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AYESHA S. CHAUDHRY is an associate professor of Islamic studies and gender studies at the University of British Columbia. She is the author of *Domestic Violence and the Islamic Tradition: Ethics, Law, and the Muslim Discourse on Gender* (Oxford, 2013). She came to the Boisi Center to discuss human rights and religious pluralism and freedom with interim director **Erik Owens** before her talk.

OWENS: One of the reasons that you're here is that your first book, which is titled *Domestic Violence and the Islamic Tradition*, has gotten all kinds of great reviews and has made a big impact on the field. You say that "there is no aspect of Islam that is gender neutral; everything is gendered, from sacred texts, theology, ethics, legal theory, jurisprudence to mystical expressions and the embodied experiences of believers... Muslim men and women the world over can interact with Islam only in a gendered way." What does this mean to you? Is this any different than any other aspect of our lives? Or are you making a claim about Islam in particular there?

CHAUDHRY: It's true for every aspect of our lives. I was trying to make a more specific point that people interact with religions and text and everything in their lives through their various subjectivities. In this book, I'm interested in thinking about the gendered subjectivity. What happens oftentimes is that subjectivities that are invisible are usually the normative subjectivities. The thing that people don't say often is the thing that's most important to pay attention to.

In books about Islam—like an introduction to Islam or to the Qur'an, or in treatises on various things about Muslims and Islam—the authors will usually have a chapter or a section on women and Islam, as if that's this niche little science that people work on. Often I found that people will do that to me also. They'll say, "Oh, you work on gender," as if I couldn't possibly have something to say about the Qur'an. Here was a book I was writing about a verse in the Qur'an, but it's a verse about how men and women should relate to each other in marriage and what

an ideal marital relationship looks like.

What I wanted to call to my readers' attention to was that anytime you're reading anything about Islam it's always gendered. If gender is not mentioned, then the gender is male. That's what I was trying to bring up.

OWENS: It's a crucial point that applies all over. Your book centers around a problematic text in the Qur'an, 4:34.

[Excerpt: "Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part you fear disloyalty and ill-conduct, admonish them (first), (next) refuse to share their beds, (and last) beat them (lightly); but if they return to obedience, seek not against them means (of annoyance): for Allah is Most High (above you all). " Trans. Abdullah Yusuf Ali, from Chaudry, *Domestic Violence and the Islamic Tradition*, 25.]

Could you say a bit about it—for those who haven't read your book? How did you came to this topic, and how would you characterize this passage?

CHAUDHRY: This verse in the Qur'an—chapter four, verse 34—talks about the relationship that men and women have to each other, specifically husbands and wives. It starts with men and women then it moves on to husbands and wives. It's a text that talks about—when there's a marital conflict—how should you resolve that marital conflict?

I grew up with this verse. I heard it. I heard it in the mosque. I heard it in my house. I heard people talk about it. It's a verse that has been used to justify domestic violence. Please remember, domestic violence is not something that is specific to Muslims. But here, I'm speaking about it in an Islamic context.

This verse matters a great deal to me because it is used by many Muslim-majority countries to not only obstruct any efforts to criminalize domestic violence, but to protect it in their penal and personal status codes. For example, countries like the United Arab Emirates, which we consider a progressive country—lots of universities have built campuses there—is a country in which domestic violence is not criminalized. It's protected in their penal and personal status code. That really bothers me.

Thinking about it from a political perspective also, the Convention for the Elimination of Discrimination Against Women (CEDAW) has run up against all sorts of reservations from Muslim states. Most of the nation-states that have expressed reservations to Article 16 of CEDAW, which tries to give men and women equal rights in marriage, are Muslim majority. Most of those states, in their reservations, have cited Islam and Islamic law as the reason for why they are making that reservation and this verse is the crux of that.

Ziba Mir-Hosseini, who is an activist and a scholar, says that this verse is the DNA of patriarchy in the Islamic legal tradition. It really is fundamental to how Muslims are thinking about this at the state level and at the personal level.

On the one hand, I had this personal relationship with this verse, having heard it in various contexts, including women saying, "Is my husband allowed to hit me? If I report him to the police, will I be punished? Is there a verse in the Qur'an that says he's allowed to hit me?" Then to have Muslim scholars respond to them, "Well, what did you do? It depends on why and how he hit you." These questions ultimately condone domestic violence in one form or another. They put the onus on women to explain whether they deserve to be hit or not.

OWENS: You write that you were hoping, after talking initially with scholars, to find, deep in the reaches of what you call the Islamic tradition, multivariate voices of early thinkers who had multiple readings of this. What happened?

CHAUDHRY: When I first read this verse in the Qur'an in its English translation, I was in eleventh grade, and I was kind of stunned by it. As I say in the book, I was first upset about how it made Muslims look. I was concerned about the PR image of Islam more than I was about Muslim women. I thought, surely the Qur'an couldn't possibly say this. The fact that these translations say that it says this makes Muslims look really bad, because it confirms ideas about Muslims that Christians or Jews might have. I was worried about that.

