

SHARIA IN THE CITY
NEGOTIATION AND CONSTRUCTION OF MORAL SPACE

BY

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ABSTRACT

This dissertation is primarily concerned with how sharia is practiced by Muslims from a variety of backgrounds in Chicago's Devon Avenue and how they co-construct physical and moral spaces. More specifically, I am interested in how sharia as a divine, non-contingent moral and legal code is understood and analyzed in various contingent situations and everyday settings such as producing, distributing, marketing and consuming halal food products. Drawing on conversations with residents, employees, and customers who visit stores in Devon Avenue, as well as archival research, my aim is to demonstrate the various multifaceted understandings and implications of sharia for Muslims in the United States. I argue that the multifaceted interpretations and practices of sharia in the United States are connected with the rhythms and everyday practices of Chicago and beyond. These connections, rhythms, and practices are reflected and interpreted in the actions and comments of Muslims and non-Muslims alike. The goal here is not just to show that the religious (for instance, sharia) and the non-religious/secular (grocery stores, restaurants, farms) are intertwined but to what extent these seemingly separate and disparate domains and spaces may be concurrently called upon within the framework of Islam, sharia, and halal food.

Even though I focus on a particular neighborhood in Chicago, my aim is to flesh out the various historical, local, and global links that form a broader, nuanced picture of sharia in the United States. To this end, my analysis also takes in the broader history of Islam in the United States in order to contextualize the place and voice of the people that I present here. Within this context, I summarize the details of Islamic dietary law and the

debates and issues that were raised during the course of my fieldwork. I also describe the history of halal certification, which plays an important role in marketing and distribution. I highlight two court cases -- where the issue of halal food plays a central role -- that shed light on how religious and secular laws interact with each other, in particular, how U.S. courts interpret and handle cases involving sharia within constitutional limits. I also contextualize these discussions within the frame of the separation of church and state and the concept of legal pluralism. In synthesizing these issues, I show that sharia in the form of halal food production, distribution, and consumption creates a moral space and trajectory of complex processes that are sometimes dissonant.

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"The path is the goal."

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“The Prophet said to Ibn-Masud: You will look at the fowl in Paradise; as soon as you desire it, it falls down, roasted, in front of you.”

The revivification of religious sciences, al-Ghazzali.

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A NOTE ON TRANSLITERATION AND THE USE OF FOREIGN WORDS

I italicize foreign words when they are first introduced in the text. Both “Halal” and “Sharia” appear in the Merriam-Webster in simplified form so I follow that format. For the other Arabic terms, I follow the rules of the *International Journal of Middle East Studies*, simplified by omitting the diacritical marks. I also transliterated Hindi and Urdu words used (mostly in conversations) in a simplified format (without diacritical marks). Most of my conversations with my interlocutors were in English with healthy doses of Hindu/Urdu words and a few phrases thrown in here and there. I have translated those words and phrases and when appropriate included the original word along with the English translation.

For the translation of passages from the Qur’an I consulted the original Arabic along with various English translations but used Muhammad Asad’s *The Message of the Qur’an*. This is purely a personal preference. These verses are cited using a chapter name: verse format. For references to the Hadith text, I have cited the name of the collection (for instance Sahih Bukhari or Sahih Muslim) followed by the volume number, book number and the Hadith number. I have used M. Muhsin Khan’s translation for Sahih Bukhari¹ and Abdul Hamid Siddiqui’s translation for Sahih Muslim.²

¹ <http://www.usc.edu/org/cmje/religious-texts/hadith/bukhari/>

² <http://www.usc.edu/org/cmje/religious-texts/hadith/muslim/>

Introduction

Some Conceptual Considerations

A 1959 *Time* article that labeled Chicago as “The World’s Ex-Hog Butcher” (Time 1959)

portrayed the decline of Chicago’s meat packing industry in no uncertain terms:

The square mile of stockyards and packing plants on Chicago's South Side long gave the city a distinctive aroma, inspired poets and reformers. Carl Sandburg hailed Chicago as "Hog Butcher for the World." Novelist Upton Sinclair achieved fame with *The Jungle*, and it was a major factor in the passage of the nation's pure food laws. Sinclair was so revolted by the packing industry that he wound up the book with a prophecy that some day Chicago's great packing industry would wither away. Last week economics was doing what reformers had failed to accomplish. Armour & Co. announced that it will end its packing operations at Chicago this summer; a month ago Swift decided to do the same thing. The other Big Three packer, Wilson, shut down in 1955. With the major packers gone, Chicago will become just another regional livestock market, with small packers slaughtering for the Chicago area.

One of these small packers that is operating now is “Barakaat Foods” described on their website as a “meat packing plant” that is a “100% Muslim owned and operated USDA

facility.”³ They are currently operating not too far from the famous Chicago Union Stockyard -- the main setting of *The Jungle* (Sinclair 1906; Warren 2007) -- that gave the city names such as “Slaughterhouse to the world” and “Hog Butcher for the World” (Lee 2008). The owners of Barakaat Foods -- two American Muslims of Indian ancestry -- bought the plant from “Chiappetti Lamb and Veal” a fourth-generation, Italian family-run business (Lydersen 2005) that started in the 1920s. Today, Barakaat Foods is the only remaining slaughterhouse in the city of Chicago that performs both halal and kosher lamb and veal slaughtering adhering to the religious laws of Islam and Judaism respectively. Not a single sign of hogs there today.

It might seem off-putting or disingenuous on my part to start a dissertation about sharia, Islam, and Muslims with the mention of hog butchers from more than a 100 years ago as anything related to pork in Islam is considered forbidden. I hope the reader will give me the benefit of the doubt as I show in this work how the various historical intersections, connections and trajectories inspired this project. Even though this project’s primary concern is the construction of Muslim physical and moral spaces, the project’s merit lies in fleshing out the various historical, local, and global links to paint a more nuanced picture of understanding sharia -- the divine law for Muslims. My aim is to demonstrate by way of talking about halal food the various multifaceted understandings and implications of sharia for Muslims in the United States.

³ See website <http://www.barakaatfoods.com>

During my visit, I had a lengthy conversation with Rizwan Khan,⁴ one of the owners. His business principle is simple: Barakaat is following the precepts of sharia to provide not just halal meat but *tayyib* ingredients for halal food (*tayyib* is an Arabic word which means “pure”, “clean”, “wholesome”). Although halal slaughter is an important component of the business it is not just about the slaughter. It is about the supply chain to control and manage the integrity of the halal meat. At the end of the day it is a business that needs to make profit but at the same time this profit can be obtained without compromising the principles of sharia. In other words his business is not just driven by the pure need for profit -- there is a moral impetus that is primarily driven by religious principles. At the same time, the Muslim consumers and the producers that Barakaat Foods deals with operate in a space that is part of the global capitalist economic system but regulated by moral and religious principles. In this space, Barakaat Foods fulfills the demand of providing religiously permitted meat that the Muslim consumers can buy. The company also operates Taazazu.com, which is an online service that delivers the “best quality *Zabiha* Halal products.”⁵ Even though the primary customers are Muslims, this supply chain is reaching beyond Muslims. They also provide kosher meat to Wisconsin-based Strauss Brands known for representing small family farms that provides hormone free, pasture-raised animals.⁶

⁴ Even though in this instance I am using his real name, most of the names used in this dissertation are pseudonyms except where both first and last names are used. I obtained explicit permission from the interlocuter before doing this. Also, people like Rizwan Khan provided other similar interviews in news and trade outlets.

⁵ <http://taazazu.com/about-us>

⁶ <http://straussbrands.com/our-way/kosher-and-halal>

At first sight the slaughterhouse Barakaat Foods occupies looks like any other small-scale meat processing operation in this country. I had to wear a special smock to enter the slaughter floor; there were carcasses and dead animals hanging for further processing. The space is heavily regulated by daily USDA inspections. It was not *The Jungle* and the owners and employees take utmost care to maintain and follow the USDA regulations. Unlike the restaurants and grocery stores, there are no specific Islamic signs such as Arabic calligraphy (Metcalf 1996), pictures, or calendars hanging on the walls (Sen 2013). Various postings of regulations, caution, and emergency procedures are visible -- not in Arabic but in English and in Spanish. When the time of the slaughter comes, the Muslim slaughter man utters the *tasmiyya* ("in the name of God") and *Allahu Akbar* ("God is great") -- sometime audible, sometime not. This one act transforms the status of that particular animal to permissible. The space then becomes a Muslim slaughterhouse instead of just another slaughterhouse in Chicago. A few hours later the same space was used for kosher slaughtering and very different verses were uttered under rabbinic supervision. Thus this space is being perceived and conceived differently by different people working under different moral frameworks and as a result both of these moral frameworks (halal and kosher) follow different -- sometime intersecting -- moral trajectories. Other than the Muslim slaughter man and owner in the front office, the rest of the people in the crew including the USDA inspector were not Muslim. Yet they became part of this moral trajectory of sanctioned, lawful eating. When the processed meat leaves the facility, it travels to various locations regulated by both USDA and halal

certifications. It might receive the Strauss Brands label and arrive at Costco, Meijer or someone's plate at a halal restaurant nearby.

Some of the meat prepared here ends up near the north shore of Michigan Lake to a neighborhood called West Rogers Park described as one of the most diverse neighborhoods in the country because of the racial, ethnic and religious diversity found there (Archer and Santoro 2007; Sen 2013). After World War II, this neighborhood had a high concentration of Jews that dwindled in the last decade. "Ashkenaz Restaurant" was one of several popular Jewish delicatessen that "served more than one half ton of corned beef each month" (Archer and Santoro 2007:99). That is where "Devon Avenue" is located. The avenue runs along east to west and used to have its own share of Jewish deli, bakery, restaurants, bookstores and several synagogues. There are still a few of these Jewish businesses remaining but not as prominent and famous as Ashkenaz (Ashotoush 2008; Sen 2013). Devon Avenue now primarily houses South Asian (loosely defined as "Indian", "Pakistani" and "Bangladeshi") restaurants, grocery stores, music and video shops featuring the latest Bollywood blockbusters, storefronts with mannequins adorned in *saree* and *salwar kameez* and other types of businesses catering to a predominantly South Asian population. However, Devon Avenue is not just an ethnic enclave and marketplace but a place for "transnational diasporic connections" (Ashotoush 2008:225). As scholars have shown, places like Devon create connections that transcend urban and national space (Ashotoush 2008; also see Dwyer 2004). One of the spaces and connections that I explore in this dissertation is sharia and halal food.

Through the wafting smells and sizzling sounds of a variety of foods and a display of different language and dialects, religion is also oftentimes conspicuously visible: pictures of Hindu holy men on the wall, small shrines next to the store counter or in the back of the store honoring *Ganesh* (the Hindu God of wisdom), and *Lakshmi* (the Hindu Goddess of prosperity), Arabic calligraphy featuring verses from the Qur'an, pictures of Mecca and other holy sites of Islam. Religious markers are also visible on people – *hijabs*, Muslim and Jewish men with long beards, Muslim prayer caps, and men and young boys walking with *Yamaka* and *Kashket* hats. Physical spaces are also demarcated by sacred time – some Muslim stores close down during the Friday prayer and the few Jewish shops that are still present in the neighborhood completely close down on Saturday in observance of Sabbath. As a majority of establishments in Devon sell food, one of the prominent signs that is displayed signals the availability of halal food – indicating that the butchers sell meat that is slaughtered in the sharia compliant way and the food is cooked with such meat (the Jewish bakeries similarly display the kosher sign which indicates compliance with the Jewish dietary laws). Besides food, one can also see makeshift Muslim prayer spaces inside the stores — if one ventures to the surrounding streets a few blocks off Devon, there is a big mosque — signs and leaflets of Devon Bank, which specializes in Islamic finance⁷, Islamic bookstores, and fliers of private schools specializing in Islamic education. This is the space where this project was conceived fueled by countless plates of *Biryani* and *Kababs*.

⁷ In general Islamic finance refers to a financial system that fulfills the requirement of sharia where exploitative contracts based on interests or unfair contracts that involve risk speculation are prohibited (see El-Gamal 2006; for implementation and use of Islamic finance in the United State see Maurer 2005).

The spaces this dissertation deals with are not limited to the physical spaces like the slaughterhouses, the farms, the grocery stores that sell halal meat, the restaurants, mosques, and makeshift prayer spaces. The space also includes the conceptual and relational dimension such as owners' and customers' interactions with the halal certification agencies, USDA regulations, Illinois Department of Agriculture's interaction with the stores, various Illinois courts and the legal systems dealing with related cases and complaints. I tie together these different areas (both physical and conceptual) under the theoretical term "moral space" as described by Charles Taylor: "To know who you are is to be oriented in moral space, a space in which questions arise about what is good or bad, what is worth doing and what not, what has meaning and importance for you and what is trivial and secondary" (Taylor 1989: 28). My conversations with various people who shop, work, and live in Devon Avenue, field notes, and archival research trace the contours of sharia in this moral space. As I explore these contours I also highlight the place of sharia within the social and moral fabric of the United States against a historical background of Muslims in the United States and other related events that impacted Muslims and Islam's relationship with science, modernity, the modern state and the global capitalist system.

Based on the discussion of Islamic dietary restrictions practiced by Muslims in Chicago -- which inevitably brings up various issues of animal slaughter and meat consumption both from Islamic and non-Islamic viewpoints -- I argue not only that there are multiple interpretations of sharia -- sharia is but one of the foundations of morality for Muslims. Other social, political, cultural, and local factors create a multiplicity of

moral experiences (Zigon 2009; Zigon 2010). In other words, for some morality is grounded on religious precepts, while for others it is assessed in light of exposure to various factors. I also note that, even though morality and religion play an important role, not all choices, decisions, and actions can be understood through a moral lens or have moral implications (Jackson 2015).

Following Arthur Kleinman's prompt that "what is moral needs to be understood as what is local" (2006:2), this thesis further focuses on how Muslims from a variety of different cultural, political, and social backgrounds understand the concept of moral life in a non-Muslim, multi-ethnic, multi-religious setting such as Chicago. My discussion of dietary practices serves as an entry point into the broader question of how Islam and sharia play a role in the lives of Muslims living in the United States. The goal is to combine the viewpoints of the people who are following the sharia and also at the same time other actors and forces that are connected to these followers. For example, most of my interlocutors believe that the killing of animals is serving a purpose, and that the sharia is there to make sure the space is clean and pure and "proper" methods are followed so that the end product is also pure, clean, and proper. Following this proper method, they believe, reduces the suffering of the animal as well. For Muslims, quality of food is thus not just about the body but also about the soul (van Waarden and van Dalen 2013:198). But this act of slaughtering is not an isolated ritual act – it is part of the broader sharia that provides a path to the divine for all Muslims. This particular act of slaughtering is a religious act but the subsequent actions, such as inspecting, monitoring, packaging, labeling, distributing, selling and consuming the meat, orient and connect

Muslims and non-Muslims to a moral space that is negotiated and contested among a variety of different actors. My theoretical and methodological approach addresses sharia and Islam by bringing in the perspectives of the believers but also engaging with these actors.

The underlying questions that drive the theoretical and empirical approach of this project thus are: How do Muslims in the United States make sense of and follow sharia among competing and contested interpretations? What are the global, local and moral forces connected to these interpretations? And how do these moral understandings, practices and social forces come into fruition within a particular space?

This dissertation is structured as follows. In Chapter 1, I start with a methodological overview where I outline my trajectories of research, analysis and interpretation. Chapter 2 provides a brief historical sketch of Islam in the United States, which serves as a background to situate the discussion of sharia in the United States and to contextualize the experience of the people I talked with in the broader history of Islam and the United States. An introduction to sharia is given later in this introductory chapter.

Chapter 3 focuses on the intersection and juxtaposition of different spaces -- religious, commercial, legal -- that halal food issues and debates unfold in. I start with the relevant background about Islamic dietary law. Then I summarize the current debates regarding halal food as some of these issues manifest themselves in Devon Avenue through people's choices and actions. In this chapter I also describe halal certification, which plays an important role in marketing and distribution and highlight two court

cases where the issue of halal food plays a central role. The deliberations of the court in these two cases allow us to see how religious and secular laws interact with each other, in particular how U.S. courts interpret and handle cases involving sharia within constitutional limits. I also frame these discussions using the topic of the separation of church and state and the concept of legal pluralism.

In Chapter 4, inspired by Jane Jacobs (1961), de Certeau (1984), and Henri Lefebvre (1991), I provide a walking tour of Devon Avenue where the rhythms and senses of the neighborhood come alive. As in any major city in the world, the streets and life of a place like Devon Avenue are part of a complex process and my brief peripatetic tour aims to show a slice of this process. I walk from *Gandhi Marg* to *Golda Meir Avenue*⁸ -- a bustling section of Devon Avenue -- where from the east, the avenue starts with Indian-Pakistani stores and ends with an old Jewish bakery.

From the issues involving the legal and commercial domains, in Chapter 5, I move onto the personal by focusing on how people negotiate and understand halal food. This chapter is based on conversations that I conducted as part of this project and my own observations over the years. Here I highlight the diverging opinions and actions of my interlocutors that illustrate the multiplicity of sharia and moral understandings. In Chapter 6, the concluding chapter, I synthesize a variety of issues developed in the preceding chapters, showing how Devon Avenue, and halal food create a site and trajectory of complex processes that are sometimes dissonant. In closing, I also discuss

⁸ Chicago has over 1,000 such honorary street designations (Bubinas 2005).

how sharia and Islam in the United States can be studied as a complex set of processes and practices.

What we talk about when we talk about sharia⁹

In this section, I unpack the title of this dissertation by elaborating on sharia, morality, and space. I also comment on two other underlying themes: food and everyday sharia/religion. In a western context, the term sharia often invokes controversies, and confusions and brings up issues such as stoning, beheading and other brutalities usually associated with medieval, barbaric practices. Without ignoring or undermining the controversies surrounding the term, it is important to spell out a basic working definition for this key concept. A few times during my discussions with my interlocutors controversial topics in the media (for instance practices of the Taliban and terrorists attacks of al-Qaeda) came up but they never created enough momentum to go in any specific details and more importantly they didn't contribute to the main question of the project.

Sharia¹⁰ is an Arabic term that means the path or the way. In English, it is often translated as "Islamic Law." Some scholars use both "sharia" and "Islamic Law"

⁹ With an obvious nod to Raymond Carver's (1989) *What We Talk About When We Talk About Love: Stories*. Also see Noah Feldman's (2008) blog posting with the same title: <http://blogs.ssrc.org/tif/2008/04/01/what-we-talk-about-when-we-talk-about-sharia/>

¹⁰ The publication of Joseph Schacht's (1950) work set the standard for studying sharia in Western academia. Since then, a variety of different methods of studying sharia have been proposed (for some of these methods see Hallaq 2004; Motzki 2002) including feminist analysis (Mir-Hossemi 2006). Among these methods, foci on tradition, authority and interpretation are prominent.

interchangeably but cautioning against the possibility of misunderstanding (El Fadl 2014, Jackson 2009). In his book *Reasoning With God*, Khaled Abou El Fadl (2014) provides this succinct summary:

In the legal context, Shari'ah is God's eternal and immutable law -- the way of truth, virtue, and justice. In essence, Shari'ah is the ideal law in an objective and noncontingent sense, as it ought to be in the divine's realm. As such, Shari'ah is often used to refer to the universal, innate, and natural laws of goodness. Islamic law or what is called *al-ahkam al Shari'yya* or *ahkam al-Shari'ah*, refers to the cumulative body of legal determinations and system of jurisprudential thought of numerous interpretive communities and schools of thought, all of which search the divine will and its relation to the public good. The stated objective of Islamic law is to achieve human well-being (*tahqiqi masalih al-'ibad*). Islamic law is then the fallible and imperfect attempt by Muslims over the centuries to understand and implement the divine norms, to explore right and wrong and to achieve human welfare (El Fadl 2014: xxxii).

The primary foundation of sharia is the divine revelation -- the Qur'an that is understood by Muslims as the true and unchanged word of God. The three other foundational sources of sharia are: 1) *Sunna* or the "way of life" (the tradition of the Prophet

Muhammad); the sayings, actions and life of the Prophet collectively called *Hadith*¹¹ are considered to be the second most important foundational text of Islam after Qur'an; 2) *Qiyas* (analogical and deductive reasoning); and 3) *Ijma* (consensus or overall agreement of Muslim jurists). The term *fiqh*¹² is used in conjunction with sharia -- often translated as "Islamic jurisprudence" or the "process of deducing and applying shariah principles and injunctions in real or hypothetical cases or situations" (Abdal-Haqq 1986:73). Simply put sharia is the infallible, divine law and fiqh is the human, fallible attempt to understand sharia.¹³ Due to this human nature of understanding the divine law, several schools of fiqh or *madhhabs* originated during the first four centuries of Islam (Hallaq 2009). Scholars have counted hundreds of schools (El Fadl 2014) at different points, which by the 12th century had reduced to five major schools (four Sunni and one Shi'a). These five schools of Islamic jurisprudence continue to exist today.

In this project, I use the Arabic term sharia instead of Islamic Law because most of my interlocutors used it during our conversations. However it is important to note that usage of the term does not necessarily imply a deeper understanding and appreciation of the subject. For example, oftentimes by referring to sharia one might imply the application of sharia as a civil law in countries like Pakistan or Indonesia instead of just the divine law followed by an individual. Also most of my interlocutors are non-native

¹¹ The strength of the hadith is dependent on the reliability of the source. For example, Sahih Bukhari's collection of Hadith is considered to be the most authentic because he included only strong testimonials from reliable and trustworthy sources.

¹² The literal meaning of fiqh is intelligence.

¹³ Ahmad Atif Ahmad (2012) elaborates on this distinction by pointing out that they can sometime overlap in meaning: "Shari'a and fiqh are indeed not identical, and the (good) attempts at fully distinguishing them reflect their complex relationship...When they are used to indicate different things, they still do not indicate different realms, just overlapping ones" (2012:52).

Arabic speakers and do not have any formal training in classical Arabic or Islamic legal, theological issues. Most of them regularly recite the Qur'an (instead of critically engaging with the text as a scholar of Qur'anic studies would do) and sometimes are aware of various historical details of Islamic intellectual progression but again that does not necessarily translate into a nuanced understanding of sharia.¹⁴

Is sharia a moral or a legal code?

In popular and media discourse sharia is oftentimes translated or referred to as “Islamic Law.” The term “Law” here can cause some confusion in particular when it comes to Muslims living in non-Muslim countries as there are countries that apply sharia and use it as a source for their constitutional law (Engeland 2014). On the other hand, sharia dictates aspects of Muslim lives that are not just limited to prayers and theological matters but also include commercial and business contracts, hygiene, diet and ritual purity. From a daily ritualistic point of view, sharia dictates everything.

¹⁴ Anwar Alam (2007) raised a similar point where he makes a distinction between “Scholarly Islam” and “Everyday Islam”: “By Scholarly Islam I mean the whole gamut of formal, literate, institutionalized Islam represented by a class of religious specialists known as *ulema* and *sufi* orders and the Muslim intellectuals of all shades — whether religious or secular, moderate-liberal or conservative-hardliner. Scholarly Islam is also reflected in a network of Islamic educational and cultural institutions and organizations, including political parties, to be found in both urban and rural social settings, and who are involved in the construction of the ideology of Islam for the purpose of Islamic legitimization of social reality. Scholarly Islam is heavily influenced by the paradigm of modernity. In contrast to the notion of Scholarly Islam as elaborated above, the notion of “Everyday Islam” refers to the reality of “lived Islam”, which is understood as handed down by generation to generation in the form of practice, and is connected with the life process of common Muslims who have developed the “internal social code”, which is considered Islamic, to interact and negotiate within themselves and with other social groups of the society” (Alam 2007:244-251).

Muslim legal scholars also draw a distinction between “Islamic law as a system or moral reasoning” and “Islamic law as a separate system of positive law” (Fadel 2012:232). For instance, actions that are made obligatory by God for humans fall under the system of moral reasoning but a contract is part of positive law. These two are both part of “Islamic Law”; however for a layperson questions of piety and practice foreshadow this distinction. For example, my interlocutors’ comments such as “Allah is merciful and forgives our sin” are inspired by specific verses from the Qur’an. This sort of reference during daily musings is a common practice by Muslims. There is nothing legal or moral about such statements -- it is basically a description of the divine that is immutable and non-contingent uttered by a human in a contingent setting. At the same time, they also mention things like “One ought to do X” and “One should not do Y.”¹⁵ The sources of these statements are also the Qur’an and/or the Sunna (social and cultural norms come into play regarding how these sources are cited and interpreted). Therefore these statements are referring to sharia as a form of moral code. These references, stories, and in some cases biographical details of the prophet¹⁶ provide guidelines and inspiration and a path for the devout. At the same time sharia could be used to mandate specific legal issues such as compiling marriage, business or any personal contracts. Violation of these contracts does not necessarily mean an act of sin. It is just a violation of that specific

¹⁵ Qur’an (3:104) uses the phrase, “enjoin the doing of what is right and forbid the doing of what is wrong” to emphasize the important of duty and community: “In this way God makes clear His messages unto you, so that you might find guidance, (3:104) and that there might grow out of you a community [of people] who invite unto all that is good, and enjoin the doing of what is right and forbid the doing of what is wrong: and it is they, they who shall attain to a happy state!” Others have translated this phrase as “Commanding Right and Forbidding Wrong” (see Cook 2000).

¹⁶ For example, when it comes to food Muslims share stories about the prophet eating certain food in certain occasions. As a result, in Muslim community certain types of food get special status (for instance honey, date or barley).

contract (Fadel 2012). Of course the content of the contracts needs to satisfy the Islamic requirements but there is a difference between violating a loan contract versus not praying or eating pork.

Even though I will primarily deal with halal from the perspective of food, the term also applies to human action and lifestyle -- basically any action that is permitted by the sharia can be labeled halal. Thus it is important to highlight how Islam looks at human action: “Muslim jurisprudence starts with the assumption that anything a human being can do is morally indifferent in the eyes of God. If somebody wants to claim that something is otherwise, then the burden is on that person to produce some sort of evidence of an obligation. This is a very important structural feature of Muslim moral reasoning—the default status of freedom. Accordingly, under the rules of obligation, we assume we are free to act in the absence of some sort of express evidence compelling us to act or compelling us to refrain from acting” (Fadel 2012:233).¹⁷ Based on this moral reasoning Islamic legal scholars came up with the following categories of action: obligatory (*wajib*), recommended (*mandub*), permissible (*mubah* and *halal*), disapproved (*makruh*) and forbidden (*haram*). This categorization hints that there is a gray area between halal and haram (van Waarden and van Dalen: 2010) which invites multiple interpretations and understandings.

¹⁷ Islam’s discussions on morality and conduct according to Moosa (2005) are all related to the effort of creating the best personality as well as self-improvement in getting closer to Allah.

