
Good Scholarship/Bad Scholarship: Consequences of the Heuristic of Intersectional Islamic Studies

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In her article, “Islamic Legal Studies: A Critical Historiography,” published in *The Oxford Handbook of Islamic Law*, Ayesha Chaudhry criticizes the field of Islamic law, and Islamic studies more broadly, for promoting two hegemonic methodologies: White Supremacist Islamic Studies and Patriarchal Islamic Studies. She argues that these modes of scholarship perpetuate patriarchy, decenter Muslim narratives, privilege precolonial texts, and create barriers to entry into academia. Her resolution is a new form of Islamic studies—Intersectional Islamic Studies—which seeks to recenter Muslim narratives, is committed to social justice, and exposes the problematic power structures within academic inquiry. Chaudhry argues that scholarship produced using the first two methods is “bad scholarship,” whereas scholarship produced using the third method is “good scholarship.” In this article, I problematize the dichotomy between “good” and “bad” scholarship and argue that Chaudhry’s methodology is restrictive, hegemonic, and detrimental to meaningful scholarly engagement.

ON PUBLICATION, *The Oxford Handbook of Islamic Law* sparked a wide-ranging and provocative scholarly debate. This was largely due to its opening essay, “Islamic Legal Studies: A Critical Historiography,” by

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Ayesha Chaudhry (Chaudhry 2019, 5–44). The essay, ostensibly a historiographical analysis of the study of Islamic law in the Western academy, is in fact an indictment of the field of Islamic studies, its methodologies, and the lack of sustained moral engagement by its scholars.¹ The essay has been widely read and has generated intense debate on social media and academic listservs.² Some have critiqued Chaudhry for her *ad hominem* attacks and lack of critical academic engagement; others have praised her intervention in the field of Islamic studies as groundbreaking.

Like Chaudhry, I am a cisgender, heterosexual, Canadian South-Asian Muslim woman, and I share some of her assessments of the field and her commitment to eradicating patriarchal and white supremacist domination, both implicit and explicit. Ironically, however, her critique of Islamic studies strips me of the agency to determine the nature of my scholarship and the potential of my scholarship to be both informative and transformative in ways that she fails to acknowledge or theorize.

This article is composed of four sections. In the first section, I analyze Chaudhry's dichotomization of "good and bad scholarship" and place it against the backdrop of her own scholarship on gender violence, Islamic law, and Quranic exegesis. In the second section, I examine intersectionality within feminist studies as a method of analysis and in the third section I explore current methodological debates in Islamic legal studies and Islamic studies more broadly. By highlighting these debates in feminist studies and Islamic studies, I argue that Chaudhry's methodological critiques are not new and that her interventions should be situated within ongoing productive scholarly conversations. Finally, in section four, I discuss the potential consequences of adopting Chaudhry's Intersectional Islamic Studies (IIS) method as the *only* method of "good scholarship" in the field. I argue that her method and classification of scholarship has four detrimental consequences: (1) it radically circumscribes the agency of scholars who offer understandings of history and tradition that diverge from those of Chaudhry's; (2) it undermines any meaningful engagement among scholars with different methodologies and normative projects; (3) it encourages the type of superficial performative

¹Chaudhry oscillates between a critique of Islamic law and a general indictment of Islamic studies; as she advocates Intersectional Islamic Studies as a method, her critique is best read as one of the entire field, using the study of Islamic law as a specific case study.

²Certain debates on this article took place on private listservs and social media accounts and are thus not easily documented. In response to some public critiques, Anver Emon and Rumea Ahmed, the editors of the *Oxford Handbook of Islamic Law*, posted a statement on The Immanent Frame website, entitled "Smuggling Scholarship—In re *The Oxford Handbook of Islamic Law*" (Emon and Ahmed, 2019).

behavior that, in her view, Islamic studies currently promotes; and (4) it collapses the distinction between the analytical and the political, reducing scholarship to an instrument to justify certain political positions. Though Chaudhry aims to liberate Islamic studies from the dominant structures of power, her project of Intersectional Islamic Studies is not free from the dynamics of politics and power she critiques and may result in new forms of hegemony and power that could limit the agency of Muslim and non-Muslim scholars alike.

DISPLACING WHITE SUPREMACIST ISLAMIC STUDIES AND PATRIARCHAL ISLAMIC STUDIES

Chaudhry begins by noting that she will examine the “politics of knowledge production” in Islamic studies to challenge current methodological trends and propose a new method for scholarly engagement (Chaudhry 2019, 6). She divides Islamic studies into two branches she calls White Supremacist Islamic Studies (WhiSIS) and Patriarchal Islamic Studies (PILS). She traces WhiSIS to the Western academy, founded by white men who claimed to set the standard for good scholarship. According to Chaudhry, the standard for good scholarship according to WhiSIS has four elements: (1) objectivity; (2) a focus on precolonial texts and decentering of the everyday Muslim experience; (3) a mastery of Arabic; and (4) an avoidance of moral stances. Defining scholarship solely on the basis of these four elements, Chaudhry asserts, creates a restrictive notion of legitimate or good scholarship (Chaudhry 2019, 10–16). Even more problematic, for her, is that WhiSIS “condones what is immoral” because “it acquiesces to and legitimates a patriarchal version of Islam because all of its privileged texts were written by men in patriarchal social and historical contexts” (Chaudhry 2019, 14–15). Thus, WhiSIS scholars not only exclude Muslim voices but also support and perpetuate patriarchal understandings of Islam by privileging precolonial texts. Moreover, for Chaudhry, this category of scholars includes the “Muslim scholar of color who writes and speaks in the language of WhiSIS” (Chaudhry 2019, 15). These Muslim scholars replicate the iniquities of WhiSIS to gain acceptance into a field that, ironically, is constructed to exclude them.

Like WhiSIS, PILS emerged during the colonial period but is not limited to the Western academy—it is pursued in “secular and religious universities, in *madrasas* and in governments, in NGOs and think tanks” (Chaudhry 2019, 16). PILS prides itself on representing Muslim beliefs and practices, but, like WhiSIS, it does so in a narrowly defined way. The key

elements of good scholarship in PILS are (1) a focus on medieval texts; (2) a privileging of “maleness and adherence to a particular patriarchal performance of faith as the key to true knowledge of Islam” (Chaudhry 2019, 17); (3) a commitment to faith, which is often performative in nature; and (4) a commitment to the historical past as the “true” and “real” locus of Islam. According to Chaudhry, PILS scholars are either male or privilege the male, focus on a precolonial past, and use performative acts of faith to include or exclude individuals (Chaudhry 2019, 20–23). “[W]omen, by virtue of their gender are disadvantaged” and are relegated to the fringes if the performative elements of their religious practice fail to adhere to the standards established by PILS scholars (Chaudhry 2019, 20).

According to Chaudhry, PILS and WhiSIS share a focus on precolonial texts, an explicit or implicit commitment to patriarchy, and the demand for performativity on the part of all who seek to participate (Chaudhry 2019, 20). By not challenging established WhiSIS and PILS standards of scholarly excellence within the field of Islamic studies, Chaudhry argues, scholarship not only serves projects of domination but also perpetuates them. It is this fear of perpetuating projects of domination that serves as the catalyst for Chaudhry to advocate for a new approach to Islamic studies: Intersectional Islamic Studies (IIS).

IIS directly responds to what Chaudhry regards as the morally questionable aspects of WhiSIS and PILS. For scholarship to be “good,” Chaudhry postulates that it must possess five interconnected elements: (1) a commitment to social justice; (2) a recognition that scholarly subjectivity and positionality are important; (3) a recognition that true objectivity is impossible and that scholarship “is always produced in a nexus of power” (Chaudhry 2019, 27); (4) a demand that all scholarship be morally accountable; and (5) a recognition that the Quran is a “meaning-generating” text that belongs to “living communities” and that “good scholarship” must therefore engage Muslim voices (Chaudhry 2019, 27). Unlike WhiSIS and PILS, IIS eschews a focus on the precolonial Islamic world and centers the scholarly gaze on living communities and voices. IIS scholars are committed to social justice, are cognizant of the power structures they inhabit, and demand moral accountability. Any scholarship that fails to abide by these standards is “morally failed,” “irrelevant,” and “bad” (Chaudhry 2019, 29).

