

Review of Scott Siraj al-Haqq Kugle's "Homosexuality in Islam: Critical Reflection on Gay, Lesbian and Transgender Muslims"

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Homosexuality in Islam: Critical Reflection on Gay, Lesbian and Transgender Muslims by Scott Siraj al-Haqq Kugle. Pages: 335. Oxford: Oneworld Publications, 2010. ISBN: 978-1-85168-701-5.

Abstract: Scott Siraj al-Haqq Kugle's *Homosexuality in Islam: Critical Reflection on Gay, Lesbian and Transgender Muslims* offers a theological perspective into queer sexuality and desire, subjects that continue to be thorny and taboo in Muslim societies. This review proposes an analysis of the manner in which Kugle engages with Qur'anic scriptures, as well as Muslim laws and traditions, in his reflection on the current state of attitudes vis-à-vis homosexuality in Islam.

Keywords: religion, Islam, homosexuality, ethics, justice

Numerous studies have examined homosexuality in Islam from sociological, ethnographical, sexologist and literary perspectives. Kugle's *Homosexuality in Islam: Critical Reflection on Gay, Lesbian and Transgender Muslims* (herein referred to as *Homosexuality in Islam*) is innovative for its broaching of the same topic from a purely religious and theological point of view. In this book, Kugle brings into conversation Muslim intellectual tradition and contemporary questions centering on difference, diversity, justice and ethics. He explains in the preface to this book that the main objective of the book is to "contribute to the ongoing process of urging Muslims to reconsider prejudgments they may hold about gay, lesbian, or

transgender members of their communities.”¹ He sees it imperative to pen a book addressing marginal sexualities because gay, lesbian and transgender Muslims “exist and are suffering – and are increasingly refusing to bear suppression in silence.”² The book offers a theological consideration of homosexual Muslims who attempt to strike a balance between their Islamic faith and their sexual orientation and gender identity.

The overarching argument in *Homosexuality in Islam* centres on the diverse interpretative possibilities offered by verse 49:13 of the Qur’an, which states:

O people, we created you all from a male and female
 And made you into different communities and different tribes
 So that you should come to know one another
 Acknowledging that the most noble among you
 Is the one most aware of God

This verse has been interpreted to mean that what counts above all is the knowledge of God. With this interpretation, Kugle sets out to examine whether the manner in which Hadith reports and Fiqh decisions stigmatise and criminalise queer sexuality is in accordance with Qur’anic scriptures.³

Kugle’s book is divided into six core chapters with the first, “Islam on Trial: A Case Study,” offering a case study of a twenty year old Moroccan national who overstays his visa in the United States and who the Immigration and Naturalisation Service attempts to deport. The young man fights his deportation, claiming that he

¹ *Homosexuality in Islam*, vi

² *Ibid*, vii

³ Kugle clearly states that he understands the word “queer” has been used in the past twenty years to give positive connotations about the condition of homosexual and transgender individuals. He nonetheless chooses not to use this terminology, retaining instead the use of “gay, lesbian and transgender” because, in his thinking, “these terms denote three different kinds of people who have much in common even as they are differentiated from each other.” (13) In this review, the term “queer” is used as a general blanket term to refer to those with marginal sexual identities.

fears returning to his native country due to his “deviant” sexual orientation—a crime punishable by death. Kugle uses this case study to demonstrate the urgency and influence of activist groups advocating for greater tolerance towards queer Muslims, especially in democratic Western countries. One main argument he offers in this initial chapter is that Muslim societies have always grappled with the question of difference and diversity, especially when related to gender and identity. He illustrates his argument by examining the condition of women in Muslim communities. Kugle contends that women’s emancipation remains a question of “minority rights” in spite of the fact women numerically outnumber men in many instances and are central to the functioning of families and society at large. He concludes that if women have faced stiff resistance to their emancipation, queer Muslims are inescapably bound to face similar, if not more, opposition. He shows that owing to resistance faced by queer Muslims, especially in their ultraconservative families and societies, they have been forced to live a life “silenced by shame” and have never been given “an opportunity to rationally discuss their sexuality, openly interpret their own religion, or express their own sense of morality based on their experiences of faith.”⁴

“Liberating Qur’an: Islamic Scripture,” the second chapter in Kugle’s book, investigates the history of Islam, showing how as a monotheistic religion it sought, from its inception, to foster the “ideals of struggle, transformation, and liberating solidarity.”⁵ He thereafter offers what he terms a progressive interpretation of the Qur’an, claiming that such an approach will “avoid imposing ideas of human nature

⁴ Ibid, 31

⁵ Ibid, 33

that are obsolete.”⁶ His interpretations focus on the treatment of diversity, sexuality and morality in the Qur’an. Through a close reading of numerous Qur’anic scriptures, Kugle critiques classical Islamic theologians and jurists. A recurring point he makes is that classical interpretations of the Qur’an are based on an underdeveloped appreciation of theories of sexual orientation that are grounded on empirical scientific evidence.

