries, whether they be from countries with Muslim majorities or from old established minority communities. Islamic feminism is also growing in Muslim Diaspora and convert communities in the West.²⁸

Islamic feminism is a global and transcultural feminist movement. It unites women from different cultures to defend the cause of women's rights. It rejects the conventional interpretation of the Qur'an and Hadith, which perpetuates the subjugation of women. It opposes male domination in religious discourse. It gives woman the right to prove her equality with man in Islam. In this sense, Islamic feminism accomplishes what secular feminism does not; that is, the reform of religious discourse.²⁹

24 Seedat 2013: 30.

25 Moghadam 2007.

26 Badran 2009: 246–247.

27 Pepicelli 2008: 99.

28 Badran 2002: 4.

29 My presentation of the thought of Mernissi in workshops in Tunisia and in Germany was consistently met with two intellectual confrontations. a) Some claim that Mernissi is a purely secular Western scholar who erases Islamic heritage and identity in her writings. I counter that those who claim this are not well informed; Mernissi turns to Islamic feminism to pro-

In the following, I would like to clarify that by applying the poststructuralist method of Islamic feminist hermeneutics to the interpretation of Islamic legacy, I am able to situate Mernissi as a postcolonial thinker. Indeed, my purpose is to emphasize the similarities between Islamic feminism and postcolonial theory.

Islamic feminist hermeneutics as an entry to the field of postcolonial study

Is Mernissi a postcolonial thinker? As I mentioned above, Mernissi, like other Muslim feminist scholars, is concerned with the rewriting of Islamic history and the reinterpretation of Islamic texts. Thus, she is interested in the scholarship of religious hermeneutics and historiography.³⁰ In my definition of Islamic feminism, I present the hermeneutic approach as the main method used by Islamic feminists with the aim of interpreting a different reading of the basic sources of Islam—the Qur'an and the Hadith.

It is important to clarify that hermeneutics was first used in theology as biblical hermeneutics, which deals with the general principles for the proper interpretation of the Bible. More recently, hermeneutics has been further developed as a research tool in a number of disciplines, including feminism. The adaptation of the hermeneutic method in feminist theory results from the influence of poststructuralists and postcolonial theories on Western secular feminist movements in 1990;³¹ Islamic feminism also experienced the same influences.

tect Islamic heritage from Western stereotypes and misunderstandings and to denounce male patriarchy. b) Others argue that Mernissi never claimed to be an Islamic feminist. Scholars who claim this are afraid of the label of Islam. For them, Islamic feminism is synonymous with the approach of traditional and fundamentalist Islamism. They do not realize that Islamic feminism serves to emancipate Islamic thought from patriarchal and fundamentalist interpretations.

30 Cooke 1999: 95.

31 Hawthorne 2007: 540.

In this sense, the hermeneutics applied is Islamic feminist hermeneutics³² incorporating three approaches that operate together in order to introduce a renewed interpretation of the Islamic heritage that contradicts the patriarchal constructions: First, within the framework of the hermeneutic method, Islamic feminists propose rethinking the Qur'anic verses and Hadith in order to correct patriarchal interpretations that have become common among Muslims; for example, the assumption that women are inferior to men. Second, Islamic feminists cite Qur'anic verses that clearly proclaim equality between men and women. Third, they deconstruct verses that purportedly illustrate and justify male supremacy.³³ In this way, Islamic feminists re-contextualize Qur'anic verses and sayings of the Prophet in relation to the modern era of human existence. This connects their use of hermeneutics and their renewed interpretation of Islamic heritage to the socio-cultural circumstances in which Muslims live and experience today. As part of their hermeneutical method, they employ important tools such as etymology and the genealogy of concepts. As I will show, Mernissi uses the Islamic feminist hermeneutics in conjunction with linguistic and socio-historical approaches to deconstruct traditional metaphysical premises about Islam.