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So I started asking Muslim scholars what this verse means, and they kept giving me these elaborate dances around this verse. I was just waiting to hear "No, this is a wrong translation," that "the Qur'an does not condone violence against women." But nobody would give me that. They would be like, "Oh, you know, it's not as bad as it sounds. It says that, but what you need to understand is this." And they would make all sorts of vague claims about their tradition—the tradition—like it's so amazing. You just haven't studied enough. You don't know what you're talking about. And they would put me in a position to defend myself for asking the question.

OWENS: You didn't have the status, according to them?

CHAUDHRY: To be asking that question. And also there was something wrong, like I had internalized this Christian or non-Muslim gaze by asking that question, so the problem was on my end as the person asking the question, even though they were the ones not able to give me a good answer for it. When I started my Ph.D., I thought, "Let me just find these other perspectives that everyone keeps me telling me about." The tradition is multivalent and people disagreed with each other about everything. We were so comfortable with disagreement. Okay, let's find the disagreement.

Then I go into the tradition. I look at hundreds and hundreds of sources over centuries, over vast geographic periods and nothing. Every single scholar that I studied, both the Qur'anic commentary tradition and the legal tradition, accepted as a fact that husbands were permitted to hit their wives. Their ethical conversations were about process. When can you hit her? How hard can you hit her? Whether you're culpable or not if you hit her too much—and that's what the discussion was. It was really, really disappointing, as a Muslim woman, to find that.

OWENS: Are you then forced to either drop your relationship to the tradition or drop your objection to this passage? How did you find your way through this dilemma?

CHAUDHRY: Right. There's this wonderful area of study called religious feminism. Religious feminism occupies the space between rejection and blind obedience to tradition. So all religious traditions, not only the three Abrahamic faiths, but most religions that are in operation today, emerge out of patriarchal contexts. They necessarily reflect the patriarchy of their histories.

Religious feminists say we belong to this tradition, but we believe in gender equality, and we're not choosing, actually. We're going to find a way to be comfortable in this space that apparently doesn't exist. We're going to create this space. We're going to set up some couches and have some tea.

That is what ultimately saved me. I read the work of Jewish and Christian feminists, which was really wonderful. I also read the first generation of Muslim feminists, these women who are sort of saying for the first time you could be a Muslim woman and still have your dignity and still be fully human and not believe that you're in any way compromised because of your gender. It was really empowering.

OWENS: You write a bit about how, in the broader Muslim world, feminism is seen as tainted by colonialism. How can you escape charges of colonialism that men, presumably, are frequently making about this?

CHAUDHRY: It's hard to navigate that. You have to make that sort of strategic choice whether you're going to accept the term feminist or not. My choice is to accept it. I'm a feminist. I don't apologize for it. I know that I lose some people because of that. But I think I gain a lot more people, because I think feminism is the belief that men and women are equal, and most Muslims actually believe that—at least hundreds of millions of Muslims

believe that. There are 1.6 billion of us, so a lot of us believe that.

You mentioned the reviews of the book. I was worried, this book is an intra-Muslim conversation. It's the intellectual history of how Muslims have thought about the verse in the past, and how they think about it today. I tried to present every position as compassionately as possible, including the positions I deeply disagree with.

I was worried about how people were going to react to that. We were worried about security threats, we were worried about all sorts of issues. I did get hate mail for writing this book. But the majority of the mail that I got actually has been so loving, so wonderful, so appreciative.

The reviews have been amazing, not only because it's been reviewed in prestigious journals, but actually the ones that have been most meaningful to me are the ones that have been nonacademic, like Muslim mainstream websites that have reviewed it. A woman in Egypt reviewed it recently. There's been a review of it from a woman in France.

Those reviews have been especially meaningful to me because I have loved seeing Muslim women engage with the book and care about it. I've met with activists in Morocco. When I was at the World Bank, there were all these activists there who had read the book and were just so grateful for it.

So the response actually has been really amazing. It confirms to me that this actually represents a broader concern and that people are appreciative to see someone actually engage the various arguments.

OWENS: One of the issues that is brought up in criticism, of course, is that you're piling on Islam; you're piling on the criticisms of Islam at a time when there's a rising Islamophobia around the world, and that you're making things worse by piling on. How do you respond to that? Or maybe a better way of phrasing that is, which you mention in your book, why won't you just say that Islam is a religion of peace?

CHAUDHRY: Well, I think simplistic narratives of any religion are just fundamentally untrue. Islam being a religion of war or a religion of peace are both equally true and untrue statements. They don't really tell us very much about what Islam is or isn't. But in terms of this verse, I did struggle with whether I should write this book because of what the Islamophobes will think.

When I thought about that more, I thought a couple of things. If I were to make a decision based on that kind of question, I have to de-center Muslims. I

have to basically say Muslims are not the center of their own religious discourse because we have to instead center bigots and Islamophobes and people who are racist and will in some way hurt us for having an honest conversation. That was a really important part. It's claiming the legitimacy and the space within a religious tradition to have a self-critical conversation with or without regard to what the outsiders of that tradition are going to think about that. So that was an important part.

I've also been asked this question by liberal white people who are worried about what I'm doing in my own tradition, and those two questions are really different. They have a different tone. They're fascinating to me in very different ways.

