

Scott Siraj al-Haqq Kugle, *Homosexuality in Islam: Critical Reflection on Gay, Lesbian, and Transgender Muslims*

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Scott Siraj al-Haqq Kugle's *Homosexuality in Islam: Critical Reflection on Gay, Lesbian, and Transgender Muslims* is a comprehensive, engaging, and original rereading of the formative Islamic texts and traditions. Targeted at both academic and popular readers, the book has two prime objectives: to push heterosexual Muslims to confront their own prejudices about homosexuality within the Muslim community, and to give lesbian, gay, and transgender Muslims greater confidence and the ability to speak about their sexual realities in regard to the Islamic intellectual tradition.

Chapter 1, "Islam on Trial: A Case Study" begins with a heated court case concerning a homosexual Moroccan Muslim seeking asylum in the United States, a case in which Kugle acted as an expert witness. Taking this trial as a point of departure, the chapter then discusses the discrimination and challenges facing homosexuals in Muslim communities. The second chapter, "Liberating Qur'an: Islamic Scripture," revisits the Qur'anic narrative of Prophet Lot, which is usually cited as textual proof of Islam's categorical condemnation of homosexuality. After critically examining these scattered verses in their entirety, Kugle concludes that rather than forbidding same-sex intercourse these verses actually denounce rape—for the men of the tribe sought to sexually assault Lot's guests, who were under the prophet's protection. Chapter 3, "Critiquing Hadith: Islamic Oral Tradition," provides a detailed survey and scrutiny of prophetic reports condemning homosexuality. As Kugle demonstrates, Prophet Muhammad himself never denounced anyone for homosexual acts; those reports that portray the Prophet denouncing someone for doing so have either unreliable chains of transmission or reflect the sexual opinions of later generations, which were projected back to the Prophet's time. The fourth chapter, "Assessing Fiqh: Islamic Legal Reasoning," uncovers the complexity of

debate concerning homosexual intercourse within the classical legal tradition. As Kugle sums it up: “There was no actual consensus on the nature of the act, the status of punishment for it, or the relation of punishment to the words of the Qur’an” (159). Yet despite such diversity of opinion, classical jurists approached homosexuality through the narrow lens of sexual acts rather than sexual orientation, which invariably influenced their patriarchal legal rulings. Chapter 5, “Reforming *Shari’a*: Islamic Ethics of Same-Sex Marriage,” explores the possibilities of homosexual relationships entering into Islamic wedlock. And the sixth chapter, “Reviving Spirit: Islamic Approaches to Transgender Experience,” gives an intriguing discussion of how eunuchs and effeminate men (*mukhannath*) were tolerated in the early Muslim community—taking on social roles as entertainers, comedians, and singers. The conclusion of the book, “Embracing Islamic Humanism,” makes an impassioned call for the mainstream Muslim community to accept their homosexual and transgender co-religionists as fully human and to acknowledge the profound complexity of human nature, of which sexual diversity is part and parcel.

Homosexuality in Islam is rigorously researched and exhaustive in its use of sources—systematically exploring the Qur’an, the Hadith, and the classical legal tradition. Moreover, Kugle positions his sexuality-sensitive reading of the foundational texts within a larger liberation project—in particular, the struggle for gender justice, which makes his arguments all the more compelling. When exploring the Islamic possibilities of same-sex marriage in Chapter 5, for example, he argues that the classical legal understanding of marriage needs to be radically redefined from a patriarchal contract of sale (*bay’*)—or that of the man purchasing access to the woman’s sexual organs—to an equal and mutually affirming contract of partnership (*musharaka*) (211). This is in line with Muslim feminists, who have long argued that the marital contract needs to treat both partners as fully autonomous agents. Delivery is another great strength of the book. Kugle writes in exceptionally clear prose, conveying complex and often convoluted discussions in a simple but never simplistic manner. That being said, with the notable exception of Chapter 2, he fails to summarize his findings in the conclusions to his lengthy chapters. Clear and concise chapter summaries would be especially important if Kugle seeks to reach out to and to influence a wider Muslim audience, who may otherwise lose track of his arguments amid dense discussions of Hadith criticism and classical legal theory.

Given Kugle's extensive engagement with the Islamic legal tradition, I was surprised not to find any treatment of homosexuality in Shi'a jurisprudence, despite the fact that he discusses sex-change operations in Iran (263–66), mentions the execution of homosexuals in the Islamic Republic (296), and even raises the possibility of *mut'a* (temporary marriage) – which is permissible in the Twelver Shi'a school of thought – as a potential, contractual alternative for same-sex Muslim couples (226). Including a discussion of homosexuality and Shi'a jurisprudence in Chapter 4 to go alongside the existing sections on Sunni legal theory would have filled a significant gap in the study. There is another problem with the book: Kugle tends to romanticize the West in general and secular modernity in particular. At one point, he writes, “modernity gives Muslims the chance of thinking differently and freeing ourselves from the shackles of patriarchal power” (233), while in another place, he states that homosexual and transgender Muslims “are empowered by the political ascendancy of democratic governance and the breakdown of authoritarian regimes based upon patriarchal, imperial, or racist ideologies” (204–205). Such problematic and sweeping statements—that not only presuppose that contemporary European and North American societies are not patriarchal, homophobic, racist, and imperialist, but also grossly simplifies the complexity of power relations and resistance in Muslim-majority societies—only weaken the arguments of the book.

In spite of such shortcomings, *Homosexuality in Islam* is a groundbreaking study that will remain the standard theological reference on the subject for many years to come. The sheer depth and breadth of Kugle's research will be an invaluable resource for Islamic scholars, while his remarkably lucid and engaging presentation of highly complex material will make the book readily accessible to a popular readership.

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