

The life of two *mujtahid*ahs: Female Religious Authority in 20th century Iran

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A nascent stream of scholarship has brought to light the quite significant involvement of women in the transmission of *ḥadīth*, especially between the 10th and 16th centuries.¹ Jonathan Berkey, Renate Jacobi, Muḥammad Akram Nadwi, Richard Bulliet and Asma Sayeed have documented why within Islamic scholarship the field of *ḥadīth* transmission was particularly amenable to women, especially when compared to theology and law.² By contrast, the role of women in the generation rather than transmission of Islamic knowledge is yet little documented. Although numerous references to individual examples of female theologians, and at times even Islamic jurists, exist, their lives and work have hardly been the subject of scholarly inquiry. In the case of modern Iran, we know of more than 100 women, mostly daughters and wives of influential scholars, who made a name for themselves in fields of Islamic learning, among them dozens who received the *mujtahid* rank. Yet their presence in the [end page 127] contemporary literature is limited to brief references to their names and origins. Analyses of their works and contributions to Islamic knowledge, as well as the limits thereof, are still wanting.

The present chapter introduces two Iranian female *mujtahid*ahs, Nuṣrat Amīn (1886-1983) and Zuhrah Ṣifātī (1948-), who represent like few other contemporaries the status of female religious authority in 20th century Iran, divided by the important cesura of the 1979 revolution. Nuṣrat Amīn is one of the most influential *Shī'ah* female religious authorities of modern times, who in her own right granted

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¹ For a brief overview of the literature and introduction to some biographical collections, see Mirjam Künkler, "Of 'Alimahs, Wa'izahs, and *Mujtahid*ahs: Forgotten Histories and New State Initiatives", manuscript.

² See Jonathan Berkey, 'Women and Islamic Education in the Mamluk Period' in *Women in Middle Eastern History*, ed. Nikkie Keddie and Beth Baron, (New Haven: Yale University Press, 1991), 143-57, 144; Renate Jacobi, "Gelehrte Frauen im islamischen Spätmittelalter," in *Nonne, Königin, Kurtisane: Wissen, Bildung und Gelehrsamkeit von Frauen in der frühen Neuzeit*. Ed. by Michaela Hohkamp/Gabriele Jancke, Königstein 2004, 225-246; Muhammad Akram Nadwi, *Al-Muhaddithat: The Women Scholars in Islam*, (Oxford/London: Interface Publications, 2007); Richard W. Bulliet, 'Women and the Urban Religious Elite in the Pre-Mongol Persian', in *Women in Iran, From the Rise of Islam to 1800*, ed. Guity Neshat and Lois Beck, (Champaign: University of Illinois Press, 2003), 68-79; Asma Sayeed, 'Muslim Women's Religious Education in Early and Classical Islam' in *Religion Compass* V, no. 3 (2011), 94-103.

men *ijāzahs* of *ijtihād* and *riwāya*.³ Zuhrah Şifātī is the most prominent female religious authority of the Islamic Republic and was a long-time member of the Women's Socio-Cultural Council (*shūrā-yi farhangī ijtimā-i zanān*), where she headed the committee on *fiqh* and law. Both women's work was strongly influenced by the socio-political environment in and against which they defined themselves. Nuşrat Amīn experienced Iran's Constitutional Revolution of 1906 in her early twenties, Zuhrah Şifātī the 1979 Revolution in her early thirties. While Amīn underwent her formative period as an Islamic scholar at a time when *madrasahs* were slowly replaced by secular public schools and religious courts by the apparatus of a modern state judiciary, Şifātī experienced the reversal of some of these reforms when the 1979 Revolution sought to Islamicize the entire legal system and expand the status of religious learning.

A comparison of the two women's lives and works shows the extent to which political circumstances have shaped the opportunities for women to aspire to and acquire religious authority. The theoretical framework this volume adopts between female initiative, male invitation and state intervention helps our understanding of the career paths these female scholars chose. In the case of both women, their own initiative was key to propel them to the knowledge and scholarship they produced. Male agency played a role in so far as it was Amīn's father who supported her intellectual interests and financed [end page 128] her studies even after she was married. For Şifātī, it was male invitation that allowed her to be considered a candidate for the Socio-Cultural Council to which she was eventually appointed. Even though membership in this council did not elevate her access to and engagement with scholarship, it did endow her with a degree of institutional authority that helped the dissemination of her works, and the media's disposition towards interviewing her on matters of public interest. The state, by contrast, despite its strong regulation of religion and of education both before and after the 1979 revolution, played a surprisingly small role in facilitating the scholarly achievements of the two women. It was not state schools or state-funded higher education that furthered these women in their paths. When Nuşrat Amīn opened a girls' *maktab* in the 1960s, this was diametrically opposed to the educational policies of the Shah's White Revolution. If anything, she defined herself against the contemporary educational project of the state. When the Islamic Republic opened the first women's *hawzah* (*Jāmi'at al-Zahrā'*) in the mid-1980s, Zuhrah Şifātī initially joined it as an instructor at the highest level of learning (*dars-i khārij*), but left the *hawzah* later when she felt a state-initiated curriculum reform had transformed the institution from one of scholarship to one of propagation training. Today, she still offers private lessons. State intervention then in both cases, across the reign of Muḥammad Reza Shah and the Islamic Republic, rather obstructed than facilitated women's theological training. It can be said that both women owe their achievement primarily to their own initiative, not male invitation and not state intervention, although male invitation was often a facilitator.

³ *Ijāzah-i ijtihād* is the permission to engage in *ijtihād*, usually appended to a book or other writing, certifying that the one who is granted the permission has studied the materials thoroughly to the teacher's satisfaction and is fit to interpret the sources. *Ijāzah-i riwāya* is given to capable scholars who are deemed apt at transmitting *aḥādīth* (sayings of the prophet) and, in the *Shī'ah* world, the *akhbār* (interpretations of the *Shī'ah* imams), so as to ensure a reliable chain of the transmission. For a detailed discussion of the concept of *ijāzah*, see, for instance, George Makdisi, *The Rise of Colleges. Institutions of Learning in Islam and the West*, (Edinburgh: Edinburgh University Press, 1981), 140-148.

A Note on Sources

An examination of female religious scholars in Iran and their status in the field of religious learning entails certain challenges. The scholars' main writings are available in less than five North American and European libraries, and secondary sources are extremely rare. Only few biographies (*zindagīnāmah*) of Amīn and Şifātī exist in Persian.⁴ [end page 129] The present research relies on primary documents, such as the *tafsīr* of Amīn and other writings of the two women, published interviews with the two, as well as scholarly commentaries on Amīn's and Şifātī's writings, and discussions of the two *mujtahidahs* in Iranian women's magazines and other media. This material has appeared in Persian, French, Spanish, Italian, English and German. Not a single doctoral dissertation or other scholarly monographs seems to have been written on the works of these women, or for that matter on other female religious scholars in twentieth-century Iran.⁵ Fortunately, Şifātī has given a number of interviews to the Iranian press and international media that indicate some of her political and theological positions. Amīn's life has been the subject of three biographies as well as several short biographical entries.⁶ Several of Amīn's writings (such as her *tafsīr Makhzan al-'Irfān* and her later mystical works) and two [end page 130] of Şifātī's books are available in a few university libraries in

⁴ The three main biographies of Nuşrat Amīn are Nāşir Bāqirī Bīd'hindī, *Bānū-yi nimūnah: gilwahāyī az hayāt-i bānū-yi mujtahidah Amīn Isfahānī*, (Daftar-i Tablīqat-i Islāmī-yi Hawzah-yi 'ilmīyah-yi - Islamic Propagation Office of the Religious Seminaries Qom), Markaz-i Intishārāt, Qom 1382 [2003], Marjān 'Amū Khalīlī, *Kawkab-i durri: [Sharḥ-i ahvāl-i bānū-ye mujtahidah Amīn]*, (Tehran: Payāme 'Adālat, 1379 [2000]), and Nāhīd Tayyibī, *Zindagānī-yi Bānū-yi Irānī: Bānū-yi Mujtahidah Nuşrat al-Sādāt Amīn*, (Qom: Sābiqūn Publishers, 1380 [2001]). Tayyibī's text seems at times to glorify Amīn, perhaps because Tayyibī wrote under the supervision of Zīnah al-Sādāt Humāyūnī (b. 1917), Amīn's most prominent female student who later administered the school Amīn established in the mid-1960s in Isfahan. The relationship of the other two biographers to their subject is not known. There is a *yādnāmah* that Tayyibī cites, but rather than an autobiographical memoir, it is a booklet published in preparation of the two conferences held in honor of Amīn in 1992 and 1993. (On the conferences, see note 10.) The booklet includes reprints of several of the *ijāzahs* that Amīn received and issued. See *Yādnāmah-i bānū-yi mujtahidah Nuşrat al-Sādāt Amīn: mashhūr bi Bānū-yi Irānī*, (Isfahan: Vizārat-i Farhang wa Irshād-i Islāmī; Markaz-i Muṭālā'āt-i wa Tahqīqāt-i Farhangī, 1371 [1992]). The one biography of Şifātī that we are aware of was only recently published: Faribā Anisī, *Bānū Şifātī Zan-i az Tabar-i Khurshīd*, Markaz-i Umūr-i Zanān wa Khānivādah, Nahād Riāsat-i Jumhūrī, 1388 (2009).

⁵ Two MA dissertations we are aware of are Shaīsta Nadrī, *Tahqīq dar Zindagī-yi Bānū Mujtahidah Amīn wa Barresī Tafsīr Makhzan al-'Irfān* (A Research on the Life of Lady Mujtahidah Amīn and A Study of Tafsīr-e Makhzan al-'Irfān), Azad University of Tehran, defended 1998 under supervision of Mansūr Pahlavan; and Rāḍiyah Manīa, *Ravish-i Shināsī Tafsīr-i Makhzan al-'Irfān Bānū-yi Mutjtahidah Amīn* (The methodology of the Tafsīr Makhzan al-'Irfān by Lady Mutjtahidah Amīn), Islamic Azad University, Science and Research Branch, no date. We have not had access to the two theses.

⁶ The short biographical entries can be found in Haji Mulla 'Alī Wa'īz-i Hiyabanī Tabrizī. *Tarīkh-i 'ulamā'-i mu'ashirīn*. (Tabriz, 1366 [1947] (also 2003)), 311-25; Pūrān Farrukh'zād, *Dānishnāmah-i zanān-i farhangsāz-i Irān wa jahān: zan az katībah tā tarīkh*, (Tehran: Intishārāt-i Zaryāb, 1378 [1999]); Fakhrī Qavīmī, *Kārnāmah-i Zanān-i mash'hur-i Irān dar 'ilm, ādab, siyāsāt, maz'hab, hunar, tā lim wa tartib az qabl az islām tā 'asr-i hazir*, (Tehran, Vizārat-i Āmūzish wa Parvarish, 1352 [1973]); Muḥammad Ḥasan Rajabī, *Mashāhīr-i Zanān-i Irānī wa Pārsī'gūyi: az Āghāz tā Mashrūtah*, (Tehran: Surūsh 1995); Dhābiḥ Allāh Maḥallātī, *Rayāhīm al-sharīah dar tarjumah-i dānishmandān-i bānūwān-i shī'ah*, (Tehran: Dār al-Kutub al-Islāmīyah, 1374 [1954]; and Aḥmad Bilishtī, *Zanān-e nāmdar dar Qur'ān, Ḥadīth wa Tarīkh*. Vol. I, (Tehran: Sazman-i Tablīqat-i Islāmī 1989), 122- 126.