In this context, one could further argue that Mernissi's thought opens the way to a revision of religious knowledge. She attempts to deconstruct the monolithic composition of Islamic texts and thereby reform their rigid historical and cultural understanding. In this way, Islamic feminist thought itself is at the center of the postcolonial approach. When it comes to feminism, the word Islam does not stand for a particular identity or faith, but for a constantly renewing discourse dedicated to deconstructing, reinterpreting, and reforming cultural and historical Islamic knowledge. Similarly, postcolonial thought aims to expose the falsification of various interpretations in relation to religious, cultural, and historical knowledge. In fact, postcolonial thought seeks to reevaluate and reconstruct a renewed understanding of this knowl-

³² I use the expression "Islamic feminist hermeneutics" with reference to Raja Rhouni. In her article entitled "Rethinking 'Islamic Feminist Hermeneutics': The case of Fatima Mernissi," Rhouni employs the same expression with reference to the Islamic thinker Nasr Hamid Abu Zeid, who she says describes the work of Islamic feminist scholars as "feminist hermeneutics of the Qur'ān." Furthermore, the term hermeneutics is used by Asma Barlas in her book "Qur'ānic Hermeneutics and Women's Liberation," wherein she highlights that the concept of hermeneutics is represented as a Western concept and alien to Islam. In contrast, Margot Badran affirms that hermeneutics is intrinsic to the Qur'ān; she defines hermeneutics as an interpretative methodology, and affirms that the Qur'ān provides interpretations, and thus employs hermeneutics. See Rhouni, Raja (2008): "Rethinking 'Islamic Feminist Hermeneutics': The case of Fatima Mernissi". In: Anitta Kynsilehto (ed.) *Islamic Feminism Current Perspective*. Finland: University of Tampere Finland, fn. 1.

³³ Badran 2009: 248.

edge.³⁴ The work of postcolonial scholars often consists of other readings of established texts and provokes new and refreshing investigations of canonized knowledge. They read the canon more skeptically, curiously, and exploratively.³⁵

In the same line of thought, Islamic feminism aims to deconstruct the patriarchal construction of the masculine in Islam by using the approaches of postcolonial thought as poststructuralist methods of thinking, including hermeneutics. Islamic feminism liberates Islam from male domination. It proposes a different reading of the Islamic canon. In this context, Mernissi opposes the monolithic constitution of Islam introduced in the obscurantism of the “Grand Récit”³⁶, based on a narrow ideological system of historical explanations that illustrates knowledge without examining the past, present, and future horizons.³⁷ Mernissi proposes a fragmentary and deconstructive re-reading of religious texts.³⁸ A fragmentary approach involves a rational reading of the Qur'an and the Hadith within a pluralistic interpretation of the text. Her method is based on interrogating, reorganizing, reconstituting, and interpreting the cultural and historical circumstances of Islamic knowledge with the aim of presenting a new way of thinking about Islam.³⁹

One might add that Islamic feminism makes similar intellectual inquiries as postcolonial feminism. For example, Islamic feminism develops its theory not from the experiences of women in Western culture or in former colonies, but from the conditions of Muslim women living with the social and cultural challenges of their societies.

The idea of justice in Mernissi's work: A multi-dimensional approach

As noted above, the concept of justice is discussed in Mernissi's work on women's rights, and indeed feminist thought is one of the main themes in her work generally. However, justice is not a limited concept but rather has various characteristics. Majid Khadduri, for example, analyzes various aspects of justice in his book *The Islamic conception of justice* (1984). He does not, however, address gender justice.

In most of the earlier writings on justice in Arabo-Islamic thought, gender justice was not considered an area of interest. In this study, I shall elaborate on the concept of gender justice as presented in Mernissi's work through my own interpretation of her political, legal, epistemic, and social conception of justice, as these concepts are revealed through profound interpretation of her thought. Accordingly,

34 Moura 1999: 149–150.

35 Said 1994 b: 78.

36 Benalil 2010: 20.

37 Angenot 2001: 61–62.

38 Benalil 2010: 20.

39 Benalil 2010: 20.

Mernissi understands political justice within the framework of the establishment of democracy in Muslim societies, namely as a representative democracy that gives all citizens an equal right to participate in political decision-making.