We also need to be cautious about how we study sharia in our own historical context. Wael Hallaq (2009:248) argues that our understanding of sharia is clouded by the Western dichotomy between moral and legal law:

In studying the role of the Qurān in so-called Islamic law, we have imposed—among much else—our distinctly and distinctively modern notions and standards of law and morality, separating the inseparable and joining together that which cannot or never could be joined. Our scholarship has been tainted by conceptual categories, distinctions and binarisms that originated in modern Europe, mainly from the time of Kant, if not that of Hobbes. We have, unconsciously, taken these categories and applied them to other nations and communities, to other histories and anthropologies. Our struggle now is to free ourselves of our controlling and hegemonic ideas whose vehicle is our language, our conceptual slave-driver.

At the same time, as Sherman Jackson (2015) explains, we should not necessarily conflate “Islamic” with “moral”:

On this understanding [to equate Islamic with moral], no other principles (e.g., order, privacy, security) are capable of competing with morality, and any articulation of Islamic law that does not privilege morality is looked upon with suspicion, as either a compromise with immorality or as an attempt to mask duplicity (Jackson 2015:255).

He further elaborates,

Simply stated, to posit a realm that is beyond the religious law is not the same as positing one that is beyond the religion. There are views, in other words, that are not called forth by the religious law per se nor can be insulated, validated nor invalidated by it, even if they (or their practical concretion) might be informed by broader religious values, meanings or imperatives. Safety, for example, like patience, is a religious imperative. But concrete, specific views about what actually is or is not safe or the proper degree or duration of patience cannot (at least not always) claim sharī or scriptural backing (Jackson 2015:285).

In conclusion, the point I am trying to make is that: “Shari’a manifests itself in real life, which is naturally full of contingencies” (Ahmad 2012: 54). The various contingent everyday practices of sharia can also be understood as discursive practices, that is to say, they are informed by certain traditions and discourses, whether Islamic or American, where “[t]hese 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 1986: 14). For my project, this particular discursive practice is happening in Chicago, in the “west”, in a

non-Muslim majority setting where the interpretation of divine law takes a different path than it did 1,400 years ago.

Sharia in the “west”

Do Muslims living in a non-Muslim majority country (such as the United States, U.K., Canada, Australia) need to follow the sharia? What kind of dilemmas do they face in reconciling the obligation to live according to sharia with their civic duty to follow secular laws? There are multiple ways to approach this question. The simple answer is that sharia jurisdiction is universal as divine law is not limited to a certain time and space. Therefore, Muslims living in the United States have to follow the sharia. The way most people -- including the people I have talked with -- address this is by structuring their private and professional lives according to sharia; for instance, closing stores during the daily prayers. Through contract law, Muslims also arrange marriages, divorces, child custody disputes, financial investments, wills, and professional relationships in accordance with sharia (Moore 2010).¹⁸

Historically, Muslim legal scholars have been aware of the issue of Muslims living in a non-Muslim territory as early as during the Prophet’s time (migration in Islam has a long history and several references to it are made in the Qur’an, see verse 4:97-100).

Mustafa Baig (2015) describes in his article various opinions of Muslim legal scholars over

¹⁸ In Canada, for example, the Islamic Institute for Civil Justice announced plans to create sharia tribunals and claimed that it would begin arbitrating family and commercial disputes according to Islamic law (Moore 2010).

the centuries about living in a non-Muslim majority territory. He concludes that in most cases, according to these scholars, Muslims are obliged to follow the law of the land:

Contrary to the rhetoric found in sections of the media, blogosphere, and political sphere, Muslims are not commanded to implement penal law in non-Muslim jurisdictions. And contrary to assertions made today by certain radical groups claiming to adhere to the Shari'a, this paper shows that Muslims are obliged to observe the local law of the land (which includes not harming citizens and property). Not only that, but—at least according to the Hanafi School—in the event of escaping legal justice for transgressing the law in a non-Muslim country (or being the victim of an offense), they will be deprived of all access or only receive limited access to Islamic justice if a case is brought to a Muslim country (Baig 2015:105).

Of course, if the law of the land conflicts with precepts of sharia then that would cause tensions. In a general sense, following sharia, for instance for Muslims in the United States, oftentimes entails daily rituals and specific contract documents that can have legal recourse.

Understanding space

A major theoretical and methodological component that is central to this project is the idea of “space” -- *where* sharia is enacted and *how* people conceptualize and relate to

these spaces. In this section I summarize the concept of space used in this project. Various disciplines understand space differently so there is no catchall definition. But oftentimes space is understood as the inert, concrete, physical environment we occupy. This idea has been challenged and re-conceptualized by Henri Lefebvre and many other theorists for whom space is part of a variety of social interrelations at all scales, and thus relational, dynamic, and heterogeneous (Ni 2009). In his pioneering book *The Production of Space*, Lefebvre (1991) argues that space is neither an abstract mental construct that is entirely subject to human comprehension and representation and conceived as absolute, universal and homogeneous, nor a passive and inert container consisting of material objects. Instead, space is primarily and ultimately social and embraces the physical and the mental, the material and the metaphorical, and the concrete and the abstract. In Lefebvre's words: "The social relations of production have a social existence to the extent that they have a spatial existence; they project themselves into a space, becoming inscribed there, and in the process producing the space itself" (Lefebvre 1991:129). Contrary to passive, homogeneous, concrete abstractions of space, in the above theorization, both the conceptual and embodied aspects of everyday practices are always occurring everywhere, "participating simultaneously in the dynamic, competitive process of producing space" (Carp 2008:130).¹⁹

¹⁹ Feminist geographers such as Doreen Massey (1984) and Gillian Rose (1995) critiqued and extended Lefebvre's and later David Harvey's theory. According to Massey and others, in spatial studies, although the materialist analysis of class and capitalism can never be dispensed with, it has to be supplemented and corrected by a critical attentiveness toward other axes of power relations, such as gender, sexuality, race, ethnicity, colonialism, and, as this project aspires to demonstrate, through engagement with morality and religion. For comments on race and Lefebvre's works see EJ McCann's (1999) article entitled "Race, protest, and public space: contextualizing Lefebvre in the US city."

Lefebvre's main theoretical contribution to such understanding of space is his notion of "conceptual triad" (1991:33): spatial practices, representations of space, and representational space. He also uses the term "conceived (representations of space)", "perceived (spatial practices)" and "lived (representational)" spaces.²⁰

In this triad view of space: "... space as a material product is a present space: a moment absorbed in a complex dynamic process which embraces a multitude of intersections" (Merrifield 1993: 33) and these intersections include built environment, designers, architects, policy makers, and meanings and understanding of a particular space. At the same time, Lefebvre's theorization includes local and particular problems of everyday life in a modern city²¹, which makes it a useful tool for this project. The main point to remember that he is insistence on "production" thus moving away from "thing": "The notion of production is important to Lefebvre because it subsumes not only socioeconomic production – the production of things in space – but also the reproduction of biological and social relations of production – the activities that produce real spaces" (Stewart 1994:610). Below, I briefly summarize the three aspects of this triad.

Spatial practices deal with social actions and daily activities -- the way we use our spaces:

Spatial practice is, for example, on one scale, our movement within our homes – from bedroom to kitchen to bathroom to living room. On another scale, it is our movement from home to work along an infrastructure of sidewalks, roads and

²⁰ While reading and interpreting Lefebvre, various scholars have pointed out the confusion that these categories generate and how they overlap and interrelate (Shields 1999).

²¹ Of course his analysis is limited to the Western Europe and France; for more on this aspect see Stewart 1995.

trains. A further increase in scale creates our long distance movements through airports and along air routes. Spatial practice involves the segregation of certain kinds of constructed spaces and their linkages through human movement (White 2010: 2).

“Representations of space” is the space of experts – designers, urban planners that employ an authoritative discourse on space in any society. Some scholars even include artists in this space (White 2010). And lastly, “representational spaces” is about the symbolic element of space: “Spatial representation is an attempt to conceive in order to shape what is lived and perceived;” “It is what marks a church or mosque or synagogue; it is what religious people feel in a sacred space; it is a room in a library or a university building; it is an art gallery” (White 2010). For this project, the restaurants, grocery stores, mosques, and farms are physical and social space that are perceived, conceived (planned and designed in a certain way), and most importantly lived.²² Arijit Sen (2013) while not explicitly mentioning Lefebvre, provides a detailed architectural and observational account of Devon Avenue with a particular focus on two restaurants. He describes these spaces as “transcultural spaces” where sacred and secular are intertwined. He shows how people are producing these spaces that he describes as “embodied place making”:

Most South Asian storeowners along Devon Avenue occupy buildings that were built in the past by German and Jewish immigrants. Their buildings are neither

²² See Deeb and Harb (2013:26) for a similar application of Lefebvre’s theory in the context of Lebanon.

exceptional nor exotic. Yet these new immigrants use these spaces in deeply embodied and culturally inflected ways, thereby recreating a new world in an old setting. They mark their stores and communicate with their customers via signs, banners, pamphlets, and posters (Sen, 2012). They transform the interiors, sometimes momentarily, through visual markings, transient behavior, protean performances, and momentary activities. As in linguistic code-switching, by merely changing the signage or altering behavior one transforms the nature and character of these spaces.

In the next section, Next I take this idea of space and use it to discuss the concepts Muslim and moral space.

From Muslim space to moral space

There is a growing literature that investigates the processes by which Muslims create spaces for themselves in Western societies (see, for examples *Making Muslim Space in North America and Europe*, ed. Barbara Metcalf (1996))²³. As some of these researches have shown, for a Muslim to feel at home, the presence of certain images, symbols, and practices is necessary (Metcalf 1996:4-5). It could range from seeing familiar Arabic names

²³ Metcalf's book is seminal in understanding "Muslim space." The chapters in the edited volume do not mention Lefebvre but there are echoes of his theory: "Virtually every essay here emphasizes that it is ritual and sanctioned practice that is prior and that creates "Muslim space," which thus does not require any juridically claimed territory or formally consecrated or architecturally specific space. The essays, moreover, describe people whose personal and community lives may be engaged at multiple sites on different continents, or even people who seem to transcend sites completely, caught up in global movements of proselytization and trade, so that they essentially exclude the outside world to carry with them a world of ritual, relationships, and symbols that creates some variety of Muslim space wherever they are present" (Metcalf 1996:2).

of Allah in the streets to recognizing certain “non-Muslim” spaces as sacred “Muslim” spaces. Humayun Ansari (2007) documents certain changes of attitude in British Muslims in looking at burial practices. While for earlier generations, Britain was non-holy compared to the Muslim birthplace:

as the British landscape has become increasingly ‘Islamized’, with the establishment of mosques and other permanent, bricks and mortar, Muslim institutions, as the majority of primary kin have become rooted in Britain, and as Muslim communities have become more established and more sizeable, there seems to be a shift taking place in British Muslim perceptions of where ‘home’ is. For an increasing number of young Muslims, since their relatives and friends live in Britain, the British element of their identity is, in contrast to their migrant elders, forming a much more important part of who and what they are, of their identities. They have developed more complex emotional and cultural bonds with the country of their birth, and this is reflected in an increase in the number of families, compared with the past, who are now choosing to bury their kin in Britain (Ansari 2007:564).

This change in attitude indicates how understandings of the space change even though the physical aspect of that particular space might not change. I talk about a similar change in attitude regarding halal food in the United States in Chapter 3.

This “Muslim” construction of the spaces is “Muslim” not just because of their essence but also because of the actions enacted upon them. Thus “Muslim space” (Metcalf 1996) or in other cases “Jewish space” (Brauch et. al 2008:3) is not just a physical three-dimensional reality. It involves the perception and use of that space (Colombijn 2007). In other words, “Muslim space” does not necessarily indicate a static, irreducible religious container where: “...a group of practices central to religious observance” will and should become “the determining code for the decipherment of a physical space that belongs to a minority community” (Crinson 2002:80). On the contrary, with varied and oftentimes contradictory practices, these spaces are “directly lived through [their] associated images and symbols” (Lefebvre 1991:39).

In her dissertation, Alisa Perkins (2012:18) critically engages with the term Muslim space by outlining three different ways of understating it: a) territory based approach b) practice-based approach and c) phenomenological approach. She provides a summary of each of these approaches and points out their strengths and weaknesses. Her theorization of “Muslim space” takes into account all three of the above, allowing for the “possibility to signify a range of meanings” (2012:22) when it comes to the understanding the “social, political, and cultural implications of Muslim spatial assertions” (2012:394). In a similar vein, my theorization of moral space borrows the multifaceted ways of understanding how Muslims make sense of their spaces. However, using the term “moral space” instead of “Muslim space” gives us the following advantages.

First, as pointed out by Perkins (2012), the term Muslim space implies a dichotomous tension between Muslim versus non-Muslim space. In certain cases this

definitely comes into play as there is a clear physical separation when it comes to specific ritual practices such as praying and burying the dead. But everyday practices in the stores and restaurants, although subject to religious interpretation, are visible, fluid and open to challenges and suggestions by the rest of the world. The denomination of moral space helps us to avoid the binary distinction and look at the interrelations and interactions between so-called Muslim and non-Muslim spaces, or more generally, sacred and secular. Second, the term “moral” indicates social interactions that might or might not be confined to just the religious domain. Even though their identity as Muslim is important for my interlocutors, not everyone was defined solely by religion -- there were other affiliations that defined them, such as Indian or Pakistani, and the extent of religious identification varied from person to person. Looking at moral space helps us to look beyond religion. Third, the various interactions of different social spaces provide a better way to read a multicultural and multi-religious city where Muslims enact sharia.

The juxtaposition of space and morality assumes that there is an intertwined relationship between the social and the space. In other words, as Massey (1994) and others have shown, space is socially constructed and at the same time, the social is spatially constructed (see also Dovey 2011). As I aim to show in this project, this relationship is enacted not just as a “specifically spatial phenomenon but in terms of ethical life, as a conjunction of activities and their consequences” (Lambek 2011: 191).

If space is a prominent aspect of society, then it has to have a moral content (Smith 2007). Spatial boundaries are one way to conceive such morality. Tim Cresswell (1996) argues that the location of an act is part of our understanding of what is right, just

and appropriate; transgressive acts are those judged “out of place.” For example, wearing a hijab in the streets of Cairo versus the streets of Paris takes on a whole different meaning. The lens of morality also changes as the place and context changes. The distinction between private places (usually the home) and the public arena is of special relevance to the issue of exclusion and inclusion. Private space permits practices that might not withstand critical public scrutiny, and part of the struggle over what behavior is right in particular places may involve a (re)definition of private and public.

If space can have moral trajectories, morality can also have some spatial dimensions. That is to say, our moral understandings and actions are happening within certain spaces and these spaces are simultaneously production and process: “[t]he spatial [is both] an outcome [and] part of the explanation” for social processes. (Massey 1984:4; also see Carp 2008). The product is the existing materiality: banks, restaurants, streets, courts, and schools. And the very process of producing these spaces happens through human interaction and experience. Thus our understanding of moral space is a congruence of spatiality and action. Furthermore, the space itself is not just lived but also part of a discourse where people are constructing and negotiating meanings of such space through “cognitive and hermeneutical processes” (Pløger 2001:64).

A word about morality and piety is in order here. My goal is not to privilege piety as the primary motivator. As Samuli Schielke (2015) and Deeb and Harb (2013) noted, “When piety is taken up as the scaffolding for a more general claim about “Muslim ways of being,” or moral and ethical behavior, our understandings of both morality and life in Muslim societies are oversimplified, and the complexities of daily negotiations of moral

practice – including those our interlocutors -- are flattened” (Deeb and Herb 2013:16-17). In the context of following Islamic dietary practices, religious proscriptions -- in this case sharia -- no doubt provide a strong motivation, however, as I demonstrate in this project there are variety of reasons why someone follows the dietary restrictions. Moreover, I argue that rather than focusing on the reasoning it is more fruitful to understand the process of following sharia as the “unfolding of a story with many possible contingencies at numerous intersecting points resulting in many potential outcomes” (Marina 2013: 94).

Everyday sharia

The definition of what counts as “everyday” religion, and by extension “everyday Islam” is fluid and contested (Fadil and Fernando 2015, Schielke 2015, Deeb and Harb 2013, Marsden 2005; McGuire 2008; Ammerman 2007). But a working definition that most scholars agree on includes looking at both institutional and non-institutional aspects of religion. According to Robert Orsi, one of the first scholars to use the term, everyday religion is “not solely or primarily what happens in specially designated and consecrated sacred spaces, under the authority of religious elites, but in streets and alleys, in the souvenir stalls outside shrines, and in bedrooms and kitchens” (Orsi 2012: 150). According to Jørgen S. Neilsen (2013:172 cited in Varisco 2014): “Every institutional religion is surrounded by a haze of noninstitutional religion” which can include but is not limited to “everything from handshaking to prayer, from dress to which cafes to hang out in and what social invitations to accept”, “from everything ranging from fasting to flirting” (Deeb 2015:94). In other words, everyday religion does not “exist apart from either religious

tradition or religious authorities but is in constant interaction with and constituted by them” (Hurd 2015: 14). To look at religion within the spaces of every day practices (as understood by de Certeau (1984)) is not just about contextualizing religion, it is to “discern [the] location of religion within [everyday spaces], by considering its dynamic relations with the other features of those spaces (social, cultural, political, physical, economic), [to consider] the place of religion in their structure, its active and passive modes, and its possibilities for dominance, resistance and liberation” (Knott 2009:413). One of the salient aspects of this “everyday” is that it allows the scholars to study the “grand scheme” and the actual lived practices of the “ordinary lives” at the same time (Schielke and Debevec 2012:2). In that vein, Nancy Ammermen (2007: 5) makes the following argument in support of the everyday perspective:

To start from the everyday is to privilege the experience of nonexperts, the people who do not make a living being religious or thinking and writing about religious ideas. That does not mean that “official” ideas are never important, only that they are most interesting to us once they get used by someone other than a professional. Similarly, everyday implies the activity that happens outside organized religious events and institutions, but that does not mean that we discount the influence those institutions wield or that we neglect what happens within organized religion “every day.” We are interested in all the ways in which nonexperts experience religion. Everyday religion may happen in both private and public life, among both privileged and nonprivileged people. It may have to do

with mundane routines, but it may also have to do with the crises and special events that punctuate those routines. We are simply looking for the many ways religion may be interwoven with the lives of the people we have been observing (Ammerman 2007:5).

As Ammerman describes above, activities that are not just confined within the formal organizational and scholarly aspect of the religion can fall under the rubric of the everyday such as eating and buying halal food. Using such theorizations of everyday, moral and religious practices can be seen as an arena to understand the multiplicity and complexity of Muslim lives in the United States. The number of recent works focusing on such everyday aspects of Muslim lives and Islam in the United States is increasing (see Varisco 2014 for a recent literature review). My dissertation contributes to these works by critically borrowing from them and further arguing for a more refined, nuanced understanding of Islam and sharia in the United States.

To eat or not to eat

Even though the title of the dissertation does not indicate any gastronomical inclination, food and dietary restrictions provide the major impetus for this project. Why food?

Eating is a fundamental human practice. The oft-quoted phrase by Jean Anthelme Brillat-Savarin “Tell me what you eat, and I will tell you who you are,” indicates that food is more than sustenance and nutrition ([1862] 2009). Research tells us that food and food preparation is about identity and culture (Gabaccia 1998). Food is also intricately related

with community and place (Duruz 2005) and memory (Sutton 2001; Holtzman 2009). With global migration and global flows of ideas and goods, food is also a transnational (Wilk 1998; Liu 2009), diasporic and migrant phenomenon (Diner 2001; Jochnowitz, 2008). Due to cultural, religious, and moral issues, food is related with various taboos and restrictions (Douglas 1966; Finch 2010).²⁴ This dissertation touches on all these aspects while interacting with interlocutors who identify themselves as Muslim. Thus, talking about sharia mandated dietary rules and regulations reveals more than simply eating practices and consumption.

In one sense, I use food as a way to talk about sharia and Islam in the United States. Other aspects such as Islamic marriage, divorce (Macfarlane 2012) education (Memon 2008; Zine 2008), finance (Maurer 2005), and bioethics (Moazam 2006; Moosa 2012) are definitely important and crucial for Muslims and have implications for how these aspects are dealt in sharia, but for focus and manageability I decided to concentrate on food. At the same time, halal food consumption and marketing have been recently receiving a great deal of attention from scholars, policy-makers, and journalists. It has been estimated that there is a \$600 billion halal food market worldwide that represents 17 percent of the global food industry (Bergeaud-Blackler 2016). Also, as numbers of Muslims in the United States continue to grow, the demand for halal food has significantly increased. The Devon Avenue area in Chicago is a perfect place to study the intersections of religion, morality, and food. Furthermore, the “spatial trajectories” (de

²⁴ See *Religion, Food, and Eating in North America* edited by Benjamin E. Zeller, Marie W. Dallam, Reid L. Neilson, and Nora L. Rubel for case studies from various different traditions including Islam.

Certeau 1984:115) of everyday practices are most prominent when it comes to halal consumption. *Where* people choose to eat and buy food creates certain social and cultural spaces that are not just contained within the restaurants and grocery stores. The concepts, activities, and experiences of the people are also at play in these spaces.

Devon Avenue

Devon Avenue is a predominantly South Asian business district and multi-ethnic residential neighborhood in the 50th ward of Chicago. It has been the focus of some recent research (Ashoutosh 2008; Bubinas 2005; Livezey 2000; Rangasawamy 2007; Ruddrapa 2004; Sen 2013). Most of these research projects focus on ethnicity, race and, in a few instances, religious diversity (Craugert 2011; Livezey 2000). The concentration of South Asian businesses in a historically Jewish neighborhood makes for an interesting historical and contemporary research site. Even though the business district is predominantly South Asian the residential area is far more diverse and the work force consists of not just South Asians but also Hispanics, Eastern Europeans and East Africans (Sen 2013).

The 1930s and 1940s was the “grand” past of Devon Avenue when high-end stores such as Seymour Paisin,²⁵ Woolworth’s and movie theatres were an essential part of the neighborhood.²⁶ Most of these stores started to close down during 1950s. The Jewish migration that started in the 1930s started to dwindle in the 1960s (Cutler 2009; Keating

²⁵ Pictures of Seymour Paisin at 2629 West Devon Avenue from 1973:
<https://chicagohistorytoday.wordpress.com/2013/12/11/2950/>

²⁶ See also the web archive of Rogers Park/West Ridge Historical Society: <http://rpwrhs.org/>

2008). In the 1970s, the neighborhood began to change from its mainly Jewish identity to Indian and Pakistani residents and businesses (Rangaswamy 2000). The first South Asian stores were clothing related, then grocery stores and restaurants started to show up. The Patel Brothers is one of the large stores on Devon Avenue that opened in 1974.²⁷ Rather than talking about the whole city of Chicago (see Karim 2008; Nashashibi 2011; Oschinsky 1947; Schmidt 2004 for research on Muslims in Chicago), Devon Avenue provides a focused lens through which to discern details about Muslims' daily lives and their understandings of morality. Although the participants in this research are primarily South Asian Muslims, this project provides an opportunity to see how Muslims view the space around them and in a sense, the city and the nation. Focusing on one locality and a particular group does not imply a fixed spatial boundary or unity, nor does it imply an opposition to the global: "rather [it provides] a structure of feeling, affect, temporality and relatedness in which the dyad global-local becomes nonsensical as a nested or spatialized opposition" (Das and Poole quoted in Lambek 2011: 197). I show in this project that sitting at a restaurant in Devon Avenue and talking about the neighborhood, the food, and religion connects a wider world that is often missed at first glance.

What this project aims to contribute is an ethnographic understanding of sharia²⁸ through halal food combined with the spatial sensibilities of modern cityscapes. However sharia is interpreted, there is no doubt that it is an infallible guide for Muslims. And these

²⁷ <http://www.patelbros.com/about-us.html>

²⁸ Hussein Agrama (2010), while focusing on Egypt, proposed a similar concept where he calls for "the anthropology of the fatwa." Also see Brinkley Messick's (2008) article "Sharia Ethnography" that discusses the role of ethnographic research in the study of sharia in Yemen. There are several other works that deal with various aspect of sharia around the world however there is a dearth of literature that tackles the issue of sharia in the United States from an ethnographic standpoint.

rules and guidelines are enacted everyday in streets, restaurants, shops, banks, and schools within a multitude of understandings of morality. What I aim to argue and show in this project is that sharia needs to be studied spatially and relationally and an ethnographic component is much needed to better understand the role of sharia in the daily lives of Muslims living in the United States. Religion and morality in a modern capitalist city setting like Chicago are not abstract theoretical or academic questions, they are reflected and interpreted in actions and comments by Muslims and non-Muslims alike. My goal here is not to just show that both the religious (for instance sharia) and the non-religious/secular (grocery stores) are intertwined but in what extend these seemingly separate and disparate domains and spaces may be juxtaposed within the framework of Islam, sharia, and halal food.

Chapter 1

Methods

I have been visiting Devon Avenue, my primary research site, since 1999, even though my formal dissertation work there did not start until late fall 2010. Like many people who first visit Devon, my friends in Chicago took me there to try different South Asian restaurants. Thus food was one of the prime attractions of the place. Since then, I gradually became more aware and familiar with the neighborhood but my academic and research interests developed much later, in 2009. Around that time, I started studying the history of Chicago as well as more specific works that dealt with Devon Avenue and West Rogers Park. During my proposal writing phase, I started to focus on religious signs and symbols in the neighborhood and also started reading about the history of Muslims and Islam in the United States. As I delved into the history of the neighborhood, I realized the complexity of the signs and symbols that shaped the landscape and the limitations that I might face in examining them. This chapter addresses some of the methodological challenges I encountered during my research.

From 2007 to 2010, my formal course work – which helped shape my theoretical and methodological orientation -- involved sociological theory, ethnography and qualitative research methods, historical sociology, immigration, urban planning, Islamic law and theology. Outside of this course work, my reading list included works from geography, law and society, and a variety of ethnographic works dealing with religion and morality. My reading lists and thought process oscillated between scholarly writings on

sharia that dealt with the history and different doctrinal matters and people's everyday practices and choices. One of the methodological preoccupations of this dissertation is the tension between these two areas. This tension led me to the works of Michel de Certeau and Henri Lefebvre and the concept of "practices of everyday life" as a theoretical and methodological framework through which to understand people's actions and choices. Soon I started to take an interest in everyday spaces of sharia and eventually my interest in all things culinary kicked in and I started investigating questions about halal food. Initially, I contemplated researching different aspects of Islam in the United States such as marriage, finance, and education. However, constraints of time, access, and resources convinced me to focus on just one aspect for this dissertation -- in this case, food.

As I argue and show in this work, a diverse and complex tradition and religion such as Islam, and in particular how sharia is practiced in the United States, needs to be studied from a variety of standpoints. Ethnographic observation and conversations with the primary stakeholders along with historical and archival research are key components in understanding the everyday moral spaces of sharia. As mentioned in the introduction, I also look at two court cases, which adds a socio-legal dimension to my research. The upcoming chapters touch on these aspects.