Europe and North America.⁷ Amīn’s earlier more sophisticated legal works, by contrast, seem to be available only at Princeton, Harvard and SOAS. Secondary literature in languages other than Persian mentions either scholar only in passing and hardly ever dedicates more than one or two sentences to their works and socio-political impact.⁸ Despite the outstanding position she acquired as the leading *mujtahidah* of 20th century Iran, Amīn’s work is not widely known and referenced.⁹ The few engagements with her scholarly work that do exist in Persian are more of political than scholarly nature.¹⁰

The present article offers only brief overviews of the two scholars’ biographical data, some theological and political positions they have held, and how they have shaped their environment by virtue of these as well as their public role. Much work is needed to place the scholars’ lives and works in their historical context and to illuminate how their works interact with the discourses and socio-political circumstances of their time, to what extent they reflect or challenge predominant religious [end page 131] interpretations, and how far the scholars intellectually venture onto new ground. It is our hope that the introduction provided in this chapter will incite such future work, and illuminate through informed scholarship how they initiated and shaped developments in female religious authority of 20th century Iran.

Nuṣrat Amīn (1886-1983): From the *Maktab Khanah* to *Maktab-i Fāṭimah*

Nuṣrat Amīn, also known as *Hajjiyyih Khānum Nuṣrat Amīn Bigum*, was born in Isfahan in 1886.¹¹ Apart from distinguishing herself in the fields of *ḥadīth* and *fiqh*, she was also a revered mystic and writer on ethics.¹²

⁷ Zuhrah Ṣifātī, *Ziyārat dar partaw-i vilāyat: sharhī bar ziyārat-i ‘Āshūrā*, (Qom: Mujtama‘-i ‘Ulūm-i Dīnī-i Hazrat-i Valī-i ‘Asr, 1376 [1997]) and *Pazhūhishī fiqhī pīrāmūn-i sinn-i taklīf*, (Tehran: Nashr-i Mutahhar, 1376 [1997 or 1998]).

⁸ The only exceptions with regard to Nuṣrat Amīn here are Roswitha Badry, ‘Zum Profil weiblicher ‘Ulama’ in Iran: Neue Rollenmodelle für ‘islamische Feministinnen?’’, in *Die Welt des Islams* XL, no. 1. (March 2000), 7-40 (Ṣifātī finds no mention in Badry’s article) and the excellent article manuscript by Maryam Rutner, *The Changing Authority of A Female Religious Scholar in Iran: Nuṣrat Amīn*, 2009.

⁹ Her work is catalogued in Western libraries under a myriad of different names and references which can make searching for her works an ordeal. As noted below, she is sometimes referred to as simply “Banoo/Banu Amin”, “Lady Amin,” “Banoo/Banu (Amin) Isfahani/Esfahani,” “Banoo/Banu Irani,” or “Nosrat/Nuṣrat Khanom/Khanum.”

¹⁰ Characteristically, the book that seems to be very closely associated with her “work” is a translation she published of Aḥmad ibn Muḥammad ibn Miskawayh’s (d. 1030) *Tahdhīb al-Akhlāq* (The Refinement of Character) towards the end of her life. Even the volume that brings together the contributions to two conferences that were held in Amīn’s honour in Tehran in 1992 and 1993 is substantively very thin. Few speakers seem to have read any of her works carefully. Interestingly enough, ‘Alī Larijānī, parliamentary speaker since 2008, belongs to those who seem to have concerned themselves more deeply with her work. In particular, he discusses the very last book she published, written in Arabic: *al-Nafaḥāt al-Rahmānīyah fī al-Vāridāt al-Qalbīyah*. See *Majmū‘ah-i maqālāt wa sukkhanrānīhā-yi avvalīn wa duvumīn Kungrih-i Buzurgdāsh-t-i Bānū-yi Mujtahidah Sayyidah Nuṣrat Amīn (rah)*, Markaz-i Muṭāla‘āt wa Taḥqīqāt-i Farhangī, Daftar-i Muṭāla‘āt-i Farhangī-i Bānūwān, Qom, 1995 (1374).

¹¹ Most library catalogues indicate her birth year at 1890 or 1891, although her biographies name 1886.

Amīn's religious education began in a local Isfahani *maktab khanah* (Qur'ān school) where she studied the Qur'ān and Persian literature. Amīn married at the age of fifteen and continued her studies in the Islamic sciences *fiqh* (jurisprudence), *uṣūl al-fiqh* (principles of jurisprudence), and Arabic, *hikmat* (metaphysics) and *falsafa* (philosophy).¹³ [end page 132] Her main teacher at that time was Ayatullah Mir Sayyid 'Alī Najafabādī (1869-1943), who, it is said, taught Amīn private classes in her own house.¹⁴ Even after her marriage, it was her father, an Isfahani merchant, rather than her husband who financed her religious education.

Nuṣrat Amīn's first work *al-Arba'īn al-Hāshimīyah* was published in the late 1930s and found much acclaim, particularly in Najaf.¹⁵ Shortly thereafter, some of the leading contemporary 'ulamā' began to post questions to Nuṣrat Amīn in order to probe her knowledge in the various fields of religious learning and her familiarity with the sources. These questions and her responses were later published in the book *Jāmi' al-Shatāt*. Her teachers and interlocutors included Ayatullah Muḥammad

¹² Her most detailed biographies are noted above in footnote 4. Magazine articles that shed light on the portrayal of Nuṣrat Amīn in the Islamic Republic include "Panjumīn Namāyishgāh-i Qur'ān-i Karīm: jilwī'ī arzishmand az ḥuḍūr-i bānūwān-i qadīm-i Qur'ān" (The Fifth Exhibition of the Great Qur'ān: A Valuable Display of the Presence of Female Servants of the Qur'ān). In *Zan-i Ruz*, (No. 1641: 8-11, January 25, 1998); and "Bānū Amīn: Bāyad az Qishr-i Khānum-hā, 'Alim wa Mujtahid Tarbiyat Shawad," in *Zan-i Ruz*, (No. 1372: 6-11, August 15, 1992), as well as the conference publication (see Muavānat-i Farhangī, *Majmū'ah-i maqālāt*). The conference publication includes papers by Muḥammad Khatamī (then Minister of Culture and Islamic Guidance and later President of Iran), 'Alī Larijānī (later parliamentary speaker), Zuhrah Ṣifātī and others. Obviously, governmental sources need to be treated with care, as some contort Nuṣrat Amīn's biography to depict her as a role model in the current political environment. Indications of this can be found on the numerous official and unofficial websites on the scholar. At the fifth Qur'ān exhibition in Tehran in 1998, an entire separate room was dedicated to Amīn's writings and Qur'ān commentary. Of note is also the TV Series planned in 2004 (but to date not realized) on the "sole woman jurist". The serial had been approved in 2000 under the Khatamī presidency, and would consist of 13 episodes of 30 minutes' duration each.

¹³ Rasul Tudih Zarih, *Bānū Amīn: Her Life, On the Occasion of the anniversary of the death of Mujtahidah of the World of Islam, Haji-ye Lady Amīn Known as Bānū-i Īrānī, Pāyghāh-i Iṭṭilā' rasānī-i Ḥawzah-hā-yi 'Ilmīyah-yi Khawharān*, 1999, <http://www.hawzah.net/hawzah/Magazines/MagArt.aspx?MagazineNumberID=4015&id=22611>, accessed 8 August 2008. Nuṣrat Amīn's husband was her cousin Haj Mirza (also known as Muīn al-Tujjar). Her father is known by the name of Haj Sayyid Muḥammad 'Alī Amīn al-Tujjar. His sister Hāshimīyah al-Tujjar is said to have been a *mujtahidah* herself who received *ijtihād* degrees in *fiqh* and *uṣūl*. Further, Nuṣrat Amīn seems to have had a niece, Iffat al-Zamān Amīn (1912 – 1967 or 1977), also known as Iftikhār al-Tujjar, who received an *ijāzah* of *riwāya* in Najaf by Ayatullah Maḥmūd Hāshimī Shahrūdī, who served as the Head of Judiciary of the Islamic Republic of Iran 1999-2009. Nuṣrat Amīn was the wife of the brother of Iffat al-Zamān's father, Sayyid Aḥmad Amīn.

¹⁴ "Bānū-yi 'ilm wa Taqwā (The Lady of Knowledge and Piety)", *Payām-e Zan*, No. 5, July-August 1992 (Murdād 1371), p. 34. Also online at <http://www.hawzah.net/Hawzah/Magazines/MagArt.aspx?id=33228>. See also Sayyid Murtaḍā Abṭāḥī, "Bi Munāsibat-i Sālgard-i dar Gudhashtī Bānū Mujtahidah Amīn (On the Occasion of Annual Commemoration of Ms Mutjahida Amīn)", *I'timād-i Millī* Newspaper, No. 926, 27 Khurdād 1388 (17 June 2009), 10. Abṭāḥī writes that Amīn began her seminary studies (*tahsil-i ḥawzahvi*) with Shaykh 'Abd al-Kazim Zufri'ī (1844-1933), Ḥusayn Nizām al-Dīn Kuchī, Sayyid 'Abd al-Kazim Dihkurdi (1856-1935), and Mirza Āqā Shīrāzī (1877-1956). This is partially mirrored in Rajabī who states that she reached the *muqaddimah* (introductory) level with 'Abd al-Kazim Zufri'ī. See Rajabī, *Mashahir-i zanan-i Īrānī*, 23.

¹⁵ The following website credits Nuṣrat Amīn's aunt Hāshimīyah al-Tujjar with a work by the same title. We wonder whether it is possible that Hāshimīyah al-Tujjar began the work which her niece later completed. See: <http://pr.alzahra.ac.ir/artist-women/333-1389-07-04-11-38-23>, accessed March 30, 2011.

Kazim Yazdī (1832-1919), Ayatullah Ibrahim Ḥusaynī Shirazī Istahbanatī (1880-1959), Ayatullah Muḥammad Riza Najafī Iṣfahānī (1846-1943), Ayatullah Abdulkarīm Qumī, Ayatullah Muḥammad Kazim Shirazī (1873-1948), and Grand Ayatullah Abdulkarīm Ha'irī Yazdī (1859-1937), the founder of the Qom seminaries (*ḥawzahhā-yi 'ilmīyah-yi Qom*). After mastering the various inquiries, she obtained [end page 133] endorsements by an array of senior scholars and became widely recognized as an authoritative *mujtahidah* among *Shī'ī 'ulamā'*.¹⁶

By the 1930s, Ayatullahs Muḥammad Kazim Ḥusaynī Shīrāzī (1873-1947) and Grand Ayatullah Abdulkarīm Ha'irī Yazdī had both granted her *ijāzahs* of *ijtihād* and *riwāya*.¹⁷ Allamah Muḥammad Taqī Ja'farī (1924/5-1998) would go so far as to rank Nuṣrat Amīn among the very few exceptional *Shī'ah* scholars:

Having read the written works of this lady, I can say without any doubt that she should be named as one of the greatest *Shī'ah* scholars. Her scientific/scholarly methods are not only fully comparable to the works of other prominent scholars but given her attainment of highest levels of spiritual authority, she should be counted as one of the outstanding scholars.¹⁸

Grand Ayatullah Sayyid Ḥusayn Burujirdī (1875-1961) is said to have held her in highest regard and considered her on *par* with the leading *Shī'ah* scholars of her time. Allāmah Muḥammad Ḥusayn Ṭabāṭabā'ī (1904-1981) and Ayatullah Murtaḍā Mutahharī (1920-1979) are recounted as some of her revered visitors, and the contemporary Ayatullah Yusuf Sani'ī (b. 1937) would go so far as to rank Amīn as one of the most accomplished *Shī'ah* scholars of the 20th century.¹⁹ [end page 134] Despite these laudatory evaluations, it is difficult to ascertain the extent to which these scholars really engaged with her work. References to her writings that reveal deep familiarity with her work are wanting throughout the literature.