With this understanding, Mernissi advocates a normative definition of representative democracy which assures all citizens the right to freely express their opinions by choosing their representatives in elections. Furthermore, I argue that Mernissi advocates legal justice by emphasizing the modern constitutional contract of the Universal Declaration of Human Rights (UDHR), which is the foundation of humanist ideas. In doing so, she contradicts the traditional Islamic contracts of legislation, for example regarding the personal status law (*Mudawana*), also known as the family code, in Moroccan law. The *Mudawana* is based on Shari'a law, which, according to a patriarchal interpretation, makes most Muslim women second-class citizens.

I argue that Mernissi demands social justice by exposing the situation of workers, especially Moroccan women; indeed she demands social protections, and in fact calls for favorable working conditions in the first place. Finally, Mernissi highlights the problem of education in Morocco and its relationship to class structure, where she argues for epistemic justice to create an egalitarian education system that serves both the working class and the wealthy.

Following my interpretation of Mernissi's concept of political, legal, social, and epistemic justice, I conclude that there is an interrelationship between these different areas of justice. Political justice is based on the principle of participation, on the idea of fair representation of citizens, and demands equality among individuals. By granting all individuals the right to express their political opinions, political justice is related to legal justice. The legal contract of the UDHR is based on the secular, modern, humanistic values that protect human rights by assuring individuals their freedom of thought and expression, which is also considered the foundation of democracy. Finally, political and legal justice provide good conditions for the creation of social justice. So the question arises: where might I place the issue of gender justice, introduced as a major theme in Mernissi's thought, among the areas of political, legal, social, and epistemic justice?

Based on the idea of moral egalitarianism, which assumes the equality of all human beings, a Muslim woman has the right, as a human being, to participate in political life; she also has the right to be equal to man in the field of legislation and in the private and public spheres of human interaction. In addition, most Muslim women have the right to education and work, among other social rights. In this regard, gender equity should be realized in most Muslim societies through political, social, and legal reforms.

In addition, Mernissi's reference to early Arabo-Islamic philosophy is discussed in this study in terms of its theoretical significance. The so-called "golden age" of Islam (c. 8th to 13th centuries) is an important source of reference for many contempo-

rary Arabo-Islamic intellectuals through which to interrogate and reinterpret their civilizational heritage. Her reactivation of early Islamic thought of the 9th century of Islamic civilization has a constructive significance, as it shows an enrichment of the philosophical tradition at that time which promoted a transcultural openness to other schools of thought. In this way, the research elaborates the symbolic dimension of the transculturality of early Arabo-Islamic philosophy and interprets this dimension as partly responsible for the affirmative reference to this heritage by contemporary thinkers such as Mernissi.

In the Mu'tazilites of the 9th century, Mernissi focuses on a rationalist school in the history of Islam that distinguishes between human and divine justice. According to this school, humans must use their own reason to provide justice on earth. Moreover, the Mu'tazila problematized the relationship between rulers and ruled, and advocated popular participation in decision-making processes. On this basis, Mernissi criticizes blind obedience to religious authorities—such as the imam—and argues for more political participation rights. This is relevant for contemporary Muslim societies when it comes to the demand for political justice in the sense of democracy.