As stated earlier, my goal in this dissertation is to understand how Muslims in the United States understand morality influenced, among others, by various understandings of sharia and how they create a sense of moral space based on those understandings. Conceptual understanding and distinction between morality and ethics were important

for me to analyze and interpret my findings. While morality is a subscription to an abstract notion of good life -- in other words moral codes enforced by institutions or authorities, ethics can be understood as techniques and practices of everyday decision-making. For instance, the people I met apply ethical decisions in everyday settings such as avoiding pork, and these decisions are based on specific verses from the Qur'an and the various interpretations that are drawn from Islamic juridical principles. Foucault (1986: 25-27) applies a similar distinction between "the morality of behaviors" and "the determination of the ethical substance": "For a rule of conduct is one thing; the conduct that may be measured by this rule is another. But another thing still is the manner in which one ought to "conduct oneself" -- that, the manner in which one ought to form oneself as an ethical subject acting in reference to the prescriptive elements that make up the code. Given a code of actions, and with regard to a specific type of actions (which can be defined by their degree of conformity with or divergence from the code), there are different ways to "conduct oneself" morally, different ways for the acting individual to operate, not just as an agent, but as an ethical subject of this action" (Foucault 1986: 26).²⁹ However, what I also borrow from this Foucauldian distinction of morality and ethics is that "ethics and morality are two aspects of one phenomenon, in which ethics may change while moral codes remain constant" (Laidlaw 2014:118). These two aspects are what I observe in the "moral space" of Devon Avenue.

²⁹ Foucault's theorization and understanding of ethics and its historical trajectories and implications are much more nuanced than this quote. See Davidson (1994) and Connolly (1993) for more detailed discussions.

Of course this scholarly distinction, while important for analysis and interpretation, does not govern people's daily life. So how do we talk about morality and ethics without succumbing to abstract theoretical and philosophical discussions? Furthermore, almost all the Muslims I talked with inadvertently answered humbly, "Yes, I try my best to lead a good life and be a good Muslim but I have flaws, Allah help me" to any abstract question dealing with morality. Thus, in order to understand how one leads a moral life according to the sharia, I had to explicitly ask questions about specific topics without framing those abstractly around the question of morality. Food provided precisely one such topic, as I highlight in this dissertation.

Food was relatively easy to discuss. As I spent hours talking to people about what they like to eat and where they do their shopping, our conversations veered toward issues of food safety, a healthy diet, fraud cases dealing with halal food, religious freedom, neighborhood safety and gentrification, customer service, etc. Thus, I found it useful to start the discussion with food, then letting it unfold without directing the course of the conversation. At the same time, the idea that underlined these conversations is that following Islamic dietary law according to sharia is not just about food. It is an integral part of our daily existence where each bite reminds the believer about the bounty and mercy of Allah. Furthermore, Allah's bounty and mercy exist in a world where haram food and lifestyle pervade daily life such that one has to tread this path carefully. The heart of this dissertation lies in this path -- where treading carefully primarily means following sharia and at the same time finding this path in what is not exclusively a Muslim space and worldview. This path crosses sacred and profane boundaries, divine and secular laws,

and a variety of ethnic and cultural notions of morality, while at the same time being physically situated in and around the spaces of Devon Avenue.

Research site

Devon Avenue is known for its South Asian and other ethnic restaurants and grocery stores. This made it relatively easy to find people who came into Devon to eat and shop. I just had to hang out in the stores. Although my interests centered around the concept of morality among Muslims, while talking with the people in the shops, I didn't specifically seek out Muslims customers. The stores that sell halal items generally cater to the Muslim customers. So I ended up talking to South Asian Muslims. However, a variety of different people from various educational, economic, religious, and social backgrounds come to Devon to eat and shop -- not just Muslims.

While my primary site is Devon Avenue, my investigations also led me to different parts of Chicago -- physically as well as mentally via following people's actions and relations to the neighborhood. For instance, I visited farms and slaughterhouses in and around Chicago, and also mosques around the city. I met people who live in and outside of the Devon Avenue neighborhood and people from other parts of Chicago who come here. I also met people whose work (meat suppliers, USDA inspectors, members of Illinois legislatures) brought them there or created a connection to this place. My starting point is halal food procurement and consumption, which has a moral and spatial

dimension,³⁰ that is rooted in the Islamic understanding of purity. However, at the same time, the people I met and their relations are part of a bigger picture that encompasses networks of Islamic and Western legal scholars, USDA regulations, and certification authorities among others. Multiple social and business relations and networking happen around halal food. I call these relations and connections “the moral trajectory of lawful eating,” and I elaborate further on this in the concluding chapter.

Over the course of two years, I managed to stay in the neighborhood at different times of the year for extended periods of time, though I did not live there. The extended stays helped me to observe the neighborhood in a much closer setting and talk with as many people as possible.

The people and the conversations

The conversations described in this dissertation can be seen as “standard stories” as defined by Charles Tilly (1999:257): “the sequential, explanatory accounts of self-motivated human action” that provide a glimpse into “unified time and place, limited set of self-motivated actors, and cause-effect relations centered on those actors’ deliberate actions” (Tilly 1999:259). These conversations illuminate some of the traits that appear repeatedly and thus help us understand how these people construct their moral life and the space around them through food. I do not intend these comments to be a full

³⁰ The physical spaces associated with halal food are primarily halal slaughterhouses, grocery stores, and restaurants. In the relational sense, halal food practices create a moral boundary where Muslims attempt to maintain their moral selves in the face of other haram/non-halal choices. See Lupton (1994:681): “all food inhabits a moral space”, for a discussion of the social and moral aspects of food. Also see Sen (2013) for a detailed spatial description of some restaurants in Devon Avenue.

explanation of how Muslims deal with sharia and halal food in the United States but rather to provide us with some glimpses into how they ethically justify their actions and where they eat.

My participants were originally from Pakistan, India, Bangladesh, and Somalia³¹ and had been living in the United States for at least five years (some of my participants had been here for more than 30 years) at the time of the conversation. 60% among them had a college degree or advanced professional degree obtained in the United States, while the rest had a high school diploma from their home country. I mostly talked with male participants, their ages ranging from 30 to 60 years old. In chapter 5, I present some of these conversations (focusing on eleven out of fifty six of my research participants). These conversations illuminate the following inter-related issues: 1) the importance of halal food among Muslims; 2) the range of adherence practices and interpretations of the relevant dietary restrictions; 3) creative approaches to accommodating dietary habits.

I met these people over two years while visiting and staying near Devon Avenue. During the first stage of the project, I approached a few friends I already knew who lived near the area. They then introduced me to several storeowners and longtime community leaders and residents. These connections helped me to understand the history and recent happenings in the neighborhood better, and at the same time to navigate smoothly with my observations. First, I targeted the most popular and busy restaurants and stores in the neighborhood. Sometimes I had to visit several times to find the right moment to talk to the owners and the people who worked there, as they were usually busy. I also was

³¹ There is a growing presence of East and West Africans in Devon Avenue. Some of the places serving Biryani (a rice-based Indian dish) are very popular among them.

conscious about not disrupting their work so sometimes I approached the employees during their break or when they were walking back to their apartments nearby. Most of the customers were willing to talk without much hesitation. Also, the workforce and clientele of the majority of the restaurants were predominantly male. Groups and families frequent some restaurants and stores but when I approached them oftentimes I would end up talking to just the male members.

Limitations

Although the focus of my project is on religion and morality, issues of gender, race, and class are all important aspects of the everyday practices that I explore. A few comments are in order regarding the project's limitations in this regard.

Due to issues of access, my conversations were mostly with men. This is primarily due to religious and cultural reasons: Muslim women in a group setting and public space like a restaurant often refrains from conversation with unrelated men.³² Furthermore, my informal approach contributed to the gender imbalance. This is definitely one of the major gaps in this project. Some of the questions that my conversations do not address include: does gender play a role in adherence to dietary restrictions? Food and kitchen culture (Inness 2001) oftentimes are thought to be the domain of women. How does that play out in some of the restaurants I visited, which are male dominated spaces (both in

³² This is not to imply that all Muslim women in Chicago or anywhere else do this all the time. This was solely based on my experience. See Ahmed (1992) for a historical analysis of issue of women and gender in Islam and Bowen (2008) for the issue of Islam, gender, and public space.

terms of customers and workers)? What is the relationship between meat consumption, gender, and religion?³³

Even though I primarily talked with South Asians, racial and ethnic diversity is noticeable in Devon Avenue. One cannot help but notice the presence of South Asian owners and workers at the store front and of a non-South Asian workforce (made up primarily of Hispanics) in the kitchen. Such disparity is not uncommon in the food service industry (Jayaraman 2013). Further research is in order to explore these interactions in the context of halal food and Devon Avenue. In chapter 5, I briefly talk about the not so favorable attitudes of South Asians toward recent African American newcomers in the neighborhood.³⁴

Working class people comprise a significant number of the diverse set of people that live around Devon Avenue. The stores in the neighborhood provide an important source of employment for them. At the same time these are also social, cultural, and religious spaces of the people who live there. Class background plays a significant role when it comes to access to food and food choices. How does that play into the case of halal food? Devon Avenue is definitely an interesting field to study the intersection of class, religion, and consumption. However, these issues lie beyond the scope of the current investigation.

³³ In “Muslims and Meat-Eating: Vegetarianism, Gender, and Identity” Kecia Ali (2015) looks at the issue of patriarchal aspect of meat eating and gender from a feminist ethics perspective. A detailed ethnographic work with this kind of analysis can provide nuanced understanding regarding issues of gender in Islam. Also see Rouse and Hoskins (2004) regarding attitudes to food and gender within the African American Muslim community.

³⁴ In the context of “Islamophobia”, issues of race and Islam are often discussed. Scholars also talk about how Islamic as a religion is racialized (Rana 2007). However, not much has been written about Muslims’ understanding of race in the context of the wider racial relationships in the United States, in particular between South Asians and African Americans -- two major groups of people that follow Islam in the US.

Historical and archival materials

I visited archives at the Chicago Historical society and West Rogers Park Historical Society. These archives hold pictures of Devon Avenue from the 1970s and 80s. I also consulted phonebook entries from 1977 to 1996. These were immensely helpful to figure out which restaurants were operating at that time. I was focusing on the restaurant section and looking for Indian/Pakistani restaurants. These archival materials provided me with the historical context for this project. Even though the concept of halal food and religion-based dietary restriction is not new, we are seeing a variety of different issues emerge in the particular historical context of Islam and Muslims in the United States. It is important to understand how we got here.

Legal proceedings and case analysis

During the course of this research, I studied different legal proceedings where concepts and questions rooted in sharia entered the U.S. courts; for example, court cases involving sharia mandated marriage and divorce. These court cases, despite being full of legal terminology, provide a focused look at various interactions in our society along with the complexity of our legal system. I highlight two cases in chapter 3 where halal food played an important role. These analyses helped to understand how sharia as a religious and normative system sometimes works with and at times challenges the U.S. legal system.

Writing and analyses

Talking to people, writing field notes, and analyzing oftentimes coincided. A typical day would involve a lot of walking around the neighborhood, then approaching people in the stores, sometime sitting down with them for tea, snacks, or lunch. When I talked with people, I didn't use any electronic devices, only pen and my notebook. I always stayed close to the neighborhood so it was easy for me to go back to my room after one or two conversations and go over the notes and annotate them with my questions and thoughts. I made sure that I stick to this routine every night so I have a clean record of my conversations and notes.

I applied for IRB approval (protocol number 11171) and received exemption in Oct 2010 (later received extension to the exemption). The exemption was based on 45CFR46.101(b)³⁵: a) conversations and observations in public settings like restaurants b) no audio recording and c) no risk to the participants.

My notes usually start with the description of the place (oftentimes a restaurant or store setting). Then I describe the person. In my field notes, each person had a biographical section, which included whatever details they provided. I also jotted down something memorable about each person so months later it would help me to remember the conversations. Eventually, I created an identity key file. Following the advice of Harry

³⁵ <http://www.hhs.gov/ohrp/regulations-and-policy/regulations/45-cfr-46/index.html#46.101>: "Unless otherwise required by department or agency heads, research activities in which the only involvement of human subjects will be in one or more of the following categories are exempt from this policy: (i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation.

Wolcott (2009), in my field notes and in subsequent writings, I made sure to keep description, analysis, and interpretation separate. Often times, I wrote my comments, questions, and thoughts in the margin or in a section that was separate from the description.

The second phase of the analysis process is to go through the data and categorize them based on the themes that were slowly emerging. I followed open and selective coding methods (Corbin and Strauss 2008). In other words, as I read through my notes at the end of the day, I scanned, searched and started to group different themes and topics together in categories. Each category had some specific feature or properties and a link to the identity key of the participants. At the end of this process, a table emerged with the following columns: a) category, b) property, and c) sample from the conversation. The second pass at these notes was more specific with some overarching research question in mind and ended up with more refined categories. Based on these categories, I developed my chapter outline.

As my field notes started to take the form of different chapters, I followed a general principle. I analyzed the content in a systematic, methodological way where I observed, measured, and communicated about “what is there” and the “reality of the everyday world as we experience it” (Wolcott 2009:29). Then based on my research questions, I started to interpret these findings. Of course, this is not to imply that analysis and interpretation always had a clear boundary but I tried to keep the distinction in mind while writing.

The themes that emerged from these conversations often followed a circuitous route. Inadvertently, talking about halal food -- in particular from the perspective of the people who adhere to the dietary restrictions -- brought up the topic of religion and how one should follow it in the modern world. At the same time, questions of actions, choices, and moral reasoning (influenced by religious and secular forces) started to appear. For instance: how does one choose to follow certain restrictions and ignore others? And I slowly started to connect the overarching themes of morality (choices, actions) and space (physical and relational) in the term “moral space”.

As I started to analyze the conversations, the framework started to form with three interrelated aspects: a) people’s conversations, actions and choices regarding halal food and related spaces (Chapter 3); b) various spaces and their interconnections (Chapter 5); and c) the particular historical context in which all this was taking place (Chapter 2). In conclusion, my methodological approach combines ethnographic and archival research along with court case analysis and provides a framework to examine sharia from the perspective of the practitioners, the consumers, and the producers who participate in a variety of different processes (such as certification and regulation) in different spaces.

Chapter 2

Islam in the United States: A brief historical sketch

“Shoeless Ike Dedicates New Islam Center” was the title of a Chicago Daily Tribune news article dated June 29 1957 (Trohan 1957). Veteran reporter Walter Trohan described President Eisenhower’s experience of inaugurating The Islamic Center of Washington D.C. as follows:

President Eisenhower took off his black oxford today...Mrs. Eisenhower joined the president in shedding her shoes, in accordance to Moslem custom before entering the minaret crowned mosque at Massachusetts av. at Belmont pl. in the heart of Washington’s Embassy row. Mr. Eisenhower slipped cotton coverings over his socks. Mrs. Eisenhower inspected the columned and carpeted prayer room in her stockings without cotton coverings.

The article goes on to describe how guests left a “confused pile of shoes and many quips about their removal” and ends with details of the president’s address.

Trohan’s report highlights the dilemmas, confusions, and preoccupations evoked by Islam, Muslims and the physical presence of things Islamic in the United States. This was in 1957 -- a particularly unstable time in the United States’ relationship with the rest of the world, especially with the Middle East. For example, the 1953 U.S. backed coup in Iran and the 1956 Suez Canal crisis should be highlighted as significant events. Within the

context of this political unrest, the construction of a mosque in the center of Washington D.C. and Eisenhower's visit received widespread attention (GhaneaBassiri 2010).

Several decades later, another U.S. president remarked that the United States could be considered as "one of the largest Muslims countries in the world" (Zeleny and Cowell 2009). This comment was made by President Barack Obama in 2009 as he prepared to leave Washington D.C. to give a talk at Cairo University in Egypt.

During the period between President Eisenhower's mosque visit and President Obama's visit to Cairo, American society underwent significant socio-political changes, including the civil rights movement, the 1965 immigration act and the 9/11 terrorist attacks. Meanwhile, other incidents were to have significant effects on the relationship between the United States and the Muslim world. These included the 1967 Six-day war, the 1979 Islamic revolution in Iran, the Iran-Iraq war (1980-1988), the Gulf war (1990-1991) and the presence of U.S. troops in Iraq and Afghanistan after 9/11. In his 2009 Cairo speech, President Obama remarked on these events as follows:³⁶

We meet at a time of great tension between the United States and Muslims around the world - tension rooted in historical forces that go beyond any current policy debate. The relationship between Islam and the West includes centuries of coexistence and cooperation, but also conflict and religious wars. More recently, tension has been fed by colonialism that denied rights and opportunities to many Muslims, and a Cold War in which Muslim-majority countries were too often

³⁶ See Barack Obama, "Text: Obama's Speech in Cairo," *New York Times*, 4 June 2009.

treated as proxies without regard to their own aspirations. Moreover, the sweeping change brought by modernity and globalization led many Muslims to view the West as hostile to the traditions of Islam.

While he acknowledged the past mistakes made by the United States in its approach to the Muslim world, President Obama also highlighted shared interests and goals.

These geopolitical changes form the backdrop to the social environment that Muslims in the United States currently occupy. Many of the Muslims living in the United States originate from regions affected by U.S. foreign policies. Although my project primarily deals with the daily practices of Muslims living in a certain neighborhood of Chicago, it is important to highlight the historical trajectories and contexts that lead to the current situation and perception of Muslims in the United States. The present chapter provides a brief history of Muslims in the United States³⁷ and emphasizes the fact that, as GhaneaBassiri (2010) explains, “Historically Islam in America has been characterized by syncretism, eclecticism, heterogeneity, and complexity” (2010: 380). My aim is to both summarize findings of recent scholarship on this topic and to highlight relevant historical events.

³⁷ I prefer to use the term “United States” instead of “America” for the following reasons. Firstly, the scope of my dissertation project is limited to Chicago and the United States. When scholars employ the term “America”, they do not necessarily focus on the whole American continent. I hope to avoid this pitfall. I agree with the sentiment expressed by Samory Rashid (2013) in his book *Black Muslims in the US*: “... the Islam in America literature is notoriously sloppy in its use of language. Because its leading writers fail to distinguish between the United States and “America,” North and South, important historical sites of early Islam in the New World (e.g., Brazil) become either obscured or ignored as a result of linguistic ambiguity” (2013: 30).

The various interpretative methods applied by scholars to the study of the history of Muslims in the United States yield different outcomes, which are contingent on the availability of reliable historical data. Most scholars divide the history of Muslims in the United States into six periods: the early period (slavery and antebellum era), the second period (post civil war), the third period (inter war era), the post-WW-II period and post-1965 to 1989, and lastly 1990 to the present (GhaneaBassiri 2010; Serhan 2014). This categorization attempts to capture significant changes in the demographics of migration to the United States, which altered the composition of its Muslim population. At the same time, various geopolitical events not only contributed to the increased arrival of Muslims but also to the perception of Muslims and Islam in the United States.

Scholars of each of these periods have their own specific concerns and goals. For example, studies of Islam in the early period primarily focus on how forms of Islam practiced in West Africa were preserved and perpetuated by slaves. Scholars who focus on the second and third periods tend to concern themselves with racial issues in the context of Protestantism and American views of progress.

Later periods raise issues relating to community, the development of social institutions, as well as political and civic participation. Race is an overarching theme that ties these works together. Moreover, these discourses contain an ongoing ambiguity between the themes of “Islam in America” and “American Muslim.”³⁸ Since 9/11, this ambiguity has played an increasingly important role in our understanding of how conceptions of Islam and Muslims (both as immigrants and citizens) relate to perceptions

³⁸ As noted earlier, when scholars employ the term “American Muslims”, they often mean Muslims in the United States of America.

of other non-Muslim Americans, Christianity and Judaism. In the following sections, I provide a brief summary of each historical period.

Colonial and antebellum period

The history of Islam in the United States can be traced to the days of slavery, when Muslims were among the slaves brought from Africa.³⁹ Historians such as Alford (1977), Austin (2012), Gomez (2005), Curtis (2002) and Diouf (2013) wrote extensively about the Muslim slaves from West Africa, but they do not agree about the exact number of slaves who were Muslims.⁴⁰ The consensus is that somewhere between 10-18% of slaves were Muslims (Gilkes 2014). Nevertheless, most scholars of early Islam identify the following pattern:

First-generation West African Muslim slaves continued to practice their religion in family networks and probably converted other slaves. Enslaved Muslims married non-Muslims and may have influenced Christian practices as well as class stratification and Black American identity in the slave community (Turner 2013: 32).

³⁹ One of the first documented Muslims to enter what is now the United States was a slave named Estebanico, also known as Stephen the Moor. He reportedly arrived in Florida in 1527. Some think that he was a Morisco -- a Muslim converted to Christianity by the Spaniards and the Portuguese (Capet 2010, Rashid 2013). Also see Laila Lalami's 2014 novel *The Moor's Account* where she creates a fictional world based on the historical account available on Estebanico.

⁴⁰ Some of these numbers are generated on the basis of Muslim or Arabic sounding names from slave ship records.

Historians also poured over various historical records, archives and ship manifests to find specific details about the lives of particular slaves. Some names that received scholarly attention include: Abd al-Rahman Ibrahima (1762-1829), an African Muslim prince from Timbo, Futa Jalon (Alford 1977); Ayuba Suleiman Diallo (1701-1773) also known as Job ben Solomon from Senegal (1710-1773) (Diouf 2013); Omar Ibn Said (1770-1864), a Fulbe scholar and teacher from Futa Taro and Yarrow Mamout (Johnston 2012). Most of these accounts detail their struggle and their insistence on following Islamic rituals such as daily prayer and dietary restrictions (Capet 2010).

Turner (2013:33) states that, “The life stories of several of these Muslims stand out in the historical literature, because contemporary white Americans, though maintaining devastating racial and religious significations of Blacks, nonetheless noted their intellectual resistance, literacy in Arabic, and adherence to the religion of Islam.” *The Life of Omar Ibn Said Written by Himself* is the first known Arabic autobiography written by a slave (Turner 2013; Osman and Forbes 2004). Another well-known artifact from this period is the 1819 portrait of Yarrow Mamout painted by Charles Wilson Peale, which is currently owned by the Historical Society of Pennsylvania (Turner 2013).⁴¹ These historical depictions of slaves indicate that some slaves came from relatively high status backgrounds in Africa and could read and write in Arabic. In certain circumstances, educated Muslim slaves were perceived as less black, less savage and less African than their non-Muslim counterparts. However, “as Muslims represented a clear minority of the slaves being shipped, the presumption remained that an enslaved Black was a ‘pagan

⁴¹ Link to the portrait of Yarrow Mamout by Charles Willson Peale: (<http://explorepahistory.com/displayimage.php?imgId=1-2-4EC>).

savage,' unless they proved otherwise" (Capet 2010:556). This conflation of race and culture tended to complicate the perception of "Black" slaves. Diouf (2013) explains how earlier historians started to view African Muslims as not genuinely African: "The reason Muslim slaves were not seen as authentic Africans is not racial but cultural: the West African Muslims may be seen as 'true blacks' instead of Moors or Arabs, but their culture and religion are viewed as foreign, Arab" (Diouf 2013:204).

In order to understand the role of Islam and Muslims in shaping the early history of the New World, it is also important to consider the wider historical context:

However scant, the history of Islam in America reminds us of the neglected fact that the early making of the "New World," long before the rise of the Atlantic slave trade, included Africans alongside Europeans and Native Americans. West Europeans "discovered" the Americas while in search of new trade routes from the Atlantic Ocean to the Indian Ocean. It is too often forgotten that European voyages of discovery in the Americas in the sixteenth and seventeenth centuries were in large part intended to find new mercantile routes to circumvent the overland and maritime routes through rival Muslim empires – mainly the Ottoman (1299-1923) and Mamluk (1250-1517) Empires....In short, European exploration and colonization of the Americas and the West and North Africa were coeval and correlates of the same imperial projects fueled by the rivalries between varying European states (the Portuguese, the Spanish, the English, the French, and the Dutch)

on the one hand and between European and Muslim States (Moors, Ottomans, and Mamluks) on the other (GhaneaBassiri 2010: 10-11).

Recent scholars (see Capet 2010 and Gilkes 2014) aim to acquire a nuanced understanding of this 10-18% of “largely invisible” Africans who form part of the history of the New World. Gilkes (2014: 30) maintains that recent scholarship provides “...an opening for a conversation about the ways in which the majority of Muslims enslaved in the United States may have contributed their sensibilities and concerns to the process of ritual exchange that is at the foundation of culture-making in the New World.”

Post-Civil War period (1870-1914)

Throughout this period, the demographics of the Muslim population in the United States changed dramatically, as most Muslims came from Eastern Europe, Central Asia and Ottoman and former Ottoman territories. These newcomers were predominantly male and initially settled as laborers in small mill towns and urban industrial centers (Howell 2014). Most scholars agree that it is difficult to estimate how many Muslims arrived during this period, as U.S. immigration officials and the U.S. census do not collect data on religion. Moreover, we should not assume that the majority of migrants from predominantly Muslim regions were themselves Muslim. For example, most Syrian immigrants were Christian and Muslims Turks due to fear of ostracism reported their nationality as something other than Turkish (Howell 2014). The term “Syrian” was used to refer to Turks until the end of World War I, when the Ottoman Empire fragmented and

the immigrants were referred to according to their new national identities (Howell 2014; Grifka 2010). Moreover, the terms “Arab”, “Syrian” and “Bedouin” were also often used interchangeably (Younis 1984).⁴² Although it is difficult to specify the precise number, scholars have estimated that at least 40,000 Muslims had entered the United States by 1920 (GhaneaBassiri 2010:137-142). As well as Muslims from the Levant, a significant number came from Yemen, the Caucasus, the Balkans, and the Punjab (Northern India) (GhaneaBassiri 2010:144). During this period, exclusionary legislation such as the Chinese Exclusion Act (1882) was passed. Initially, this act only applied to East Asian immigrants, but its scope was later widened to curtail all non-European immigration. The 1891 Immigration Act was passed to ensure that polygamists were denied entry into the United States. As sharia allows polygamy, a number of Muslims were consequently denied entry to the United States (GhaneaBassiri 2010).⁴³

These immigrants did not plan to work and settle in the United States without their families. For some, religion was important and religious customs were observed to some extent, but the majority simply wished to work hard and live frugally, and did not assert their right to religious freedom (Naff 1993). The majority of these immigrants primarily identified themselves in terms of their nationality and ethnicity, rather than conceiving of their identity in religious terms. While records indicate that these

⁴² Scholars have pointed out the slippery slope of race and how one identifies themselves in the context of immigration and naturalization: “In the late nineteenth and early twentieth centuries, many immigrant groups struggled to naturalize as US citizens, sparking far-reaching debates about race, whiteness, and assimilation. Naturalization statutes had “racial prerequisites” that the petitioner be “white” or of African birth or descent. The naturalization petitions of non-European immigrants were decided in the courts, the overwhelming majority of whom claimed to be “white” (Albrech 2015: 103).