¹⁶ Such endorsements would usually take the form of an authorization to represent the interpretations of an established religious authority (the author of the *ijāzah*). For example, Ayatullah Muḥammad Riza Najafī-Iṣfahānī stated "I permit to this learned and noble Sayyidah, follower of the Holy Lady Fāṭimah al-Zahrā' (S.A.) to narrate from my side whatever I accept from the books of *ḥadīth*, *fiqh* (jurisprudence), *tafsīr* (interpretation) and *ad'iyah* (prayers)." Quoted in Ḥamīd 'Abdūs, "Bānū Amīn, Ālgū-i Zan Musalmān (*Lady Amīn, the Model of a Muslim Woman*)", (The Islamic Revolution Documentation Centre (Markaz-i Asnad-i Inghilāb-e Islāmī). 23 Khurdād 1386 [13 June 2007]), <http://www.irdc.ir/article.asp?id=1044>.

¹⁷ Other 'ulamā' from whom she obtained both *ijāzahs* of *ijtihād* and *riwāya* include Ibrahim Ḥusaynī Shīrāzī Iṣfahānātī (d. 1958), Ayatullah Sayyid Muḥammad 'Alī Najafabadī (1877-1939), and Ayatullah Murtaḍā Mazāhirī Najafī-Iṣfahānī. In addition, she received an *ijāzah-i riwāya* from Ayatullah Muḥammad Riza Najafī-Iṣfahānī. In the biographies by Tayyibī and Bāqirī Bīd'hindī as well as in the *yādnāmah*, several *ijāzahs* are printed, including those by Ayatullah Muḥammad Riza Najafī-Iṣfahānī (1846-1943), Ayatullah Kazim Shīrāzī, Ayatullah Iṣfahānātī, and Ayatullah Murtaḍā Mazāhirī Najafī-Iṣfahānī.

¹⁸ Muḥammad Taqī Jalīlī, *Bānū Amīn*, article from the series *Shakhshiyati-hā-yi Ḥawzahvi* (Personalities of the Seminaries), (Markaz-i Mudīrīat-i Ḥawzahhā-yi 'ilmīyah-yi Khawharān (Centre for the Management of Women's Seminaries), 1999), <http://www.kowsarnoor.net/index.php?action=article&cat=113&id=646&artlang=fa>.

¹⁹ See Ziba Mir-Hosseini, *Islam and Gender. The Religious Debate in Contemporary Iran*. (Princeton: Princeton University Press, 1999), 160.

Amīn herself granted *ijāzahs* of *ijtihād* and *riwāya* to her contemporaries,²⁰ including *ijāzahs* of *riwāya* to Ayatullah Sayyid Shahāb al-Dīn Mar‘ashī-Najafī (d. 1990), and to Zīnah al-Sādāt Humāyūnī (b. 1917), her most prominent female student who translated her first Arabic work (*Arba‘īn al-Hāshimīyah*) into Persian.²¹

In 1965, Amīn opened an all-girls Islamic high school (*Dabīrestān-i Dukhtarānih-i Amīn*) in Isfahan as well as an introductory Islamic seminary exclusively for women, called *Maktab-i Fāṭimah*.²² This was the first such institution on Iranian soil, and as such perhaps in the Shī‘ah world.²³ In the *maktab*, which counted between 600 and 1000 attendees, students were trained in Persian, Arabic, *fiqh*, *hikmat*, *‘irfān*, *tafsīr*, *uṣūl*, *falsafa*, *mantiq* and English. Students attended classes for three hours in the afternoon and could reach the end of the *muqaddimah* (introductory) cycle of a *ḥawzah* [end page 135] (Shī‘ah seminary) education.²⁴ This presented a unique opportunity for women – who otherwise hardly had access to a *ḥawzah* education – and as such probably laid a ground stone for the women’s *maktab*s that were set up a decade later in Qom and then in other cities of Iran, and

²⁰ That women used to grant *ijāzahs*, and used to do so for both men and women, was also common in medieval Islam. Goldziher writes for instance of “the learned Zaynab bint al-Sha’ri (d.617) [13th century] of Nisabur [...] whose *ijaza* in turn was sought after by men like Ibn Khallikan.”.... And “in Egypt learned women gave *ijazat* to people listening to their lectures right up to the Ottoman conquest. Amongst the learned members of the Zuhayra family there is a woman Umm al-Khayr whose *ijaza* is asked for in 938 by a visitor to Mecca.” Ignaz Goldziher, ‘Women in Hadīth Literature’ in *Muslim Studies*, vol. II. Chicago: Aldine Publications Co., 1966.

²¹ See Muḥsin Sa‘īdzadah (written under the name of his wife Mīnā Yādīgār Āzādī), “Ijtihād wa Marja‘īyat-i Zanān”, (*Ijtihād and Marja‘īyat of Women*), *Zanan Magazine*, Vol. 8, 1992, 24. See also Ḥasan Najafī, “Kitāb Shināsī Bānū Amīn,” *I‘timād-i Millī*, No. 946, 10, and Sayyid Murtaḍā Abṭāhī, *Bi Munāsibat-i Sālgard-i*. M. J. Fischer claims (perhaps based on Rajabī) that Nuṣrat Amīn was granted an *ijāzah* by Ayatullah Mar‘ashī-Najafī rather than the other way around. However, all her biographies and other sources insist that Amīn granted an *ijāzah-i riwāya* to Mar‘ashī-Najafī. See Michael M.J. Fischer, *Iran: from Religious Dispute to Revolution*, (Cambridge, Mass., London, Harvard University Press, 1980), 250. As students who received their *ijāzahs* from Amīn, Rutner also lists Ḥujjat al-Islām Zuhayr al-Ḥūsūn, Sayyid ‘Abbās Ḥusaynī Kāshānī, Sayyid Muḥammad ‘Alī Ghāzī Ṭabāṭabā‘ī, Sayyid Muḥammad ‘Alī Ruzatī, Shaykh ‘Abd al-Ḥusayn Amīnī, Shaykh ‘Abd al-Allāh Sabiyatī, and Sayyid Muṣliḥ al-Dīn Mahdāvī. Rutner, *The Changing Authority*.

²² Ḥamīd ‘Abdūs, *Bānū Amīn*, and Muḥammad Taqī Jalīlī, *Bānū Amīn*. Amīn also founded a mosque, the Fāṭimah Khānum Mosque, which is now used for prayers and religious instruction. It is located not far away from her tomb at the *Takht-i Fūlād*.

²³ We know of women’s sections in the *ḥawzah* (as opposed to female-only *ḥawzah*) at least since the early 19th century, such as the prestigious women’s section of the Ṣāliḥīyyah seminary in Qazvin, and later the women’s section of grand Ayatullah Sharī‘at-Madārī’s *ḥawzah* Dār al-Tablīgh in Qom.

²⁴ The *ḥawzah* is a complex of religious seminaries. A typical *ḥawzah* education comprises three levels of about four years duration each. The first is the level of *muqaddimah* (introduction), broadly equivalent to secular secondary school. Here students learn grammar, syntax, rhetoric and logic. The second cycle, *suṭūḥ* (surfaces of the texts), comprises an intermediate phase and an upper phase. Students learn the deductive methodology of jurisprudence and the principles of juridical understanding, *uṣūl al-fiqh*. The second level is broadly equivalent to undergraduate university studies. *Dars-i khārij* is the third cycle (“graduate” or “outside study”), comparable to doctoral studies. Students are trained through chiefly discursive means and debate. At the end of this cycle, students should obtain from one or several scholars the certification (*ijāzah*) that they are able to engage in *ijtihād*. Yet many students graduate as *muhassil* (literally student/ learner, someone trained in reproducing existing arguments) rather than *mujtahid* (someone trained to engage in *ijtihād*, and generate novel theoretical arguments). For an overview of a classical *ḥawzah* education, see Fischer, *Iran: from Religious Dispute to Revolution*, 63, 247-48; also Roy P. Mottahedeh: “Traditional Shī‘ite Education in Qom” in *Philosophers on Education: Historical Perspectives*, ed. Amélie Oksenberg Rorty. Routledge, 1998, 451-457.

later around the Shī'ah world.²⁵ From the beginning until 1992, *Maktab-i Fātimah* was directed by Amīn's most prominent student Zīnah al-Sādāt Humāyūnī.²⁶ Some of Amīn's students later became teachers in the *maktab*, others opened their own schools.²⁷

Both the high school and the *maktab* carried particular importance as they were set up at a time when the Shah had established in 1963 the so-called "Literacy Corps" (*Sipah-i Dānish*) and in 1970 the "Religious Corps" (*Sipah-i Dīn*) whose long-term goal was not only to extend literacy across the country, but also to replace *madrāsahs* and theological seminaries as important centres of learning by state-run secular high [end page 136] schools and Islamic Studies programs in the universities.²⁸ At the same time, it was nearly impossible for women to gain access to sophisticated training in Islamic sciences in the traditional *ḥawzah*. The fact that Amīn decided to establish the *maktab* and the all-girls high school at this time indicated her political independence, as well as her determination to ensure continuation of the tradition of female religious scholarship in Iran enface a secularizing state.²⁹ Both institutions seem to have been exclusively funded by Amīn, perhaps from her deceased husband's fortune.³⁰

Amīn's scholarly career was accompanied by personal hardship. During her lifetime, she lost seven of her eight children, mainly due to illness, and outlived her husband by nearly thirty years.³¹ She died four years after the 1979 revolution at the age of ninety-seven and her grave at the ancient cemetery of Isfahan, *Takht-i Fūlād*, continues to be a site of pilgrimage.

²⁵ See Roja Fazaeli and Mirjam Künkler, *New Opportunities for Old Role Models? Training female 'ulamā' in Jāmi'at al-Zahrā'*. Paper presented at the workshop *Clerical Authority in Shi'ite Islam: Knowledge and Authority in the Ḥawza*, held at the University of Exeter, December 9, 2009. Manuscript, forthcoming 2011.