Shifting themes and methods in the work of Mernissi

Nouzha Guessous (2016), one of the commentators of Mernissi's work, divides that work into three periods. The first of these was from 1973 to 1985, and is characterized by the boldness of her revolutionary thinking. During this period, Mernissi aims to deconstruct the historical arguments used to justify and maintain the segregation of most Muslim women in the name of Islam. Her book *La femme dans l'inconscient musulman* (1982), published under the pseudonym Fatna Ait Sabbah, was evidence of her revolutionary stance. The second period was 1985–1990 with publications such as *Beyond the Veil Male-Female Dynamics in Modern Muslim Society* (1975–2003), *Le harem politique: le Prophète et les femmes* (1989) (English translation: *The Veil and the Male Elite: A Feminist Interpretation Of Women's Rights In Islam* (1991), and *La Peur-modernité: Conflit Islam et démocratie* (1992) (English translation: *Islam and Democracy Fear of the Modern World* (2002). Mernissi addresses Western readers. She criticizes and relativizes their interpretation of Islam with the aim of changing their stereotypical image of most Muslim women. The third period extended from the last years of the 1990s until her death in December 2015. It is characterized by the diversity of topics and methods of her research. For example, Mernissi conducted action research by giving prominent voice to women and men from different areas to improve their living conditions.⁴⁰

Moha Ennaji (2020) interprets Mernissi's intellectual career similarly. He too emphasizes the change and development of her thinking over three periods of time.

He asserts that “at the beginning of her career, her work and approach were overtly secularist. [Mernissi] criticized the different institutions that subjugate women and discussed the strategies of resistance they embrace in their daily fight for survival and dignity.”⁴¹

This was the first phase of her career, which is known for its secular feminist approach. The second phase of her career consists of her activism in civil society, which she had previously introduced through her work in civil society and with civil organizations such as the NGO. She established links between rural and urban society in Morocco. She organized academic workshops. She also helped women from villages in the rural Rif areas to exhibit and display their crafts and art in national and international galleries.⁴² Mernissi’s goal was to empower Moroccan women and allow them to participate independently in the economic and social spheres of society. In this study, I do not address her activism in civil society, as my research focuses more on her theoretical work. I use current data to find out how the position of Maghrebian women has improved over the recent decades.

The third phase of her career includes her involvement in the field of Islamic feminism. In this vein, Ennaji argues:

Mernissi’s book *The Veil and the Male Elite* displays a drastic shift from her earlier secular feminist approach to Islamic feminism. It attempts to reinstate the initial egalitarian dimension of Islam by means of a progressive re-reading of some scriptures, in the Qur'an and the *Hadith*, which purportedly show women’s inferior social status in the religion. The book is a fascinating ‘revision of a few misogynous *Hadiths* that are believed to be sound but that she sees as incongruous with the egalitarian politics of Prophet Muhammad’.⁴³

Hence, Mernissi allows for a progressive interpretation of Islam by opening a space for most Muslim feminist scholars to claim their rights within their Islamic tradition and heritage. In this way, scholars prominent in the field of Islamic feminism today, such as African American scholar Amina Wadud, consider Mernissi not only a follower of Islamic feminism, but the mother of Islamic feminism. Wadud has called her ‘one of our greatest foremothers.’ Others see her as the one who gave confidence to the idea of Islamic feminism and its struggle for human dignity, equality, and social justice at a time when Western feminism was still Eurocentric, anti-religious, and not Third World enough.⁴⁴

Mernissi, thus, draws on different approaches and methods (i.e. secular and Islamic) to defend women’s rights. This shows her transculturality and her openness

41 Ennaji 2020: 3.

42 Boutni 2017: 30–37.

43 Ennaji 2020: 7.

44 Kynsilehto: 2008 9–14.

to Western theories of feminism. Mernissi is aware that the universal thoughts on gender justice are to protect women from male domination. Thus, the defense of gender equality is a global issue.

Method and structure of the research

My working method in this study is reconstructive, analytical and argumentative. Therefore I cannot deal with Mernissi's contemporary intellectual project without presenting her rich and detailed work. Mernissi's project is highly descriptive, as is her reactivation of 9th century Muslim rationalist thought, pre-Islamic female deities, and Muslim rebels in earlier Islam.

Thus, in the context of Mernissi's historical description, I show what her goal is in her return to and revisionism of Islamic heritage. However, my critical approach also includes her descriptive account. I refer to her normative claims, which I attempt to examine in the context of this research.