⁴³ For example, between 1909 and 1917, 73 out of 2457 Indians were barred from entry for this reason (GhaneaBassiri 2010).

immigrants established small coffee houses and organizations that promoted mutual assistance, such institutions were neither religious nor formally structured (Howell 2014).

In 1893, the Parliament of the World's Religions took place in Chicago, as part of the "World Columbian Exposition." Sally Howell maintains "America's first mosque was built in 1893 on "Cairo Street" at the Columbian Exhibition in Chicago. A close replica of the Mosque of Sultan Qayt Bey in Cairo, Egypt was built to display Islam for American audiences (Howell 2014:30).

The only Muslim present alongside representatives of Hinduism, Buddhism and Judaism was Alexander Russell Webb (later known as Muhammad Alexander Webb) -- a theosophist and American Diplomat who converted to Islam around 1888 while working as a diplomat in the Philippines (Howell 2014; Adh-Allah 2006). Several Indian Muslim scholars, including Mirza Ghulam Ahmed (founder of the Ahmadiyya movement) influenced him during this visit (Şahin 2014). His conversion to Islam was ridiculed in a December 25th, 1892 Chicago Tribune article, as merely a "fad for those curiously constructed beings who are always chasing after new and strange doctrines" (GhaneaBassiri 2015:116). He also attempted to establish a mosque a New York by renting two offices in Manhattan in 1893 (Bagby 2014). This attempt caught the attention of the New York Times in a Dec 11, 1893 news item entitled "New York's first Muezzin Call" (Cureil 2015).

NEW-YORK'S FIRST MUEZZIN CALL.

Mr. Lant Uses a Third-Story Window for a Minaret.

For the first time in New-York's history, cosmopolitan as the city is, the melodious call of the Muezzin, celebrated by every traveler in Mohammedan countries, was heard yesterday morning.

At 11 o'clock, Mr. Lant of Tarrytown on the Hudson, who, like Muhammed Alexander Webb, is a devout follower of Islam, dressed in the picturesque robes prescribed by the Moslem ritual, leaned out of a third-story window in the Union Square Bank Building at 8 Union Square and chanted in the language of the Koran the call to prayer. At its sound, the Sons of the Faithful, who were collected in a rear room, fell on their knees and bowed their faces to the floor.

The words of the call, as chanted from the minaret of every mosque in a Mohammedan town by the Muezzin, who is usually blind, run as follows: "God is most great; there is no God but Allah, and I testify that Mohammed is Allah's prophet. Come to prayer! Come to security! Prayer is better than sleep."

Figure 1: New York Times news article that mentions Alexander Webb.

An important debate in the literature concerns the role of Islam in African American lives during this period. The primary and most contentious question is whether the Islam practiced by slaves effectively ceased to exist between 1870 and 1930. The history of Islam in the United States is often depicted in the following manner:

After their arrival, most slaves converted to Christianity outright or adapted their Muslim traditions to Christianity. Because of these conversions, few practicing Muslims remained in the United States by the end of the Civil War. The Muslim

population grew again between 1875 and World War II, when tens of thousands of Muslims, mostly Arabs, migrated to the United States in search of economic fortune. In addition, African-American conversions to Islam throughout the 1920s and 1930s contributed to a growth in the Muslim population. In 1965, a new immigration law resulted in another wave of Muslim immigration, this time from Asia, Africa, Europe, and Central and South America (Fallon 2013:157).

Using James Scott's notion of "hidden transcripts", Samory Rashid (2013) criticizes this narrative and argues that it "minimizes the significance of the special role of blacks in the introduction, surviving influence, and the spread of Islam in the Americas. It fails to explain, based on primary or authoritative sources, how the rigors of slavery actually dislodged Islamic belief and practice from back in early America" (2013:28). He calls this the "marginalization of black Muslims in the literature (39)." According to Rashid, the historical evidence challenges the notion that Islam largely disappeared during this period. To support this claim, he points to organizations such as the 1873 American Propaganda Islamic Movement (APIM) and figures such as Edward Wilmon Blyden (1832-1912), who wrote several books on Islam. Rashid argues that the presence of such organizations and figures calls the simplistic narrative of disappearance into question, and suggests that black Muslims have rather been marginalized in the literature.

Interwar period

GhaneaBassiri (2010:165) describes the period between the First and Second World Wars as “Rooting Islam in America.” During this period, itinerant immigrants began planning to settle permanently in the United States, and expected to be joined from abroad by their wives and children. A greater need for religious ceremonies such as Islamic burials emerged as a consequence of this increased rate of settlement. Islamic associations and organizations started to appear in major cities, including New York, Chicago, and Detroit. Highland Park mosque, which is often designated as the first official mosque in the United States, was established in Michigan in 1921. The Syrian Imam Hussein Karoub, Kalill Bazy and an Ahmaddaya missionary named Mufti Muhhammad Sadiq led the inauguration ceremony (Howell 2014).

In 1920, Mufti Sadiq arrived in the United States as part of a missionary expedition. Mirza Ghulam Ahmed, the founder of the Ahmaddiya movement in India, sent him. Ahmed was a charismatic reformer and self-proclaimed Messiah. In 1876, he announced that his goal was to “to establish the unity and majesty of God on earth, to extirpate idolatry and to weld all nations into one by collecting all of them around one faith” (Bayoumi 2001:253). By 1940, the movement could claim an estimated ten thousand followers in the United States. While it initially targeted white Americans, Sadiq and the movement’s efforts subsequently focused on converting African Americans, especially the Garveyites (Curtis 2002).⁴⁴ The movement’s influence would become still more extensive,

⁴⁴ Garveyites are the followers of Marcus Garvey who came to the United States from Jamaica in 1916 and founded the United Negro Improvement Association (UNIA) a pro-black, anti-colonial organization in 1917 (Van DeBurg 1997).

and it eventually reached the ears of a young Malcolm X. Significant numbers of African Americans converted to Islam in prison and some of these converts were influenced by the Ahmadiyyah missionaries (McCloud 1995).⁴⁵ The Ahmadiyyahs established the first generation of mosques in the United States, namely in Chicago, Cleveland, and Cincinnati. During this period other mosques by Sunnis and Shia's were also established in Cedar Rapids and Grand Rapids (Iowa), Ross (North Dakota), and Dearborn (Michigan). Most of these mosques were used as cultural centers and the prayer halls were often also used for social activities.

Another significant movement that emerged during this period was the “Lost-Found Nation of Islam” founded in 1930 by a peddler named Farad Muhammad. While going door to door in Detroit, Michigan he provided a narrative that resonated with the African Americans during the Great Depression: “He told his black customers and associates that their true religion was Islam and that their original language was Arabic, stolen from them when they came over in slave ships from the Old World” (Curtis 2006:2). In 1934, Elijah Poole, later known as Elijah Muhammad, became the chief assistant of Fard and took over the movement. By 1973, the movement claimed thousands of members not just in Detroit but also all over the United States. When Elijah Muhammad died in 1975, the leadership passed on to his son, Warith Deen Muhammad, who renamed the organization, the American Muslim Mission and began to usher

⁴⁵ These included Timothy Drew Ali, founder of the Moorish Science Temple, Farad Muhammad, the spiritual founder of the Nation of Islam, and Imam Wali Akram, founder of the Moslem Ten Year Plan in Cleveland, Ohio (McCloud 1995; Dannin 2002).

followers towards the teachings of mainstream Islam. In the process, a faction led by Louis Farrakhan split from the organization and took on the name “Nation of Islam.”

Due to the implementation of exclusionary immigration policies, Indian Muslims began to arrive in the United States via undocumented channels. Bengali Muslims from the Indian subcontinent constituted a large percentage of British maritime workers between 1900 and 1925. Many jumped ship or found other illicit means of entering New York, Boston, and New Orleans (Bald 2013; Howell 2014).

Post WW II – 1965

“Black Islam” -- mostly coming out of the influence of the Nation of Islam -- played a significant role in the civil rights movement. Claude Brown’s autobiography, which deals with the daily life of black people in Harlem in the 1950s, highlights the influence of the Nation of Islam. He notes, “The Muslims were the home teams...They were the people talking for everyone. This was the first time that many of these people had ever seen the home boys get up and say anything in front of a crowd” (Brown 1965 quoted in Lo and Nadhiri 2010:232). In the post-WWII era, Islam hence played an interesting role in the political sphere:

Owing to its transnational character, the developing Islamic consciousness of the late 1940s that accompanied the process of de-colonization worldwide infected the tiny Muslim population in the US. Having discovered their Islamic identity, the second-generation descendants of the earlier immigrants, better educated, more

sophisticated, even with military experience in the Second World War, founded for the first time an organization, the Federation of Islamic Associations of the US and Canada (FIA) in 1953. This was to be a national representative body of the American Muslims. At its first annual convention, held in Cedar Rapids, Iowa, an enthusiastic crowd of 400 participated in the proceedings (Haniff 2003:304).

The Federation of Islamic Associations (FIA) was the first influential umbrella organization for immigrant Muslims in the 1950s and 60s. It was founded by Abdallah Igram, a second generation Arab American Muslim, who was born and raised in Cedar Rapids, Iowa, and who served in the American military during World War II. Although the principal organizers and founding members of FIA were Arabs, other ethnicities such as Albanians, South Asians, Iranians and African Americans were also represented (GhaneaBassiri 2010:240). The inauguration of the Islamic Center of Washington D.C. also took place during this period.

Post 1965-1989

During this period, an initial influx of Muslim immigrants arrived from Arab and South Asian countries, and there were subsequent waves of emigration from Eastern Europe and Africa. A factor that contributed to increased levels of migration was the removal of the national origin quotas in the 1965 Immigration Act. The civil rights movement gave rights to ethnic and religious minorities and opened a previously closed route into identity politics. This played a crucial role in the establishment of various Muslim social and

political organizations, from 1965 to the present. We can identify two main geographical trajectories of Muslim immigration to the United States covering this period: a) Arab Immigration and b) South Asian Immigration (Serhan 2014:38-39). Arab immigrants primarily came from Palestine, Lebanon, Egypt, and Iraq. Events such as the Israeli occupation of the West Bank and Gaza in 1967 were significant, both due to their displacement of people and because of their effects on perceptions of Arabs in the United States. South Asian Muslims mostly came from India, Pakistan and Bangladesh (the latter two countries having majority Muslim populations).

Students seeking advanced training in higher education such as doctors and engineers formed a significant section of this new wave of Muslim immigrants. Communal religious events such as Friday and Eid prayers were one of the prominent places for meeting and organizing for these students. These communal events led to the gradual development of organizations that coordinated social activities and supported new immigrants. With growing numbers and an awareness of the need to establish a common platform to discuss issues affecting Muslims, these students founded the Muslim Student's Association of the USA and Canada (MSA) in 1963 (Haniff 2003).

The MSA was established at the University of Illinois, Urbana-Champaign, and began to gain momentum as chapters were founded at other campuses across the nation. One of the primary inspirations for this movement was Dr. Ahmed Sakr who studied at Urbana-Champaign and was a founding member of MSA. Influenced by Sakr and the rising tide of Islamic consciousness across the world, the MSA developed an extensive support network amongst Muslim students. The MSA's annual conventions, where

participants could socialize as well as engage in intellectual discourse, played a central role for the organization. Due to the size of the country and the growth of the Muslim community, regional gatherings began to be held. Most of the newcomers who attended these meetings joined the MSA and worked to further its goals. The students later settled down as professionals and became an integral part of communal Muslim life at the grassroots level and founded various community organizations, mosques and schools (Haniff 2003; Howell 2014; Grewal 2014).

During this period the FIA gradually lost its popularity and the MSA became the organization that catered to the interests of all Muslims from a variety of different backgrounds. Eventually, as the numbers of non-students started to grow, in 1981, the Islamic Society of North America (ISNA) was established through the joint efforts of MSA members and members of other Muslim organizations. Dr. Sakr mentioned above was also a founding member of ISNA and continued on to become a prominent Muslim leader in the United States. The ISNA is now the primary umbrella organization that seeks to represent the entire Muslim community in America. The influx of students, professionals and skilled workers to the United States was soon followed by the arrival of individuals from all social strata in the Muslim world. Both the current Muslim population of the United States and its representative organizations largely reflect this diversity.

The students and academics such as Dr. Sakr and others who arrived after 1965 and founded and developed these national organizations were influenced by two intellectual trends. These trends, global in nature with local manifestations, are particularly relevant to the context in which the Muslim community in the United States

dealt with the issue of halal food (this issue will be discussed further in chapter 5). As GhaneaBassiri (2010) notes, most of these students came from a science and engineering background. They regarded themselves as part of a new Islamic renaissance that was catalyzed by the ideas of thinkers such as Abul A'la Mawdudi (from Pakistan) and Sayyid Qutb (from Egypt):

For MSA activists, the adherence to Islamic beliefs and practices was not only a religious duty but a transformative experience. Qutb and Mawdudi's writing appealed to them because both of these authors began with the assumption that the religion of Islam is necessarily transformative both for individual Muslims and Muslim societies, and they go on to interpret Islam as an all-encompassing "way of life" for the modern world (GhaneaBassiri 2010:267).

Another prominent influence on Muslims in academia was the Palestinian-American scholar Ismail al-Faruqi and his notion of the "Islamization of knowledge" (al-Faruqi 1982). The basic idea behind Ismail al-Faruqi's teachings is that Muslims should seek Western knowledge and this knowledge must be "Islamized":

The central principle of this project was similar to that of the early salafiyah movement. They believed in the Islamic roots of the Enlightenment and that the Europeans borrowed the basic principles of modern scientific knowledge from Muslims and now Muslims needed to reclaim it. Accordingly, in order to re-

appropriate the scientific knowledge, al-Faruqi proposed a “de-alienization” move, characteristic of most Islamic modernist movements. However, unlike the earlier movements, al-Faruqi coupled the “de-alienization” with an epistemological critique of Western science. He argued that Muslims will not “reclaim” the past glory of Islam merely by learning new sciences and acquiring modern technology from the West. Rather, Muslims needed to scrutinize the metaphysical presuppositions upon which modern sciences were constructed (al-Faruqi and Abu-Sulayman, 1989) (Ghamari-Tabrizi 2004:72).⁴⁶

While some members of the generation that founded the MSA and the ISNA are no longer active in Muslim organizations, their institutional and intellectual legacy continues to influence the current generation of Muslim activists and leaders (Howell 2014).

1990 – Present

Muslim migration continued in the post cold war period. A large number of immigrants arrived from Muslim majority countries like Bangladesh and Pakistan under the diversity visa lottery program, which created an allotment of a certain number of visas per year to persons from countries that do not have many immigrants to the United States (Afzal 2015; Kibria 2011). Several wars and conflicts also caused displacement and the United States received a large number of Muslim refugees from Afghanistan, Bosnia, Somalia,

⁴⁶ See also Bilici 2012.

Iraq, and Sudan (GhaneaBassiri 2010). Other geopolitical events caused Islam and Muslims in the Middle East in particular to be front-page discussion material. The United States' engagement in the First Gulf War in 1990 and the first World Trade Center bombing in 1993 were two such major events. Scholars have pointed out how Muslims were viewed in light of these events:

One of the striking elements of the reaction to the bombing in 1993 was the degree to which Muslims in America were viewed as a potential 'network of sympathizers.' The Oklahoma City bombing raised the profile of Muslims in America in the initial media coverage of the bombing. Countless terrorism 'experts' testified about 'the sizable community of Islamic fundamentalists in Oklahoma City,' about the 'earmarks of Islamic car-bombers of the Middle East,' and about the parallels that have 'roots in the Middle East.' Before the real perpetrators were caught, brown 'men of Middle Eastern descent' were being sought by media and authorities. (Semati 2010:259).

Even though negative portrayal of Muslims and Islam in the media is nothing new (Alsultany 2012), the scale and coverage did change and increase after the events of September 11, 2001 (Semati 2010). This trend was in conjunction with various reported incidents of hate crimes against Arabs and South Asians immediately after 9/11 and a large number of detention and deportation incidents (Cainkar 2009). Communication and media scholars over the past several years analyzed how terrorist events and Muslims are

framed in the media. For instance, Kimberly Powell's (2011) study of news coverage of eleven terrorist events revealed:

a pattern of media coverage of terrorism that feeds Orientalism and a culture of fear of Islam, while heightening the United States as a good Christian nation. Through naming of the terror suspect, descriptors assigned to the agent, motive for the act, probability of a future threat, and portrayal of the victim(s), a clear pattern of reporting emerged that differed between terrorists who were Muslim with international ties and terrorists who were U.S. citizens with no clear international ties. The episodic coverage of acts of terrorism has become so programmatic as to have created a thematic frame of terrorism: war of Islam on the United States (Powell 2011: 105).

Besides these studies several surveys also highlighted attitude towards Muslim after 9/11. For example, a 2010 study by the Pew Research Center reported 38 percent of all Americans have an unfavorable opinion of Muslims. Several prominent members of U.S. congress such as congressman Peter King (Hammer and Safi 2013) and various evangelical leaders (Cimino 2005) also echoed similar sentiments.⁴⁷

⁴⁷ Richard Cimino (2005:163) analyzes several surveys that interviewed evangelicals. Following is a short highlight of these surveys: "Recent surveys have found that American evangelicals are more likely than other Americans to be opposed to Islam and to believe there is little common ground between the two faiths. In a Pew Survey shortly after 9/11, 62% of evangelicals said they believed their religion to be very different from Islam, as compared to 44% of non-evangelicals who held this view (Pew 2001). A Beliefnet/Ethics and Public Policy survey in 2003 found that 77% of evangelical leaders had an overall unfavorable view of Islam. Seventy percent also agreed that Islam is a "religion of violence." Yet 93% said it was either "very important" (52%) or "of some importance" (41%) to "welcome Muslims into the

September 11, 2001 also brought about various changes in visa security and immigration policy that impacted the movements and travel patterns of the Muslims. The National Security Entry Exit Registration System (NSEERS) implemented by Department of Homeland Security a year after September 11 was one of these changes. The purpose of NSEERS was to track when noncitizens are entering and exiting United States via interview and finger printing at the port of entry/exit. It also required certain noncitizens⁴⁸ to register regularly while staying in the United States. Critics of this system and registration process pointed out that this is an unjust and unfair approach that does little to fix immigration issues and national security (Johnson and Trujillo 2007) and profiles Muslims and Arabs (Cainkar 2005).

On the flip side of hate crime, profiling, and deportation, was massive mobilization by Muslims in the United States as a response to the events that followed 9/11. Anny Bakalian and Mehdi Bozorgmehr (2009) studied and surveyed how Muslims responded to the backlash and organized themselves:

They [Muslim American organization leaders] distanced themselves from the terrorists and condemned their actions; they demonstrated their allegiance to the

American community." Seventy nine percent said it was very important to "protect the rights of Muslims" (Beliefnet, EPPC 2003). This seeming contradiction between condemning Islam while accepting Muslims in the U.S. suggests that much of the anti-Islamic rhetoric is based on issues of religion and values rather than on racial and ethnic prejudice."

⁴⁸ Only male, nonimmigrant visa holders over the age of sixteen who were from a list of twenty-five countries were required to register. As I was born in Bangladesh and was on a student visa in 2001, I was subjected to this special registration. I reflect on this and other immigration related experiences in an article entitled "Standing in Line," published in *International Review of Qualitative Research* (Islam 2011).

United States; and engaged in outreach to educate the American public about the Middle East and the Muslim faith. ...the post 9/11 era ushered in the “Muslim moment.” The faithful engaged in consciousness-raising as distinct “American Muslims,” blending elements of their religion with American civil rights and constitutional democracy (Bakalian and Bozorgmehr 2009:250-251).

These responses and efforts point to the changing dynamics of Muslims’ involvement in American civil society and politics. These efforts also complicate the notion of citizenship (Maira 2006) and what it means to be a patriotic American (Bilici 2012).

Organizational efforts and community response obviously show the importance of leaders (both religious and non-religious) within the Muslim community. During the post cold war period a new generation of Muslim leaders and religious authorities began to emerge that significantly shifted the modality from the post 1965 period. Zareena Grewal (2014) in her book *Islam is a foreign country: American Muslims and Global Crisis of Authority* describes this shift that “began to dislodge the conflation of professional and religious bodies of knowledge and social prestige” (2014:158). The leaders that emerged during this period envisioned Islam in the United States through a drastically different lens than leaders such as Al-Faruqi and Dr. Ahmed Sakr. Grewal highlights Sheik Hamza Yusuf (born Mark Hanson) who converted to Islam when he was eighteen and then proceeded to study in India, the Middle East, and Africa. After returning to the United

States he became an Imam and eventually founded the Zaytuna Institute (now called Zaytuna College⁴⁹) in 1996 as a center for Islamic scholarship in California:

In contrast to the revivalists such as Al-Faruqi who advocated for Islamic reform and progress and the recuperation of rational, academic disciplines, Yusuf insists that the key to the future of Islam is in the past. In his lectures and published pamphlets, Yusuf stresses the glorious premodern history and traditional pedagogical systems, marginalized in most of the world's modernizing Muslim-majority states (Grewal 2015:168).

Grewal's book also highlights other scholars and leaders who run the gamut from formalist, reformist, and feminist reformist Muslim. For example, Yasir Qadhi (born in Texas, educated in Saudi Arabia) categorized as reformist by Grewal, founder of the AlMaghrib Institute⁵⁰ -- another Islamic higher learning institute in the United States.

⁴⁹ From <https://www.zaytuna.edu/about/>: "In 2004, noting the paucity of religious leaders with the cultural literacy to tend to the spiritual and pastoral needs of American Muslims, Zaytuna Institute launched a pilot seminary program. Under the guidance of Zaid Shakir, the program trained and graduated five students in 2008. After the culmination of the pilot program, the Board of Directors of Zaytuna Institute (later renamed the Board of Trustees of Zaytuna College) guided the organization through a seismic transition, with the goal of establishing an accredited Muslim institution of higher education in the United States. In 2009, Zaytuna College was launched in Berkeley, California, by Hatem Bazian, Zaid Shakir, and Hamza Yusuf.

⁵⁰ From <http://almaghrib.org/about>: "We started up in 2002 with a simple question - how could we teach you Islam in a way that was fun, social, quality, spiritual, and oh yeah, academic? We asked around, and it turned out people wanted teachers who knew their stuff and who didn't turn learning Islam into a snoozefest, they wanted super quality and they didn't want endless weeks of lectures that would get in the way of their busy lives."

Yasir Qadir's approach in AlMaghrib overlaps yet differs significantly from Hamza Yusuf's Zaytuna College endeavor.⁵¹

In summary, two important points need to be highlighted for the post cold war period. First, 9/11 and the events that followed after that definitely had and will have significant impact on how Muslims and Islam are understood and perceived in the United States.⁵² Second, even though the numbers of converts, second generation U.S. born Muslims of all races are increasing, immigrants still constitute the majority of Muslims in the United States. However, the composition and diversity of the immigrant community is much more complex than during the previous periods (Haddad and Harb 2014).

Conclusion

All of the people that I talked with came to the United States after 1965, some as recently as 2007. How does the history of Islam in the United States over the course of more than 500 years relate to the experiences of these recent immigrants?

One day, I was talking to a Bangladeshi immigrant about my coursework and studies. When I mentioned Muslim slaves, he was surprised to learn that there were Muslims in the United States during that period. This reaction is not uncommon and it seemed that most of the people I talked with were unaware of this history. The same can be said of most non-Muslim Americans. This brings us back to the question of whether or

⁵¹ Both Hamza Yusuf and Yasir Qadhi talk about authentic, traditional Islam but one simple way to differentiate them is that Yusuf leans on more on the sufi aspect of Islam and Qadhi towards the salafi. It is important to remember these categorizations are not always fixed and moreover none of them publicly uses these labels to describe themselves or their institutions (Grewal 2015: 331).

⁵² The public debates on anti-Muslim rhetoric are oftentimes described as Islamophobia. For a historical understanding of Islamophobia see Rana (2007), Green (2015). However the usage of this term and the history of it are not without controversy and debate (Bunzl 2005).

not Islam can be considered an American religion. And more importantly, can we even speak of a distinctively “American religion” or “religions” in the first place? With the exceptions of Native American religion and Mormonism, none of the religions that are practiced in the United States have their origins in North America. In this sense, nearly all American religions are “immigrant religions.” However, recent literature uses the term “immigrant religion” more exclusively, to refer to the faith and practices of post-1965 immigrants (Warner and Wittner 1998; also see Cadge and Ecklund 2007 for a survey and literature review). One way to contextualize this issue is by distinguishing between “charter” and “minority” religions. Charter religions are those that have become identified with the American mainstream, for various historical and political reasons. Today, these religions include major Protestant denominations, Catholicism and Judaism. Their “charter” role is captured in the common description of the United States as a “Judeo-Christian society” (Alba et. al 2009:11).⁵³ However, the definition of what constitutes “charter religion” changes over time:

When eastern European Jews arrived en masse in the late 19th and early 20th centuries, they found a society that resolutely defined itself as Christian, even Protestant, and identified them as outsiders. Yet, during the second half of the 20th century, Judaism gradually achieved a charter status, at least in the regions of the country where many Jews are settled and where, today, many school

⁵³ While this notion of Judeo-Christian American identity is undoubtedly contested, it remains highly influential in American politics.

systems close down for the holidays of Rosh Hashanah and Yom Kippur (Alba et. al 2009:11).

It seems probable that Islam in the United States is slowly approaching “charter” status, as the definition of the “charter” gradually changes. But Islam might tread a different path to Christianity and Judaism in its journey towards mainstream social acceptance.

Chapter 3

Something ain't halal here⁵⁴: Debates, issues, legal cases dealing with halal food

Our food is shaped by knives.
– Bee Wilson (2012: 85)

A friend of mine introduced me to Mr. Khan who is a bearded, skullcap wearing Pakistani storeowner who sells a variety of things such as electronics, watches, luggage and clothing items, and religious accessories like prayer rugs and beads. When he learned about my dissertation topic he had the following to say:

Listen *beta* [my son], if you see a cow in the field, you know that it is halal as Allah made it ok for us to eat, right? But when that cow turns into a delicious dish of cooked beef and appears before you in the table, is it still halal? Do we know what happened? How it happened? Was the animal properly slaughtered and prepared? We need to know all of these before we can eat that beef. We need to be certain.