²⁶ Beside translating one of Amīn's works, Humāyūnī is also the author of *Shakhshiyat-i Zan* (The personality features of woman), Tehran, 1369 [1990], *Zan mazhar-i khallāqiyat-i Allāh*, Tehran, Daftar-i Intishārāt-i Islāmī, 1377 [1998], further a translation of the book *Asrar al-ayat* by Muḥammad ibn Ibrāhīm Ṣadr al-Dīn Shīrāzī, Tehran, 1984. When Humāyūnī retired in 1992, Ḥajj Āqā Ḥasan Imāmi, a relative of Humāyūnī's, took over the directorship. See Tayyibī, *Zindaqānī*, 124, 'Amū Khalīlī, *Kawkab-i durri*, 125.

²⁷ See Tayyibī, *Zindaqānī*, 130f.

²⁸ George W. Baswell, "Civil Religion in Contemporary Iran" in *Journal of Church and State*, Vol. 21 (1979), pp. 223-246.

²⁹ For instance in Najafabad and Qom. Tayyibī notes that Amīn's student Zahrā' Mazāhirī taught religious studies to girls in Qom, "where [later] Maktab-i Tawḥīd was founded," the predecessor of Jāmi'at al-Zahrā'. For details, see Fazaeli and Künkler, *New Opportunities*.

³⁰ See *Yādnāmah*. Moreover, the all-girls high school presented an important alternative to the state-run coeducational schools and withdrew from those parents reluctant to let their daughters study in the company of men any justification to deny their girls access to education. Rutner writes that due to lack of female teachers for the high school, "only Persian literature was taught in the beginning. Later, male teachers were hired to cover other fields." Rutner bases this on the introduction to the Persian translation (conducted by Humāyūnī) of Amīn's *Al-Arba'īn al-Hāshimīyah*, p. L, which we have not seen.

³¹ Only her son Sayyid Muḥammad 'Alī Mu'īn Amīn survived her. See http://www.iqna.ir/fa/news_detail.php?ProdID=252803 and <http://www.magiran.com/npview.asp?id=1384159>. He and his wife, Furūgh al-Sādāt, took care of the house after Amīn's husband passed away.

Nuṣrat Amīn's Writings

Nuṣrat Amīn distinguished herself by numerous works in theology, mysticism, ethics and poetry and proved by example that women can advance their education and levels of theological qualifications to reach a level of theological (if not sociological or institutional) authority equal to men.³² [end page 137]

Amīn wrote works both in Persian and Arabic. Her first work was the mentioned *al-Arbaʿīn al-Hāshimīyah*, a collection of legal rules and commentaries written in Arabic on forty *ḥadīth*, which she completed in 1936 at the age of 50.³³ *Al-Arbaʿīn al-Hāshimīyah* was later translated into Persian by her student Zīnah al-Sādāt Humāyūnī.³⁴ A second work published in Arabic was *Jāmiʿ al-shatāt* [Collection of Small Pieces], the mentioned compilation of her responses to questions on *fiqh* and *kalām* posed by scholars of the *ḥawzah*.³⁵ It was on the basis of these two books that Amīn received her first *ijāzahs* of *ijtihād* in the 1930s. The third book Amīn published in Arabic is *Al-Nafaḥāt al-Raḥmānīyah fī al-Vāridāt al-Qalbīyah*,³⁶ which is predominantly a work of mysticism. Apparently, it was only translated into Persian in 2009.

Amīn's first publication in Persian was *Sayr wa Sulūk dar Ravish-i Awliyāʾ-i Allāh* [The Spiritual Journey of God's Saints], published in 1944, in which she describes paths towards spiritual fulfillment.³⁷ Notably, the book was first published under a man's name, "Muḥammad ʿAlī Amīn Nuṣrat," at a time when Amīn was already known in some circles as a *mujtahidah*. Perhaps she had chosen a pseudonym in deference of her husband.³⁸ Indeed, none of the works published during [end page 138] her lifetime appear under her name, but usually under the authorship of "yik bānū-yi Īrānī" ["an Iranian lady"].³⁹

³² We understand sociological authority here in the sense of social perceptions towards a female religious leader. Even if Amīn may have compelled skeptics due to her theological expertise, sociologically that expertise was limited due to her identity as a woman. With institutional authority we refer to authority due to the networks and discourses one is part of. As a woman, she lacked the institutional access to 'ulamā' networks and opportunities to engage in frequent discussions with her male colleagues.

³³ Published in Iran by al-ʿAlawiyah al-Amnīyah, 1959 or 1960, and in Damascus by Dār al-Fikr, 1978.

³⁴ The Persian translation was published as *Tarjumah-i Arbaʿīn al-Hāshimīyah*, Tehran: Hudā, 1365 [1986].

³⁵ Published in Isfahan by al-Matbaʿah al-Muḥammadīyah in 1344 [1965], but probably available as a manuscript much earlier. The collection of questions and answers was probably compiled by Ayatullah Murtaḍā Mazāhirī Najafī-Iṣfahānī, who granted Amīn an *ijāzah-yi riwāya* and is also listed as an "author".

³⁶ Re-printed in Isfahan: Intishārāt Gulbahār, 1376 [1997], but probably first published in 1369 AH/1329 AP [1950], and finished, according to Tayyibī (p. 92) in 1940 (1319 AP). It is not clear whether *al-Nafaḥāt* was an ongoing work or whether it was completed by 1940. A Persian translation appeared in 2009: Maḥdī Iftikhār (transl.), *Nasimhā-yi Mihrabānī: al-Nafaḥāt al-Raḥmānīyah fī al-Vāridāt al-Qalbīyah, Tarjimah wa Sharh* [Translation and Commentary], (Āyat Isḥrāq Publication, 2009). Tayyibī mentions an Iraqi journalist who came to visit Amīn in 1950 (1329 AP). According to Tayyibī, the story of his meeting with Amīn was published as a preface in a later edition of *al-Nafaḥāt*.

³⁷ Published in Tehran by Chāpkhānah-i Islāmī, 1323 [1944].

³⁸ Sources also indicate that Amīn's husband was unaware of her scholarship and was indeed surprised when he learned she had been awarded permissions of *ijtihād*.

³⁹ Similar patterns can be observed with regard to the work of other female religious authorities, such as ʿĀʾishah Abd al-Raḥmān of Egypt (b. 1913). The Egyptian female Qurʾān scholar published as

Her second book published in Persian was a translation of Aḥmad ibn Muḥammad ibn Miskawayh's (d. 1030) *Tahdhīb al-Akhlāq* (The Refinement of Character) from Arabic. It was first published in 1949 under the title *Akhlāq wa rāhī sa'ādāt: Iqtibās az ṭahārat al-Irāqī Ibn Maskuyih/Miskawayh*,⁴⁰ and is used as a text of instruction in moral philosophy until today in many universities and *ḥawzah*. Several of our interviewees associated Nuṣrat Amīn's name most closely with this book (and it seems to be a book frequently possessed by female and male *ḥawzah* students), without necessarily realizing that it is a work of translation.⁴¹

Her next book, *Ravish-i Khūshbakhtī wa Tawṣīyah bi Khwāharān-i Imānī* [The Way to Happiness and Advice for Sisters in Faith], published in 1952, was written in response to what she perceived to be the cultural ills of the societal elite of the time.⁴² It is her only work directed at a popular and predominantly female audience.

After the death of her husband, the first volume of Amīn's principles of tafsīr '*Makhzan al-'irfān dar 'ulūm-i Qur'ān*' [Source of Knowledge. Interpretations of the Qur'ān] appeared in 1956 and 14 other volumes followed during the next fifteen years.⁴³ The tafsīr was originally published as *Kitāb-i kanz al-'irfān dar 'ulūm-i Qur'ān*.⁴⁴ [end page 139] Fischer lists Nuṣrat Amīn's tafsīr as the key text used in an introductory course on rules of conduct and Islamic law in the Islamic Studies Program at the University of Tehran prior to the 1979 revolution.⁴⁵ Nevertheless, to

'Bint al-Sāṭi' in consideration of her conservative father, it is said, who would not have approved of a public presence, including publications, by a female member of the family.

⁴⁰ Published in Isfahan: Thaqaḥī, 1328 [1949] "bi-qalam-i yakī az bānūwān-i Īrānī"; later also published in Tehran: Nahḍat-i Zanān-i Musalmān, 1360 (1981). Beside her translation it contains her commentaries and explanations on the text. In 1990, a new translation appeared, which may have replaced her translation in the *ḥawzah* of Iran.

⁴¹ These interviews are held in conjunction with our research on women's *ḥawzah*.

⁴² Published in Tehran 1331 [1952] "bi-qalam-i yakī az bānūwān-i Īrānī" and later Isfahan: Thaqaḥī, 1347 [1968] under the name "Yek bānū-yi Īrānī", also with an introduction by Mustafa Hādawī in Isfahan: Markaz-i paksh, Anjuman-i Himāyat az Khānwāda'hā-yi bī Sarparast, 1369 [1990], and in Qom: Amīr Publishers, 6th edition, 1369 [1990].

⁴³ Published in Isfahan by Chāp-i Muḥammadī, 1376- [1956]-.

⁴⁴ Princeton owns three editions of the tafsīr. There is the original edition, of which the first volume was published in 1956. Princeton owns volumes 1-5, 7, 9 and 12. Then there is the edition from 1982 in nine volumes published by Jumhūrī-i Islāmī-i Īrān: Nahḍat-i Zanān-i Musalmān (Tehran), 1361 [1982]. In both the 1956 and 1982 edition, there is a jump between the 2nd and 3rd volume to the 30th juz', which Amīn herself undertook, as she was not certain she would be able to complete the tafsīr in her lifetime. From the 3rd volume on the *ajīza'* are then presented in reverse. Finally, there is the edition of 1989/1990, again in 15 volumes, which reversed the original order of volumes, so that the volumes correspond to the order of the *ajīza'*. Different editions of her tafsīr are available in about ten libraries in North America. According to worldcat, Princeton is the only library worldwide that owns a copy of the newest (1990) edition. Against this background it is all the more striking that the 1956 edition, and, with the exception of volume I, the 1982 and the 1990 editions had never been checked out from the Princeton library before we started to read her work.

⁴⁵ See Fischer, *Iran: from Religious Dispute to Revolution*, 250. Amīn even finds mention in *The Koran: A Very Brief Introduction* by Michael Cook, as the woman first known to have authored an entire tafsīr. See Michael Cook, *The Koran. A Very Short Introduction*, (Oxford, New York: Oxford University Press, 2000), 39. Nevertheless, none of her texts is included in the bibliography of Hossein Modarressi's, *Introduction to Shī'ī Law*, which calls into question the contributions she made to the field of law and jurisprudence. See Hossein Modarressi Tabataba'i, *An Introduction to Shī'ī Law: a Bibliographical Study*, (London, Ithaca Press, 1984). On the other hand, Amīn's *Al-Arba'īn al-Hāshimīyah* is indeed included in Āqā Buzurg Tihirānī's *al-Dhar'ah ilā taṣānīf al-Shī'ah*, which lists authoritative Shī'ah commentaries and annotations. Tihirānī in turn is of course included in Modarressi (1984:8).

the extent that it is available, the *tafsīr* hardly seems to be consulted today in Iran or outside. Except for two sole M.A. dissertations on the *tafsīr*, recently defended at Islamic Azad University, we have found no scholarly commentaries and analyses of her *tafsīr* in various languages.⁴⁶

Other works include her *Makhzan al-la'ālī dar faḍīlat-i mawlā al-mawālī ḥaḍrat-i 'Alī ibn Abīṭālib* [The Treasure of the Night in Virtues of Prophet 'Alī ibn Abīṭālib] in 1961⁴⁷ and *Ma'ād, yā Ākharīn* [end page 140] *Sayr-i Bashār* [The Resurrection or Human's Last Journey] on eschatology in 1963/64.⁴⁸

Amīn's early works in Arabic are considered to be of greatest importance from the viewpoint of Islamic jurisprudence, whereas her later Persian publications are predominantly concerned with *akhlāq* and *'irfān*. The only work that deals explicitly with gender relations is *Ravish-i Khūshbakhṭī*, directed at a non-expert audience, where Amīn lays out ways of a pious life for women.⁴⁹ Although delineating women's emotional, intellectual and physical qualities and abilities, the image Amīn devises of a proper Muslim woman rests on domesticity. Women's greatest responsibility is the peace of the family and the moral education of the children. To fulfill this task, women need to be well-educated themselves, in the sciences and in religious knowledge. The fact, however, that out of nine works (two of which were extremely comprehensive and must have taken her two decades to write) only one deals more explicitly with women's issues and is addressed to women, indicates that women's issues with the usual focus on questions of maturity, hygiene etc were not Amīn's primary intellectual pursuit. More important to her were her studies in theology, mysticism and ethics that kept her intellectually pre-occupied.