The fixation on precolonial texts is one of the central elements of Islamic studies scholarship that Chaudhry seeks to displace through the promulgation of IIS. In her view, precolonial Islamic texts legitimize a “patriarchal version of Islam” that reflects the contexts in which they were produced. The argument follows from her monograph, *Domestic Violence and the Islamic Tradition* (Chaudhry 2013), in which she catalogues a

range of historical interpretations of Q. 4:34. To her dismay, she finds that precolonial Muslim exegetes and jurists uniformly condoned the physical disciplining of wives and espoused what she denotes as a “patriarchal cosmology.” Chaudhry defines cosmology as “a representation of a perfect world, a vision of the world as it should be rather than as it is; in the case of the Muslim scholars under study, idealized cosmologies are visions of the universe as it would exist if all humans submitted entirely to God’s laws” (Chaudhry 2013, 11). Patriarchy is not simply the result of the contexts in which scholars write, but figures prominently in their vision of a “perfect world.” The defining feature of this precolonial patriarchal cosmology is the belief that a woman’s connection to God is facilitated by her husband—a point Chaudhry considers morally repugnant. Then, she *conflates* the “Islamic tradition” with precolonial scholarship and argues that “...the ‘Islamic tradition,’ defined by pre-colonial Islamic scholarship, obfuscates rather than facilitates a gender-egalitarian vision of Islam” (Chaudhry 2013, 10). Chaudhry acknowledges the numerous discourses and disciplines that constitute the precolonial tradition; thus, it is perplexing that she essentializes all precolonial Islamic discourses as supporting a patriarchal cosmology on the basis of juristic and exegetical interpretations of Q. 4:34.³

In response to this precolonial patriarchal cosmology, Chaudhry argues contemporary Muslims have adopted an “egalitarian cosmology” (Chaudhry 2013, 9,11). For her, WhiSIS and PILS scholars not only fail to challenge patriarchal cosmologies but actively perpetuate them. Moreover, to the extent that these scholars privilege precolonial texts, they do so at the expense of everyday Muslims who today subscribe to an “egalitarian cosmology.” The failure of WhiSIS and PILS scholars is thus twofold: they fail in their moral duty to adopt a position that opposes “patriarchal cosmologies” and its acceptance of domestic violence, and they fail in their scholarly duty to include Muslim voices.

By arguing that the precolonial tradition espouses a patriarchal cosmology and that engagement with precolonial texts is bad scholarship, Chaudhry leaves little room for scholars to engage with the precolonial tradition on terms other than hers. Moreover, by classifying precolonial thought as “fundamentally patriarchal” and upholding a “patriarchal cosmology,” she treats all precolonial discourses through a unitary lens and

³Chaudhry acknowledges the diversity of precolonial discourse when she states, “The Islamic tradition is indeed complex and varied, and includes disciplines such as theology, jurisprudence, mysticism, lexicology, philology, exegesis, philosophy, legal theory, and more. For the purposes of this study, we will examine the two most relevant disciplines, Qur’anic exegesis and Islamic law.” Be that as it may, Chaudhry also argues that her conclusions apply to all precolonial intellectual production (Chaudhry 2013, 15).

fails to acknowledge their relevance to contemporary Muslim communities. Ironically, Chaudhry perpetuates the same faulty intellectual approach through which early WhiSIS scholars allegedly essentialized the Islamic past. Undoubtedly, precolonial Muslim scholars wrote in patriarchal contexts, but to read *all* intellectual production through a singular lens is to reject the dialectic between text, author, context, and interpreter (Gadamer 2013, 182–202). Chaudhry’s essentialism goes so far as to problematize the current pedagogy in Islamic studies. Addressing the prerequisite of language competence in Arabic for Islamic studies scholarship, she states, “But, because IIS centers Muslims in the study of Islam and Muslims, there is no reason that Arabic should be a necessary prerequisite for scholarship on Islam and Muslims. Most Muslims do not speak Arabic, nor see the Quran as an authoritative legal text, nor live lives structured by Islamic laws, or what they believe to be Islamic laws” (Chaudhry 2019, 29). Yet, Chaudhry does not substantiate her assertion that the legal past has become both theoretically and practically irrelevant to Muslim communities even if contemporary interpretations on Q. 4:34 have indeed shifted.⁴

It is the analytic problematic of flattening the Islamic past, the Islamic present, and the discourse of rupture that Talal Asad seeks to remedy by proposing a new methodological apparatus to approach the study of Islam and Muslims. Asad suggests that Islam should be understood as a “discursive tradition,” which he defines as

discourses that seek to instruct practitioners regarding the correct form and purpose of a given practice that, precisely because it is established, has a history. These discourses relate conceptually to a *past* (when the practice was instituted, and from which the knowledge of its point and proper performance has been transmitted) and a *future* (how the point of that practice can best be secured in the short or long term, or why it should be modified or abandoned), through a *present* (how it is linked to other practices, institutions and social conditions). (Asad 2009, 14)

For Asad, the replication of an essentialized past, by rehearsing either doctrinal tenets or cultural understandings, is not a proper understanding of, or engagement with, tradition. Rather, tradition informs ongoing inquiry into Muslim beliefs and practices in contemporary

⁴Though scholars and laypersons have presented new interpretations of Q. 4:34, these interpretations are varied. In section VII of her essay, Chaudhry provides conclusions from a survey of 200 Muslims in Canada and Malaysia on interpretations of Q. 4:34. She acknowledges that, although many individuals surveyed do not condone domestic violence, some tolerate it (Chaudhry 2019, 37–40). In her book, she discusses contemporary reinterpretations of Q. 4:34 in greater detail (Chaudhry 2013, 135–221).

contexts. Discourses are informed by a past but are by no means limited to it, and practitioners regularly make arguments for the modification or abandonment of past practices. According to Asad, the aim of a tradition-based inquiry is *not* replication of the past, but a critical engagement with it. In this type of reading, one may recognize the patriarchal elements of precolonial texts, advocate for their lack of relevance for modern Muslim communities, and reconstitute the tradition. However, by reducing all precolonial Islamic thought to a product of patriarchal cosmology, Chaudhry pits contemporary Muslim discourses against the precolonial Islamic tradition as she defines it. Not only does this argument *assume* a static monolithic tradition on the basis of interpretations of Q. 4:34, but it also leaves little room for a tradition-based inquiry, even if the objective of that inquiry is to overcome precolonial interpretations of Q. 4:34. Indeed, Chaudhry would regard a tradition-based inquiry, even if it challenges patriarchy, as “bad scholarship” because it adopts the methods of WhiSIS and PILS.

Chaudhry’s assessment of scholarship as good or bad echoes Mahmood Mamdani’s distinction between good and bad Muslims, which he traces to the post 9/11 era. In his book, *Good Muslim, Bad Muslim*, “bad Muslim” refers to Muslims whose political identities are seen as threatening. Mamdani problematizes this distinction as the product of a state security project introduced by George W. Bush as part of his War on Terror. This good/bad distinction arises out of what he calls “Culture Talk,” which “assumes that every culture has a tangible essence that defines it, and then explains politics as a consequence of that essence” (Mamdani 2004, 17). In defining premodern societies, Mamdani argues that Culture Talk takes one of two positions. One position holds that “premodern people are not-yet-modern” and therefore the past should be approached with “relations based on philanthropy.” According to the second position, Culture Talk assumes that the premodern is the antimodern, an approach that instills a fear of the past (Mamdani 2004, 18). On this reading, “premodern” Islam is not *incapable* of certain things that modern societies are capable of, but fundamentally *resistant* to modernity and, therefore, the antithesis of the modern. In other words, the premodern Islamic tradition is static and inimical to change. Chaudhry’s distinction between good and bad scholarship instantiates Mamdani’s good Muslim/bad Muslim dichotomy. According to Chaudhry, by designating the precolonial tradition as its locus of inquiry, bad scholarship “acquiesces to and legitimates a patriarchal version of Islam because all of its privileged texts were written by men in patriarchal social and historical contexts” (Chaudhry 2019, 14–15). On this reading, scholarship on precolonial texts is not merely

incapable of undoing the damaging effects of patriarchy, but is also *resistant* to recognizing patriarchy as a problem-space, because patriarchy is the fundamental cosmological principle of precolonial societies and texts. The only alternative to the fetishization of precolonial texts, Chaudhry argues, is IIS.