Kugle employs the same interpretative paradigm in the next three chapters in which he analyses the Hadith, Fiqh and the Shari`a. Beyond the manifold contradictions within the Hadith reports and Fiqh decisions, Kugle chronicles the questions of their authenticity and credibility and examines how these do not entirely complement the teachings of the Qur’an. By reading numerous Hadith reports he shows, for example, how they reveal the Prophet Muhammad’s complex attitude towards queer behaviour. Given that no Hadith reports the Prophet ever having punished men who engaged in homosexual intercourse, Kugle argues that the Prophet had left no example as to how queer individuals should be punished. He further contends that it is the companions of the Prophet and the followers of these companions, led by a legal logic, who claimed that there was no essential difference between adulterous sexual intercourse and sex between people of the same sex. In this reasoning, these companions of the Prophet and their followers concluded that sexual intercourse between people of the same sex should be punishable by stoning to death. Analysing different schools of jurisprudence and how they deal with queer sexuality, Kugle questions the logic of these schools of law, especially considering

⁶ Ibid, 41

that the Qur'an is ambiguous in its treatment of the question of homosexuality and other "marginal" sexualities. He offers an incisive analysis of the linguistic ambivalence of the Qur'an. He maintains, for example, that the Qur'an challenges each Muslim to find an appropriate mate/partner. He explains that the term used for "partner" in the Qur'an, *zawj*, is ambiguously gendered in that it is a grammatically masculine noun even when referring to a female person. He argues that the Qur'an, therefore, does not discriminate as to the gender of a partner that one chooses. In all his readings of the Qur'an, Hadith and Fiqh, Kugle calls for an embracing of an Islamic Humanism that recognises and respects diversity and alterity, especially in relation to sexuality, sexual orientation and gender identity.

The general strengths of Kugle's *Homosexuality in Islam* lie, first of all, in its clarity and simplicity of expression and articulation of arguments. This simplicity neither dumbs down the argumentation nor compromises the theoretical and analytical depth achieved throughout the book. This book is also meticulously comprehensive in its use of historical and theological viewpoints to scrutinize the question of queer sexuality in Islam. On the whole, Kugle's pioneering book is unique and thought-provoking in its treatment of a subject that continues to be polemical and often unmentionable in Muslim communities.

In spite of the above-mentioned strengths, a number of weaknesses can be noted. To begin with, Kugle uses a rather courteous tone that downplays any viewpoints that conflict with his progressive/reformist approach. For a holistic approach of the treatment of homosexuality in Islam, Kugle could have brought into dialogue his progressive approach with the viewpoints of, for example, classical

theologians. It is also rather unfortunate that all of his examples and case studies are taken from Western contexts. Such an approach gives a single shade of Islam when copious studies have shown that Islam is a multifaceted religion that is different from region to region and from country to country.⁷ Although he acknowledges in his first chapter that there are diverse forms of Islam, his ensuing analysis nonetheless dismally fails to reveal this diversity. This book would certainly have been enriched had the author attempted to give a picture of the current state of discourse on Islam and queer sexuality in Arab-Muslim regions such as the Maghreb and the Middle East. Furthermore, in his case studies and examples, Kugle says very little about lesbianism. He does not give a plausible explanation as to why lesbianism is not ostensibly visible in queer discourses in Islam. Some might also take issue with the fact that Kugle tends to delve at length into historical narratives that are not clearly related to the question of homosexuality in Islam. Interesting and informative as might have been some of these narratives, they do not add any substance to the arguments Kugle is making.

On the whole, *Homosexuality in Islam* is an important book for breaking silence on an ignored subject. The accessibility of the arguments makes it appealing to a wide audience including undergraduate and graduate students, scholars and researchers who are interested in the intersection of spirituality and eroticism in Islam.

⁷ For detailed studies on different forms of Islam see: Zoubir, Yahia H. "Reformist Islamic Thinkers in the Maghreb: Towards an Islamic Age of Enlightenment?" In Shireen T. Hunter. *Reformist Voices of Islam and Modernity*. New York: M.E. Sharpe, 2009. 132-158 and Ben Achour, Yadh. "Islam et Mondialisation." *Prologues: Revue Maghrébine du Livre* 38 (2009): 5-18.