An Interview with Nuṣrat Amīn six years after the opening of Maktab-i Fāṭimah⁵⁰

The excerpts below contain some of Amīn's responses in an interview conducted in 1971 by members of the Scientific and Educational Society of the World of Islam (*Kānūn-i 'ilmī wa Tarbiyatī-yi Jahān-i Islāmī*). Amīn's answers elucidate the *mujtahidah's* views on gender roles. She underlines the necessity of a woman's *ḥijāb* and female

⁴⁶ Shaīsta Nadrī, *Tahqīq dar Zindagī* and Rāḍiyah Manīa, *Ravish-i Shināsī*. The state-funded Iranian Quran News Agency attempts an overview of the *tafsīr*, in *Bu'd-i Akhlāqī; Rūḥ-i Ḥakīm bar Tafsīr-i Makhzan al-'irfān* (The Moral Dimension, The Essence of Interpretation of Makhzan al-'irfān), 2nd Article in a series of article *Āshnāyī bā Tafāsīr* (Familiarity with Interpretations), The Iranian Quran News Agency, 24 May 2008 (4 Khurdād 1387), http://www.iqna.ir/fa/news_detail.php?ProdID=253427. Amīn does not always present her own interpretation. For instance, for Verse 4: 5, she only presents three different viewpoints that past scholars haven't taken on the verse. Her interpretations also often appear to mirror those of Muḥammad Ḥusayn Ṭabāṭabā'ī, without any accreditation.

⁴⁷ Published in Isfahan: Thaqafī, 1380 [1961] under the name "Yakī az Bānūwān-i Īrānī".

⁴⁸ Published in Isfahan: Thaqafī, 1342 [1963 or 1964]. Note that this website credits Amīn's paternal aunt, with a work by the same title: <http://pr.alzahra.ac.ir/artist-women/333-1389-07-04-11-38-23>, accessed March 30, 2011.

⁴⁹ For a closer analysis of *Ravish-i Khūshbakhṭī*, the conservative viewpoints on gender expressed therein, and how they compare to Murtaḍā Mutahharī's teachings on gender, see Maryam Rutner, *Changing Authority*.

⁵⁰ The interview was first published in *Fursat dar Ghurūb* publications, and reprinted in the official weblog of Eshrat Shayegh, a member of the 7th *Majlis Shūrā-yi Islāmī* (Parliament), <http://shayegh.ir/1387/08/23>, 13th Nov. 2008.

piety, and condemns women's indulgence in this world's materialism, to which, she believes, they fall prey more easily than men due their innate vanity. The man is seen as the caretaker, attracted by the woman's vanity and [end page 141] beauty (which should be exposed only to the husband). In general, the interview reflects the very conservative viewpoints Amīn also expresses in her book *Ravish-i Khūshbakhtī* published in 1952, but her emphasis on domesticity seems to have receded. To the simplistic question of the interviewer "Can you say that men are better than women?" Amīn replies

You cannot under any circumstances say that men are in general better than women. We have women like Fāṭimah (pbuh), Khadijah, Maryam and many others who were better than men. The superiority that God has granted men in some issues is a general matter not an individual one. The deficiency mentioned in the Qur'ān regarding women is only in one *āyah* [verse] which states that women cannot settle disputes [*faṣl-i khuṣūmāt*] [...] and if they are asked to arbitrate, they will not be capable of convincing the parties or imposing their judgment. The other deficiency of a woman is that she has a tendency to want to be vain and pays less attention to the perfection of her soul. This is, of course, a characteristic which God has given her, and obviously the reason behind the *hijab* is based on this principle. However, these are generalized issues as there are women who are void of such deficiencies and *therefore these points are not true of all women.*⁵¹

With regard to the relations between the sexes, Amīn suggests they are "partners in humanity", but believes "the foundation of the creation of man and woman differs regarding their cerebral, bodily and emotional strengths."⁵² Notably, this difference does not translate, in her understanding, into inequality in women's and men's suitability for public life. Citing several revered Islamic scholars, she declares that men and women are equal in *ibādāt* (spirituality) and uses this fundamental observation to deduce the equality of men and women with regard to their social rights: women and men have equal rights and duties in most aspects of society, including earning, working, business, [end page 142] farming, teaching, learning, and even, significantly, defense in the face of an enemy.⁵³

Her views on the ability of women to resolve disputes reflects the dominant opinion of her male colleagues. Although Amīn does not believe in women's principal incapability to serve as judges, for the sake of public order she believes women could only perform such functions in the confined space of their families. To have women serve as arbiters of disputes outside their homes could lead to moral

⁵¹ Scientific and Educational Society of the World of Islam, *Fursat dar Ghurūb*. Emphasis added.

⁵² *Bu'd-i Akhlāqī*. To support her argument on gender relations, she cites a *ḥadīth* from al-Tirmidhī narrated by Abu Hurayrah: "The best of the men of my nation is the one who is even better to his wife and the best of the women of my nation is one who is better towards her husband. The best of the women of my nation is the one who obtains her husband's consent in what is not sinful. The best of the men of my nation is the one who treats his wife with kindness and understanding, like a mother treating her child, this man has the same rewards as a martyr who has died in the path of God."

⁵³ *Ibid.*

decay, because women in such visible public roles would attract the attention of men, which in turn would inhibit their ability to function as and be regarded as neutral arbiters. “[For women to serve as judges] is good [acceptable] with those who are *maḥram* and *ḥalāl* to her [i.e. her husband and immediate family], but with others this characteristic should be contested as this attribute could lead to digression and bring about lust (*shahwat*). There is a reason behind God’s granting to women such a trait [i.e. beauty], this is so that men will desire them and this desire will lead to marriage and offspring. Consequently, women will be taken under the leadership and care of men.” Amīn insists, however, that certain women such as the prophet’s daughter Fāṭimah or Jesus’ mother Maryam have taken their public role, in particular their service to the community, very seriously, and that their examples must be invoked to counter conservative voices that wish to exclude women from the public sphere, in particular from commerce, production, and scholarship.⁵⁴

Asked what the most important struggle (*jihād*) was for women at the time [1971], Amīn returned to the perils of materialism.

“What is important for today’s women is to fight their desires for gold, jewelry, different clothing items and to avoid wanting to become (fashion) models [i.e. objects to be looked at]. Although this may prove difficult, it will direct them at a speedier rate to spiritual perfection. Therefore, the best *jihād* is for women to dress modestly (*ḥifẓ-i pūshish zanān*)... True happiness is based on virtue. True happiness will be achieved through faith, belief in one God and piety. If you seek happiness in this world and in the next, if you follow the Qur’ān and step toward justice and truth, it is only then that you will feel happiness (*khūshbakhti*).”⁵⁵ [end page 143]

Zuhrah Şifātī: From Maktab-i Tawḥīd to Jāmi‘at al-Zahrā’

In many ways, the life of Zuhrah Şifātī contrasts with that of Nuşrat Amīn. While the former witnessed the emergence of the modern state in Iran with the transfer of judicial and educational functions from the religious and clerical sphere to the state, Şifātī lived through the opposite: the attempted Islamization of the legal system and state initiatives to strengthen rather than marginalize institutions of religious learning, including those of women.

Zuhrah Şifātī was born in Abadan in 1948. In an interview, Şifātī portrays Abadan before the revolution as a “secular” city with low religiosity, which she links to the considerable presence of Western workers in Abadan’s oil industry.⁵⁶ It was during the latter years of her secondary education that Şifātī read an interview with Nuşrat Amīn in the journal *Nur Danish* and was inspired to follow in Amīn’s footsteps. Şifātī began her study of Islamic studies in 1966 in the Centre for Islamic Sciences (*Markaz-i ‘Ulūm-i Islāmī*) in her hometown, founded by a student of

⁵⁴ *Bu‘d-i Akhlāqī*.

⁵⁵ Scientific and Educational Society of the World of Islam, *Fursat dar Ghurūb*.

⁵⁶ Şifātī’s family hails from Dezfūl and her full family name is Şifātī-Dizfūlī. See Muḥammad Badī, “Guftugū bā Faqīh Pazūhandah Bānū Zuhrah Şifātī (Interview with the Researcher Jurist, Lady Zuhrah Şifātī)”, *Keyhan Farhangī*, No. 199, April 2003, 6. Available online at <http://www.noormags.com/View/Magazine/ViewPages.aspx?numberId=1131&ViewType=1&PageNo=8>.

Ayatullah Khū'īs (1899-1992).⁵⁷ After gaining some training in the Islamic sciences, including *fiqh*, she moved to Qom in 1970 together with four other female classmates to further her Islamic education.⁵⁸ Şifātī describes their move to Qom as difficult due to the opposition they faced from the clergy. The classes took place in a house which Şifātī and her four companions had rented. While students had faced the teacher during lectures in her hometown Abadan, in Qom the lecturer would come to the female students' house and teach from behind a curtain (she notes without comment).⁵⁹ [end page 144]

Among Şifātī's more noteworthy teachers during that time were Ayatullah Mishkīnī (1922-2007) with whom she and her companions studied *akhlāq*,⁶⁰ Ayatullah Shahidī and Ayatullah Haqqī who taught them *fiqh* and *uṣūl*.⁶¹ Like other members of her family, Şifātī spent time in prison under the Pahlavi dynasty.⁶²

Since it was difficult to find scholars in Qom willing to teach women, Şifātī and her companions from time to time found themselves without teachers.⁶³ The women's group soon took matters into their own hands and began to offer classes for female students. According to Şifātī, soon hundreds of young women flocked to their classes, including Zahra Muṣṭafawī (b. 1940), the daughter of Ayatullah Khomeini. Most women came from clerical households that were reluctant to let their daughters study at the secular universities and welcomed the opportunity for their daughters to study with female teachers. Şifātī recalls that at the beginning these lessons took place in the same house where she lived, but once the group of students grew beyond the 100s, she and her companions incepted *Maktab-i Tawḥīd* in 1974, Qom's equivalent to Amīn's *Maktab-i Fāṭimah*.⁶⁴ [end page 145]

⁵⁷ The student was Sayyid Ḥusayn Makkī. See *Zindaqīnāmah* (biography), <http://www.sefaty.net/index.asp?HoorRobot=Biography.asp>, also Badī, 7.