Mr. Khan's comments point out the importance of religiously permitted food for Muslims and the issues that this need can cause in a non-Muslim majority country like the United States where the availability of halal food cannot be taken for granted. On one side of the issue, we find the vertical dimension where devout Muslims living in the United States are trying their best to follow the dietary restrictions dictated by the sharia. On the other side -- what I call the horizontal dimension -- we find local and global market forces, city,

⁵⁴ The title of the chapter was inspired by Vincent Brook's (2003) book *Something ain't kosher here: The rise of "Jewish" sitcom*.

state, and federal level laws and regulations that intersect with each other and as a result determining -- as Mr. Khan mentioned -- how the cow turns into beef. The comment that I heard over and over again during my project was not so much as how/where can I find halal food⁵⁵ but how do we know for sure if certain food item is halal or not. In a way, Mr. Khan's comments are on a par with the concerns that formed organic and sustainable food movements ("Farm-to-table" or "farm-to-fork" is a term that is frequently used in this context). The emphasis is not just on growing and processing the food but also on the supply and commodity chain that connects farmer, distributor, seller, and consumer. In the context of meat, issues of animal treatment and welfare are also part of the debate.⁵⁶

In Muslim understanding, besides following dietary restrictions food consumption is regarded as one aspect of living the good life: "...the crucial responsibility of caring for the body involves both an element of observing ethics and an element of pleasuring the body. Since body and self are not essentially separated, for this reason caring for the body is like caring for the self. In other words, the integrity of the self becomes manifest and takes form in the integrity of the body. Hence, there is an elaborate practice of caring for the body, starting with nourishment of the body in Muslim practice" (Moosa 2009:136). Thus it is not surprising for someone like Mr. Khan to emphasize not just the type of food he is consuming but want to know more details about the origin and preparation of such food items.

⁵⁵ In a city like Chicago, availability of halal food is getting more and more abundant in different parts of the city. This wasn't the case in the last decade and also not in smaller cities.

⁵⁶ Richard Foltz (2006) in "*Animals in Islamic Tradition and Muslim Cultures*" provides a detail exposition about issue of animal rights in classical texts and also contemporary views.

The goal of this chapter is to summarize the issues relating to halal food in the United States in order to help contextualize my findings presented in the next chapter. First, I provide an overall view of Islamic dietary laws. Second, I highlight some of the major debates that were raised by the people that I talked with and also echoed by other Muslim consumers and scholars around the country. Third, I focus on the phenomenon of halal certification and the actors and processes involved in that. Finally, I summarize two court cases (US v. AOSSEY, Dist. Court, ND Iowa 2015 and MEHRAB NO. 1 CORP. v. US, Dist. Court, ND Illinois 2011) where halal food occupied a central role. The court cases provide a socio-legal context for the understanding of of halal food and by extension sharia in the American moral and legal space. Over the course of this chapter I show how these seemingly disparate issues and spaces -- religious, commercial, and legal -- are interrelated and connected.

What is Halal?

Halal is an Arabic word that means “lawful, permissible, allowable.”⁵⁷ The opposite of halal is haram which means forbidden.⁵⁸ The following is one of the many verses in the Qur’an that outlines the dietary restrictions:⁵⁹

⁵⁷ The root of halal is *h-l-l* where the primary meaning is “to unite [a knot]” (Lane 1863). See also al-Qaradawi (1988).

⁵⁸ Another translation of halal is thus then what is not forbidden. Thus Islamic jurisprudence there are categories such as *makrooh* (discouraged) and *masbbooh* (suspected) (Sakr 1983).

⁵⁹ Dietary restrictions are present in other Abrahamic religions as well in particular Jewish dietary laws bear some resemblances with Muslim dietary restrictions (see Freidenreich 2011 for a detail historical and theological comparison of Jewish, Christian, and Islamic food laws).

Forbidden to you is carrion, and blood, and the flesh of swine, and that over which any name other than God's has been invoked, and the animal that has been strangled, or beaten to death, or killed by a fall, or gored to death, or savaged by a beast of prey, save that which you [yourselves] may have slaughtered while it was still alive; and [forbidden to you is] all that has been slaughtered on idolatrous altars (Qur'an 5:3).

The three main issues that this verse addresses are: 1) prohibited animals such as pigs, 2) methods of slaughter, and 3) invocation of Allah's name during the act of slaughter. These restrictions are inter-related and any negligence can render a particular food haram. For example, cow is in the category of permitted animal but if it is not slaughtered with the invocation of Allah's name then it is not halal any more. Besides prohibited animals, intoxicants are also considered haram:

O You who have attained to faith! Intoxicants, and games of chance, and idolatrous practices, and the divining of the future are but a loathsome evil of Satan's doing: shun it, then, so that you might attain to a happy state! (Qur'an 5:90).

Even though the word haram does not appear in the above verse and other verses that mention *khamr*,⁶⁰ oftentimes translated as wine (for example 2:219, 5:90, 5:91, 12:36, 12:41), Islamic scholars throughout the centuries regarded wine and any intoxicant for that matter as haram.⁶¹ Several Hadiths on the other hand explicitly mention wine as haram. For example:

Narrated Aisha: The Prophet said, "All drinks that produce intoxication are Haram (forbidden to drink) (Sahih Bukhari 1:4:243).

Furthermore, any substance that is considered haram, impure and "incapable of purification" (Gauvain 2005:342) such as excrement, urine or vomit can make halal items haram in the event of a cross contamination. For instance, a facility that prepares wine and also prepares halal meat can be subject to scrutiny and thus the meat from there will not be considered halal.

Muslims living in the United States and other non-Muslim majority countries are often concerned with specific ingredients found in certain packaged food items. For example, gelatin can contain pork and vanilla extract can contain alcohol both of which are considered haram. Similarly, when wine turns to vinegar, is that still haram? A general opinion on this is if wine turns into vinegar by itself then it is halal (Jahangir, et al 2016).

⁶⁰ Muhammad Asad (1984:235) in the footnote of the translation of verse 5:90 had the following note regarding *khamr*: "According to all the lexicographers, the word *khamr* (derived from the verb *khamara*, "he concealed" or "obscured") denotes every substance the use of which obscures the intellect, i.e., intoxicates. Hence, the prohibition of intoxicants laid down in this verse comprises not merely alcoholic drinks, but also drugs which have a similar effect."

⁶¹ See Kathryn Kueny's 2001 book *Rhetoric of Sobriety: Wine in Early Islam* for a detailed study about this.

However, if it turns into vinegar with the aid of a chemical substance or by adding something, such as salt, bread or onion, to it, scholars hold contradicting views about whether it is halal or not (Usmani 2006). Similarly, Muslims are increasingly more and more concerned about halal ingredients not just in food also in medicines and cosmetics (Mursyidi 2012).

In recent years, Islamic scholars are also grappling with the notion of genetically modified food (GMF). For instance, a genetically modified vegetable could contain genetic materials from animals such as pig and thus one can consider that particular vegetable haram (Moosa 2009). The National Fatwa Council of Malaysia in 1999 supported the research and production of GMF but if food produced from genetic modification involves swine gene then the Council considered it haram. In 2001, a subsequent fatwa declared that is not permissible to use genes from halal animals that are not slaughtered properly (Isa et. Al 2014). Similarly there are also concerns about enzymes used in food production which oftentimes are derived from pigs and not properly slaughtered animals thereby according to some interpretations, making the food haram (Fischer 2016b).⁶²

Even though the concept of halal implies permissibility, the term *tayyib*, which means “good”, or “wholesome” is also used to convey both permissibility and

⁶² In the last several years, major food science journals are publishing articles that deal with pork DNA detection in halal food. The driver for this research is expansion and increased demand of halal food. For example titles like the following are common in scientific journals: “*Development of a Rapid Method for the Visible Detection of Pork DNA in Halal Products by Loop-Mediated Isothermal Amplification* (Ran, Guangyao, et al 2015).”

wholesomeness. The term tayyib and other related words appear in various places in the Qur'an in the context of consuming food that is good for us:

O Mankind! Partake of what is lawful and good on earth, and follow not Satan's footsteps: for, verily, he is your open foe (Qur'an 2:168).

O You Apostles! Partake of the good things of life, and do righteous deeds: verily, I have full knowledge of all that you do (Qur'an 23:51).

This term recently has been taken up by various Islamic oriented organic food movements labeled with such names as organic halal, eco-halal, green zabiha, and beyond halal (Abdul-Matin 2010; Aziza 2015; Kuruvilla 2014),⁶³ to indicate something more than just halal. Based on the interpretations of verse 2:167 and other similar verses, these halal-organic movements have pointed out that issues of dietary restrictions are not just limited to permitted and prohibited items. Halal food must conform to the conditions expressed in the meanings of tayyib (Zannierah et al., 2012). This idea of “beyond halal”⁶⁴ echoes the notion that it is not just about eating food from the permitted animals but also about animal welfare, taking care of the land, and social justice (Robinson 2014; Kuruvilla 2014). Furthermore, food is considered to be a gift from Allah

⁶³ “Honest Chops” is a halal butcher shop that focuses in this tayyib philosophy in East Ninth Street in New York city that is getting attention since opening in 2004: “it has become a local favorite—as much with the socially conscious but irreligious crowd as with the Shari’a-observant” (Aziza 2015).

⁶⁴ “Beyond Halal is dedicated to exploring questions of Islamic ethics and food. Halal is the Arabic word for permissible, and in dietary law it is usually taken to mean foods that do not contain pork or alcohol, and meat that comes from animals that have been slaughtered in accordance with the dictates of Islamic law.” https://www.facebook.com/BeyondHalal/info?tab=page_info

so wastage and overeating are also discouraged in the Qur'an and the Hadith. For example,

O Children of Adam! Beautify yourselves for every act of worship, and eat and drink [freely], but do not waste: verily, He does not love the wasteful! (Qur'an 7:31).

And also:

Partake of the good things which We have provided for you as sustenance, but do not transgress therein the bounds of equity (Qur'an 20:81).

The above discussion serves as a basic summary of dietary restrictions in Islam along with issues and concerns raised as a result of modern, industrialized food production. I complement this summary with two different comments from two of my interlocutors whom I have met on Devon Avenue. Malek (more from him in chapter five) who scrutinizes everything that he eats had the following to say:

Allah has bestowed bounty on us so we should reflect on that -- on His mercy. He provided us a variety of food items to choose from. Most of the things in this world are allowed for us. We don't have to be vegetarians and such. There are some restrictions but other than that everything else is allowed. But we also need to eat

what is good for us. What is nutritious and try also not to waste things. Indeed the wasteful are brothers of shaitan [satan]. Feeding the poor is an act of charity so we should try to do that more.

This understanding of Malek can be contrasted with the one from Raihan who also considers himself a devout Muslim, prays regularly, avoids pork and alcohol but declares to have a “secular” outlook. His comment below was about people like Malek who “get into too much nitty-gritty about what is halal or not”:

I think some people get way too invested in this halal stuff. Some of these “Halalis” sometime do not pray five times a day but will drive two hours to find halal meat. I think as long as you are eating good, nutritious food and not wasting and overeating you are being halal. That is what Allah commanded us to do. Just apply basic common sense and moderation. There are lots of other important issues to worry about than halal meat.

These two opinions provide a glimpse into the spectrum of religious adherence that I observed among my interlocutors. The crucial thing to understand here is that the restriction regarding pork and wine are explicitly stated in the Qur’an but he inferences are oftentimes based on secondary sources (Moosa 2009). As mentioned earlier, even though source of the sharia is the divine revelation and thus infallible according to the Muslims, the understanding of it is human and prone to error as well as subject to

multiple interpretations. Sharia is thus not a uniform code of legal rules. Varying opinions and multiple and sometime contradictory interpretations are not uncommon in Islam (Jackson 2006). Next, I provide more details about these varying interpretations pertaining to halal food in the United States. I highlight three issues: a) methods of slaughtering; b) halal versus zabiha; and c) debates about the people of the book.

Methods of killing the animal

This brings us back to verse 5:3, “Forbidden to you is carrion, and blood, and the flesh of swine, and that over which any name other than God's has been invoked, and the animal that has been strangled, or beaten to death, or killed by a fall, or gored to death, or savaged by a beast of prey, save that which you [yourselves] may have slaughtered while it was still alive; and [forbidden to you is] all that has been slaughtered on idolatrous altars.”

Here the exception is mentioned as “save that which you [yourselves] may have slaughtered while it was still alive” without much more specificity. It does not talk about what implements (such as sharp knives) to use. The specificity of the ritual slaughter is thus derived from other sources but relies on the strict prohibition of blood in the Qur’an (see Qur’an 2:173, 5:3, 6:145). Thus most scholars agree that the way the blood must flow out of the animal is by “manually and deliberately cutting into the jugular veins” (Usmani 2006:35). As mentioned earlier, invocation of Allah’s name is also crucial here to make the slaughtering halal. One of the first questions Muslims ask about the meat found in the marketplace is the method of slaughter -- in particular was it hand slaughtered or

machine slaughtered.⁶⁵ For most of my interlocutors then the question becomes: is hand slaughtering the only permitted method and is meat from industrial, mechanically slaughtered animals haram?

A fiqh manual published by the “Islamic Fiqh Academy of India⁶⁶” (Qasmi 2005) dedicated to the topic of animal slaughter has the following detailed deliberation on mechanical slaughter:

We have seen that in one of the two methods of mechanical slaughtering, as in the case of bigger animals and sometimes even in the case of small animals and birds, the animals and birds are stunned and then hung upside down with a chain attached to the machine. These animals are slaughtered by a person by his own hands or in some cases these animals are slaughtered before being hung with the machine’s chain. In this method, the slaughtering is not done by the machine but by human hands. Therefore, Sharai precepts regarding such type of slaughter are quite clear. The animal slaughtered in this manner shall be halal provided other requirements of the Shariah are fulfilled. The reason for the permissibility is very clear. In this case the machine is not involved in the slaughter; the machine is actually performing subsequent tasks like skinning, removal of filth and cutting

⁶⁵ These questions usually don’t come up in Muslim majority countries, as the assumption is the meat has been properly slaughtered. However, in countries like Malaysia that has a national halal governing policy, unlike other Muslim majority countries, all food items need to have a halal certification (Fischer 2008).

⁶⁶ For an online version see: <http://www.ifa-india.org/>. One of my interlocutors brought this to my attention.

the meat into smaller pieces. The use of machines for these purposes is not objectionable.

Regarding stunning the same manual continued:

It is preferable that animals be slaughtered without stunning but with proper humane restraining systems. However, nonlethal methods of stunning might be used to meet the legal requirement for humane slaughter regulations. The animal must be alive at the time of slaying and must die of bleeding rather than a blow or electrocution. A mechanical stunner where a bolt enters the head and then retracts, making the animal unconscious, is acceptable. The animal while unconscious is hung by one leg and slayed within 1 to 3 min, depending on the size of the animal. The blow to the head and the timing of slaying must be adjusted so that the animal does not die before slaying.

I met several people that adhere to this line of reasoning. However, there are people that do not consider any sort of stunning to be permitted. Their understanding comes from Hadiths like this: “when you kill, kill in a good way and when you slaughter, slaughter in a good way. So every one of you should sharpen his knife, and let the slaughtered animal die comfortably (Sahih Muslim 11:021:4810).” The interpretation here is that by mentioning sharpening the blade, the Prophet is implying that hand slaughter is the proper method. In all the slaughterhouses I visited, live stock and large animals are “hand

slaughtered” -- in the way explained above, where large size livestock such as cows, goats and sheep are brought to a point where a human being standing with a sharp knife in hand who cuts the throat of the animal very quickly. There are also no halal standards regarding stunning methods -- some completely avoid it, some use minimal stunning and some uses the amount that is common in other non-halal industrial plants.

You say halal, I say zabiha

Historically and from a scriptural point of view the term halal, in the context of meat, implies that the animal has been properly slaughtered according to the rules of sharia. Before the advent of modern slaughterhouses, in Muslim majority countries properly slaughtered implied hand slaughtered without the involvement of any mechanical devices. As worldwide demand for meat grew, various non-Muslim majority countries started to export meat to Muslim countries and as a result mechanically slaughtered, stunned animals entered the picture. When Muslim immigrants (in the past 30-40 years) started to arrive in non-Muslim majority countries like the United States where industrialized, mechanical slaughter is the norm (Pachirat 2013), a particular distinction started to become popular among certain Muslims in the United States (Fareed 2004 cited in Robinson 2014). These Muslims, mostly educated and professional immigrants, employed the term “zabiha halal” or just “zabiha” instead of “halal” to denote “meat that came from an animal that was hand-slaughtered by a Muslim person.” By implication this restricted the meaning of “halal” itself to denote permissible but not properly slaughtered.

Based on this distinction, for certain people halal meat now means meat coming from a permissible animal, presumably not hand-slaughtered, therefore not permissible.

The Arabic term *dhabiha* – transliterated in South Asian vernacular as *zabiha/zabeeha*⁶⁷ - simply means to slaughter. It does not say anything about the exact method or tools used in this act. Currently, in places like Devon, *zabiha* means more than just halal in the traditional sense. In Devon Avenue it is very common to see signs at storefronts and on menus that mention *zabiha* along with or instead of *halal* (see Figure 2).



Figure 2: Menus mentioning “Zabiha”

Several events and actors are responsible for this distinction taking root among Muslim communities in the United States. First, the group of educated and professional immigrants mentioned earlier is one of the primary actors. During my fieldwork, I talked with several who are working or retired as physicians, engineers and lawyers. Some live near Devon; while others live in the suburbs and regularly go to Devon. This group of

⁶⁷ The Arabic root is *dhāl bā hā* (ذبح). The Arabic letter *dhāl* ذ usually transcribed as “dz/dh” in English turns into a “z” in most South Asian languages and that’s how we end up with “zabiha” from “dhabiha.”

people can be described as religious with a modern scientific training, or, as Ebrahim Moosa puts it, with “rudimentary elements of scriptural Islamic theology that is further informed and amplified by a critical and self-reflexive view of science” (2009:146). Based on their scrutiny and in the absence of any overarching authority or process charged with checking the authenticity of halal meat, a term was needed to make the distinction between halal and “real halal.” According to one physician who lives near Devon, around the late 1980’s to early 1990’s is when the term zabiha started to get some traction among the South Asian Muslims in Chicago: “We needed to make sure what we are eating is pure. The community (Chicago in this case) didn’t have any good measures in the 1970’s and 80’s. Using the term zabiha helped us to verify what is halal or not.” Basically, a number of Muslims felt that the term halal was not sufficient enough to make sure that it conveys both permissibility and proper slaughter method.

Second, in places like Devon Avenue where the number of Muslim residents and shoppers started to increase in the late 1980’s and early 1990’s, the demand for halal meat also increased. Businesses -- in particular grocery stores and restaurants – also started to pay attention and cater to the growing Muslim population. Several of my interlocutors are longtime residents of West Rogers Park. Most of them remember how Indian and Pakistani restaurants started to proliferate near Devon Avenue starting in late 80’s and early 90’s. Around the same time more and more halal signs started to appear. A 2003 Chicago Tribune report (Eng 2003) highlights some of these establishments and mentions for example a place called “Italian Express” (note the use of both halal and zabiha by the reporter):

Although it was opened 20 years ago, Italian Express did not go halal until 1991, when the population of Muslims in the West Rogers Park area reached a critical mass. But even then, says owner Mohammed Ismail, "I lost a lot of money at first because I stopped serving pork and I stopped serving liquor. But little by little I have gotten very loyal customers." Along with pizza and pasta, Ismail serves American fare and a few South Asian dishes. "The new generation is not interested in our [traditional Indo-Pak] foods anymore," he said. "So we serve American fast food too." We enjoyed the slightly soggy but delicious pizza and cheese ravioli. But the hands-down fave here was the zabiha gyros, which comes in mild and spicy. There's even a popular gyros pizza with special halal mozzarella cheese. Even the pita is special-ordered halal, because, "we look into every itty bitty detail," he says.

In the mid 90's various stores in the neighborhood also started to include "halal" and "zabiha" in their names. I was able to verify this change through two different types of archival research. First, I looked at the Chicago area Yellow Pages from 1977 to 1999. The first time I noted the term zabiha was in the 1981 entry for "Hyderi Zabiha Meat & Groc" (Figure 3) at 4861 N Kedzie, later relocated to 3308 W Bryn Mawr (a couple of miles south of Devon Avenue). This place went out of business quickly and most of my interlocutors did not have any recollection of it. However, from 1997 onwards more and more stores like this started to show up, some explicitly using halal or zabiha in their name (see

Figure 4). Secondly, I collected business license permit information from the City of Chicago Department of Business Affairs.⁶⁸ I provide one example here.



Figure 3: Phonebook entry for Hyderi Zabiha Meat & Groc (1981). Source: Chicago Historical society.

A business called “Halal Chicago Meat Market” at 2243 W Devon Avenue had an active business permit in 1997 (see Figure 4). Around that time there were other restaurants and grocery stores with halal and zabiha in their title.

⁶⁸ This was obtained via a FOIA request (13-FR-02) to the Department of Business Affairs and Consumer Protection at the City of Chicago, issued by Kathy Vitek (Freedom of Information Officer). Current license information from 2006 onwards is available at <https://data.cityofchicago.org/Community-Economic-Development/Business-Licenses-Current-Active>.

						96 00	09/30/96	100498	2
1475	938079	001 001	SHIRAZ RESTAURANT CASPIAN ENT INC 02242 W DEVON AV 60659	2			// // //		2 2 2
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							// // //		1 1
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						95 00	02/24/95	100151	1
						96 00	02/06/96	100023	1
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00							// // //		1 1
						79 00	08/20/79	000045	1
						82 00	01/27/82	000184	1
						83 00	02/09/83	000216	1
						94 00	00/00/00		1
04	1342	882941 002 001	786 ZABIHA MEAT MOHAMMED BASHIR 02502 W DEVON AV 60659	0			// // //		1 1 1
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Figure 4: Business license permits showing “Halal Chicago Meat Market” and “786 Zabiha Meat.” Source: the Department of Business Affairs and Consumer Protection at the City of Chicago.

Fast forward to 2010 -- “Halal Chicago Meat Market” went out of business and changed owners. The name changed to “Chicago Zabiha Halal Meat Market and Grocery.”⁶⁹ This clearly indicates how the distinction between halal and zabiha slowly took shape in the mind of the consumer and business owners. By 2010, use of zabiha was established in the neighborhood and also other parts of Chicago so the new businesses responded to that trend.

⁶⁹ Recent license information is available at <https://data.cityofchicago.org/Community-Economic-Development/Business-Licenses-Current-Active>.

The term halal⁷⁰ might be more widely known, including by non-Muslims, while the usage of zabiha is still limited to Muslims and the people who are involved in the meat industry. However, it is gaining traction as more and more restaurants and certification agencies are employing this term as a marketing tool. For example, figure 5 shows a screen shot from a youtube video⁷¹ prepared by the US-based Islamic educational organization called AlMaghrib institute where two animated superhero figures -- “Halal Man” and “Zabihah Man” discuss which food items are halal, haram or zabiha. They go through different items and classify them accordingly. For example, according to Zabiha Man (shown here on the left), anything from McDonald’s is haram. But for Halal Man (shown on the right) -- who makes things easy and convenient -- some items on the menu are halal. Again the assumption here is even though chicken is halal, the chicken nuggets sold in stores came from an animal that was not slaughtered following all the guidelines of sharia.

⁷⁰ The term kosher is part of the modern American lexicon where it is applied outside of the context of Jewish dietary restrictions whereas halal does not occupy that position yet. But maybe the time for halal will come soon. “The Halal Guys” is a truck vendor that started in 53rd and Sixth Avenue in New York in 1990. Now they are Zagat rated and operating as a franchise. They recently opened a shop in Chicago where the grand opening was a major success and caused much hype in the Chicago foodie scene (Pang 2015): “Eventually, the lines won’t be outrageously long and the grand opening buzz will have moved on to the next great restaurant import — though a place like Halal Guys, serving up conceptually messy and soul-satisfying combinations of warm proteins and starch, stands a better chance of surviving in a cold-weather market like Chicago. But you know what really needs to happen? Put a cart on the corner of Washington and Dearborn streets, where the Christkindlmarket is during the holidays. Only have the Halal Guys there year-round. Whoa, think about *that*. Gangbusters.”

⁷¹ <https://www.youtube.com/watch?v=rAjjB5OMSBs>



Figure 5: Youtube screen capture of “Zabihah Man Vs. Halal Man.”

Some scholars argue that the term zabiha is unnecessary and further causes confusion as by definition halal meets the criteria that a permissible animal has been slaughtered properly (Usmani 2006). One certifier who primarily works with clients from the East Coast also commented that this application of zabiha to mean, “properly slaughtered by hand by a Muslim person” is more prominent in the Midwest (Chicago and Detroit area) than on the East coast. For the time being, in Devon, the term zabiha here is to stay but halal is not going anywhere either.

People of the book

At a conference organized by the Islamic Food and Nutrition Council of America (IFANCA) in Chicago, Muslim scholars, despite some debate and disagreement, reached the following conclusion, which was reported in the Chicago Tribune, Nov 29, 1987:

Ulema, or scholars, of five major Moslem [sic] sects -- Hanafi, Maliki, Hanbali, Shaafai, and Shiite -- met in Chicago's Moselm [sic] Community Center earlier this week to consider Islamic dietary laws. And they concluded that all meat sold in a supermarket is halal, or permissible for a Moslem to eat, except pork (Iqbal 1987).

It became evident from the full report that this was not the consensus as several other religious, community leaders and scholars didn't agree with this statement:

The organizer of the symposium realized the possibility of causing a bitter controversy. Rashid Chaudhary, president of the Islamic Food and Nutrition Council of America, which organized the meeting, announced after the discussion that he and his council remain faithful to the traditional dietary concepts.

Traditional dietary concepts here imply animal slaughtered and prepared according to the sharia.

Religion: Moslems keep open mind on open diets
Iqbal, Anwar
Chicago Tribune (1963-Current file); Nov 20, 1987;
ProQuest Historical Newspapers: Chicago Tribune (1849-1988)
pg. A7

Religion

Moslems keep open mind on open diets

By Anwar Iqbal

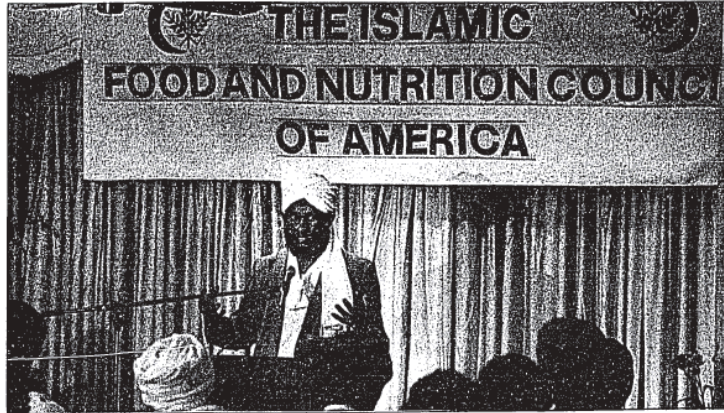
If it's true that you are what you eat, then Moslems in the United States have a problem. Shops are full of food, but all that is sold in the supermarkets and restaurants is not for Moslems.

Islam's dietary laws restrict their choice. Alcoholic drinks are banned. So is pork. Even biscuits and jellies using animal fat are on the banned list. So are all kinds of meat—beef, poultry or mutton—if the animal is not slaughtered in Islamic fashion.