What I would say to Muslims, is that when we start portraying this perspective on Islam that is dishonest to our experience of it for the sake of public relations—what I call in the book "PR Islam"—it makes it impossible to grow. What it ensures is that the community stagnates. It doesn't engage in honest conversations about real problems that it's having, so I felt compelled to engage that debate. If I hadn't written this book, it would not mean the debate was going to go away, or that Muslims were going to stop talking about this issue in their mosques, or that countries were going to change their legislation.

I felt that I had to write it. But I have a sentence in there that says, just to be clear, this is not for small-minded bigots who have been saying that Islam condones domestic violence before the book and are going to continue saying it after the book comes out. I don't think the book is really going to add even fuel to the fire, quite frankly, but it was something I struggled with. I didn't enjoy it, but I think it did ultimately make me think more deeply about what kinds of conversations we do and do not permit ourselves to have, and who loses out when we do that, and who is centered in our imaginations of ourselves when we do that.

There is also the secular philosophical or theoretical way of thinking about how the experience of being on the bottom rung attunes those on the bottom rung to the ways that they're being screwed over: "The boss is getting money and I'm not getting money." "The corporation is doing better than I am, even though I'm doing the hard work." This sort of awareness that comes about from the position of oppression is really a moral resource that ought to be tapped more—and that probably does have something to do with *kenosis*.

OWENS: Shifting topics a little bit, as a Canadian who is living this year in the United States, what has been your take of our crazy presidential campaign this year?

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CHAUDHRY: It was interesting because Canada had a national election this year as well. In both cases, it seems the debate about Muslims has become a central issue—in the American election right now. This is what happened in the Canadian election as well, but in a completely different way. The discourse has been dramatically different and it is interesting to me that Muslims were a central piece of that public—really public debate. In the Canadian context, it was about a woman who was wearing a face veil to her swearing-in ceremony—her oath ceremony for citizenship. The Harper government made that a central issue, hoping to garner more votes. It backfired, which I think is an important point in terms of how to shed light on the context from which I am watching the American election.

In the American context, the debate has been sad. It's disappointing. It's been terrifying, but I'm not surprised by it. I feel that Trump is saying things out loud that have been felt by people for a really long time. Those of us who are Muslim, who look identifiably Muslim have had that experience our entire lives. In the ten years I lived in the United States in New England, I faced a lot of racism. These are not amazingly surprising new words.

But what is new is that a presidential candidate is saying these things. The fact that Trump has support doesn't surprise me. He's created space to be able to say things you couldn't say before publicly, which I hope, like in my most hopeful moment, maybe we can interrogate these ideas now in a way that we might not have been able to before. That's my most hopeful aspect.

OWENS: In the context of Canada and the United States, of North American politics, Muslims are a pretty small minority in both countries. What do Muslims have to offer to the wider society—I'm thinking primarily in the United States, but also in Canada—with regard to your rootedness in a religious tradition? What does that offer to non-Muslims in these societies?

CHAUDHRY: That's an interesting question, because the Muslim populations in America and Canada are in many ways microcosms of the Muslim world, so you have Muslims from all over the world and you have American and Canadian

Muslims, people who were born in these two countries. I guess one of the things I'm going to be saying today is that there isn't a Muslim-ness. There's no essence to being a Muslim. People have multiple subjectivities. Muslims have to offer as much or as little as any other American or Canadian has to offer.

OWENS: Lastly, what are you working on now?

CHAUDHRY: I'm working on a few things, but two things I'll talk about. One is this project called "A Feminist Sharia." What I want to do is to look at six laws that are patriarchal in the Islamic tradition and that are connected to the narrative of Muhammad's youngest wife, Aisha. I want to rethink those laws by rethinking the story of Aisha. I'm taking very seriously this idea of laws being built on narratives. If they are, what's a story that supports this law? How can we rethink the same story without changing its facts? How can we read it completely differently to have a different law?

I'm playing with this space. It's not meant to offer the ultimate feminist sharia manifesto, but it is meant to expand the space in which people can play when they're being creative with Islamic law and Muslim narratives. I'm really excited about that.

The second thing that I'm working on is a memoir called *The Color of God*, and it's about me being born and raised in Canada by orthodox South Asian Muslim parents, who immigrated to Canada in the 1960s, and what it was like to grow up in this household in a secular country, but with parents who were anti-assimilationist. I'm enjoying that and thinking about what it means—like what does assimilation mean? What does integration mean? How does immigration work? And how do people negotiate their identities? I'm getting to think about those issues.

OWENS: Terrific. Well, I wish you the very best. Thanks again for being here today.

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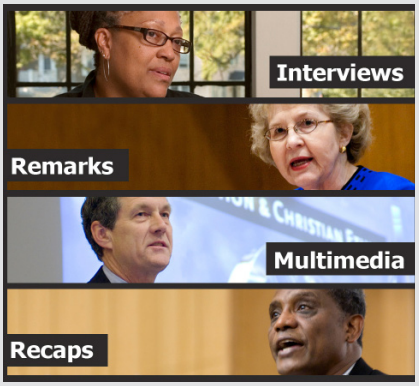

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