INTERSECTIONALITY AND INTERSECTIONAL ISLAMIC STUDIES

Kimberl e Crenshaw introduced the concept of intersectionality in the 1980s in two ground-breaking articles focusing on violence against Black women and the legal and social responses to it (Crenshaw 1991; Crenshaw 1989). Crenshaw argues that although anti-discrimination discourses address gender and race, the focus of gender anti-discrimination is white women, and the focus of race anti-discrimination is Black men. The result is that Black women are marginalized in both discourses despite being the recipient of “double discrimination” (Crenshaw 1989, 149). Regarding identity politics and classifications, she argues, “The problem with identity politics is not that it fails to transcend difference, as some critics charge, but rather the opposite—that it frequently conflates or ignores intragroup difference” (Crenshaw 1991, 1242). While maintaining the “ongoing necessity of group politics,” Crenshaw notes that group politics pushes certain individuals within a particular group to the margins (Crenshaw 1991, 1242). Intersectionality becomes a mechanism to recognize multiple identities within group politics, multiple axes of power, and the problems associated with unitary understandings of discrimination. Over time, intersectionality has become a dominant analytical method in the humanities, especially in women’s studies. Nevertheless, as intersectionality has spread across disciplinary lines, scholars have questioned its value as a dominant analytic.

The contentious nature of intersectionality is captured in the “Key This Keyword” panel at the 2014 American Studies Association conference. The panel, which convenes annually, facilitates scholarly debate on the utility of various keywords used in the field. Jennifer Nash notes that “nothing generated more unease than intersectionality” (Nash 2017, 117). Despite initial enthusiasm for “killing” intersectionality as a keyword, the conference audience was unable to agree on the merits of this move and no consensus was reached. After the conference, Nash observes, “Feminist debates around intersectionality—which I term the intersectionality wars—have become particularly and peculiarly contentious. Nearly everything about intersectionality is disputed: its histories

and origins, its methodologies, its efficacy, its politics, its relationship to identity and identity politics, its central metaphor, its juridical orientations, its relationship to ‘black women’ and to black feminism” (Nash 2017, 117–18). Though Nash begins her article by highlighting the discontent over intersectionality, she emphasizes new engagements with intersectionality that demonstrate its continued resilience and scholarly relevance.

Together with Sumi Cho and Leslie McCall, Crenshaw has undertaken an appraisal of the scholarly use of intersectionality. They note three dominant uses: some scholars use the term to describe a framework for investigation, others interrogate its scope and content, and others use it to advocate for political interventions. Clearly, intersectionality has many modes: it can be used to evaluate, to interrogate, and to mobilize. Connecting these three modes of intersectionality is their use as “a gathering place for open-ended investigations of the overlapping and conflicting dynamics of race, gender, class, sexuality, nation, and other inequalities” (Cho, Crenshaw, and McCall 2013, 787). Although intersectionality represents a “nodal point” for “open-ended investigations,” it is most often used to raise theoretical and methodological questions. Because Chaudhry advocates for *intersectional* Islamic studies as a new *method* of Islamic studies, it is important to understand how Crenshaw and others understand the use of intersectionality as a method in disciplinary settings.

Cho, McCall, and Crenshaw insist that the goal of intersectionality is not to demand “greater unity across the growing diversity of fields that constitute the study of intersectionality” but rather to understand the ways in which it has been deployed to see if there are potential avenues of collaboration (Cho, Crenshaw, and McCall 2013, 792). They divide intersectionality into centrifugal and centripetal methods. In the centrifugal method, intersectionality travels to other disciplines and countries, where the following takes place:

It adapts to the different discursive and research protocols in these environments, perhaps modifying how race, gender, and other social dynamics are conceptualized. . . . Studies of intersectionality also begin to conform to methodological standards and practices of each field and strive to make central contributions to those fields. (Cho, Crenshaw, and McCall 2013, 792)

Centrifugal intersectionality does not seek to displace disciplinary methods and practices but takes its place alongside them—sometimes interrogating them and sometimes enhancing them. As Cho, Crenshaw, and McCall note, studies in this mode usually start as empirical and then

“inform theoretical and methodological interventions” (Cho, Crenshaw, and McCall 2013, 792). Methodological interventions can be identified in the fields of sociology, political science, psychology, and philosophy.

The second, centripetal method, operates on the periphery of disciplinary discourse.

Here, scholars interested in intersectionality strike out mainly in the margins of their disciplines and are often skeptical about the possibility of integrating mainstream methods and theories into their intersectional research. As they are less beholden to disciplinary conventions, their projects may draw on a variety of methods and materials, integrating them into innovative insights that might have otherwise been obscured. (Cho, Crenshaw, and McCall 2013, 793)

Cho, Crenshaw, and McCall recognize that the two intersectional methods cannot easily be synthesized, even within a particular field. Although they prefer the centripetal method, they specify that they “do not take the position that centrifugal projects are inherently misdirected” (Cho, Crenshaw, and McCall 2013, 793). They add:

We are mindful that disciplinary conventions import a range of assumptions and truth claims that sometimes contribute to the very erasures to which intersectionality draws attention. . . . At the same time, efforts to produce new knowledge cannot dispense with the apparatuses through which information is produced, categorized and interpreted. (Cho, Crenshaw, and McCall 2013, 793)

Thus, they recognize that although the “methodological insurgency” of centripetal intersectional inquiry is necessary to discover “new, cutting-edge methods,” the centrifugal method can also make disciplinary inroads. What happens when the two different methodological modes of intersectionality are advocated within a single discipline? Cho, Crenshaw, and McCall respond, “It would seem that the future development of intersectionality as a field would be advanced by maximizing the interface between centrifugal and centripetal processes” (Cho, Crenshaw, and McCall 2013, 794). Instead of allowing these two contrasting methods to polarize scholars, they argue for the creation of spaces that allow for a productive interface.

One might envision centripetal and centrifugal scholars working together to identify disciplinary dynamics that perpetuate domination. Indeed, the success of intersectionality as method is not measured by its unified application within disciplines but by its ability to generate a

heightened awareness of the powerscapes prevalent in institutional and academic settings that perpetuate domination and marginalization. Intersectionality is best understood as an “analytic sensibility” reflecting a specific “way of thinking and conducting analyses” and less as a methodology that requires rigorous and uniform application (Cho, Crenshaw, and McCall 2013, 795). For Cho, Crenshaw, and McCall,

Efforts to think critically about certain conditions involve active engagement with the analytical conventions and categories that make up those conditions. That there are always elements of power embedded in language, disciplinary methods, metaphors, and other signs is by now a basic understanding that need not stymie the productivity of the field. (Cho, Crenshaw, and McCall 2013, 796)

They add, “We do not see literary or scientific or poststructural or legal or any other kind of method as inherently antithetical (or central) to this enterprise” (Cho, Crenshaw, and McCall 2013, 795–76). Disciplinary methods are laced with elements of power, yet the presence of power alone does not immediately render a discipline or method irrelevant. Thus, intersectionality is not a method for *erasing* power structures, but a method intended to *expose* them, with the aim of addressing them productively. This is exemplified in Crenshaw’s own work; invoking intersectionality to highlight the legal marginalization of Black women at the hands of antidiscrimination discourse that privileges white women and Black men, she works *within* the discipline and methodologies of her field of legal studies.

Another advocate of intersectionality, Barbara Tomlinson, underscores the tension between the desire to challenge dominant disciplinary trends and the distance that results from these modes of engagement. She argues that “[r]eading, writing and arguing are material social practices laced with ideologies of legitimacy and propriety so powerful and pervasive that we presuppose their value rather than examining their effects” (Tomlinson 2013, 994). For Tomlinson, as for Crenshaw, every discipline has “discursive technologies of power” that often limit scholarly discourse. Criticizing methods that serve dominant discourses is essential, but one cannot disregard *all* disciplinary methods. Responding to the frustration of feminist scholars, Tomlinson observes, “The torment of hope makes disappointments and defeats hard to endure, generating a *desire for distance* from prevailing paradigms, concepts, and theories that seem tainted with failure” (Tomlinson 2013, 998). The result for her is that “feminist criticism can too quickly discard still-useful concepts and categories, replacing them with ‘new objects and analytics in hopes of making its investments come true’” (Tomlinson 2013, 998). At their core, according

to Tomlinson, feminist projects have a desire for *actual* change in the inhabited world. The struggle against power structures within disciplines can be exhausting and drive feminist scholars to despondency, sometimes leading to an abandonment of disciplinary methods altogether. The result is a closing of discursive spaces within disciplines.

