domestic violence and the Islamic tradition: ethics, law and the Muslim discourse on gender

Ayesha S. Chaudhry, Oxford University Press, Oxford and New York, 2014, 288pp., ISBN: 978-0-19-964016-4, £34.99 (Hbk)

How can modern scholars of Islam who seek gender-egalitarian interpretations of religious texts deal with a deeply patriarchal tradition of hermeneutics and jurisprudence? How can contemporary scholars of Islam produce interpretations that are both egalitarian and authoritative? Ayesha S. Chaudhry attempts to address these questions through an examination of the Sunni intellectual history of the Qur'anic verse that can be read as allowing husbands to physically discipline disobedient wives.

> Men are *qawwamun* (in authority) over women, because God has preferred some over others and because they spend of their wealth. Righteous women are obedient and guard in [their husbands'] absence what God would have them guard. Concerning those women from whom you fear *nushuz* (disobedience/rebellion), admonish them, and/or abandon them in bed, and/or *wa-dribuhunna* (hit them). If they obey you, do not seek a means against them. God is most High, Great. Chapter 4, Verse 34 (Q. 4:34)

Chaudhry divides her book into two periods, the pre-colonial and the post-colonial (or modern period), and examines Qur'anic commentary (*tafsir*) and jurisprudence (*fiqh*) scholarship related to this verse. For the pre-colonial period, most of the texts examined are in Arabic, while the post-colonial period includes more texts in Urdu and English, including written, electronic, audio and video sources.

Although the pre-colonial 'Islamic tradition' is commonly described as complex, multivalent and pluralistic, the author argues in Part I that there were no jurists or exegetes from this period who interpreted the verse as forbidding husbands from hitting their wives. Pre-colonial Muslim scholars mitigated the physical abuse of wives by restricting the procedure and extent of permissible violence, but had no ethical concerns about their interpretations' core tenet of granting husbands disciplinary privileges. Thus, Chaudhry argues that pre-colonial Muslim exegetes and jurists created acceptable space for hitting wives, and—despite the various cultural and historical differences in centuries, geographic regions, juridical and theological schools—pre-colonial interpretations of this verse were consistently patriarchal.

In Part II, Chaudhry examines post-colonial studies on this verse, especially those produced in English, showing this scholarship to be more diverse than that on the pre-colonial period. She identifies four different positions among modern Muslim scholars on this verse: traditionalist, neo-traditionalist, progressive and reformist. Such positions go from allowing the hitting of wives —in the name of remaining faithful to the 'Islamic tradition'—to forbidding this corporal

punishment, placing their belief in equality as the essence of Islam even if it has to put aside the pre-colonial scholarship authority.

Throughout the book, the author analyses the difference between pre-colonial and modern readings of this verse as the product of two competing 'idealised cosmologies': pre-colonial scholarship was shaped by a patriarchal cosmology, while modern scholarship is elaborated in the presence of both a patriarchal idealised cosmology and an egalitarian one. Modern scholars are always juggling between competing cosmologies, while pre-colonial scholars spoke in a context of shared cosmology. Moreover, modern Muslim scholarship is no longer monopolised by an educated elite who produce knowledge in Arabic for a scholarly Muslim class, as was the case in the pre-colonial period. The voices that speak for Islam now include Muslims from various educational and vocational backgrounds, as well as different cultural and national histories. For the first time in Muslim history, both women and men are actively engaged in the creation and dissemination of knowledge about Islam, and the audience is considered to include both men *and* women. The audience has changed and scholars of Islam do not necessarily have formal training in Islamic studies; Muslim voices are more accessible, spanning different religious perspectives, genders, classes, cultural backgrounds, scholarly levels and the popular masses, as well as including non-Muslims.

Thus, according to Chaudhry, modern scholars of Islam who seek gender-egalitarian readings face an 'egalitarian–authoritative dilemma' in a context where the 'Islamic tradition' has been mythologised and the idealised Muslim past is central to the contemporary identity formation of many Muslims. Chaudhry notes the complexity of gender equality queries within contexts in which egalitarian demands are associated with westernisation and colonial feminism. The reality of the politicisation of the relationship between Muslims and their idealised tradition in the post-colonial world is at the core of the 'egalitarian–authoritative dilemma'. In order to speak authoritatively and be deemed 'authentic', contemporary Muslim scholars attempt to anchor their positions in the 'Islamic tradition'. For the author, in this impossible space, the 'Islamic tradition' defined by pre-colonial Islamic scholarship obfuscates rather than facilitates a gender-egalitarian vision of Islam.

In order to overcome the 'egalitarian–authoritative dilemma', Chaudhry argues that modern scholars of Islam must approach the Qur'an as a 'performative text', the meaning of which is derived through its interactions with various believing communities; by so doing, the Qur'an will showcase its polysemy and ability to speak to various Muslim communities in multiple voices. Thus, a gender-egalitarian approach to Muslim scriptural traditions cannot happen without a de-mythologisation of the 'Islamic tradition', as this allows creative interventions with authority.

This book represents an important contribution to Muslim feminist scholarship, as it poses feminist ethical queries about patriarchy and gender equality in the field of Islamic studies, especially related to hermeneutics and jurisprudence. It is both for specialist and non-specialist readers, as the book approaches this complex topic in an accessible way and avoids generalisations and simplifications about the politicised subject of 'women's status in Islam'.

Throughout this book, Chaudhry provides a nuanced and sophisticated Muslim feminist intervention to the 'Islamic tradition' she analyses. Acknowledging the politicised dimension of issues related to Islam and gender, the author enriches the analysis of Sunni intellectual history on this verse, an analysis that can be deemed a post-colonial feminist stance. Her awareness of the post-colonial dimension of contemporary

Muslims' attachment to and idealisation of their pre-colonial tradition does not weaken her determination to engage with patriarchal Muslim scholarship. On the contrary, her complex analysis and positioning as a Muslim woman, who is attached to both her religion and belief in gender equality, make this book a valuable, challenging and courageous contribution to contemporary Muslim feminist scholarship.

Zahra Ali
University of Chester

doi:10.1057/fr.2015.60