⁵⁸ There is no indication that Şifātī and Amīn ever met. One wonders why Şifātī, if indeed inspired by Amīn, would never have attempted to meet the latter in Isfahan.

⁵⁹ Badī, *Guftugū* 8.

⁶⁰ Ayatullah 'Alī Mishkīnī (also known as 'Alī Mishkīnī Ardabīlī) was one of the founders of the Islamic Republic. He was the chair of *Majlis-i Khubrigān* (Assembly of Experts) until his death in 2007 and in this position succeeded Ayatullah Muntazirī. Mishkīnī was also the head of *Jāmi'ah-i Mudarissīn-i Ḥawzah-yi 'Ilmiyah-yi Qom* (Society of Seminary Teachers of Qom) and the Friday prayer imam of Qom.

⁶¹ Şifātī later married one of her teachers, Ayatullah Muḥammad Ḥasan Aḥmadī Faqīh (d. 2010). Şifātī has four daughters and two sons and in 2006 had three grand children.

⁶² Şifātī's brother Ghulāmḥusayn Şifātī-Dizfulī (1952-1977) is known to have been a member of a radical anti-capitalist group named "Manṣūrān" in the late 1970s (after leaving the Mujāhidīn-i Khalq). The group, to which also Muḥsin Riḍā'ī and 'Alī Shamkhānī belonged, assassinated businessmen in the oil industry. Ghulāmḥusayn was responsible for bombing the headquarters of the American firm ATT in Tehran. He died in 1977 and is referred to in the Islamic Republic as a *shahīd* (martyr). It is possible that Zuhrah Şifātī was imprisoned due to Ghulāmḥusayn's political activities under the Shah. A biographical note on her reads, "Şifātī actively participated in Islamic propagation against the Pahlavi regime." Her other brother, Īraj Şifātī-Dizfulī (b. 1940), represented the city of Abadan in the first and fifth Majlis and was a member of the Majlis' Supreme Audit Court.

⁶³ Badī, *Guftugū* 8.

⁶⁴ Ayatullahs Qudūsī and Bihishtī were two known supporters of this institution. According to Şifātī, soon after the inception of *Maktab-i Tawḥīd* in 1974, another *maktab* for women was opened, called Qudūsīyah (by the suggestion of Ayatullah Qudūsī). Both of these institutions are now under the umbrella of Jāmi'at al-Zahrā'. Şifātī also speaks of Ayatullah Qudūsī's views on the level of studies women could undertake at *Maktab-i Tawḥīd*. In her words, the Ayatullah, unlike some other scholars who think women need only some familiarity with Islamic sciences in order to engage in *tablīgh*, was

Today, Şifātī is one of the most visible high-ranking female religious authorities, although she has not attained a status comparable to that of Nuşrat Amīn. While the latter was a scholar independent from political institutions, Şifātī owes some of her status to her political activities as well as her connections to regimist clergy through her family and her husband. While she is considered to have a solid training in the Islamic sciences and few would doubt her rightful status as a *mujtahidah*, she has published relatively little and may see her calling more in public engagement and teaching than a secluded scholarly life.⁶⁵

Among Şifātī's publications are *Pazhūhishī fiqhī pīrāmūn-i sinn-i taklīf* (A Jurisprudential Inquiry on the Age of Maturity, 1997), *Ziyārat dar partaw-i wilāyat: sharḥī bar ziyārat-i 'Āshūrā* (Pilgrimage Under the Rays of Guardianship, 1997), and *Nuāwari-hā-yi fiqhī dar Ahkām-i Bānūwān* (Jurisprudential Innovations in Women's Sentences).⁶⁶

Şifātī received her first permission of *riwāya* from Ayatullah Āqā Aslī Alī Yāri Gharawī Tabrīzī in 1996 and subsequently from Muhammad Fāḍil Lankarānī (1931-2007).⁶⁷ She claims that after having read her book *Ziyārat dar partaw-i wilāyat*, Ayatullah Luṭf Allāh Şāfī (Gulpāyḡānī) (b. 1918)⁶⁸ granted her permissions of *riwāya* and *ijtihād*.⁶⁹ According to Şifātī, she herself has given *ijāzahs* of *riwāya* to more than forty male scholars. Until their assassinations, she is said [end page 146] to have enjoyed strong intellectual links to Ayatullah Bihishtī (d. 1981) and Ayatullah Murtaḍā Mutahharī (d. 1979).⁷⁰

Zuhrah Şifātī taught *fiqh* and *tafsīr* at Jāmi'at al-Zahrā', the largest women's theological seminary in Iran, which was officially founded after the revolution in 1985 as an extension of *Maktab-i Tawḥīd*.⁷¹ However, since the seminary's curriculum was simplified in 1993/1994 and the course of study changed to a four year-degree, the *dars-i khārij*, which Şifātī taught (the third and highest level of the *ḥawzah* education) were no longer offered⁷² and thus Şifātī only teaches private lessons since.⁷³

of the opinion that they should study at the highest level of understanding of the Islamic sciences. Fazaeli and Künkler, *New Opportunities*.

⁶⁵ Her proximity to the regime may also be indicated by the fact that Şifātī received (and accepted) a plaque of honour from Iran's president Mahmoud Ahmadinejad in October 2006 as one of 3000 'exemplary women'.

⁶⁶ See Şifātī's official website: <http://sefaty.net/Index.asp?HoorRobot=Books.asp>, accessed 25th July 2009. The publication details are *Pazhūhishī fiqhī pīrāmūn-i sinn-i taklīf* (Tehran: Nashr-i Muṭahhar, 1376 [1997 or 1998]) and *Ziyārat dar partaw-i wilāyat: sharḥī bar ziyārat-i 'Āshūrā* (Qom: Mujtama'-i 'Ulūm-i Dīnī-i Ḥaḍrat-i Walī-i 'Aşr, 1376 [1997]). See also her "Sinn-i Bulūgh-i Shar'ī-yi Dukhtarān [The Legal Age of Maturity for Girls]" in *Bulūgh-i Dukhtarān*, ed. Mahdī Mīhrīzī, (Qom: Daftar-i Tablīghāt-i Islāmī-i Ḥawzah-i 'Ilmīyah-i Qom [Islamic Propagation Office of the Religious Seminaries Qom]), 1997, 379-390; and "Juluyihā-yi Ijtihād-i Zan dar Fiqh-i Shī'ī (The Effects of Women's Ijtihād in Shī'ī Fiqh) in *Gulistānī Qur'ān*, No. 30, p. 32, 1379 [2000].

⁶⁷ Badī'ī, *Guftugū*, 6.

⁶⁸ Badī'ī, *Guftugū*, 6.

⁶⁹ <http://www.sefaty.net/Index.asp?HoorRobot=Biography.asp>. Following Şāfī's *ijāza*, Şifātī received another permission of *ijtihād* from Ayatullah Muḥammad Ḥasan Aḥmadī Faqīh, her husband.

⁷⁰ According to Şifātī, Ayatullah Mutahharī used to stay with Şifātī and her family on weekly visits to Qom and offer lectures on Western and Islamic philosophy in their house. She states that these lectures in her house were frequented by Ḥasan Ṭāhirī Khurram Ābādī, Ḥusayn Mudarrissī, Muşṭafā Muḥaqqiq-Dāmād, and Ahmad Khomeini.

⁷¹ See Fazaeli and Künkler, *New Opportunities*.

⁷² Badī'ī, *Guftugū*, 18. Perhaps so that her position is not taken as a critique of the curriculum change which was introduced by Rahbar Khamenei, she emphasizes that she agrees with the

In 2006, rumors suggested that Şifātī would run in the Assembly of Experts elections, a council of eighty-six clerics who in turn elect and theoretically oversee the actions of the Supreme Leader, the highest political office in the Islamic Republic. Şifātī pointed out in a public interview that there were no objections against women running for the Assembly elections. However, she did not submit her candidacy.⁷⁴ [end page 147]

Şifātī's Views On Politics, Religion, And Women In The Public Sphere

In the sections below, we explore Şifātī's views on some critical topics such as the relationship between Islamic law and government, women's possibilities in the Islamic Republic, and women's access to theological training.

On government

Şifātī believes that the *wilāyat-i faqīh* [the guardianship of the jurist], on which the government of the Islamic Republic is based, needs to operate in full attention to political, social and economic matters of the society. In delineating political rule from *fiqh* and *ijtihād*, principles of governing should be extracted from the sources and enacted contextually. By this, Şifātī suggests that when *fiqh* is used to justify *ḥukūmāt* (government), as is currently the case in the Islamic Republic, *ḥukūmāt* has to be undertaken in the framework of exigency and context rather than strict adherence to Islamic jurisprudence. Her position on the question of *ḥukūmāt* very much reflects the dominant approach to the question of *wilāyat-i faqīh* in Iran today, one based on exigency and context rather than strict deductions from the classical sources. After Ayatullah Khomeini underlined the centrality of exigency in rule in 1988, including Islamic rule, this pragmatic approach to what Islamic rule precisely entails, from a legal and exegetical perspective, has become the *modus operandi* in the Islamic Republic.⁷⁵

simplification of the curriculum, as not everyone would have the time or the ability for advanced study.

⁷³ Şifātī's private classes are designed to prepare women to become *mujtahids*. She teaches the books of 'Allāmah Muḥammad Ḥusayn Ṭabātabā'ī, Yūsuf Baḥrānī's *Al-Ḥadā'iq al-nādirah fī aḥkām al-'itrah al-tāhirah*, and other works of classical Sunni and Shī'ah scholars, historians, contemporary scholars, and *aḥādīth*.

⁷⁴ The women's organization *Jāmi'at-i Zaynab* headed by Maryam Bihrūzī nominated six women candidates for the Assembly of Experts election in 2006, among them Munīr Gurjī. None of the women were ultimately included in the list of candidates, however, because the Guardian Council found them insufficiently qualified for the post. Şifātī observed that the number of women who meet the qualifications for candidacy set by the Guardian Council was small. "I personally have not made a decision with regard to running for the Assembly of Expert elections. So far, no political parties or factions have proposed that I nominate myself either." The scholar did not, however, rule out the possibility of putting forward her name for the upcoming elections, stating, "I might decide to take part in the elections." She is of the opinion that men and women intending to stand for the elections of the Assembly need to be renowned *mujtahids* with a relatively long record of instruction in the *ḥawzah*. "We should stay away from sloganeering about women's candidacy for the Experts Assembly elections since the female scholars have to endeavour for many years to attain such scientific level," Şifātī commented.

⁷⁵ On the place of exigency in law-making in Iran, see Said Amir Arjomand, "Shari'a and Constitution in Iran: A Historical Perspective" in Abbas Amanat and Frank Griffel (eds.) *Shari'a: Islamic Law in the Contemporary Context*. (Stanford: Stanford University Press, 2007).