In light of this reading of the uses and challenges to intersectionality, how can we understand Chaudhry's call for IIS?

Intersectional Islamic Studies

For Chaudhry, IIS is the only mode of "good scholarship" in Islamic studies because it does not "replicate [the] racist, misogynist, classist structures of inequality" that characterize both WhiSIS and PILS (Chaudhry 2019, 25–26). She asserts that academics should be morally accountable in their scholarship and display a commitment to social justice. Intersectionality helps scholars to identify and resist power structures in WhiSIS and PILS and to ensure that scholarly assumptions regarding social justice are properly interrogated (Chaudhry 2019, 25–26). It targets WhiSIS and PILS scholars who study Islam through "racist, misogynist, classist structures of inequality" and also IIS scholars who assume they have fully grasped the complexity of social justice work. Although Chaudhry's analysis of PILS and WhiSIS scholars is simplistic, she is surely correct to highlight the Orientalist and colonialist roots of Islamic studies, the effects of which remain with us today. However, this insight precedes her and it can be traced to, at its earliest, Edward Said's *Orientalism* (Said 1978). Because scholars have broadly agreed on the genealogy of Islamic studies, I want to focus on Chaudhry's representation of IIS as a panacea for the methodological problematics in Islamic studies while taking into account the analysis of intersectionality by feminist scholars, including Crenshaw herself.

As I illustrated above, for Cho, Crenshaw, and McCall the centrifugal method of intersectionality critiques disciplinary power structures and modes of inquiry while integrating intersectional methods into the disciplines themselves. Centrifugal scholars are located at the center of their disciplines, pushing boundaries from within. Centripetal scholars, by contrast, are on "the margins of their disciplines" and remain "skeptical about the possibility of integrating themselves into mainstream methods" (Cho, Crenshaw, and McCall 2013, 793). IIS adopts the centripetal method, which is less " beholden to disciplinary conventions" and promotes a type of "methodological insurgency" geared toward displacing previously held modes of disciplinary inquiry. Although potentially effective on the margins, the centripetal method may disregard useful methods and contributions in a manner that may be detrimental to the field (Tomlinson 2013,

998). As noted, for Cho, Crenshaw, and McCall, because power is always embedded within disciplines, its presence alone does not justify discarding disciplinary methods (Cho, Crenshaw, and McCall 2013, 796). To be clear, the persistence of these power structures within disciplines must be exposed, but the purpose of intersectionality is not the eradication of power *qua* power, which is not possible. Rather, it is to reveal these power structures, contend with them, and reduce their ability to discriminate and marginalize. On this reading of intersectionality, Chaudhry's call for the replacement of current disciplinary methods in Islamic studies with IIS can "stymie the productivity of the field" and accentuate tensions between centrifugal and centripetal methods (Cho, Crenshaw, and McCall 2013, 796). Instead of collaborating to address structures and methods of dominance within the field, scholars increasingly will become polarized and assume the superiority of their method of analysis.

Chaudhry's arguments for IIS exemplify this polarization, demonstrated acutely in the way in which she assesses certain examples of WhiSIS and PILS scholarship. For example, Chaudhry criticizes a "Muslim woman of color" who analyzes IIS scholarship using the language and logic of WhiSIS and PILS (Chaudhry 2019, 29).⁵ According to Chaudhry, the woman argues that "Muslim feminists might be making the Quran say something it doesn't say, that it may not be as gender egalitarian as they are claiming" (Chaudhry 2019, 29). Chaudhry dismisses this woman's thesis, accusing her of using WhiSIS and PILS methodologies to override "contemporary Muslim interpretation and engagement with the text" (Chaudhry 2019, 29). The paradoxical trap into which Chaudhry falls is that the analysis proposed by the Muslim woman of color is part of "contemporary Muslim interpretation and engagement with the text" that should not be discarded simply because it does not accord with the methods and conclusions of IIS scholars. It is evident that the scholar in question shares a commitment to justice and to the elimination of patriarchy, but her critique of feminist hermeneutics leads Chaudhry to classify her methodology as WhiSIS and PILS and to dismiss it as irrelevant. Even worse than Chaudhry's unwillingness to engage with the argument is her refusal to allow this Muslim woman of color the agency to classify her own scholarship as she so chooses, resulting in an incongruity between Chaudhry's advocacy in theory and advocacy in practice insofar as Chaudhry claims to promote the centrality of Muslim voices in IIS scholarship.

⁵Based on Chaudhry's description of the scholar's work and conversations with my colleagues, I think it is likely that Chaudhry is critiquing the work of Aysha Hidayatullah (2014).

Let us now consider some potential consequences of IIS in Islamic studies. Chaudhry singles out three shared features of WhiSIS and PILS: a focus on precolonial texts, a tacit or explicit commitment to patriarchy, and a demand for performativity by participants. It is this third element I seek to interrogate here. According to Chaudhry:

In both WhiSIS and PILS, these identities and their performance matter more than the content of your scholarship. So that, no matter how rigorous your scholarship is, if you're the wrong color, the wrong gender, the wrong race, or wear the wrong clothes (which is to say, you're the wrong combination of race, gender and religion, or if you perform that combination in the wrong way) then your argument is irrelevant because you are already disqualified from making an argument. (Chaudhry 2019, 22)

For Chaudhry, hyper-performativity is required of Muslims, especially women, who seek to enter WhiSIS and PILS spaces. She argues that women must conform to “an idealized patriarchal femininity” that is often reduced to the clothes they wear (Chaudhry 2019, 21). She recounts instances in which her own performativity vis-à-vis her sartorial choices was the lens through which her scholarly engagements were evaluated. Here, I agree with Chaudhry that the performance of Muslims, especially Muslim women, is used at a litmus test for entry into conversations on Islam and Islamic law. However, hyper-performativity is not emphasized exclusively in WhiSIS and PILS spaces. As a Muslim woman who chooses to wear the *hijab*, on countless occasions I have found myself in conferences, on panels, and in spaces that would be classified as IIS spaces—according to Chaudhry’s definition—where I was expected to hyper-perform. These demands for performance were intended to convince *others* of my commitment to resist patriarchy, of my desire for change in Islamic law, and of my recognition of the structures of dominance within the field of Islamic studies. Other women in Islamic studies who wear the *hijab* have related similar sentiments to me. Paradoxically, the IIS critique of performativity creates what it seeks to remedy, thereby raising the question of how acute and extensive the problem of performativity will be if IIS becomes the *only* legitimate methodology in Islamic studies.

IIS also champions a commitment to social justice and demands that all scholarship be morally responsible. However, the advocacy of social justice presupposes that all scholars agree on a definition of justice and generate a consensus on what a practical politics of social justice looks like within an academic space. Social justice projects vary according to the intersectional identities of the individuals in communities. Insofar

as Chaudhry recognizes this, she is likely to agree that the investigation into the nature of justice, and what constitutes a social justice project for Muslims, does not take place in a vacuum. As Alasdair Macintyre has argued in his *Whose Justice? Which Rationality?*, concepts such as justice and rationality are constructed through engagement with longstanding intellectual and historical traditions. He adds: “Since there are a diversity of traditions of enquiry, with histories, there are, so it will turn out, rationalities rather than rationality, just as it will also turn out that there are justices rather than justice” (Macintyre 1988, 9). Macintyre recognizes that there is no agreed on method of rational justification that can be used to evaluate discourses as “just or unjust, rational or irrational, enlightened or unenlightened” (Macintyre 1988, 6). Eventually, he concludes, rational justification must be the result of a tradition-embedded inquiry that seeks to “transcend the limitations of and provides remedies for the defects of their predecessors within the history of the same tradition” (Macintyre 1988, 9).