So what to eat?
Ulema, or scholars, of five major Moslem sects—Hanafi, Maliki, Hambli, Shaafai and Shi-ite—met in Chicago's Moslem Community Center earlier this week to consider Islamic dietary laws. And they concluded that all meat sold in a supermarket is *halal*, or permissible for a Moslem to eat, except pork.

This pronouncement is likely to be welcomed by many of America's 8 million Moslems, who find it difficult to observe dietary laws in secular society. On the other hand, traditional Moslems might be angered.

The organizers of the symposium realized the possibility of



Rhaik Mohammari Nur Abdullah leads the discussion at an Islamic symposium on dietary laws and contemporary issues. Tribune photo by Ovie Carter.

Figure 6: Chicago Tribune news item covering IFANCA's conference in 1987.

In July 2012, as I was taking a stroll one early morning, I ran into a Muslim cab driver in Devon Avenue and we started talking about halal food. He didn't have any issues with buying meat from the super market. "Yes, if I can find halal that is good, but as long as I am not eating pork, I am ok", he explained. Later that day, I had the same conversation with a store manager. He responded, "No, you cannot just go out and buy beef and chicken from the supermarket and go to McDonald's. The food there is not halal -- and as Muslims we are only supposed to eat halal. There is no room for compromise."

The impetus behind these diverging opinions is the idea that meat of animals killed by "people of the book" -- in Arabic "Ahl al-kitab" usually referring to Christians and Jews -- is permissible, thus making the meat found in the grocery store -- assuming it was slaughtered by the people of the book -- halal. The basis of this notion is established with the following verse (Qur'an 5:5):

Today, all the good things of life have been made lawful to you. And the food of those who have been vouchsafed revelation aforetime⁷² is lawful to you, and your food is lawful to them.

Some scholars (al-Qaradawi 1988) in the early 1980's expressed the opinion that the requirement of invoking Allah's name (Qur'an 1:121) does not apply to the people of the book thus the meat is halal as long as they follow other rules. Some modified this by arguing that kosher food is permitted as Jews follow a stricter code than the Christians. However, these scholars overlooked the fact that kosher law allows wine but halal does not (Freidenreich 2011). Also there are different opinions within the Jewish community (Orthodox versus Reformed versus Conservative -- the three major sects present in the United States) about particular methods of slaughter and the extent of adherence to various restrictions (Regenstein, Chaudry & Regenstein 2003) similar to the Muslim community. Muslim immigrants (prior to the 1980's) in the United States also took these scholarly opinions at face value and accepted that the meat found in the grocery store is halal (Marei 2001). As mentioned in the previous section, the distinction between halal and zabiha came out of Muslims looking carefully at what they found in the grocery stores.

⁷² Others have translated this phrase as "who have been given the book", "the people of the scripture", "those who were given the Scripture".

Halal certification

Small butcher houses and neighborhood grocery stores were the primary purveyor of halal food to the Muslim community in the United States until recently, when companies like Tyson, George's, Koch and Pilgrim started offering halal poultry. As the numbers of Muslims grew (immigrants, converts, and native born) starting in the 1960's and 1970's the demand for halal food increased as well. Educated, professional (mostly doctor and engineers) Muslims started to question the authenticity of various claims of "halalness" as there was no monitoring and maintaining of halal standards. Thus came the push for more formal regulations and oversights. "We needed to be sure that what we are eating is clean and pure" -- a sentiment strongly expressed by most of the people I met. In the late 1990's, several individuals recognized this need and created private halal certification agencies. The Islamic Food and Nutrition Council of America (IFANCA) is one such organization that has been at the forefront of the certifying halal foods in the United States.

Florence Bergeaud-Blacker (2016), a French anthropologist, traces the origin of halal certification to several significant global events, in particular the post revolutionary changes in the Islamic Republic of Iran (Shaida 1996). According to Bergeaud-Blacker, Ayatollah Khomeini banned all imported meat (mostly from Australia and New Zealand) as he deemed it haram. But locally Iran could not produce enough meat so import was necessary: "To overcome this problem, the Iranian government decided to Islamize the production process at its source, Iranian workers and inspectors were sent to Australian and European slaughterhouses to adapt the chain to Iranian requirements and ensure the

compliance of imported meat with Islamic principles. This expensive system did not last very long, but it inspired the one we know today: certification by an independent third party” (2016: 106). Following in the footsteps of Iran, Saudi Arabia also wanted to exert their influence on defining and maintaining the halal meat supply chain. “Islamic World League” an organization funded by the Saudi Government played a crucial role in establishing the global halal certification system (Bergeaud-Blacler 2016). These global influences as well as local support prompted Southeast Asian Muslim countries, in particular Malaysia, to create national governing bodies for halal regulation (Fischer 2011). Until recently Malaysia was considered the global hub for halal standardization. This is changing as continuous influences from the Arab Gulf countries, and Turkey are entering the halal market (Lever and Anil 2016).

The expansion of global halal industry and private and public certification efforts should also be looked at along with various other global and local marketing and commodification efforts. Even though this is a religiously driven consumption phenomenon, it is not isolated from various global actors and processes. Sharia scholars are embedded within the community and also work closely with the certification agencies and multi national corporations. For example, companies like Nestle and Unilever also entered the halal market and worked closely with the certification agencies by providing halal options for known brands (Izberk-Bilgin 2012). At the same time there have also been trends of boycotting global brands such as Coke and launching “halal” alternatives. For example, several Coke alternatives emerged in the market since the 1980’s such as Zam Zam Cola, an Iranian beverage launched after the 1979 revolution. Others brands

that created some buzz among Muslim consumers are Mecca Cola, Qibla Cola and Cola Turka. These efforts of creating halal/Islamic alternatives to global brands are a complex interaction of global politics, religion, and consumerism. Uri Ram (2007) analyzes this as a combination of homogenization of commodification and heterogenization of symbols: “while symbolically Mecca Cola is antagonistic to Coca-Cola, structurally it is a case of appropriation of the former by the latter. Mecca Cola thus attests to structural ‘Cola-ization’ accompanied by a symbolic ‘Mecca-ization’ of current world cultures” (2007: 465). In other words, the global brands are in a symbiotic relationship (Izberk-Bilgin 2013) with the Islamic notion of purity and authenticity which some identified as “Islamic branding.” But this symbiotic relationship makes it harder for one to exist without the other. The companies need to expand their market to Muslim countries and to Muslims living around the world. At the same time, there are consumer demands for popular and known brands from all walks of life. The certification efforts are one aspect coming out of this relationship.⁷³

Besides the global events mentioned above, this is also the time (in particular 1980-1990) when the world witnessed the banning of artificial sweeteners, MSG (Sand 2005) that in turn influenced how people in general understood food and food labeling (Lavine 2007). The food industry and consumers also witnessed various food audit regimes that some scholars have interpreted as part of the system of neoliberal governance (Guthman 2003). All these events had significant impact on the food industry

⁷³ This relationship is not just present in consumption sector. Daromir Rudnyckyj’s (2010) work focusing on a company called Krakatau Steel in Indonesia shows the ritualized aspect of corporate management where Islamic ethics is used to create more ethical and disciplined employees.

and on consumers and in turn also impacted how kosher and halal food items were labeled (Campbell, Murcot and MacKenzie 2011). In the United States, this was also the time when there was a rise in various food movements and ethical consumerisms (Clarke 2008). All these provided a potent ground for all sorts of consumers to question and examine the disassociation between production and consumption. The private certification companies jumped in to address that disassociation.

Halal certification covers all the different aspects of food production such as slaughtering, storage, display, and preparation. The various certification agencies ensure that the process and restrictions described in the sharia are maintained. However, depending on which Islamic legal school the agency subscribes to, the details of the certification can vary.⁷⁴ As described earlier, some regard machine slaughtered animals as halal some do not. This also varies among certification agencies. Agencies like IFANCA (who mostly focus on packaged items and export market and don't usually certify restaurants and grocery stores in Devon Avenue) consider mechanically slaughtered animals with an appropriate level of stunning as halal. But they do not state this explicitly in any of their publications or website (Bergeaud-Blackler 2016). During my conversations, the explanation I got from IFANCA is similar to the description provided in the Indian fiqh manual mentioned earlier. The description in IFANCA's website just mentions the word zabiha in the following manner:

⁷⁴ I had talked with auditors, managers, and food scientists that work in different private halal certification agencies. They don't explicitly claim to follow a certain school of thought. However, for instance, agencies staffed by predominantly South Asian personnel (mostly following the Hanafi legal school) would highlight the zabiha and halal distinction, the ones with Middle Eastern background do not.

Meat and poultry should be processed according to Islamic requirements. This is commonly referred to as Zabiha or Dhabiha. Zabiha refers to slaughtering of an animal or bird by a Muslim according to Islamic requirements. In USA and Canada, Halal meat must also meet all federal and/or state meat inspection laws before it can be sold. The Islamic Food and Nutrition Council of America (IFANCA®) (www.ifanca.org) is the leading halal-certifying organization in the United States. Products certified by IFANCA normally display the registered Crescent-M service mark on the label.

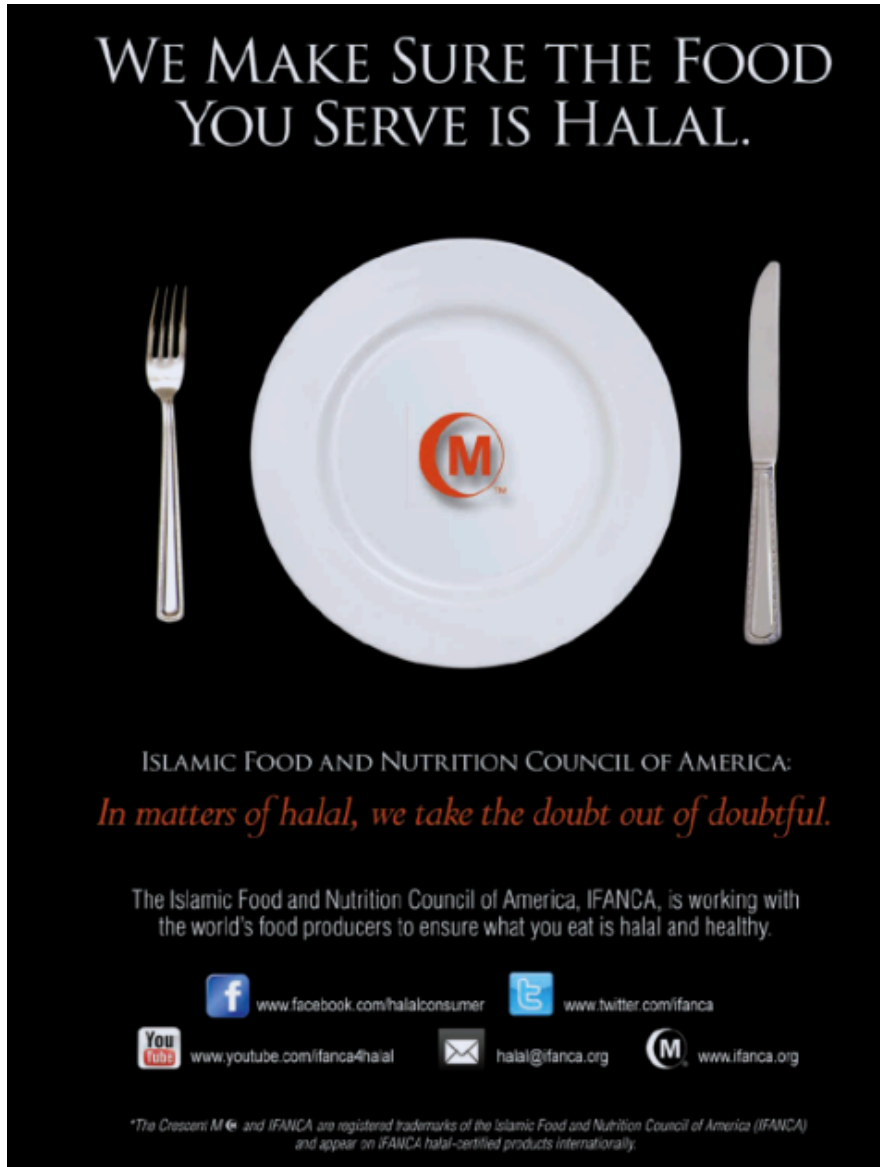


Figure 7: IFANCA's full-page magazine ad. Source: <http://www.ifanca.org>

Other certification agencies in order to differentiate themselves from agencies that certify machine-slaughtered halal meat explicitly declare that they only certify, “hand slaughtered zabiha halal meat.”⁷⁵

⁷⁵ “The Certificate of Zabiha Halal confirms that the cattle and/or poultry meet the strictest standards of hand-slaughtered Zabiha” http://www.shariahboardny.org/page_zabiha-monitoring-certification

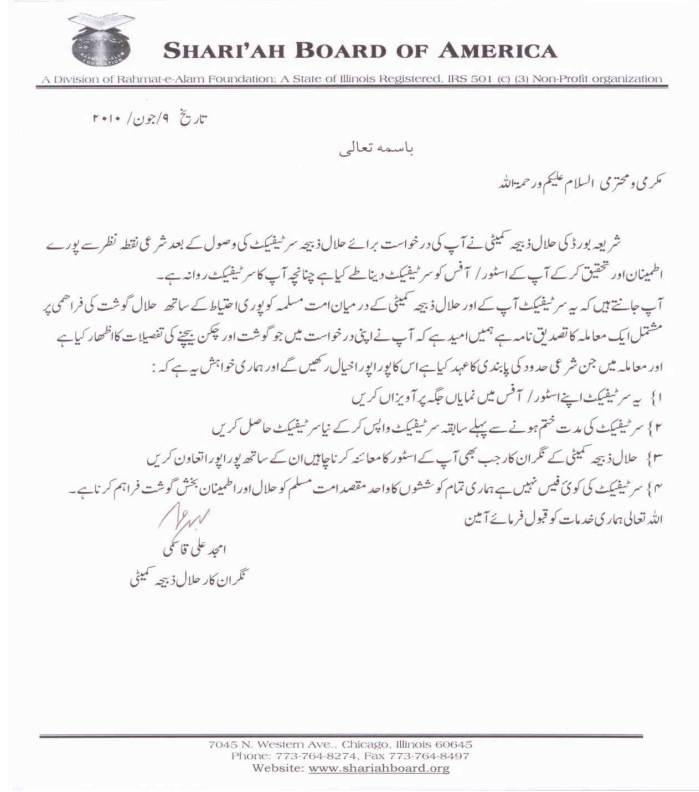


Figure 8: Certification written in Urdu. Source: <http://www.shariahboard.net>.

Certifications such as that shown in figure 8 are prominently displayed near the storefronts. As Devon Avenue is a competitive place for businesses, these certifications play an important role for retaining customers and gaining their trust. I have talked with several residents and customers of Devon Avenue who have their particular favorite place to buy halal meat that they have been patrons of for a long time. One of the primary reasons is the customers trust the owners with regard to providing authentic halal meat. Oftentimes this allegiance is due to better customer service, as prices do not vary much from one store to another and all these stores are in close proximity.

As part of any competitive business, marketing and public relations are important.

When I first met Shah, a young, relatively new storeowner in the neighborhood, he told

me about the hardship he faced to establish a reputation in the neighborhood. At one point someone started a rumor that he was not selling “real” halal meat. Of course, this affected his business although he has both Muslim and non-Muslim customers.⁷⁶ This type of rumor -- “this store does not sell real halal meat” -- as a discussion topic frequently came up during my conversations with storeowners, managers, and customers. Some storeowners and managers sometimes are reluctant to talk about this topic. For the customers, on the other hand it comes down to the question of trust and authenticity -- “Who knows what they are selling, I don’t take the risk”, Farouq, a young Pakistani employee in the neighborhood told me once about certain shops. He has the added advantage of working in Devon Avenue so he knows most of the owners of the restaurants and grocery stores. But what should others do, I ask him? How can you verify? Is the certificate on the wall enough? “You should ask and try to find out as much as possible. The burden is on us to eat what is lawful. There will always be people trying to make a few bucks out of everything but that should not stop Muslims from following the sharia. If I can do it, you can do it as well!”

Halal fraud laws

The Muslim community in the United States followed in the footsteps of the Jewish community to establish halal food legislations in various states, as there was no monitoring of halal food production and labeling. Halal fraud usually refers to stores and companies selling mislabeled food as halal. Before I get into the details of the halal food

⁷⁶ A comment I heard from Muslim storeowners that non-Muslims also prefer halal meat from the stores in Devon because it is not frozen and it also tastes better.

legislation, I will highlight some significant issues and law suits dealing with kosher food, as there are overlaps and similarities with halal food.

Kosher food law was enacted in the United States as early as 1915 (Popovsky 2010).⁷⁷ Initially when states like New York and New Jersey established these laws, they included explicit mention of food prepared under the “orthodox Hebrew religious requirement” (Jacobson 2001:48; Popovsky 2010) in the law. This was challenged in the court and New York kosher law was deemed unconstitutional. In *Commack Self-Service Kosher Meats, Inc. v. Rubin*, a lawsuit brought forth by the owners argued that the New York kosher food law violated the Establishment Clause of the First Amendment⁷⁸ by mentioning the Orthodox Hebrew requirement. The owners happened to be members of the Conservative Jewish sect as oppose to the Orthodox or Reformed sect. These three sects have slightly different understandings of kosher requirements. Using the “Lemon Test”⁷⁹ developed in *Lemon v. Kurtzman*, the Second Circuit of Appeals (which deals with the New York region) found that the New York kosher law violated the First Amendment by siding with the Orthodox sect. After *Commack*, both New York and New Jersey significantly modified their kosher food laws by removing any reference to the Orthodox

⁷⁷ The State of New York enacted Kosher Food Law in 1915 in response to the “chaotic state of kosher food industry” (Stern 1990 also see Masoudi 1993:671). Kosher food fraud has remained a significant problem in New York. Between 1985 and 1988, for example, over 240 kosher food violations were referred to the New York Attorney General.

⁷⁸ The first amendment: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” The first part is known as the Establishment Clause and the second as the Free Exercise Clause.

⁷⁹ Lemon test checks if a certain law violates the Establishment Clause or not. There are three aspects to this test. The law (1) must have a valid secular purpose, (2) must have a primary effect that neither advances nor inhibits religion, and (3) must not foster excessive state entanglement with religion. Even though courts frequently employ Lemon tests, there are plenty of arguments against using this test (Lupu 1994; Susman 2009).

definition of kosher and simply saying kosher. In effect the current kosher food law puts more emphasis on the disclosure than the preparation. The New Jersey Division of Consumer Affairs, describes the kosher law as:

Even though the State of New Jersey does not determine the religious legitimacy or acceptability of the kosher standards of these businesses, the Kosher Food Consumer Protection Act requires the Division of Consumer Affairs to ensure that all food offered for sale or sold as kosher is prepared according to the representations made by kosher dealers.⁸⁰

In other words, if a seller claims to adhere to the definition of kosher according to the Orthodox sect, the state will need to make sure that the seller is not misleading in that regard. They do not have to verify the religion part of this claim and the state cannot compel a seller from the Reformed sect to employ the understandings of kosher from another sect.

The Halal Food Consumer Protection Act (HF CPA) in New Jersey (enacted in 2000) was modeled after the kosher laws (Minns 2001:726). As all the halal legislations were passed after the *Commack* decision, they do not mention any specific definition of halal or zabiha. Similar to the description of the kosher law, the following text appears in the halal section of the New Jersey Bureau of Consumer Affairs:

⁸⁰ <http://www.njconsumeraffairs.gov/kosher>

Even though the State of New Jersey does not determine the religious legitimacy or acceptability of the halal standards of these businesses, the NJ Halal Food Consumer Protection Act requires the New Jersey Division of Consumer Affairs to ensure that all food offered for sale or sold as halal is prepared according to the representations made by the halal dealers.⁸¹

Illinois implemented a similar law in 2001. A summary by Kriz Mazurczak (personal communication, 2012) who works at the Bureau of Meat and Poultry Inspection at the Illinois department of Agriculture describes the process in Illinois:

Federal and State Law allows for religious exemptions during slaughter operations and it is up to petitioners to spell out the requirements and provide justification for such, based on the written material from the religious books. It is my understanding that the major intent behind creating the Halal Act was to provide protection and assurance for customers purchasing products marked as “Halal’ or “Zabiha.” Therefore, as a part of the registration process each applicant will have to disclose practices which were taken during preparation and storage of these products to support religious claims. Please note that the Illinois Department of Agriculture is not evaluating these claims but only monitoring the proper disclosure and therefore, there is no need for any specialized training for our employees. The purpose of these disclosures is to allow the individual customer to

⁸¹ New Jersey Bureau of Consumer Affairs. Available online: <http://www.njconsumeraffairs.gov/halal>

read these and make the determination if these meet their expectations. We do not take a position on certificates issued by other entities as long as the business advertising Halal or Zabiha are registered with our Department. It is my understanding that there were a few representatives from the Muslim community participating during the rulemaking process.

Again, the emphasis here is not on the enforcement of the specific precepts of Islam but rather on the disclosure of such precepts.

Reactions to and acceptance of this law in Illinois have been mixed with mostly positive feedback from Muslims. Two different objections were raised -- one from the Muslim community and another from legal scholars. Some Muslims, such as Shireen Pishdadi who used to run the Taqwa Food collective in Chicago (Robinson 2014) opposed this law. According to her, the law is too vague, as it did not define halal (Ramirez 2007; Robinson 2014). The reason behind the State not providing a definition of halal is because by doing so it will create “excessive state entanglement between church and state and advancing and inhibiting religion” (van der Meulen 2011: 275). This is the crux of the argument in *Commack Self-Service Kosher Meats, Inc. v. Rubin*. If the State does provide the definition then the constitutionality of these halal laws can be challenged in the courts (Milne 2007) similar to the kosher food law. So far there has not been any challenge to the various state level halal laws. Legal scholars such as Minns (2001) points out:

This problem inevitably arises when the state intervenes in consumer protection based upon particular religious definitions. For those who wish to have laws enforcing the Government's positive obligation to provide halal, the key is to have an underlying secular rationale. In the consumer protection laws, the state is not defining religious food - rather, the regulations merely require sellers to inform consumers of what they mean by "kosher" or "halal (Minns 2001:733).

Others argue that this underlying secular purpose is not possible:

..halal fraud statutes, like most kosher fraud statutes, are not neutral because they expressly adopt the standards and beliefs of one religion (i.e., mainstream Islam) to the exclusion of all other religions or of nonreligion. Further, given the fact that there is no uniform definition of halal among and within the various Islamic schools of thought, by enforcing any statutorily-enacted definition of halal government thereby punishes Muslims who hold contrary religious beliefs (Milne 2007:80).

In other words, even though the law is not defining halal, it is taking sides by siding with the majority interpretation of halal. Thus this can be deemed unconstitutional. Minns (2001) provides a different approach. She questions the decision made in *Commack Self-Service Kosher Meats, Inc. v. Rubin* and suggests to the combine First Amendment's Religious Clause with the Fourteenth Amendment's Equal Protection Clause: if the state

is enacting kosher food laws then it should accommodate halal laws as well and all the divergent interpretations of them (Minns 2001); as a result the state is not establishing any particular religion or sect and staying neutral.

The bottom line is that state government responded to concerns raised by Muslims (it might be questioned whether the Muslims who helped prepare this legislation represent the wide diversity of opinions found within the Muslim community). These concerns and the ensuing legislation can be understood simply as consumer protection initiatives employed by the government without violating the Establishment clause. Halal food is not alone in this case as similar efforts happened in the case of kosher food. In one hand this shows that Muslims in the United States are willing and can participate in the civic and legal process and at the same time the legal system can reasonably accommodate Muslims within constitutional limits. On the other hand, because there are diverging and varying interpretations of sharia and multifaceted local manifestations of these interpretations, it might be challenging for the American legal system to understand and accommodate sharia. In what follows, I analyze two cases that dealt with companies and stores that sell halal meat.

Court proceedings can be analyzed as socio-legal phenomena rather than just legal. From this perspective, law is not viewed as a coherent and monolithic enterprise but as “a dynamic, shifting, often contradictory, multi-point process -- like the movements of a swarm of hornets” (Delaney 2015:97). Looking into the details of the case proceedings shows the place of Islam and sharia in this swarm.

US v. AOSSEY, Dist. Court, ND Iowa 2015

In September 2015, the Midamar Corp and Islamic Services of America (the defendants) entered guilty pleas in the federal court in Iowa.⁸² The charges against them include making false statements in meat export certificates, misbranding meat and also wire fraud (Schuessler 2014). Based on the news reports⁸³ and details in the legal proceedings that are publicly available, some Midamar products that were exported to Malaysia and Indonesia came from a slaughterhouse that was not approved by the two governments. Midamar executives instructed the employees to replace the label for the non-certified slaughterhouse with the one from a certified Nebraska slaughterhouse (the meat came from Minnesota).⁸⁴

Of the 92 different charges in this case, I will highlight the main one that is the violation of 18 U.S. Code § 371 -- “Conspiracy to commit offense or to defraud United States.” After the defendants were indicted they filed a motion to dismiss these various charges. One of the arguments presented by them is that the indictment violated both the Establishment and Free Exercise clauses of the First Amendment. They argued, “the government's attempt to mandate truthful statements in foreign export documents regarding Halal slaughter is prohibited by the Establishment Clause” and “compliance or

⁸² 18 U.S.C. § 371. Aosseey was found guilty on 15 counts — one count of conspiracy to make false statements, sell misbranded meat and commit mail and wire fraud; seven counts of making or causing false statements to be made on export applications; and seven counts of wire fraud.

⁸³ This indictment got major national and international news coverage such as by The Guardian (<http://www.theguardian.com/us-news/2014/dec/15/supplier-charged-with-halal-beef-fraud>) and The Washington Post (<https://www.washingtonpost.com/news/post-nation/wp/2015/09/22/guns-and-mutton-founder-of-iowas-oldest-halal-company-falls-under-suspicion/>).

⁸⁴ Currently Iowa does not have a halal fraud law. However, as this was an issue of exporting meat to a foreign country it fell under 18 U.S. Code § 37: “Conspiracy to commit offense or to defraud United States.”

non-compliance with religious beliefs is not within the jurisdiction of a civil court.”⁸⁵

This line of argument relied on the decision of unconstitutionality of kosher food law in *Commack Self-Service Kosher Meats, Inc. v. Rubin* (2001) where the Lemon test failed. The defendants’ goal was to show that by indicting Midamar -- where they mislabeled halal items – the government was enforcing a certain halal standard. The government’s counter argument was that it “merely seeks to enforce factually verifiable false representations.”