On possibilities for women in the Islamic Republic

Şifātī's commentary on women's participation in the affairs of government suggests a decisive critique of women's opportunities in the politics of post-Khomeini Iran. "In the present situation, women's participation in some spheres has become impossible and this is far from Ayatullah Khomeini's teachings," Şifātī suggests in an interview in July 2008.⁷⁶ Ever since Ayatullah Khomeini incepted certain transformations [end page 148] in the women's domains that effectively empowered women in the 1980s, progress in this direction, according to Şifātī has stalled and there need to be more decisive changes in this realm. For example, Şifātī points out "When he (Khomeini) sent some ambassadors to the ex-Soviet Union, there was a woman included⁷⁷ and when there were discussions over the drafting of the constitution, he saw no obstacles in the inclusion of women."⁷⁸ Şifātī bemoans that the politics of the Islamic Republic today little reflected the visions of Ayatullah Khomeini. "These are pains which need to be cured by referring to the opinion and philosophy of the Imām. [...] Unfortunately, today we witness a certain narrow-mindedness towards women at a time when the number of educated and able women is much higher than ever before [...] One of the expectations of women in the society is that since we have women parliamentarians, women should also be better represented in the executive. However, this has not yet happened."⁷⁹

But, as if not to provoke the resentment of the current Supreme Leader, Ayatullah Khamenei, in response to her criticism, Şifātī is quick to suggest that "I feel that not only are we in practice far from the Imām's thoughts and opinions on women, but in some instances the views of the current Leader [Ayatullah Khamenei] who follows Imām Khomeini's line of thought are not put to practice..."⁸⁰ In other words, Şifātī proposes that the current situation is not a reflection of Ayatullah Khamenei's views on women in the public sphere either, but rather the result of a lack of implementing the true wishes of the current Leader.

Şifātī bemoans the gap between the demands of women's rights advocates on the one hand and the unresponsiveness of the system on the other, which has contributed to discrediting Islam. [end page 149]

We are at a time of extravagance and dissipation, meaning that, on the one hand, some women's rights advocates are branded 'feminists' and, on the other hand, some of the shortcomings in women's realms have provided the basis for objections to Islam [...] Feminists believe in total equality of genders but the Imām believed in gender justice not

⁷⁶ See the interview "Women's Participation in Some Realms has been Transformed to the Forbidden Tree (Shajar-i Mamnū)," *Ayunih-Tihrān* (Sirvis-i Madhābiḥ-yi Andīshah'hā), July 12, 2008, <http://www.ir-women.com/spip.php?article5833>.

⁷⁷ This is a reference to Marḍīyah Dabbāgh who was a part of a delegation sent to Russia to convey Ayatullah Khomeini's message to Mikhail Gorbachev in 1989. The message was an invitation to Gorbachev to study Islam, as Communism, in Khomeini's assessment, had lost its appeal.

⁷⁸ Munīr Gurjī was the sole woman present in the Assembly of Experts at that time.

⁷⁹ See *Ayunih-Tihrān*, *Women's Participation*.

⁸⁰ This argument is frequently invoked in all sorts of critiques against governmental policies. The one who critiques establishes that his or her position on a given topic is a reflection of Ayatullah Khomeini's position on this topic, that this perspective would lead to specific governmental policies different from those currently enacted and that current policies are suboptimal in tackling the challenge.

equality. [...] When Imām Khomeini considered gender justice, it is clear that in his view everything is motioned on justice and on their rightful place and neither the man nor the woman is allowed to oppress the other.⁸¹

Asked whether she thought it was possible for a woman to become president of the Islamic Republic, Şifātī responds, “our choice is Islam and in Islam it is not forbidden for a woman to become president.”⁸² In fact, Şifātī suggests that it would contribute to the deterioration of society if women were excluded from public life. “Decadence is the result of a society where the level of thought and culture of people is in decline. It is when women in a society are unemployed and feel that they have little to offer, it is then that they will be drawn to decadence.”⁸³

On the Question of Maturity and Marriage Age

In the year 2000, a bill was passed by the reformist-dominated Iranian *Majlis* (parliament), which raised the marriage age for girls and boys to eighteen years in accordance with the International Convention on the Rights of the Child (CRC) to which Iran is a signatory.⁸⁴ The parliament passed the bill with the provision that a girl of fifteen years who wished to marry could acquire a permit from a local court in order to do so. The conservative Guardian Council (*Shūrā-yi Niğahbān*) vetoed the relatively progressive bill and the *Majlis* sent the bill on to the Expediency Council (*Majma‘-i Tashkhīş-i Maşlahat-i Niżām*), which functions not unlike a mediation council.⁸⁵ [end page 150] In 2002, the bill became a law and included the provision that “marriage of a girl younger than thirteen or a boy younger than fifteen years of age is dependent on the consent of their guardian and also contingent on the court (*bi shart-i rāyat maşlahat bā tashkhīş-i dādğāh-i şāliħ*).”⁸⁶ The final version dramatically fell short of the standards set in both the original draft of the *Majlis* and the International Convention on the Rights of the Child (CRC). The law was finalized after the Expediency Council consulted Şifātī on this matter, whose first book explicitly deals with the question of the age of maturity.⁸⁷ In the book as well as her

⁸¹ See Ayunih-Tihirān, *Women’s Participation*.

⁸² One of the more telling public interviews Zuhrah Şifātī has ever granted appeared in the Spanish newspaper *El Pais* in 2006. See *El Pais*. “Zoreh Sefaty – Ayatolá. ‘El islam no hace diferencias entre mujeres y hombres’ [“Zuhrah Şifātī – Ayatullah. ‘Islam does not differentiate between women and men’].” EL PAIS, 12/06/2006. http://www.elpais.com/articulo/internacional/islam/hace/diferencias/mujeres/hombres/elppoint/20060612elpepuint_1/Tes.

⁸³ See *El Pais*, *Zoreh Sefaty*.

⁸⁴ Article 1 of ICCR states “For the purposes of the present Convention, a child means every human being below the age of eighteen years unless the law applicable to the child, majority is attained earlier.” Iran ratified ICCR on 13 July 1994, with no reservation. See *The Convention on the Rights of the Child*, accessed online <http://www2.ohchr.org/english/law/crc.htm>.

⁸⁵ If the Guardian Council, which reviews every law passed by the *Majlis* for its “compatibility” both with the 1979 constitution and its interpretation of Ja’farī jurisprudence, rejects the law, the *Majlis* has the choice of revising it in line with the Guardian Council’s commentary, or to vote with a 2/3rd majority to pass the bill on to the Expediency Council. The latter council may pass the law as the *Majlis* devised it, or with the changes the Guardian Council demanded, or in a third version of its own.

⁸⁶ Shīrīn ‘Ibādī, *Huqūq-i zan dar qavānīn-i Irān (Women’s Rights in the Laws of Iran)*. Tehran: Kitābkhānah-i Ganj-i Dānish, 2002.

⁸⁷ Badī, *Guftugū*, 8.

statement to the Expediency Council, Şifātī differentiates between the age of *taklīf* – when one is required to oblige by the religious instructions such as *ḥijāb* – and the age of marriage. She criticizes some scholars who have mixed these two definitions. According to Şifātī, the age of *taklīf* should not be changed and should remain nine years for girls and fifteen for boys based in her knowledge of numerous *riwāyāt* that exist on this issue.⁸⁸ To ascertain the difference between the age of *taklīf* and the age of marriage, one should take into account ‘*aql* (reason) and the ‘*urf* (custom) of the society one lives in. Having studied “the statistics” and the *riwāyāt*, Şifātī concludes that the minimum marriage age ought to be thirteen years for girls and fifteen for boys. Şifātī also highlights that in her studies she took into consideration the age of growth and puberty of girls both in Iran and elsewhere in the world. Şifātī adds that the age of marriage is also contingent on the ability and consent of the person.

The fact that Şifātī, as a woman, was consulted by the Expediency Council as a religious authority on the issue is remarkable, and certainly a path foreclosed to her predecessors. At the same time, her interpretation indicates that while some high-ranking male Islamic [end page 151] jurists have developed arguments that buttress the legal standards set in the International Convention on the Rights of the Child (CRC), she occupies a much more conservative position – which rendered her a useful resource for the conservative Expediency Council in this case.⁸⁹

On women in the Islamic seminaries

In an interview with *El Pais* newspaper, Şifātī narrates her experience and motivations for following a religious education. Significantly, she attributes the scarcity of influential female religious authorities in Iran today to women’s lack of interest in the profession and commitment to religious studies, rather than socially induced or legal obstacles.

I started my studies at the time of the Shah. While studying for the final high school exams, I also started to go to a *madrasah*. Why? I noticed that women did not know Islam, and going to the *madrasah* seemed the best way for me to get to know my religion better. It requires many years of study to understand the Islamic religion. My parents were both religious, but there were no religious scholars (‘*ulamā*’) in my family.

At this time, Abadan was a city full of foreigners who worked in the oil industry and the atmosphere was not very Islamic. It was precisely this absence of religion which motivated me to choose the path [of Islamic studies] with the goal of helping women understand Islam, first Iranian women and then women around the world. If you allow me a short excursus: since the birth of Islam and during our entire history, there were always exceptionally accomplished women in religion, in philosophy, in literature, even women poets. And as a *mujtahidah*, I want to draw attention to Bānū Amīn, who was outstanding in philosophy and Islam at the time of the Shah.⁹⁰ [...] About 10.000 women have gone

⁸⁸ Note that she does not cite these *riwāyāt*.

⁸⁹ Note also her rejection of the positions of Ayatullahs Bujnūrdī and Şānīī on the question of blood money. While the latter have developed arguments for the equalization of blood money between men and women, Şifātī continues to argue that a man’s blood is more valuable as he continues to be in most cases in Iran the supporter of the family.

⁹⁰ Badīī, *Guftugū*. Şifātī suggests in the same interview that there are only 3-4 *mujtahidahs* in Iran today.

through the seminary in the last couple of years. Why are there not more? No Islamic law and no restriction [in Islam] keep women from entering the seminary. It is a lack of will and interest.⁹¹

Can women become sources of emulation (marāji‘-i taqlīd)?

Şifātī explains that although Islamic schools are engaged in educating female students, they are facing a shortage of female scholars [end page 152] who are inclined or sufficiently skilled to authoritatively theorize in Islamic matters. “The number of female scholars capable of making a legal decision through independent interpretation of legal sources, the Qur’ān and *Sunnah*, is very small.” Women should study for years at the *hawzah* before they meet the necessary qualifications, she stresses. “Many female scholars argue that reaching the degree of *ijtihād* has no use for them as long as they cannot be a source of emulation.” In response to this view, Şifātī exclaims that the responsibilities of a *mujtahid* are not limited to those of a source of emulation. *Mujtahid*ahs could serve society by helping Muslims interpret Islamic principles, she adds. She highlights that there is controversy among Islamic scholars with regard to whether women can become a source of emulation [*marja‘-i taqlīd* - the highest level of Shī‘ī authority]. “A number of renowned Islamic scholars believe Islam does not ban *mujtahid* women from becoming sources of emulation.”⁹²

[The] *marja‘-i taqlīd* is a person of great knowledge. [...] We need someone on the religious level to illuminate our doubts and ignorances and dark spots. This is what the *marja‘-i taqlīd* is for, and in Islam there is no difference between man and woman. What counts is one’s qualification [for this title]. [...] The training [to become a *mujtahid*ah] is identical to that of men. We undertake the same course of studies. What counts are our achievements and publications.⁹³

In light of the force of Şifātī’s position on the question of a female *marja‘*, she is quick to emphasize that men have encouraged her throughout her career. “I have to point out that men helped me achieve my goals. When I proposed to open a school for women, male ‘*ulamā*’ supported me.”⁹⁴

It is noteworthy how explicitly Zuhrah Şifātī criticizes perceptions among certain ‘*ulamā*’ that exclude women *a priori* from the *marja‘īyah*. Similarly, her critique of social policies in the post-Khomeini era that do not provide sufficient opportunities for women, and her suggestion that women could run for the presidency [end page 153] and the clerical Assembly of Experts, indicate her political independence despite the fact that she is a member of the Islamic Republic’s Women’s Socio-Cultural Council. Compared to Nuşrat Amīn, Şifātī is much more concerned with equal opportunities for women than questions of how to preserve healthy gender balances and how to ward off the encroaching cultural

⁹¹ Badī‘ī, *Guftugū*.