Accordingly, if IIS seeks to be transformative, it must engage in a conversation that accommodates a tradition-embedded inquiry. One way for IIS to do this is to adopt a centrifugal intersectional method that leads to productive collaboration, as advocated by Crenshaw and others. Accommodating a tradition-embedded inquiry within the centrifugal method requires taking the past seriously as a point of *departure*, which IIS does not do because it casts the precolonial Islamic past as patriarchal and irrelevant. This means that IIS will resist constructing a shared notion of social justice through a tradition-embedded inquiry—even if that inquiry seeks to transcend the past. Practically speaking, if IIS is the sole method of good scholarship, its scholarly advocates will monopolize the definition of social justice leading to both intellectual and performative essentialism. To the extent that IIS scholars wield institutional power through endowed chairs, tenured positions, research appointments, and the like, they—like the scholarly advocates of WhiSIS and PILS they criticize—may demand hyper-performativity on the part of others. And even if they do not *demand* hyper-performativity, junior scholars will be compelled to perform by virtue of their participation in the field. IIS would substitute its own forms of domination for those of WhiSIS and PILS.

IIS, as advocated by Chaudhry, has clear weaknesses: It dismisses precolonial texts, it closes off avenues of collaboration between centrifugal and centripetal intersectional methods, and it participates in the politics of performativity. In making her argument, Chaudhry does raise certain methodological points that demand further reflection, though

these points are not original and merely restate existing insights and ongoing debates within Islamic studies.

THE MANY MODES OF ISLAMIC STUDIES

In response to critiques of scientific objectivity and the promotion of pure reason in universities, scholars in the humanities have had to contend with the introduction of new discourses and adapt to shifting methodologies and competing modes of inquiry (Macintyre 2007). This evolving process may be more evident in Islamic studies than in other disciplines in the humanities because of its cross-departmental location in theology, religious studies,⁶ and Near Eastern and Middle Eastern studies (Ernst and Martin 2010, 3). These departments have their own genealogies and preponderant frameworks, whether the American Protestant theological tradition in the former two or the Orientalist⁷ tradition in the latter two cases. The proliferation of subdisciplines within Islamic studies complicates the matter further. Islamic law and Islamic theology each claim their own scholarly frameworks and genealogies. Before turning to broader debates within the field of Islamic studies, this section will provide an overview of current methodological debates in the field of Islamic law in response to Chaudhry's characterization of her own article as a "critical historiography" of Islamic legal studies. This will establish that a productive methodological critique of the field has been underway for some time and that Chaudhry's failure to engage with these larger debates in her own intervention ultimately prevents productive collaboration and engagement.

Islamic Legal Studies: From Colonialism to Orientalism

It is widely accepted in scholarly literature that the study of Islam and, specifically, Islamic law, is tied to the European colonial project. Specific elements of Islamic law were either controlled or manipulated by European colonizers to further their own economic and political agendas. Islamic law was also characterized as irrational and barbaric in order to legitimize its dismissal and replacement with European legal codes. In his case study of colonial Algeria, David Powers demonstrates how French

⁶According to Carl Ernst, the study of Islam in departments of religious studies was earliest advocated by Charles Adams in the late 1970s. Beginning in the 1980s up until the first decade of the twenty-first century, the study of Islam grew exponentially (Ernst and Martin 2010, 5–8 and Adams 1974, 1–10).

⁷On the impact of Orientalist modes of analysis on Islamic studies, see Albert Hourani (1992). In these essays, Hourani explores the intellectual history of European Orientalism and its impact on the discipline of Islamic studies.

colonial officials used legislative enactments that weakened family endowments as a way of overcoming restrictions on the purchase of land. Aware that the optimal way to remove family endowments was to discredit the institution in the eyes of Muslims, French orientalist published studies on endowments based on “largely specious” evaluations of the institution in Islamic history. They argued that family endowments, far from being religious, actually “deviated from the pious and humanitarian goals of public endowments and so were, from an Islamic perspective, not only immoral but also illegal” (Powers 1989, 543). Other elements of Islamic law, particularly Islamic criminal law, which colonizers characterized as uncivilized or contrary to modern norms, suffered a similar fate. According to Jörg Fisch and Radhika Singha, the British abolition of Islamic criminal law in India was a gradual process aimed at convincing Muslim subjects that the British Penal Code would ensure the rule of law and protect individuals from arbitrary and barbaric punishments (Fisch 1983; Singha 2000).

As evidenced above in the case of French Algeria, colonial elites often relied heavily on Orientalist scholars to manipulate and classify Islamic law in ways that benefitted colonial economic and political interests (Hussin 2016). This process, which included the translation of texts and the presentation of arguments in language that appealed to Muslim sensibilities, gave rise to legal Orientalism, which continues to impact the study of Islamic law today. John Strawson, an early critic of legal Orientalism, argues:

The persistence of legal Orientalism is a result of complex ingredients; European power, intellectual credibility and subtlety as well as racism. It does not merely assert power, but it also uses the superior location that power provides to motivate an intellectual system which necessarily subjects Islam to European evaluation. (Strawson 1995, 21)

In the postcolonial context, this persistence of legal Orientalism continues to shape scholarly engagement with Islamic law and sustains the conclusions and methodological assertions of early Orientalist scholars. This is evident in the Orientalist preoccupation with the question of the origins of Islamic law, which applies the historical-critical method to trace the development of Islamic law to reveal its indebtedness to other legal systems and to investigate the authenticity of the Quran and *hadith* (Hallaq 2002, 6–19).⁸ By using historical-criticism and philology, Orientalists present

⁸Wael Hallaq argues that the Orientalist paradigm still operates in the works of scholars such as Patria Crone (see Crone, 2002). The most influential early Orientalist scholars are Ignaz Goldziher and Joseph Schacht (see Goldziher 1967; Goldziher 1980; Schacht 1982; Schacht 1979).

their conclusions as impartial and objective representations of Islamic legal history. Though many scholars have subsequently challenged early Orientalist skepticism towards scriptural sources and narratives of intellectual decline and have established new narratives of Islamic legal history (Azami 1996; Brockopp 2000; Motzki 2001; Dutton 2002), many argue that the question of the origins of Islamic law continues to cast a long shadow over the field.

The most outspoken critic of Orientalism in the study of Islamic law is Wael Hallaq. In his 2002 article “The Quest for Origins or Doctrine? Islamic Legal Studies as Colonialist Discourse,” Hallaq argues that the Orientalist “quest for origins” reveals a longstanding “epistemological xenophobia” that undergirds all Orientalist scholarship (Hallaq 2002, 21). Orientalism is not simply a methodology but a paradigm that informs all scholarly engagement with the Muslim other. He notes:

Misconceptions and erroneous reconstructions of history plus an underlying manipulation of basic principles of research. . . . have been the function (nay, the necessary outcomes) of both a thoroughly negative attitude toward Islam and its law and a programmatic construction of discourse aimed at appropriating the Orient, physically and intellectually. (Hallaq 2002, 6)

According to Hallaq, the same power that operated in colonial settings and facilitated the physical and economic subjugation of Muslim populations continues in academic settings in which Orientalist scholars unleash intellectual violence on Islam in “service of power and domination” (Hallaq 2002, 30). Islamic studies remains a site of colonialist discourse as it investigates a narrow set of questions, upholds the veneer of objectivity, reaffirms the erroneous conclusions of early Orientalist scholars, and assumes the superiority of Western legal systems.

In his *Restating Orientalism: A Critique of Modern Knowledge*, Hallaq argues that the Orientalist paradigm is indicative of a larger intellectual problem plaguing secular humanism. He states:

For it is my argument that secular humanism, like liberalism, is not only anthropocentric, *structurally* intertwined with violence, and incapable of sympathy with the nonsecular Other, but it is also anchored, perforce, in a structure of thought wholly defined by modes of sovereign domination. (Hallaq 2018, 5)

The secular humanist engagement with the other, especially the nonsecular other, always takes place through domination and violence. As such, the

Orientalist approach to the study of Islam is not an isolated intellectual or academic problem but indicative of a larger *structure* of knowledge and relationality that is defined by domination. Orientalism, therefore, cannot be resolved by a simple methodological shift but requires shedding “secular humanism, anthropocentrism, colonialist potency, and a sovereign epistemology” (Hallaq 2018, 25). According to Hallaq, this dominating structure of modern knowledge infects all disciplines—economics, journalism, science—and has created a moral crisis that requires a wholesale reevaluation of the “foundational assumptions,” “epistemological mainstays,” “discursive formations,” and institutions that allow for its perpetuation (Hallaq 2018, 174).