Below is the detail argument from the proceeding:

Contrary to Defendants' assertion, neither the court nor the jury will be required to "determin[e] . . . whether religious slaughter requirements have been complied with." *Id.* at 28. Rather, the government is alleging that Defendants made specific, false representations, including: (1) Defendants did not use penetrative captive bolt stunning; (2) all of Defendants' beef products were hand-slaughtered; (3) a practicing Muslim recited a specific prayer while slaughtering; (4) Defendants did not sell leftover hindquarters from Kosher slaughters as Halal; (5) Defendants' meat products complied with the laws and requirements of Malaysia, Indonesia, Kuwait and the United Arab Emirates; and (6) the animals slaughtered were vegetarian fed. The government believes that Defendants made these allegedly false representations to convince their customers that their meat products were Halal. The jury will not be required to determine whether the meat products were

⁸⁵ The discussion in the court deals with Lemon test.. The action is unconstitutional when it: 1) lacks a secular purpose; or 2) has a primary purpose of advancing or inhibiting religion; or 3) constitutes excessive government entanglement with religion (Qaisi 2000).

in fact Halal, but only to determine whether Defendants made the specific, false representations. The characteristics of Halal meat are irrelevant. This case would be different if the government merely alleged that Defendants represented their meat products as Halal, and the government believed the meat products were not Halal. However, the government alleges that Defendants did more than represent that their meat was Halal—the government alleges that they made express, false representations about the way Defendants' meat products were raised and slaughtered.

Without going into the question of what is halal or not, the court solely focused on the issue of false representation. This can be compared to a used car dealer accused of manipulating a vehicle's speedometer and selling the vehicle. Here Midamar simply sold meat (which just happened to be halal meat) where the slaughtering and preparing methods were falsely stated. This way the court can keep sharia out of the interpretation and solely deal with the issue of false representation. The court did look at the details of the halal slaughtering but it did so to check the claims, not to verify the theological basis of those details. Here one can assume that the court could have reached the same conclusion if the methods were kosher or organic. In conclusion, this was dealt with as a case that has an underlying secular purpose even though it involved issues of religion thus passing the three-pronged Lemon test.

MEHRAB NO. 1 CORP. v. US.

The second case dealt with a store closer to home – a grocery store called “Mehrab” (official name Mehrab No.1 Corp) on Devon Avenue. This was a procedural case and was dismissed with no decision. But the argument presented in the case points out the socio-spatial-legal aspect of sharia in the United States.

In May and June of 2008, the USDA's Food and Nutrition Service ("FNS") investigated whether Mehrab was violating SNAP regulations by accepting food stamp benefits for ineligible items. On four separate occasions during that time frame, an FNS investigator shopping at Mehrab used food stamps to purchase those ineligible items. In July 2008, FNS issued a letter charging Mehrab with violation of the SNAP regulation that required that food stamps "may be accepted by an authorized retail food store... only in exchange for eligible food." Because of this violation Mehrab was disqualified from the SNAP program for six months. Mehrab did not deny that it had violated SNAP regulations and maintained that because the six-month disqualification would cause significant hardship for its customers, the court should remove it. From the affidavit⁸⁶ filed for this case, according to the owner of Mehrab:

My store is the only seller of 100% Zabiha Halal products of the area, as distinguished from other stores which are not 100% Zabiha Halal merchants. The suspension of my store will cause irreparable harm to my business and will cause

⁸⁶ The affidavit was obtained from Public Access to Court Electronic Records (PACER): <https://www.pacer.gov/>.

great hardship to the community that relies on 100% seller of Zabiha Halal products, for which there is no substitute in the area.

Based on the listings of the agency that provides the halal certification⁸⁷ to Mehrab, there are several other retailers listed as supplier of “100% Zabiha Halal” meat. 2445 West Devon is the address for Mehrab. I was able to find “100% zabiha Halal meat” at 2158 West Devon, 2449 West Devon, and at 2319 West Devon, and various other stores in the area. The affidavit also contained supporting documents from Badr Halal Meat -- a meat plant that supplies halal meat to Mehrab. This document does not indicate that Mehrab is the only retailer in the area; it claims that they are one of the few retail meat suppliers in the Chicago area.

Here the attorneys of Mehrab tried to use the murkiness and halal/zabiha regulations in their favor. As we have seen, several different interpretations of halal/zabiha are in circulation among Muslims in the United States. If one asserts that his/her interpretation is the correct one then who is there to defy it? In this instance, the Mehrab case didn't go further where this claim could have been challenged, risking violation of the Establishment clause or failing the Lemon test. If the court had to evaluate what exactly is “100% Zabiha Halal” we might have ended up with the halal version of *Commack*. But at the same time, the court can just focus on the SNAP violations and ignore the claim of authenticity. We might have to wait for another claim of 100% zabiha in the court.

⁸⁷ Rahmat-e-Alam Foundation's certified listings: <http://www.rahmatealam.net/certified-listings.aspx>

Sharia terminology in the U.S. legal court proceedings is not a new phenomenon.⁸⁸ In family law cases, conflicts often arise regarding entitlement and interpretations of the deferred *mahr* in the Islamic marriage (*nikah*) agreements (Qaisi 2000). Mahr is a stipulated gift amount mentioned in the Islamic marriage contract which is payable by the husband to the wife upon divorce.⁸⁹ When mahr agreements have been enforced in U.S. courts, they were done by analyzing the agreement as a contractual secular document rather than a religious document, and also as a premarital agreement, subject to the same requirements and analyses as civil prenuptial and premarital agreements (Siddiqui 2007). For the past several years, legal scholars have been analyzing these family law cases (Thompson and Yunus 2006) and pointed out the various constitutional (Kim 2014), gender (McLaughlin 2012), and human rights (Rehman 2007) concerns, and lack of consistent interpretations (Sizemore 2010). However, there were cases where there were not any issues with the contract even though it disagreed with the state divorce law (Revkin 2012).

The two cases mentioned above and various other cases involving sharia mandated divorce need to be studied against the backdrop of separation of the church and state -- a concept that is deeply embedded yet contested in the U.S. legal framework. Cases like these test the limit of this separation, in particular the role of the state and federal government. Some scholars have argued that the church and state separation is getting

⁸⁸ For a historical look see Marie Failinger's (2012) article: "Islam in the Mind of American Courts: 1800 to 1960.

⁸⁹ Generally (although this varies by culture and custom), a small portion of the *mahr* is payable upon signing of the agreement, and a much larger, "deferred portion" is payable upon divorce or death of the husband.

blurred more and more in recent times with significant influence by evangelical Christians through the Republican Party. Allowing the display of the Ten Commandments⁹⁰ in government buildings is one such example (Bentele et al. 2014). At the same time, U.S. courts have been dealing with more and more issues involving religion from diverse and different faiths including Muslims and Jews (Witte 2012) and there are also instances of various religious arbitration panels such as the Jewish *Beth Din* that operate outside of the legal system (Fried 2003). Furthermore the intersection of sharia and U.S. law points us to the notion of legal pluralism which challenges the idea of a single, uniform law administered by a single set of state institutions (Tamanaha 2008). The notion of legal pluralism argues that “not all the phenomena are related to law and not all that are law-like have their source in government,” and that “there is a plurality of law in all social arenas” (Griffiths 1986:4). This is very prominent when it comes to marriage and family law.⁹¹ For instance, in the case of marriage and divorce law, there are already pluralistic practices in the United States under the notion of “civil marriage” that accommodate various Christian, Muslim, Jewish, Native American and other communities – some of these deemed compatible with American law, some not.

For the purpose of this project, one relevant question is: can and should U.S. law accommodate sharia? And what does that accommodation entail? In halal fraud law

⁹⁰ See *Van Orden v. Perry* (2005) where the Supreme court allowed the display of the Ten Commandments in Texas State Capitol grounds.

⁹¹ Since 1983, New York has recognized more than one model of marriage and divorce (Nichols 2007). In 1983, the New York Legislature enacted the Domestic Relations Law § 253, known as the “*get* statute,” which denies a civil divorce to any party who does not remove all barriers to remarriage. This action was intended to alleviate the harshness of civil divorce upon Jewish women whose husbands were unwilling to serve the *get* document, which is required by Jewish law.

cases, if the U.S. courts are supporting the need for consumer protection of halal products, does that transform into upholding sharia? If Islam marriage contracts are deemed enforceable in the state of Illinois, does that mean the state of Illinois recognizes sharia? In order to answer these questions, we need to further contextualize the role of sharia and secular law. For instance, how are the cases involving Muslim and Jewish divorces treated differently or similarly? As scholars of family law pointed out there is no clear cut precedent regarding how various U.S. courts are interpreting Islamic marriage contracts (Siddiqui 2007; Sizemore 2010). Furthermore, different spheres of life will pose different legal questions and thus require different aspects of accommodation and pose different challenges for constitutional issues.⁹² Issues dealing with halal food are a totally different regime of law than Islamic divorce matters. However, the common factor here is that Muslims are following sharia in the United States either by consuming halal products or by drawing up Islamic marriage contracts. At the same time they are also subject to local and federal regulations. There is no doubt that, for many Muslims living in the United States today, Islamic law is not merely a legal issue, but one that dictates day-to-day life, thus has both psychological and cultural consequences. Calls for a greater degree of recognition -- however that recognition might be defined -- for sharia law is not just

⁹² A similar comment is put forth by Franz von Benda-Beckmann (2002:74) in "Who's afraid of legal pluralism?" where he argues more empirical data concerning legal pluralism: "In the discussion of the concept of legal pluralism, much time has been devoted to conceptual, sometimes rather scholastic argumentation. Such discussions are important for creating analytical clarification, and for laying bare the many ideological and theoretical assumptions that are often implicit and hidden in certain conceptual usages. But the discussions easily become sterile unless they are rooted in the analysis of empirical situations and historical processes, and unless they are made part of a more comprehensive social scientific understanding of the social world of which law and legal pluralism, however defined, are only one aspect and part."

reaffirmation of a multicultural policy and legal pluralism but also an opportunity to understand how legal injunctions, both divine and secular, impact people's everyday lives.

The moral trajectory of lawful eating

With the above introduction of Islamic dietary laws, debates, certification, and lawsuits in the United States as a background, I now outline the process from “farm to table” for halal meat. My goal is to show the complexity of this entire process and identify that consuming halal meat is more than just following certain religious rules. There are broader social, moral and legal issues involved and the complexity involves local actors ranging from farm owners, slaughterhouse workers, USDA inspectors, and certification agencies to customers in the store. There is also a global dimension to this, as halal meat and products get exported from the United States to Muslim countries powered with halal certification and food products are imported from outside with similar certifications from the country of origin. I now proceed with describing this process, which I am labeling the “moral trajectory of lawful eating.”

A halal farm or processing plant first has to go through a USDA inspection and certification process. After that, depending on state regulations, the business has to register with the State Department of Agriculture. For instance, in Illinois, under the Halal Food disclosure rule (Illinois Register 2007), “The halal food disclosure statement must be filled out by any business that wants to be registered with the State of Illinois. These statements will be posted in a public area so the consumer is able to determine if the product sold meets their requirements.” There is a \$75 fee for this registration and the

businesses have to disclose whether they are under the supervision of any halal certifying entity or not.⁹³ The “Halal Food Act”⁹⁴ that was passed in Illinois in 2002 protects consumers against fraudulent certification and labeling. The disclosure step is another measure to ensure the authenticity of the halal meat although the State of Illinois leaves the question of defining halal to the religious experts:

“Halal” means prepared under and maintained in strict compliance with the laws and customs of the Islamic religion including but not limited to those laws and customs of zabiha/zabeeha (slaughtered according to appropriate Islamic code), and as expressed by reliable recognized Islamic entities and scholars.

After all the certification processes and verifications have been completed and when the plant or the farm is operational, every day a USDA inspector comes and inspects the facility and the process. Most halal farms are under the ritual slaughter exemption but the inspector still has to ensure that animals were treated according to the Humane Slaughter Act.⁹⁵ Then the processed items are shipped to the stores after passing all the post-processing inspections done by the USDA inspectors. The businesses that receive these items also obtain a halal certificate. This certification does not require regular supervision by a religious authority as it does for kosher food. The only requirement is that the person slaughtering the animal be Muslim and utter the benediction (there is also a debate

⁹³ No State or Federal laws in the United States regulate these certification agencies, at least not the certification part of the business. They of course have to register the business and operate like any other private enterprise.

⁹⁴ 410 ILCS 637: <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1581&ChapterID=35>

⁹⁵ P.L. 85-765; 7 U.S.C. 1901 et seq

among Muslims about how many times this benediction needs to be uttered). Then the retail store also has to register with the Illinois Department of Agriculture as part of the “Halal Disclosure Rule.”

B. Meat and Poultry

Meat offered for sale at this establishment has been purchased from the vendors listed below who made the following representations. Each vendor must have Part B (Meat) filled out individually:

Name: Badr Halal Meat
 Address: 711 Woodlawn Ave.
Brighton, TN 38011
 Telephone Number: (901) 475-1700
 IDOA halal registration number (if applicable): _____

- The animal was fed only 100% vegetarian feed, organic feed or Amish feed, none of which contains any animal by-products.
- The animal was raised without added hormones.
- The animal was alive at the time of slaughter.
- The animal was not stunned before slaughter.
- The animal was hand-slaughtered with a sharp knife.
- The knife used during the slaughter was cleaned/sanitized after each animal.
- The animal was facing Mecca when slaughtered.
- The animal was slaughtered by a person who represents him/herself as a Muslim.
- The slaughterer pronounced an Islamic benediction while performing the slaughter.
- The animal was slaughtered with a swift, deep, transverse incision on the neck that causes a simultaneous and instantaneous severance of the jugular veins and carotid arteries on both sides, including the trachea and esophagus.
- The spinal cord was not severed at the time of slaughter.
- Only non-animal derived/non-alcohol based cleansers and sanitizers were used to wash/clean the equipment.
- The animal was drained of blood following the slaughter.
- The animal slaughtered to be sold as halal was stored in a cooler or freezer that contains only meat or poultry to be sold as halal.
- If any additional steps or procedures were performed, they were:

Figure 9: Checklist for Badr Halal meat, a farm in Tennessee.

After the meat arrives in the grocery stores and restaurants, it becomes associated with the signage and labels in the stores. The labeling and certification processes are designed to create a sense of trust among the Muslim consumers. These signs are embedded within the everyday food practices of Muslims in the United States and become visible markers of “Muslim-ness” or “halal-ness.” The point of highlighting the role of these signs in the

moral trajectory is that these signs serve as the visible part of an invisible (behind-the-scenes, so to speak) network of terminological, legal, doctrinal, and practical complexities and contestations. At the same time, as consumers themselves are not privy to these behind-the-scenes processes, it is the signs that, in the end, “stand-in” for the process, in an act of institutionalized ritual, which transforms products of different origins into permissible items.⁹⁶

Everyday spaces between market and morality

As I have shown in the previous sections, several local and global factors and processes are involved in the production, distribution, and certification of halal food products. These processes are embedded in capitalistic social relations but at the same time religion (in this case Islam) is an extremely important component of these social relations. I have also touched on the legal aspects through brief discussion of court proceedings. Most of the debates and confusion stem from the basic act of slaughtering -- sometimes performed in a small family owned farm and others in a large industrialized setting. Based on that act and depending on one’s interpretation of sharia, the same food item is deemed halal or haram. In the midst of these large, complex processes we can find the “ordinary”⁹⁷ everyday practices such as buying halal food at a grocery store or eating at a

⁹⁶ As I draw out the ethical experiences of Muslims mediated through food practices, my future research plan is to bring together the practices and their semiotic exploitation based on these halal signs to explore the complex structure of ethics in Muslim daily life.

⁹⁷ I borrow this term from Lambek (2010) who put forth the idea of “ordinary ethics” to mean an ethics that is “relatively tacit, grounded in agreement rather than rule, in practice rather than knowledge or belief, and happening without calling undue attention to itself” (Lambek 2010: 2).

restaurant. What I defined as “moral space” in the introduction is where all these processes interact and collide. As I will show in the next chapter, we can viscerally, visually, and conceptually appreciate these complex processes from the point of view of Muslims living and working in and around Devon Avenue.

Recently scholars have been interpreting the religious practices and related processes described in this chapter as part of a broader global trend of globalization (Csordas 2009), commodification and consumption of Islam (Fischer 2008), whereby a sharia compliant, halal lifestyle is packaged and sold to Muslim consumers by foregrounding the role of religion in daily life (Hasan 2009). This package is an interesting mixture of individual freedom, democracy, and economic rationality: “Islam is presented in a way that is sophisticated, fresh and hybrid in order to make it an appealing alternative to urban, capitalist cultures” (Hasan 2009:238). Scholars are also pointing out that while religion still plays an important role, “transnational governmentality” (Ferguson and Gupta 2002; Fischer 2016a) becomes the driving force, where food labeling and certification assert enormous power on the market. Studying the global halal food industry along with the kosher food and vegetarian markets in India, Johan Fischer (2016:70) argues that, “Transnational governmentality is also a form of religious audit culture that tends to take on a life of its own. Today, religious certifiers and companies claim authority and generate profit while many Muslims, Jews and Hindus are unaware of or uninterested in these processes” (Fischer 2016a: 70).

While I agree with the points raised by these two interpretations, my findings show other trends as well. I highlight these below. First, I agree with Hasan (2009:242)

that, religious commodification is not necessarily a form of commercialization. Profit is definitely a concern for some of these companies but there is a systematic underlying moral order that drives selling the products. And this does not necessarily entail a one-way street whereby Muslim consumers are blindly plunging into mass consumption.

Using the example of Muslim women and fashion, Banu Gökariksel and Ellen McLarney (2009) and several others in a special issue of the *Journal of Middle East Women's Studies*:

... show that contemporary Muslim femininities are increasingly mediated through the market forces of consumer capitalism, impacting Muslim women's identities, lifestyle, and belonging in complex ways. What it means to be a Muslim woman is constantly negotiated, defined, and redefined through or in reaction to the images, narratives, and knowledges [sic] about Muslim womanhood constructed in the marketplace. As Muslim women stake out their own positions, they actively engage with given Islamic practice and knowledge as well as modalities of capitalism. They often navigate between certain Orientalist stereotypes that marketed images sometimes challenge and sometimes reify (Gökariksel and McLarney 2009:2).

Similarly, by consuming halal food Muslim consumers are becoming part of the billion dollar global halal industry and inhabiting a space for production and negotiation where they encounter both capitalistic and religious discourses, which they sometimes reshape and redefine. The halal versus zabiha debate is one such example where efforts from a few

people have been taken up by small stores and subsequently by certification agencies. These encounters sometimes produce halal KFC, McDonald's or halal chicken from Tyson. The halal logo with the Arabic letters and crescent sign in the frozen aisle is enough to satisfy some believers. Others -- some of whom I have met in Devon -- who scrutinize every single ingredient on a food label and the whole process and as a result only shop at one or two places that they know and trust. The halal sign and Arabic letters, despite holding some meaning, are not enough for these people. This points back to my previous discussion regarding varying understandings of halal within the Muslim community. Thus the market forces of global brands and transnational governmentality also need to compete and negotiate with these varying notions of halal and different levels of piety. Furthermore, just because the halal food industry is dealing with food prepared accordance with sharia, it is not operating in a different or alternative market – it is part of the global food industry competing with other commodities.

I also agree with the point raised by Fischer (2016) and also by van Waarden and van Dalen (2011) that the “unobservability and resulting ambiguity” of halal food production keep a majority of the consumers in the dark. However, depending on their disposition and trust in the system, these consumers can challenge and work with these ambiguities. The enactment of various halal food state legislations is an example where consumers questioned the behind the scene processes and asked the local and state government to step in and create halal fraud laws.⁹⁸ The effectiveness of these legislations might be

⁹⁸ Most recently, in 2011, several representative from various halal meat and poultry processing plants submitted a petition to the USDA Food Safety and Inspection Service (FSIS) regarding halal and zabiha meat. The petition description is: “Petition submitted requesting that FSIS initiate rulemaking to require

questioned but the important point is that the efforts and voice of the community helped create a legislation to address an issue that was brought forth by them. The numerous interpretations of halal norms do make things complicated and do not create a space for a uniform, global halal standard. But that is the nature and the complex reality of sharia -- there is no global standard. Sharia emanates from a single divine source but different interpretations of it permeate different spaces through every day practices. Here market forces do not render religion irrelevant; rather, religion is embedded in the commercial, legal, and moral spaces where everyday sharia is enacted. In summary, halal food is part of an enmeshed, complicated consumption and production system where sharia and its varying interpretations are also part of the global system and the local enactment.

Conclusion

While I was conducting this research, the US v. Aosey case did not surface; however, other instances of fraud were known (not all of these substantiated by news reports or legal cases) and people were aware of the issue in general. But most didn't know that there were state regulations such as the Illinois Halal Act. As Abbas, a Pakistani cabdriver told me "State law, why do you need that? If someone is lying about the label then he is responsible. I trust the label. You cannot control this sort of lying and deceit by state regulations." Others, although they were unaware of the law, had a different opinion. For example, according to Kabir, a storeowner in Devon: "I think state law should be there to

that the labels of meat and poultry products identified as Halal or Zabiha Halal explicitly state whether the source animals were hand slaughtered or mechanically slaughtered." As of writing of this chapter, FSIS has not made any decision on this. Details of the petition can be viewed at <http://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/petitions>

prevent frauds. This is a question of customer service for these small businesses so they should be careful too. I trust the store I go to and I know the owner there.” In short, their concerns boil down to trust in a very localized way. In the case of beef exports and global trade, the situation is different.

As mentioned at the beginning of this chapter, the vertical dimension is where Muslims are trying to follow the divine injunctions. As I have shown here, this dimension is not isolated and interacts daily with the horizontal dimension. Even though the divine injunction is undisputed by believers, sometimes two Muslims sitting down for dinner cannot agree on whether the food is halal or not. Opinions can range from just “no pork or alcohol” to “properly slaughtered or not” and the nuances in between (van der Muelen 2011). The next chapters shed some more light on this.

Chapter 4

The rhythms and senses of the neighborhood

If one attentively observes a crowd during peak times and especially if one listens to its rumour, one discerns flows in the apparent disorder and an order which is signaled by rhythms: chance or predetermined encounters, hurried carryings or nonchalant meanderings of people going home to withdraw from outside, or leaving their homes to make contact with the outside, business people and vacant people – so many elements which make up a polyrhythmy. The rhythm analyst thus knows how to listen to a place, a market, an avenue. – Henri Lefebvre (1996: 230)

From Athens to Georgia

It is almost 7pm as I drive northbound on Chicago's Lake Shore Drive. Traffic on a Thursday evening is not that bad around Sheridan and Hollywood Avenues. I make my turn around the Loyola campus and drive West on Devon Avenue. As I approach Damon Avenue past St. Henry cemetery, I find parking on the street. Although it is drizzling and I am hungry, I decide to walk.

Near Damon Avenue, I walk past the Athens Beauty Salon, which is next to a shop that provides Internet services -- 30 minutes for \$1. I had to use that place once when I didn't have my laptop and couldn't find any free wi-fi in the neighborhood. As I walk past the Salon, I see the elderly Greek owner of the place. She was sitting on her chair looking outside towards the street through the window in a pensive manner. Later I discovered she was watching a Greek soap opera (the TV was next to the window). For some reason, she waved at me and at that instant I decided to get a \$5 haircut. As I am married to a Cyprus-

born-chirstened-in-Chios-highschoolled-in-Crete-and-settled-in-Athens woman, I had some Greek vocabulary in my bag. I walk in and surprise her with 'Kalispera Sas!' (Good evening). 'Milas Helenika?' (You speak Greek?), was her enthusiastic reply. I answer, 'Poly ligo,' (very little), I am learning – 'siga siga' (slowly). 'Ok, you want haircut? I give you one.'

She was very quick in settling me in the chair, as I was the only customer. Then we started talking about the neighborhood. Her husband was sitting in the back of the store and didn't speak English. She was asking him to fetch her things in Greek. Both of them went on looking at the melodrama playing on TV.

We talked about her past, how she moved here almost thirty years ago and seen the neighborhood evolve. "I give cheap haircut so lots of Indians and Pakistanis come here." She continues, "I live not too far, but my kids are all grown up and they don't live here anymore. We might retire and move somewhere too." She didn't say anything about moving back to Greece. While I was there, a Hispanic couple walked in with a toddler. He needed his head shaved or rather his parents needed to have his head shaved. "\$5! I shave his head. No problem," she exclaimed as she was giving me a quick finishing touch.

I said goodbye and promised to bring my wife next time. I proceeded with my saunter passing 'Ghareeb Newaz', one of the most famous restaurants in the neighborhood. The place was full as usual. I usually get their Chicken Biryani. They also have a gyro-Biryani that I haven't tried. However, I was thinking about a different place to try today.

I kept walking past Baba Mart. I made a quick stop to say hi to the owner and buy some gum from him. He is one of the oldest shop owners in the neighborhood and has also seen the place change for better or worse over time. Within a few minutes of each other, I

see a dentist's place, a Jewish vocational service, an Assyrian Temple, and the Devon Pawn shop. All of these are closed at this time. Maybe the pawnshop is open. I pass a Pizza stall that looks very busy – one of the few non-South Asian eateries around here. One may also get excited about "Italian Express" across the street, which is known for their Halal spicy gyro pizza and spicy cheeseburger. I have yet to try those. They also have pasta and meatballs but overall this is not an Italian place in the truest sense.

I ignore the growling in my stomach and walk past 7-Eleven and El Pueblo. Then I approach Usmania, one of the semi-posh large-scale restaurants. Across the street, there is also Usmania halal Chinese, owned by the same people, if you prefer something different. Past Peking house and King Sweets, I am almost near Claremont where I start to enter the heart of the shopping district. I keep walking and go past Awami bazaar -- a big grocery store that sells produce and halal meat. Near there, I run into Rashid, a Bangladeshi guy I know in the neighborhood. We exchange greetings and chat for a while. He is calling it a day – a long day – and going back to his apartment a few blocks east. He has been working as a dishwasher in one of the Indian restaurants for two years. He wanted to be a chef but luck didn't turn out that way. Past Gandhi Mart, Hema's Kitchen, and World Fresh Market (another Greek-owned place), I decide to cross the street and walk on the other side. My target is Sheesh Mahal Punjabi Dhaba next to the Jamia mosque that is still a good five blocks away.

I cross Western Avenue and pass Khan BBQ, a popular neighborhood hang out place for young South Asian men. If I look north on Western Avenue, I can see the signs of Devon Bank and Live Fresh Halal Chicken blending in with the traffic. I pass Tahoorra Sweets

where groups of families are enjoying sweets, snacks, and tea. I soon start to see jewelry and clothing stores in between restaurants and groceries.