Following this, I present the most important of the books that I focus on in this research. From among her many works, I have chosen Mernissi's scholarly book entitled *Islam and Democracy: Fear of the Modern World* (2002) specifically because by examining it I can show the extent to which Mernissi is both a secular feminist and an Islamic feminist thinker. As mentioned earlier, I consider Mernissi a secular feminist because she introduces modern secular humanism, which she considers a principle that drives the spread of humanist ideas such as freedom, freedom of belief, and autonomy in Muslim societies. Moreover, I consider Mernissi's insight into secularism, namely by emphasizing the idea of separation between religion and the state. In focusing on the aforementioned book, I conceptualize Mernissi as an Islamic feminist thinker by examining her historical investigation and reactivation of the rational thought of the Islamic tradition, which she does by referring to several scholars from the pre-Islamic period to the 9th century.

To shed light on the question of insight into Islamic feminism in Mernissi's work, I refer to other of her writings to highlight her interest in interpreting religious texts such as Hadith (sayings of the Prophet Muhammad) and Qur'an. Among these writings, I have selected *The Veil and the Male Elite* (1991), in which Mernissi discusses the issue of the veil in Islamic legacy. I also present her scholarly book entitled *The Forgotten Queens of Islam* (1993) (original title: *Sultanes Oubliées* (1990), not to introduce the queens of Islam whom Mernissi introduces historically, but to point out the implicit message that Mernissi wanted to convey to the reader when she authored this book. These three scientific texts form what is called "the trilogy of Mernissi." After this scientific trilogy, Mernissi "shifted her interest from scientific books to fiction."⁴⁵

45 Rhouni 2010: 9.

As for Mernissi's books of fiction, I focus on two of her novels in this study: the first is an autobiographical novel entitled *Dreams of Trespass: Tales of A Harem Girlhood* (1994); the second is a novel entitled *Scheherazade Goes West: Different Cultures, Different Harems* (2001). The purpose is to examine Mernissi's feminism from a transcultural perspective. Mernissi's deconstructive reading of several myths related to Islamic culture and women in Islam are outlined. As an example, I discuss how she deconstructs the myths of an essentialist Arabo-Islamic identity, the myth of a subordinate Muslim woman, and the myth of the harem. Mernissi does this by arguing that there are multiple identities and ethnicities in Muslim world. She also dispels the Orientalist stereotype that portrays women in Islam as subordinate and lacking intellectual capacity by challenging it as a sexist view of Scheherazade.

Furthermore, Mernissi deconstructs the myth of the harem as a place of sexual desire, where women appear naked and seductive to satisfy the desires of men, by introducing the harem of Fez where she grew up and where the uneducated women refuse to accept their subordinate status. In addition, Mernissi points out that the West also has its harem, which means that the harem culture is not limited to Islamic culture, but also reaches the West, albeit with different ideas and symbols.

The last part of this study focuses on Mernissi's article, "Palace Fundamentalism and Liberal Democracy: Oil, Arms, and Irrationality" (1996) and her interview, "The New Arab Mass Media: Vehicle of Democracy" (2006). With these two works, Mernissi returns to the Islamic heritage of Sufism and introduces two concepts: adab—the art of dialogue and communication—and movement—specifically, the crossing of boundaries. These concepts are used to deconstruct the myth of boundaries (*hudud*), which stands for cultural boundaries that prevent cultural communication on a transcultural level. The purpose is to explore Mernissi's vision of a transcultural world where cultures can engage in dialogue regardless of borders. In her view, transcultural dialogue should be promoted with a strong notion of pluralistic democracy and global justice.

The thematic outline of this research is as follows: The first chapter introduces Mernissi's concept of secular humanism. The second chapter addresses her concept of justice and explains her political, legal, social, and epistemic conceptions of justice. The third chapter introduces Mernissi's reactivation of Islamic heritage from the 9th century. In the fourth I examine Mernissi's transdisciplinary approach to establishing her concept of gender justice in Islam. In the fifth chapter, the research situates Mernissi's contemporary intellectual project within the perspective of transcultural feminism. Finally, I evaluate Mernissi's thinking according to my personal point of view.