Hallaq’s critique of the epistemological foundations of modern knowledge is peppered with reflections on how Islamic history may serve as a counter discourse to the modern crisis of knowledge. In speaking of “Oriental culture,” he argues that “in their organicist view of the world and their reflective ways of living in it,” there can be “heuristic sources for articulating new ways of thinking about the world and living in it” (Hallaq 2018, 246). With respect to law, he argues that the modern notion of law, based on coercion and an external subject, can be positively shaped by Islamic law and its recognition of “internal moral restraints” (Hallaq 2018, 261). By ignoring the potential contributions of Islam to Western discourses, Orientalism not only commits violence against Islam, but also commits violence against itself by remaining willfully ignorant of the moral crisis that it engenders and possible solutions to it.

Other scholars, though less critical than Hallaq, have also challenged the resilience of legal Orientalism as a framework of inquiry (A. Ahmad 2016). Lena Salaymeh, in her *The Beginnings of Islamic Law*, critiques Orientalist legal paradigms that force scholars to apply a “genealogical-historical approach” to Islamic law that assumes a singular moment of origin followed by a linear development that eventually leads to decline. Salaymeh argues the “origins framework” produces certain “essentialist” features of Islamic law that are used to construct an origins story, to distinguish between “borrowed” and “authentic” elements of Islamic law, and to create a notion of legal orthodoxy (Salaymeh 2018a, 2–4). Orientalists also tout the genealogical-historical method as the most objective way to study Islamic law, discounting other modes of inquiry as biased. She argues that scholars should adopt a “critical historical jurisprudence approach” that “begins with questioning dominant disciplinary methodologies, recognizing ideology in scholarly production, and identifying the limits of modern terms and concepts” (Salaymeh 2018a, 11–12). Critical historical jurisprudence seeks to shift the scholarly focus away from the questions

of origins, borrowing, and parentage towards a recognition of how power and ideology shape the study of Islamic law. Accordingly, half of *The Beginnings of Islamic Law* is dedicated to deconstructing three dominant frameworks within the study of Islam: (1) the emphasis on the origins of Islamic law, (2) the question of borrowing, and (3) the construction of Islamic legal orthodoxy through a linear narrative history. In a more recent article, “Historical Research on Islamic Law” in *The Oxford Handbook of Legal History*, Salaymeh reviews Islamic legal historiographies produced by Western scholars and argues that legal Orientalism has led to a limited set of questions focusing on certain periods and privileging certain textual traditions (Salaymeh 2018b, 761–69).

The broad critiques of Orientalism, as exemplified by Hallaq and Salaymeh, are multifaceted and go beyond the argument that Orientalist scholars served colonial power and often harbored contempt for Islamic law. In response to “The Quest for Origins” and other works, David Powers challenges Hallaq’s conceptualization of paradigmatic Orientalism (Powers 2010, 130). According to Powers, despite his acknowledgement of diversity within Orientalist opinions, Hallaq is not “interested in disagreements over methods and/or conclusions between and among these scholars. Indeed, he denies—here—the very possibility of such disagreements” (Powers 2010, 134). On Power’s reading, Hallaq’s assertion that all Orientalist scholarship is grounded in shared “epistemological assumptions” leads to a unified and unfair classification that overlooks divergences and disagreements on methods and conclusions. Responding to Powers, Hallaq states that this reading is “wrong and unwarranted” and notes that in his original intervention he explicitly states “Orientalism is ‘multifaceted and quite diverse in both its methodological approaches and positive findings’” (Hallaq 2011, 389). Be that as it may, Hallaq insists:

It must be asserted then that while the greatest majority of scholars may entertain the noblest of intentions when they embark on the study of Islamic and other non-Occidental cultures, their intentions and, at times, their admirable work and erudition have little to do with how the aggregate literary production, as a cultural collectivity, percolates into a paradigm that ultimately partakes in domination and endless forms of violence. (Hallaq 2011, 407)

In these terms, the existence of substantive and methodological differences does not, for Hallaq, change the fact that Orientalism continues to be a discipline of domination and subjugation. Although he acknowledges that Orientalists have “now largely abandoned explicit colonialist claims over the ‘Orient,’” the structure of legal Orientalism remains tied to

“the thought-structure of totalistic domination” (Hallaq 2011, 408). Like Salaymeh, Hallaq points to restricted scholarly “topical selection” as evidence of the resilience of legal Orientalism. He asserts that research questions chosen by scholars “reflect the intellectual and cultural concerns of Euro-American scholars themselves, rather than what was important to first century Muslims” (Hallaq 2011, 412). Although Hallaq acknowledges that Powers is correct to highlight the diversity of opinions among Orientalist scholars, he insists that the paradigm that facilitates their conclusions subjects Islamic law to Western scholarly interests and power.

Other scholars point to new challenges in the study of Islamic law. In her article “The Politics of (Mis)recognition,” Lama Abu-Odeh warns of the rise of “liberal Islamic law scholars” who privilege “medieval Sunni legal thought” to the neglect of contemporary legal discourses (Abu-Odeh 2004, 811). She analyzes the syllabi and pedagogical practices of four prominent Islamic legal historians—Wael Hallaq, Khaled Abou El Fadl, Frank Vogel, and Sherman Jackson—to argue that a new form of Islamic legal scholarship presents an idealized notion of the past and produces a “fantasy effect” about the historical development of Islamic law. In addition, she argues that these scholars fail to explore adequately the “European legal transplant” into contemporary Muslim societies (Abu-Odeh 2004, 791). This brand of scholarship, Abu-Odeh continues, is produced only in Western academia and finds no counterpart in the Muslim world. This scholarship is not only biased but also “leaves the impression with the uninformed reader that it is only when we look into the medieval that we can find the authentically Islamic and therefore the only (potentially) legitimate constitutions in the Islamic world must be derived from that era” (Abu-Odeh 2004, 811). Abu-Odeh differs from Strawson, Hallaq, and Salaymeh in what she considers to be the main problem of Islamic law scholarship. She is less concerned with legal Orientalism and more concerned with the scholarly dismissal of modern Islamic intellectual activity and its uncritical focus on the classical Sunni legal tradition. She contends that “[g]iving Islamic law an overarching status analytically in our approach to law in the Islamic world, distorts our understanding of legal phenomena in these countries” (Abu-Odeh 2004, 823). Instead, she argues, Islamic legal studies should be subsumed within a larger inquiry into contemporary Muslim societies rather than operating as a distinct discipline. The continued disciplinary isolation of Islamic law, for Abu-Odeh, results in “self-exoticization” and uncritical scholarship. Abou El Fadl, without directly responding to Abu-Odeh’s critiques of his scholarship, maintains that Islamic law is indeed a distinct field that should be studied on its own terms. “We ought to be always mindful of the fact,” he argues, “that there is not just a considerable amount of literature, but there

is a considerable amount of human lived experience with what constitutes the law, the pathology of the law, and the patterns and behaviors of the law” (Abou El Fadl 2019, 15).

Chaudhry misrepresents her argument as original scholarship by failing to acknowledge that long before her intervention others had challenged the field of Islamic law for its colonial genealogy (Powers 1989), its methodological and theoretical domination by the concerns of Euro-American scholars (Hallaq 2011), its subtle racism (Strawson 1995), its narrowing of scholarly discourse by the privileging of certain texts and discourses (Salaymeh 2018b), and its claim of objectivity. This too can be said of Chaudhry’s critique of normativity in relation to WhiSIS and PILS, which also follows a nuanced methodological debate within Islamic studies that is still unfolding but is conspicuously absent in her essay.

Islamic Studies: Questioning the Place of Normativity

At present, debates in Islamic studies⁹ largely focus on two methodological questions: (1) the extent to which historical and philological methods should remain dominant methodologies in the field, and (2) the legitimacy of normative arguments within scholarly inquiry. Though I will focus on the second question, a few words on the first are germane.