⁹² For instance, Ayatullah Yūsuf Şāni‘ī declared that women were equal to men in all aspects of political and social life and that a woman could even become the Supreme Leader, the highest political office in Iran, which must be staffed by a *mujtahid*. See Ayunih-Tih-rān, *Women’s Participation*.

⁹³ El Pais, *Zoreh Sefaty*.

⁹⁴ El Pais, *Zoreh Sefaty*. Şifātī also suggests “the West does not recognize that Islam does not discriminate between men and women. A woman can attain the same levels of knowledge and distinction as men.”

influence of materialism. When Şifātī speaks of decadence, she locates its root in unemployment and psychological depression, not in immorality induced by foreign cultural influences. One may make the conjecture – but it is merely this: a hypothesis – that the difference in emphasis between Amīn’s and Şifātī’s accounts of the roots of social ills is symptomatic of a larger transformation in worldviews Iranian societal elites have undergone since 1979: the fears of moral decay due to ‘Westoxification’ have been gradually replaced by the conviction that it is the incapacity of the Iranian state, coupled with a lack of political will on the part of unaccountable elites, that is primarily responsible for the persistence and resurgence of social ills like drug addiction and prostitution.

Female Religious Authority in Iran: Between Female Agency and State-induced Stagnation

With the high involvement of women as transmitters and as scholars of religious knowledge from the classical period through medieval Islam and the Safavid, Qajar and Pahlavi dynasties, Iran exhibits a strong tradition of female religious authority in the Middle East.⁹⁵

Nuşrat Amīn and Zuhrah Şifātī are two female *mujtahidahs* who are both products of the pre-revolutionary system of Islamic learning. Until today, Nuşrat Amīn’s path remains unrepeated. No woman since has published so prolifically in the realms of *fiqh*, *ḥadīth*, and *akhlāq*, received as many endorsements by senior colleagues, or granted *ijāzahs* to male ‘*ulamā*’ of such high authority. [end page 154]

Both women owe their career predominantly to their own agency. They sought distinguished teachers with whom to study, published on specific realms of Islamic knowledge, and later opened schools and seminaries for women in order to overcome the difficulty in women’s access to the *ḥawzah* education. The *maktabs* they founded, in Isfahan and Qom respectively, allowed women to complete the *muqaddimah* cycle, the first of three cycles of learning in the *ḥawzah* education, and both scholars offered private lessons for those wishing to study in the advanced *suṭūh* and the *dars-i khārij* cycles. Male invitation facilitated Amīn’s and Şifātī’s studies in the sense that both of their families permitted, supported and funded the course the two female scholars had chosen. The openings of the *maktabs* also benefited from the support of male ‘*ulamā*’, and both *mujtahidahs* emphasize that along their path, male colleagues helped them along at critical junctures. Meanwhile, state intervention, the third explanatory framework put forth in this volume, accounts little for the furthering of these women’s distinction. The effects of the pre-revolutionary Pahlavi regime and the post-revolutionary Islamic Republic, although diametrically opposed on most policy realms, are surprisingly similar in their effect on religious education opportunities for women. Nuşrat Amīn opened her *maktab* at a time when the Shah sought to shift religious education out of the *ḥawzah* into the Islamic studies programs of the state-run universities, where

⁹⁵ In twentieth-century Iran, we know that beside Nuşrat Amīn and Zuhrah Şifātī, Ma’şūmah ‘Izzat al-Shar’ī (1891-1951), Hāshimīyah Amīn (n.d.), ‘Iffat al-Zamān Amīn (1912-1967 or 1977), Zīnah al-Sādāt Humāyūnī (b. 1917), Zahrā’ Mazāhirī (n.d.), Fāṭimah Amīnī (b. 1933), A’zam Ṭālaqānī (b. 1940), Munīr Gurjī (b. 1940s), Maryam Bīhrūzī (1945-2012), Ma’şūmah Gulgīrī (b. 1940s), Ma’şūmah Muḥaqqiq-Dāmād, and Farībā ‘Alāsband (b. 1967), made a name for themselves as women learned in Islamic sciences.

the curricula would be subject to state oversight. The opening of the high school and *maktab* in Isfahan were hence in direct contrast to the state educational policies at the time. A decade later, still prior to the 1979 revolution, Zuhrah Şifātī and her colleagues initiated the opening of the *Maktab-i Tawḥīd* in Qom with objectives not unlike those of Nuşrat Amīn. After the revolution, the Islamic Republic transformed the *Maktab-i Tawḥīd* into a full-fledged women's *ḥawzah* called *Jāmi'at al-Zahrā'*, which henceforth became the primary theological seminary for women in the Shī'ī world. However, while it was initially devised to offer all three levels of the *ḥawzah* education to women, Iran's Supreme Leader Khamenei ordered the simplification of the curriculum in the mid-1990s which demoted *Jāmi'at al-Zahrā'* to an institution that prepares women for *tablīgh* (Islamic propagation) rather than scholarship. Zuhrah Şifātī, who had taught *dars-i khārij* at *Jāmi'at al-Zahrā'*, henceforth concentrated on private classes to instruct women at the highest level.

While *Jāmi'at al-Zahrā'* had initially been incepted to facilitate the training of women up to the *dars-i khārij* level, so that they could [end page 155] acquire *ijāzahs* of *ijtihād* and *riwāya*, the simplification of the curriculum once again closed that window of opportunity. Like its predecessor therefore, the current political regime *de facto* makes for the stagnation of female religious scholarship in Iran by not facilitating and supporting the necessary training opportunities for women to emerge as *mujtahidahs*. Accordingly, although more than 20,000 women have started a *ḥawzah* education over the past 30 years, Iran today counts only a handful of *mujtahidahs*.

Apart from lacking training opportunities, there are also few incentives for women to strive towards religious authority. With the revolution, the standards to evaluate religious authority have shifted and today political personalities surround themselves with titles of "Ayatullah" or even "grand Ayatullah" who previously may only have been considered a *hujjatulislam*. A scholar's authority – once depending on theological and legal competence (as recognized by peers and illustrated in publications received by the '*ulamā'*), the number and quality of *ijāzahs* collected from other *mujtahids*, as well as the clerical networks and institutional locations of which one is part – today is much more difficult to establish. Both recognition and reputation remain important constituents of religious authority, but access to political office and state funds has tainted recognition criteria. Today regimist newspapers and a state-sanctioned association in Qom (the *Jāmi'ah-i Mudarrisīn-i Ḥawzah-i 'Ilmīyah-i Qum* – Society of Seminary Teachers of Qom) have greater say over who counts as an "Ayatullah" as opposed to a "*hujjatulislam*" than one's peers and expertise in the Islamic sciences. Formal authority has become a question more of state recognition than theological and legal expertise or peer recognition (although the old criteria are still recognized by those unimpressed by the political proliferation of clerical titles). Formal religious titles today open doors to political patronage and state-funded positions that offer a secure salary. Most of these positions are *de facto* off limits for women, who even if trained as a *mujtahidah* have no chance of being appointed a Friday prayer leader, a judge, a member of any of the political clerical councils, or to attain the level of *marja'-i taqlīd*, where they could collect *khums* (religious tax) and re-invest it in *ḥawzah*, student stipends or social services (which in turn reproduce one's authority).

Further, while it is widely accepted that women can attain the *ijtihād* degree and become *mujtahidahs*, the position of *marja'* is out of reach. Courageously, Zuhrah Şifātī publicly argues that no theological or [end page 156] jurisprudential

justifications exist that legitimize the exclusion of women from the *marja'iyah*, a position also taken by several of her highest ranking male colleagues.

In contrast to most female religious authority in other parts of the Muslim world, Iranian *mujtahidahs* may have legal competence that is publicly invoked, as the example of Zuhrah Şifātī shows. The final law that was adopted in 2002 concerning the age of marriage reflected Şifātī's recommendations. The fact that it set the marriage age much lower than the reformist parliament and women's rights activists would have hoped highlights the instrumental use of the state in jurisprudential opinions. Where jurisprudential commentaries reflect the preferences of the clerically-appointed councils which in this case passed the law, the regime invokes such opinions. Şifātī is no exception: had she recommended the marriage age of 16 or 18, her scholarly opinion would have been disregarded.

Compared to the demands of contemporary women's rights activists in Iran, the viewpoints on gender of both Nuşrat Amīn and Zuhrah Şifātī are very conservative. Yet when contrasting between the two, revealing nuances emerge. While both scholars affirm women's rights to education, women's right to enter marriages only by consent, and the sharing of responsibilities between wife and husband, Nuşrat Amīn emphasizes the proper place of women at home. Her views on gender are defined by the axiom of domesticity: women hold nearly full responsibility for the domestic sphere, while men do so for all public matters. Her writings are defined by binaries (inside versus outside the home, religiosity versus irreligiosity, a morally corrupt West versus a morally integer Islamic world, etc) with few possibilities for shades of grey. Zuhrah Şifātī by contrast is hardly concerned with the vices of materialism and moral corruption, or the vanity of women, which in Amīn's eyes is women's greatest predicament. Şifātī instead speaks of the lacking "will and interest" of women to advance in Islamic scholarship. Mirroring the conviction of her fellow citizens involved in women's rights advocacy (with whom she otherwise has little to share), Şifātī highlights that it is women themselves who are first and foremost responsible for their destiny. To improve their situation they should not wait, in the terminology of this volume, for male invitation or state intervention. If anything, it is their own agency that will open new doors. Despite their differing viewpoints on gender questions then, Amīn's and [end page 157] Şifātī's lives underscore the same insight. Even if domesticity characterized Amīn's earlier writing about women, she hardly lived by that standard towards the end of her life. She published widely, and overwhelmingly on issues not specific to women and gender questions. She opened schools for female *ṭalabih*, and did so in defiance of the *Zeitgeist*: against a clerical environment that did not accommodate women, and a political environment that sought to eliminate religious learning outside the state altogether. She became a public figure and a role model that motivated an emerging generation to follow in her footsteps. Religious authority and domesticity only go together so far. The extent to which female religious authority can profess domesticity is limited, because religious authority has an inherently social component. Amīn's and Şifātī's lives are the best illustrations of this tension. Where they act as religious authorities, the image of female domesticity retreats and female public agency takes its place.

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