Ayesha S. Chaudhry

Few are the scholars who are able to admit upfront how their identity and personal experience contribute to shaping their approach towards certain topics. Born in Canada to a Pakistani immigrant and conservative Muslim family, Ayesha S. Chaudhry points out that, out of her desire to save Islam's image, she was troubled by Q. 4:34: “Men are qawwāmūn (protectors and maintainers?) of women, because Allah has given the one more [strength?] than the other [faḍḍala], and because they support them from their means. Therefore, the righteous women are devoutly obedient and guard in (the husband’s) absence what God would have them guard. As to those women on whose part you fear disloyalty and ill-conduct, admonish them, and refuse to share their beds, and iḍribūhunna (beat them?) ...” Chaudhry’s trouble progressed from defensiveness to alarm to finally reach the point where she was unable to accept any interpretation of the verse that would allow any kind of wife-beating, whatever the circumstances or the restrictions on the practice may be. In this view, any interpretation of the verse that does not reject wife-beating outright is violent because any form of hitting, no matter how “regulated” it may be, is necessarily violent.

Starting from history, Chaudhry points out that despite their disagreements on details and perhaps their obvious inclination to mitigate what they regarded as its “plain-sense meaning,” all “pre-colonial” exegetes interpreted Q. 3:34 according to one patriarchal cosmology where men are ranked below God but over women. They even discuss men’s relationship with women using the same language they use to describe God’s lordship over humanity (p. 41). This argument is supported by references to both exegetical literature on Q. 3:34 (chapter 2), and to discussions in the four major Sunni legal schools that “institutionalized” the exegetes’ cosmology by rendering wife-beating a disciplinary means of returning rebellious women to their right place in that cosmology (chapter 3). Not only did these scholars rank women below men, but their discussions demonstrate, in Chaudhry’s view, that they were not concerned for the “welfare, security, or protection” of women (p. 39, where Chaudhry examines reports about a woman who was beaten by her husband in the Prophet’s time, prompting the revelation of Q. 3:34).

Chaudhry’s research in “pre-colonial” sources indicates that unlike Hanafi scholars who were primarily concerned with protecting a husband exercising his right to physically discipline his wife, Malikis sought to restrain husbands who might abuse that right. For their part, seeking to reconcile various
pieces of evidence on the issue, Shāfī‘i jurists interpreted the imperative *wa-ḍribūhunna* to be a permission that should be morally avoided rather than a command that must be legally followed. As expected, the approach of Ḥanbalī scholars to the issue was “an amalgamation of the positions of earlier schools” (p. 125). These differences notwithstanding, Chaudhry believes that the case of Q. 4:34 demonstrates that the “Islamic tradition” is not “complex, multivalent, and pluralistic” (p. 7) as is generally assumed, particularly when it deals with issues of gender. In these issues, that tradition is “monolithic, unvaried, and largely unimaginative” (p. 222) because it is based on the same patriarchal cosmology that now hinders the emergence of an egalitarian Islamic cosmology.

Relying on written and electronic sources in English, Arabic, and Urdu, Chaudhry distinguishes four trends related to the question of wife-beating in modern Muslim scholarship (chapter 4). Unlike their pre-colonial counterparts, modern scholars do not necessarily receive formal training in religious sciences and have to address common people, Muslims and non-Muslims alike, rather than their own peers. The dilemma that these scholars regularly face is that they have to choose to either rely on a patriarchal tradition to justify a modern, egalitarian cosmology, or ignore that tradition and lose credibility in their societies. The traditionalists and neo-traditionalists among them, on the one hand, agree on the centrality of the Islamic tradition, which they regard as a true reflection of Islam’s values. However, whereas the former trend shuns modernity completely as being incompatible with these values, the latter seeks to demonstrate that these values do not contradict modern egalitarian views. On the other hand, whereas reformist and progressive scholars agree on their acceptance of the modern, egalitarian cosmology, the former seek to demonstrate that their views are inherent in the cosmology of the Islamic tradition, whereas the latter reject the necessity of “authenticating” (this reviewer’s word) their views by reference to that tradition.

What is common to both the second and the third trends here is their use of “hermeneutical acrobatics” (p. 140) in their attempt to anchor their views in the “competing cosmologies” (p. 136) of the Islamic tradition and modernity. Arguing against a patriarchal cosmology by relying on a tradition that is based on that very cosmology leads these trends to inevitable inconsistencies. It is not uncommon that in that process, these trends may misrepresent the Islamic tradition or compromise their egalitarian views (p. 140). That misrepresentation takes various forms, such as presenting marginal views as having been dominant in the tradition, falsely attributing views to it, speaking vaguely or misleadingly about its diversity, or softening some of its common beliefs. What the first and last trends have in common despite their sharp contradiction,