The historical-philological method remains central to the study of Islam despite the rise of new methodologies. Reflecting on the field in 2010, Carl Ernst and Richard Martin note that a focus on the study of classical Arabic texts and the scriptural sources of Islam can easily be identified in job advertisements. Though they concede to the importance of precolonial texts in the study of Islam, they argue that “an exclusive focus upon them leaves out an enormous amount of premodern Islamic civilization” (Ernst and Martin 2010, 13–14). As a result, when scholars study Islam, “it is somehow convenient to gloss over the need to document and trace multiple varieties and regional variations of Islamic religiosity in later and recent history” (Ernst and Martin 2010, 13–14). The consequence is that graduate students define Islam normatively through reference to the past “without feeling the need to refer to the questions of contemporary scholarship and methodology” (Ernst and Martin 2010, 14). The

⁹Carl Ernst and Richard Martin refer to scholarship on Islam produced after the critique of Orientalism as a “post-Orientalist approach to Islamic Studies” (Ernst and Martin 2010, 4, 8–13). They describe this approach as one “that includes the study of foundational texts but that insists upon connecting them to questions and debates of contemporary scholarship across disciplines and regions.” This post-Orientalist approach not only connects historical questions to contemporary ones but also incorporates methods of inquiry from anthropology, sociology, and political science. In addition to these methodological developments, the impact of Said’s interventions and a further elaboration of them, continues (see Varisco 2007; Hallaq 2018).

privileging of Arabic precolonial texts is indeed a problem that continues to haunt the field. In *What is Islam?*, the late Shahab Ahmad, although recognizing the importance of historical and philological methods, critiques scholars and methodologies that privilege the study of precolonial legal and theological texts and use these texts as the basis to define Islam. To displace a disciplinary and geographical focus on Islam that privileges the Arab world and colonial narratives of Islam, Ahmad calls on scholars to define Islam through the “Bengal to Balkans” complex and the “Sufi-Philosophical” amalgam (S. Ahmad 2016).

Although S. Ahmad, Ernst, and Martin correctly point to certain historical fixations in Islamic studies, they recognize that scholars cannot study the postcolonial period without considering precolonial legal and theological texts, which, in subtle and profound ways, continue to affect modern Muslim communities. An example is scholarship that evaluates the transformation of Islamic law during the British colonial period. In his influential article “Framed, Blamed and Renamed,” Scott Kugle surveys the consequences of British jural colonization on Islamic law in India. Though much of Kugle’s analysis focuses on the application and subsequent manipulation of English legal logic on Islamic law, his characterization of Islamic law in South Asia rests on an evaluation of the precolonial legal and textual tradition (Kugle 2001). Similarly, Judith Tucker begins her book on Ottoman courts with an anecdote about a woman who was condemned to death by stoning. She struggles to reconcile this event with her research from the seventeenth and eighteenth centuries. She asks:

What was the relationship of the views of traditional jurists to those of the present? Are there enduring themes in the Islamic legal position on women and gender or do we see great variation over time? What are the basic premises of the Islamic legal constructions of women and gender and how have they been affected by historical contingencies? (Tucker 2008, 2)

In these opening musings, Tucker indicates that one should not assume there is an epistemological rift between the precolonial and postcolonial periods. She finds that her own work, which examines a period two centuries before the incident under question, can both illuminate and challenge contemporary understandings of Islamic law. It will be noted that Tucker is a historian who does not explore Islamic law from a faith-based perspective; nevertheless, her reflections raise the question of what relationship, if any, there should be between one’s scholarly arguments and normative commitments.

The debate on normativity in Islamic studies, which has its roots in the insider/outsider debate in religious studies, became acute after 9/11 when large numbers of Muslims entered the field of Islamic studies. According to Caeiro and Stefanidis, these Muslim academics, unlike their predecessors, operated in a social and political context that demanded an Islamic reformation. This context placed a premium “on scholarship that can help along the reform process while simultaneously building bridges with Muslims” (Caeiro and Stefanidis 2018, 76). In turn, the debate on normativity assumed center stage, as exemplified by a public exchange between Omid Safi and Aaron Hughes that was triggered by Hughes’ critique of Safi in his book, *Theorizing Islam* (Hughes 2012). Safi uploaded his response, “Reflections on the State of Islamic Studies,” to Hughes on the *Jadaliyya* website. Hughes countered with “When Bad Scholarship is Just Bad Scholarship: A Response to Omid Safi” in the *Bulletin for the Study of Religion* (Hughes 2014) and his 2016 book, *Islam and the Tyranny of Authenticity*, in which he examines the consequences of normative scholarship in Islamic studies (Hughes 2016).

In addition to the more public debate between Safi and Hughes, there were also productive conversations and publications addressing the question of normativity. The issue was first debated in a special issue of *Method & Theory in the Study of Religion* (McCutcheon 2012, 309–13).¹⁰ Subsequently, in 2013, a roundtable at the American Academy of Religion conference titled “Normativity in the Field of Islamic Studies” resulted in a roundtable here in the *Journal of the American Academy of Religion* dedicated to this topic (Hammer 2016, 25–27).¹¹ And most recently, the edited volume *Identity, Politics, and the Study of Islam* (Sheedy 2018) has been published. Normativity is now a part of the study of Islam and it cannot, and should not, be removed. Normative arguments, in turn, should be subject to the same debate and analysis as other scholarly works. As Anna Gade remarks in her response to the *Journal of the American Academy of Religion* roundtable, “I call for methodologically disciplined steps in order to take Islam, when it is cast instrumentally as a production of projects for change (possibly our own) also to be an object of phenomenological study” (Gade 2016, 113).

Now that normative projects are articulated within Islamic studies, scholars should ensure that these projects are subjected to analysis and critique. However, Chaudhry’s categorization of WhiSIS, PILS, and IIS is constructed in

¹⁰In the special issue, Russell McCutcheon, Aaron Hughes, Herbert Berg, John Kelsay, Richard Martin, Ruth Mas, and Andrew Rippin contributed essays.

¹¹In the roundtable, Julianne Hammer, Elliott Bazzano, Jonathan Brockopp, Sarah Eltantawi, and Zareena Grewal participated.

a way that does not prioritize or emphasize the need for scholarly engagement. By discounting the methods of WhiSIS and PILS, Chaudhry renders illegitimate any critique leveled against her scholarship drawing on these methods. As I have argued earlier, because the disciplinary categories she constructs are thinly theorized, it is easy for her to reject any rebuttals. Such simplification and circumvention is not unique to Chaudhry's approach. Lamenting the reductiveness of feminist critiques of Islamic law, Sherman Jackson comments¹²:

If constructs such as *qiwamah*, *wilayah*, *fitna*, *bid'a*, or *sabr* are deployed to silence Muslim women in the face of abuse and deprivation, the silencing properties of terms such as 'patriarchy,' 'oppression' or 'mansplaining' cannot be simply ignored or dismissed as epiphenomena of male paranoia. (Jackson 2018, 106)

Likewise, if Chaudhry characterizes any critical engagement with, or rebuttal of, her argument, as I have undertaken here, as "supporting white supremacy" and "upholding patriarchy," she is discounting and limiting engagement.

Critical scholarship is most effective when it presents and is receptive to critique. Reflecting on her interventions in feminist theory, Saba Mahmood notes "Critique, I believe, is most powerful when it leaves open the possibility that we might also be remade in the process of engagement in another's worldview" (Mahmood 2006, 209). Mahmood emphasizes the importance of remaining open to critique as her work seeks to reveal forms of agency that are not captured within the "logic of subversion and resignification of hegemonic norms" (Mahmood 2006, 180) that dominates Western feminist discourse. According to Mahmood, Western feminists conceive of agency in a narrow manner, focusing only on the moral autonomy of individuals in the face of power. She finds that this framework is inadequate in understanding moral agents shaped by nonliberal traditions. Mahmood claims that feminist theory is embedded within a liberal tradition that makes specific political and epistemological assumptions that privilege Western women even as it critiques male-centric notions of power and agency.¹³ Specifically, she argues that poststructuralist

¹²Jackson's article is in response to Kecia Ali's Al-Faruqi Memorial Lecture, "Muslim Scholars, Islamic Studies, and the Gendered Academy," at AAR in which she raises important and incisive critiques of the manner in which women's scholarship within the field of Islamic Studies is substantively neglected in secondary works. This follows forth from her 2013 article, "The Omnipresent Male Scholar," (Ali 2013).

¹³Mahmood states, "I question the overwhelming tendency within poststructuralist feminist scholarship to conceptualize agency in terms of subversion and resignification of social norms, to locate within those operations that resist the dominating and subjectivating modes of power. In other words, the normative political subject of poststructuralist feminist theory often remains a liberatory one whose agency is often conceptualized on the binary model of subordination and subversion. In doing so, this scholarship elides dimensions of human action whose ethical and political status does not map onto the logic of repression and resistance. . . . I want to argue that it is crucial to detach the notion of agency from the goal of progressive politics" (Mahmood 2006, 186).

feminists subscribe to a notion of agency that supports a progressive political project that is not universal. Indeed, feminist scholars increasingly warn against the universalizing nature of political projects and the collapsing of the distinction between the analytical and the political. In her article “Feminist Reason: Getting It and Losing It,” Martha Minow identifies the risk feminist scholars take in “treating particular experiences as universal and ignoring differences of racial, class, religious, ethnic, national and other situated experiences” (Minow 1988, 48). Minow notes, “Feminists make the mistake we identify in others—the tendency to treat our own perspective as the single truth” (Minow 1988, 56). To ignore this warning and oppose critiques of your own work is to potentially replace one hegemony with another. According to Wendy Brown, increasing political disorientation and political impotence have led contemporary academics to substitute one regime of domination with another. For her, progressive politics contains an “impulse to wholly indict the structures of the present and stake all on the absolute justice of a radically transformed future” (Brown 2001, 20). In *Politics out of History*, she asks what happens when scholars of progressive politics realize that the objects of their critique—state power, capitalism, injustice—are pervasive in society. For Brown, the result is a form of political moralism that is identifiable in both public politics and intellectual discourses. The danger of this moralism is its unwillingness to accept critique, which paradoxically undermines it. She writes: “The moralistic defense of critical practices, or of any besieged identity, weakens what it strives to fortify precisely by sequestering those practices from the kind of critical inquiry out of which they were born” (Brown 2001, 35). She adds:

A richly configured political or intellectual morality bears an openly contestable character insofar as it must be willing to give an account of itself and be tested against other accounts of the good. And it cannot encode itself as law, or in law, without losing its philosophical and spiritual depths. (Brown 2001, 27)

The danger of normative scholarship in Islamic studies is its immunization from critique and its contention that it is the only form of “good scholarship.” Chaudhry’s scholarship manifests both tendencies. She not only presents IIS as the only option for the future of Islamic studies but also characterizes it as the only *moral* option. By dismissing WhiSIS and PILS scholarship as “morally failed” (Chaudhry 2019, 29) while calling for scholarship to be “morally accountable” (Chaudhry 2019, 27), Chaudhry introduces a type of academic moralism similar to the political moralism against which Mahmood and Brown caution. Furthermore, by casting

opposing methodologies as patriarchal and supremacist, Chaudhry seeks to safeguard her assertions from substantive critique by drawing boundaries between good and bad scholarship on politicized moral lines.

UNIVERSAL IIS: A HEGEMONIC HEURISTIC

If IIS is accepted as the only method to produce good scholarship, it may establish a new hegemony even as it seeks to subvert current power structures in academia. This would radically circumscribe the arena for meaningful scholarly engagement and reduce the agency of scholars to research and discuss the precolonial Islamic world in ways that make it relevant to lived Muslim communities. In her essay, Chaudhry singles out the “Muslim scholar of color who writes and speaks in the language of WhiSIS” (Chaudhry 2019, 15) and recounts negatively an anecdote about a Muslim man engaged in such scholarship (Chaudhry 2019, 6–8). This hints at the hyper-performativity expected of junior scholars, scholars of color and, more generally, all scholars who challenge the widespread application and conclusions of IIS. The demand for hyper-performativity, combined with the effort to insulate IIS from critique, would result in an intellectual hegemony that undermines the discursive and contested nature of knowledge that is the foundation of robust intellectual inquiry.

Until this point, I have focused predominantly on Chaudhry’s substantive assertions and put them in conversation with larger debates within gender studies and Islamic studies. However, I would be remiss not to mention certain fundamental shortcomings in Chaudhry’s article such as inadequate citations, *ad hominem* attacks, and a basic failure to substantiate her arguments with evidence and footnotes. In response to these methodological critiques of her article, editors of the volume in which the essay was incorporated, Rumea Ahmed and Anver Emon, published a short piece online entitled “Smuggling Scholarship” where they put forth a defense of Chaudhry’s eschewal of academic standards. They argue that she intentionally breaks the “positivist mold” of scholarship and seeks to hold every reader to account, not just the ones cited. They state: “Without citing a single article, the essay implies that *every reader* is on the hook for enabling, perpetuating, and universalizing those arguments” and every reader “would inevitably read themselves” as the subject of her critique (Emon and Ahmed 2019). They conclude by disregarding what they label as the “whimpering,” “lashing out,” and “fixating” of critics as simply the cost of “subversion in institutions of higher education.” By arguing that “every reader is on the hook,” Ahmed and Emon problematically universalize Chaudhry’s inadequately theorized and poorly substantiated claims.

In doing so, they exemplify precisely some of the dangers I have described above regarding IIS. In their defense of Chaudhry, Ahmed and Emon refer to Robin D. G. Kelly's concept of the academic refugee and what Fred Moten and Stefano Harney refer to as the undercommons (Kelley 2016; Harney 2013). In the former article, Kelly calls on Black students to repurpose the resources of the university to serve their struggle, which calls for critiquing the "fully racialized social and epistemological architecture upon which the modern university is built" (Kelley 2016). Kelly ends his essay by praising students who are "ruthless in their criticism and fearless in the face of powers that be" (Kelley 2016). But crucially he states, "And they do this work not without criticism and self-criticism, not by pandering to popular trends or powerful people, a cult of celebrity or Twitter, and not by telling lies, claiming easy answers, or avoiding the ideas that change us all" (Kelley 2016). Although Ahmed and Emon may defend Chaudhry's article as reflecting the ethos of the academic refugee, neither she, nor they, display openness to receiving academic criticism through a rigorous scholarly exchange with their work. Instead, ideological labels and personal experiences act as a subterfuge to evade proper academic discourse. If IIS scholars can critique an entire field of study, argue that their critique encompasses *every* scholar, and rely on an un-scholarly methodology—providing no citations, no secondary source engagement—all while heralding their intervention as "subversive," then the ability of IIS to be hegemonic is already fully on display.

My critique of Chaudhry should not be used to deny or legitimize the continued regimes of power and dominance that are active in the academic study of Islam and in Muslim communities more broadly. However, as I have argued above, Chaudhry's critique of power and dominance in Islamic studies is not novel and should be read in light of longstanding methodological debates and interventions. To this extent, the contribution of IIS to the exposition of power structures embedded within knowledge production can be most productive only when it is addressed in the context of these wider ongoing debates. Building on Crenshaw's reflections on the modes of intersectionality, centrifugal intersectionality may be the most effective way to introduce new methods into Islamic studies, to expose powerscapes, and to address regimes of power in a way that does not promote new hegemonies.

CONCLUSION

As the academic study of Islam expands, debates on its history, methods, and future continue to animate scholarly exchange. Chaudhry's

essay, “Islamic Legal Studies: A Critical Historiography,” contributes to this debate by critiquing precolonial discourses and colonial methods of inquiry that disenfranchise Muslim voices and perpetuate white supremacy and patriarchy. As a remedy, she suggests a new form of Islamic studies, Intersectional Islamic Studies, which focuses on contemporary Muslim societies and their lived experiences, and she calls on scholars to take moral positions to achieve social justice. However, I have argued that the widespread application of IIS would result in a new hegemony in Islamic studies that would both limit the agency of scholars to decide the nature of their scholarship and undermine any meaningful scholarly engagement. Most problematically, it would encourage an alternative hyper-performativity that would disenfranchise Muslim and non-Muslim scholars alike. In the end, Chaudhry characterizes IIS scholarship as “good scholarship” and all other scholarship as “bad.” By applying this dichotomy to Islamic studies, she stifles scholarly exchange and allows for the continued politicization of the field in American contexts that would disproportionately affect Muslim scholars who are already on the frontlines of resisting the good Muslim-bad Muslim dichotomy. Although Islamic studies scholars should critique and resist power structures that elevate certain methods of inquiry over others, replacing one hegemony with another would only serve to disenfranchise further those who it aims to empower.

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