I finally arrive at the Dhaba and order myself a quick meal. They don't have a TV but the table next to me is having a serious debate about Muslims in America. Most of the conversation was in Hindi with some English thrown in here and there. After I finish my meal (a sumptuous Bihari Kabab with paratha), I keep walking towards Tallman Avenue. The concentration of people and stores is starting to thin out here. I quickly peek at Al-Monsoor video to check out the latest CDs and DVDs. I don't find anything to buy so I keep walking. I see Islamic Books and Things, Republic Bank, the JA meat market. Then I arrive at IQRA, one of the largest Islamic bookstores and distributors in the USA. I stop by and say a quick hi to the store manager there who helped me get started with my field research. I promise to stop by later to buy some books. I cross Devon Avenue again. The old history of the neighborhood is more visible at this end. One can find a Russian bookstore, a kosher butcher and a Russian/Jewish bakery. However, my final stop for the night is Argo, the Georgian bakery. I pickup some Hachapuri and bread for breakfast. And I need to drink some coffee. And I just remember that I parked all the way near Ghareeb Newaz. Maybe someone should start a rickshaw service here like the one they have near Times Square in New York or back home. I see the dome-shaped oven in the middle of Argo where an elderly man is baking attentively. I have seen him a few other times here and I always notice a melancholy in his expression similar to what I saw in the Greek woman's face earlier. But he wasn't watching an soap opera. He does not look at me but I have a feeling that he has been baking bread all his life. It does not matter where he is – Tbilisi or Chicago, bread is his life.

Every city, every neighborhood in that city and every street, corner, and alley of that neighborhood has its own rhythms and senses. The senses deal with the material aspects of the city such as the road, sidewalk, walls, doors, facades, and vehicles along with the cacophony of voices in the streets, smells emanating from restaurants, shops, and dumpsters, neon signs and other colorful displays captivating our eyes. People walking in and out of shops and houses, waiting for buses, crossing streets, leaving and entering the neighborhood indicate a notion of varied rhythms in a certain place. While describing her Hudson Street neighborhood in New York City, Jane Jacobs (1961: 66) famously described such a rhythm as an “intricate sidewalk ballet.” Lefebvre (1996: 229) has used the idea of symphony or opera.

My primary research site, Devon Avenue, is no exception in moving in its own rhythms and evoking a variety of senses. In this chapter, I focus my attention on the daily life in and around Devon Avenue to get an idea of the variety of rhythms and senses of this neighborhood. I pay particular attention to the Muslim South Asian establishments and dwellers, settlers, and visitors in Devon Avenue. Although my underlying theoretical framework involves the idea of “moral space” as described in the introduction, in this chapter I highlight the daily lives of the people in the street, the spatial aspect of these activities and the varying sensory evocations that come with all these spaces and actions.

The content of this chapter is drawn from my field notes, memories, anecdotes, and observations during numerous visits to this neighborhood for the past few years (although I formally started my dissertation project in 2010, I have been visiting this

neighborhood since early 2000. In early 2007, I transformed from a casual observer to a nuanced observer and note taker).

In a book chapter entitled “Where Jews, Christians, Hindus, and Muslims Share the Neighborhoods,” Lowell Livezey (2000) shares his peripatetic notes on Devon Avenue. He starts his afternoon walk eastward from Kedzie, which is labeled as “Golda Meir Boulevard.” This is where “Jewish residents can easily find most of the supplies needed for observance of the *halachah* (Jewish law) as interpreted by Orthodox rabbis. Here one can buy a wide variety of kosher groceries, choosing among alternatives that have been approved by different Jewish authorities determining what is kosher.” He continues eastward and the picture changes to South Asian symbols and signs: “it is not uncommon to see meat markets and groceries with “Halal” signs indicating the availability of religiously approved foods for observant Muslims.” Then as one nears the end of Devon Avenue, he starts noticing Mexican *taquerias* and restaurants (Livezey 2000:134-136).

This chapter provides a similar overview of the neighborhood by looking at the stores and restaurants. I collected these notes by walking around the neighborhood in different times of the year.

Weekend trips

In 1998, I moved from Bangladesh to the United States to study Computer Science at the University of Illinois at Urbana-Champaign. The Bangladeshi and other South Asian friends (usually referred to as “Desis”) that I met on campus would frequently mention a

place called Devon Avenue.⁹⁹ It is very common for people who live within a 3-5 hour radius to go to Devon for a day or half a day to buy a month's worth of groceries, in particular, meat and spices that are usually not found in American grocery stores. Over the course of several years I made many trips like these. After I moved out of the college dorm and into my own apartment, I started buying meat, fish, fruit, and spices from various stores and also frequently going there to eat some good "Desi" food.

The influx of the customers from neighboring Chicago suburbs and other areas starts around late Friday afternoon. Friday afternoon is also relatively busy because of the Muslim congregational prayer. There is a big mosque near Devon and Rockwell Avenue -- Jamia Masjid. The prayer is attended not only by the Muslim shop owners, employees, and customers but also by people living in the neighborhood and nearby areas, who walk, drive and take the bus to come to the mosque. I have met a few people who drive half an hour to come here for the prayer. Observant Muslim cab drivers, some living in the neighborhood, others not, plan their daily schedules around prayer times. Some strictly pray at the mosque five times a day (even though only the Friday prayer is required to be attended as a congregation, the rest of the prayers can be performed at any place -- as long as the place is clean and one can face toward Mecca). Some stop working around 10:30am on Fridays so they can attend the prayer that happens around afternoon (the exact prayer time slightly varies throughout the year). Most visitors and dwellers, Muslims and non-Muslims, of the neighborhood frequently complain about the traffic

⁹⁹ At first I thought Devon was an Americanized version of "Dewan" which is a typical Indian name. In fact, one summer during 1999, my Bangladeshi roommate and I planned a visit to Chicago. This was during pre-GPS and pre-smart phone era. We couldn't locate Devon Avenue on the map as we were looking for "Dewan" instead of Devon. We never made it there during that trip.

during the weekends. The same busy street during a weekday looks and feels completely different due the absence of traffic. On Tuesdays most shops are closed and the street looks very deserted especially during the early part of the day. During the Friday prayer strict parking rules apply around the mosque. If one ventures in the small streets adjacent to Devon Avenue, three or four blocks away, one might be lucky to find a parking spot. As these adjacent streets are densely populated, not only the visitors, but also the residents park cars there as well.

The customers are mostly middle class South Asian families. Some come with their entire families in a minivan. Students like my friends and me also visit in groups. Cars illegally double-parked near a grocery store to load items are a typical sight during the weekends.

In between shopping, people take a break -- sometime for lunch or a snack. There are specific restaurants that specialize only in snacks and sweets instead of whole meals. Those places are usually very busy during late afternoon, early evening and, depending on the time of year, late night.

There are no coffee shops in the neighborhood, although one can find a Starbucks a few blocks away. But South Asia is more known for the “tea shop, tea stall” culture. In South Asian countries, they are corner stores that sell food and tea usually frequented by working class males and college students. Similarly, in Devon, one can see groups of young men hanging around in restaurants at different times of the day. Several students who came to the United States to study frequently come to Devon Avenue to hang out with friends. It is a meeting-place for some, for others a place to get a quick bite or a cup

of hot tea during a busy day. Shop owners, suppliers, and employees sometimes can be seen there but they are usually in a hurry. The weekend shoppers have more time to relax and enjoy their tea.

The national boundaries in Devon

Some call Devon Avenue “Little India” or “India town” although the place is more diverse than that. But there is a spatial and national divide in how the stores are organized. For instance, Indian-owned stores dominate West of Western Avenue on Devon while the East side, where the honorary street name changes from Gandhi Marg to Jinnah Way, is more Pakistani (Ashutosh 2008):

Although Indian and Pakistani businesses are increasingly interspersed, along with the hidden “diversity” of those who work in these businesses, others have stated that these divisions continue to exist because the only available retail properties for rent in the late 1970s (when Pakistani merchants began establishing businesses on Devon Avenue) were located east of Western Avenue (pers. comm. with Pakistani merchants, July 24, 2004). The fact that both Indian and Pakistani businesses line Devon Avenue, however, means that likening Devon Avenue to an “Indiatown” (Rudrappa, 2004; Bubinas, 2005), potentially marginalizes the active role of other groups in making Devon Avenue a trans-national site (Ashutosh 2008: 381).

The hidden diversity mentioned by Ashutosh (2008) works at several levels. Ethnically, one can find Hispanic workers in most kitchens and Pakistanis and Indians at the counter. I have heard several times people working at the counter yelling to the kitchen staff: “uno tea”, cinco paratha.” I also met a small number of West and East African workers. Although Arab and Middle Eastern shops are not many, one can see a bit of Middle Eastern presence here. “World Food Market” is one of the largest grocery stores here that is owned by a Greek family (Bubinas 2005) and known for its Balkan and Bosnian section (Croegaert 2011). Linguistically too, diversity can be noted in a variety of ways. Just within South Asian languages, one can hear Hindi, Tamil, Urdu, and Bengali along with Turkish, Persian, Russian, Polish, Bosnian, and African languages and dialects. A third aspect is the visibility of religious markers. The most visible ones are the Muslim veil worn by women and the long beard -- a sign of piety for both Muslim and Orthodox Jewish men. One can write a whole dissertation regarding the styles and fashions of the veil and the different cuts and styles of beard.

Praying in the neighborhood

The Muslim inhabitants of the neighborhood are very proud of the big Jamia mosque. It is a spacious mosque that can hold 500-600 people. There are several other mosques in the neighborhood -- some are small, some are storefront, some are in the basement of shops. But on Fridays, thirteen places within the neighborhood hold the weekly Jummah prayer (Sen 2009). There are also makeshift areas inside some shops, which are primarily used by the customers and storeowners for the daily prayer. The daily schedules of some

businesses are punctuated by the prayer schedule. For example, some shops remain closed from noon till 2 or 2:30pm on Friday afternoon. However, most restaurants and big grocery stores remain open to deal with the demand, as not all the customers are Muslims.

Despite a number of Jewish businesses having left the neighborhood over the last twenty years, a large Jewish population still lives in the far northern part of the neighborhood, and the Jewish Sabbath ostensibly marks the Saturday schedule of the neighborhood. One entering the neighborhood from the other side -- from the direction of Lake Shore Drive -- which is dominated by Indian and Pakistani stores, might not see or realize the Jewish presence in the neighborhood. The few remaining Jewish businesses strictly follow the Sabbath edict and close down on Saturday. As people are also not allowed to drive cars during Sabbath, one can see Jewish families walking towards and away from the synagogue. Men wearing black dresses with hats, young boys in white shirts and *yamaka* caps, and women in long dresses are common sights on Saturday. Although the Jewish residents of the neighborhood use the shops and streets during the rest of the week, I never felt they constituted a significant presence (at least some of the Orthodox Jewish groups can be identified by their attire). As groceries and restaurants dominate the neighborhood, Jews observing the kashrut will necessarily not eat in these restaurants.

During one of my fieldwork stints in the neighborhood, I was walking by the synagogue right after the service was over. It was a hot afternoon in July. I noticed a father and son crossing Devon Avenue and walking towards the residential part of the

neighborhood. Out of nowhere an ice cream cycle appeared and started to play music to attract attention. I caught an annoyed glance by the father and an excited one by the kid. I am not sure how consuming ice cream relates with Sabbath rituals but the father seemed to ignore the raucous and moved along on his way home. And the ice cream man proceeded northbound to find another victim.

Of course the neighborhood is not just dominated by Muslims and Jews –those are the most visible ones. There are Hindu deities visible along the storefronts and not far from the main thoroughfare there is a Catholic Church and cemetery. I talked with a few Mexican workers who are devout Catholics and work at Indian and Pakistani places. Some attend neighborhood churches nearby where the services are often in Spanish (Livezey 2000).

Ramadan time

While talking about the spatio-temporal specificities of place, Lefebvre contends, “every rhythm implies the relation of time with space, a localised time, or if one wishes, a temporalised space” (1996: 230). A Marxist theorist in his core, he was obviously not thinking about the holy month of Ramadan and the spatio-temporal effect of this month on a neighborhood; nevertheless, one cannot but think of Lefebvre’s idea of rhythm while studying Devon Avenue during the Ramadan.

During Ramadan, a typical sign that is visible in front of the restaurants reads: “During Ramadan we will be open: 5pm-10pm.” The fasting for Muslims starts from dawn and goes on till dusk. They are forbidden to eat and drink anything during this time (as

the Muslim calendar is a Lunar one, the fasting month and the length of the fasting day varies throughout the year; so certain years, Muslims will be able to break fast around 5pm and certain times around 9pm). Therefore the restaurants that are owned and frequented by Muslims have to adjust to this change in eating patterns. Grocery stores and clothes shops remain open regular hours and even extend their hours, as it gets closer to *Eid*, the end of the Ramadan celebration and the biggest religious festival for Muslims around the world. In some Muslim majority countries by law, restaurants remain closed until a few hours before the *Iftar*, the time of breaking the fast. In Devon Avenue some restaurants remain open but they barely have any customers throughout the day. If the restaurant serves halal meat, the clientele is predominantly Muslim so it makes sense for them to close. The non-Muslim owned establishments remain open as usual and there is enough traffic in the neighborhood so they don't see much decline in their businesses during Ramadan.

The traffic becomes horrendous again right before iftar. Some customers, after finishing with their Eid shopping, try to hurry out of the area to go home to break the fast. Some who live nearby drive here for iftar as well. Some restaurants serve special food during Ramadan. Although the Jamia mosque provides free iftar, for which the businesses and community members donate the food, restaurants remain busy for take out during this time. Several evenings, I attended the iftar at the mosque. The first time I went there I was really amazed by the amount of food that was available for everyone. Inside the big prayer hall, blue tarps were laid out and people sat on the floor with the food in front of them. The food usually consists of fruits, fried snacks, and chickpeas. This is a part of the

Ramadan ritual when families and, if in the mosque, community members, gather at the table or on the floor several minutes before the exact moment of breaking the fast.

Usually, some silently pray, some sit there looking at the food practicing their patience for another few minutes. At the mosque, the first day I was there, a few minutes before it was time to break the fast, someone announced that the evening prayer (*maghrib*) would start 10 minutes after breaking the fast. As prayer times corresponds to a specific time during the day, usually depending on the place of the Sun in the sky, the legitimate time to perform the Maghrib prayer is relatively shorter than the rest of the prayers of the day. The announcement continued and urged everyone's cooperation in clearing and preparing for the prayer as soon as people were done eating. Once I heard this announcement and saw around 300 people around me getting ready to break their fast, I thought to myself: this will be a chaos. There is no way that everyone can finish eating, clear up and be ready to pray in ten minutes! In other mosques, people will accomplish this by using an adjacent room but not the main prayer hall for breaking the fast. Although the cleaning happens before the prayer starts, there is less urgency, as prayer spaces are not taken up by people sitting to eat. I was proven wrong. Whether it was the community spirit of the Devon Avenue Muslims or the spirit of Ramadan, everyone finished eating and cleanup and was ready for the congregational prayer on time!

After the iftar and the prayer, people hurry out and more traffic congestion ensues. However, this time, people come out and leave in different directions. Some go to the nearby restaurants for tea. Others stay inside the mosque for extended prayer and Qur'an reading. During the last ten days of Ramadan, some actually move to the mosque for a 10-

day spiritual retreat known as *I'tikaf*. On the back of one of the rooms during this time, usually pillows covered with bed sheets can be seen piled up.

During Ramadan, the last prayer of the day, *Isha*, has an extended and extra set of prayers known as *Tarabih*. Usually this happens 2-3 hours after the breaking of the fast. Again, people drive to the neighborhood daily during Ramadan to attend this prayer. I have seen throngs of people walking -- small kids holding the hands of their fathers -- towards several different mosques in the neighborhood during this time.

Late at night, usually after 1am, Devon Avenue starts to become deserted. However, during Ramadan, several places remain open for the *suhr* meal, the meal people take right before the *fajr* prayer to start the fast. Some don't eat after breaking the fast or eat something late at night. As Ramadan is also a time for spiritual cleansing, some stay up all night in prayer and *zikr* until *fajr* and then start the fasting and go to bed. Quite a few restaurants remain open during this time and thus, even though it looks deserted, during Ramadan, around 3am or 4am; there is still activity in the area.

The rhythms and senses that emerge during the month of Ramadan are part of the continuous process "of emplaced engagement with the material, sensory and cultural contexts in which we dwell" (Pink 2007: 62 quoted in Edensor 2010:3). Of course if one does not know it is Ramadan and happens to be driving though Devon Avenue, one might surmise that this is just another crazy evening in India Town. However, a closer look reveals the processes going on underneath. Throughout the day, most of the non-Muslim owned businesses remain open and continue to operate as usual. At the same time, a restaurant next door, which happens to be Muslim owned, might be closed. Once

I walked in to a place to talk to someone and the place was closed. However, the kitchen staff was getting ready for the iftar. The owner of the place was sitting in the corner with prayer beads. As the day progresses one can sense the tiredness and chapped lips by looking at the faces of the observant Muslims. There is also a sense of spiritual embodiment that accompanies this tiredness. Whether holding the prayer beads and walking along the busy thoroughfare during Ramadan or sitting in the corner of a restaurant reading the Qur'an silently, Ramadan surely evokes a spiritual air throughout the neighborhood. The rhythm changes during the morning and as the day progresses and people get ready for iftar things get busy again. At the same time, during Ramadan, business for clothes and jewelry stores picks up as people shop for Eid. Similar to Christmas shopping, some of these stores stay open late to accommodate the Eid rush.

A late night stop for Biryani

During the summer of 2000, I drove up north once again with a friend. He knew someone that lived near Devon Avenue on Sheridan. We arrived in the city late and finally found the friend's apartment. It was a nice apartment on the 25th floor with an amazing view of Lake Michigan. The friend of a friend had been living there since 1982 and he bought the place really cheap. We stayed there for a couple days. Most of the time we went sightseeing in Chicago. One night we decided to go to Devon for a late night Biryani stop at Ghareeb Newaz near Devon and Seely. It was one of the places that stay open late (at that time it was not open 24hrs yet). Writing a dissertation was not yet on my mind at that time but I vividly remember the rows of taxicabs near the restaurant. It was packed

and bustling around iam. Later, when I started my project, I repeated this late night ritual a few times and I was heartened to see the place is still a hub for taxicab drives, people working late, students, other random people passing by, and the random sociology student trying to understand the rhythms of the neighborhood.

Early morning stroll

I was staying a few blocks from Devon near Rockwell and Touhy with an American couple that rents out their basement rooms. They are long time residents of the neighborhood and were very excited to learn about my project. It was very convenient to stay there. In between my strolls and conversations, I would walk over to the house and freshen up and look over my notes before heading out again.

I tried to cover as much territory as possible by walking. At the same time, I wanted to get a feel of the place at different times of the day. It was very surreal when I attempted my first early morning walk around 7am on a Sunday. Saturday night is usually the busiest. Even though Devon Avenue only has one bar and a banquet center that sometime hosts dance parties and weddings, this is not a hip, yuppie neighborhood like Irving Park or Chicago Heights. So usually around 1:30-2am the neighborhood slows down. As the residential neighborhoods are a few blocks away from the main center of Devon Avenue, things are really quiet in that part. However, one can still find people taking an evening walk or walking their dogs.

I started my walk down the same road that was beaming with headlights, car horns and bustling with pedestrians talking and walking in different directions just a few hours

earlier. I could almost walk in the middle of the street and not be bothered by anyone whereas the night before at this very spot several cars were waiting to find parking. Although it wasn't totally deserted, I started to walk eastward. Most of the stores were closed except for a few 24hrs restaurants and grocery stores. While walking from the residential neighborhood, where one can see historic bungalows and apartments, I found some early risers -- mostly elderly folk, either watering their plants or going out for a walk. I met someone who was heading to one of the Indian convenience store to get some cigarettes. He does that every Sunday morning.

Along Devon Avenue I also met a few others. I saw one worker coming out of a 24-hour restaurant. He had just finished a 14-hour shift and was going home for a few hours. He would be back again around lunchtime. I saw a dad walking with his son outside. They were both in their pajamas. I also saw several women who came for a religious talk at the Ayesha mosque. Unfortunately, the talk was cancelled. So several of them went back. Some drove almost an hour to hear this talk.

The street at this time is much more serene, getting ready for the onslaught that will ensue soon. Once in a while a car will pass by, several taxicabs were parked along the streets. Some places serve Indian/Pakistani breakfast so they get crowded as early as 8am on a Sunday. Some who live around here or work nearby have a 7-day workweek. Sunday is just another workday for them so they just grab a quick breakfast of egg and paratha and move on their day.

Watching TV in the neighborhood

Earlier I mentioned how young men and students hung out in the restaurants. Watching TV is part of this hanging out. When the cricket world cup was happening (due to the time difference, most games would start at 2am and the end of the first innings will be at 7:30am), some of the 24-hour stores were packed with people enjoying the game. If there is no cricket game then the news channel is the default mode of entertainment. Once I noticed someone changing the channel when a provocative Bollywood dance number came on the screen.

During Ramadan, I visited a restaurant for the suhr meal around 3am. The place was full of people getting ready for the fast and the TV was showing a Pakistani religious quiz competition called “Alif Laam Meem”:

Geo TV is showing a religious quiz program titled ‘Alif Laam Meem’ hosted by Junaid Jamshed everyday during Ramadan and on Mondays otherwise. The program follows [sic] Islamized version of the ‘Who Wants to be a Millionaire’ format. Islamized in the sense that instead of the signature music and dramatic sound effects it starts with a recitation of ‘Alif Laam Meem’ which are three words from the Holy Quran with esoteric meaning. When a participant picks the right answer from the four options while answering a question the audience say ‘Subhan Allah’ or ‘MashAllah’ instead of clapping and of course the participants can win tickets for ‘Umrah’, ‘Hajj’ or an apartment in Saudi Arabia apart from the prize

money. It is claimed that ‘Alif Laam Meem’ is the first ever religious quiz show on any TV channel produced on a big scale.¹⁰⁰

Reading in the neighborhood

The *Iqra* bookstore near Devon and California (in the older part of the avenue) is one of the largest Islamic bookstores and book distributors in the country. It has been in the neighborhood since 1988. It is a very large space with rows and shelves of books. There is a small prayer corner where a small congregation (10 to 15 people) can easily be accommodated.

As soon as you enter, you notice the vast open space and the prayer space on the other side of the store. There is a sign saying “No photography” next to one of the shelves. The shelves are organized by topics -- *Hadith, fiqh, Qur’an, Sufism*. According to Masud Lodhi, the store manager, lots of students from DePaul, Loyola, and the University of Chicago come here to read and buy books.

One of the corners is dedicated to DVDs and CDs. It is like a snapshot of American Muslim religious pop culture. Compact discs by the Hip Hop group *Native Deen* and singer Sami Yusuf are prominently displayed. Also lectures by Zakir Naik, a prominent Islamic lecturer from India occupy several rows. Islamic Children’s books are also popular in this store along with prayer rugs and caps, and bumper stickers such as the one shown below.

¹⁰⁰ <http://www.pakistaniaat.net/2011/08/15/quizzing-religiously-review-of-geo-tv’s-religious-quiz-show-‘alif-laam-meem’/>



Figure 10: Bumper sticker with “I love Islam” sold in several stores in Devon.

The feel of the neighborhood

The first adjective people use to describe Devon is “diverse.” But the more you talk to them, sometime the description boils down to “Desi” or Indian. So how do people make sense of this place? What does this place mean to them?

One of the most important feelings for South Asian residents, employees and customers is that the neighborhood feels “Desi” which is a generic ethnic term to describe people from South Asia. Sometimes it is the food, sometimes the traffic that reminds them of “home.” But at the same time some of these people settled here and created their own sense of home that is different than the one they left behind. They forged new relationships and made new friends. One time during my fieldwork, I met with several long time residents separately in different occasions. At that time, I was not aware that they all knew each other. Later, one of them commented: “I heard you have talked with so and so...that’s great. He is very helpful.” Noticing my surprise the person commented, “Oh yeah, Devon is like a village, news spreads here very quickly.” Even though the place is flooded with all sorts of people during the weekend, the “locals” maintain their tight knit circles and relationships. These relationships are not visible from the outside. Arijit Sen (2013) in his detail architectural and ethnographic look at Devon Avenue describes how basement of stores and restaurants also functions as community prayer spaces.



Figure 11: Hyderabad House Restaurant. Photograph by Sharif Islam.

During my fieldwork, people also expressed feelings of uncertainty and fear. Most of my observations and conversations were around 2010-2011 when the impact of the 2008 financial crisis and recession was still felt. Some stores didn't survive this crisis. Chicago also witnessed the closing of Cabrini-Green in 2010 – a Chicago Housing Authority public housing project that was first constructed in 1942 (Austen 2012; Schmich 2010). Some of the African-American residents from there ended up relocating near Devon Avenue. Several of the South Asian residents commented negatively about these recent arrivals. They hinted at a sudden increase of gang violence, drugs, and crimes in the neighborhood and generally attributed them to the new African-American residents. I could sense a

racial tension between the long time South Asian residents and the newcomers but I haven't met anyone who was a victim of these crimes.

Chicago is in general known for its segregated neighborhoods (Hirsch 2009). This can be observed in a smaller scale at Devon Avenue. During my fieldwork I have never once seen an African-American patron in all of the South Asian restaurants I visited.¹⁰¹ Several who live near by or on their way to work do stop by the grocery and convenient stores but rarely visit the restaurants. I did encounter several white patrons even at the restaurants that were predominantly frequented by male South Asian cab drives. Some of them are students from the near by colleges. In the kitchen, the work force is mixed -- South Asians and Hispanics. The interactions between these two groups are minimal and limited to work related topics. Even though race is something I do not focus on in this dissertation, as the topic never explicitly came up during my fieldwork, race definitely plays an important and subtle role in the neighborhood that would require further research. How Muslims in Chicago deal with race has been the topic of several interesting works (see Karim 2008; Khabeer 2011; Nashashibi 2011; Numrich 2012). One thing these works point out is that in some cases Muslims do cross ethnic and racial boundaries (interaction between South Asian and African-American Muslims for example) and often times these crossings are done by the educated younger generation under the umbrella of social justice (Karim 2008) and music (hip-hop in particular) (Khabeer 2007; Nashashibi 2011).

¹⁰¹ This is of course based on my observations and anecdotes. I did meet several East and West African patrons. I was able to verify their identity by talking to them. According to one South Asian restaurant owner "Blacks don't like our food."

In late 2011, there were several changes such as building of new parking lots and plans for new condos and apartments in the neighborhood that indicated a possibility of gentrification. Some of these changes were controversial according to the residents (Yousef 2012) and some are similar to the changes that happened in other parts of Chicago such as Wicker Park (Lloyd 2002), Bronzeville and Pilsen (Anderson and Sternberg 2013).



Figure 12: Halal Grocery store next to a community resource center for Muslim Women. Photograph by Sharif Islam.

Conclusion

The labels “ethnic” or “Indian” oftentimes get assigned to places like Devon, which tends to homogenize such places. Even if we consider the predominantly South Asian clientele,

they also bring their own diversity – ethnically, linguistically, politically and of course religiously. Food definitely defines Devon in certain ways but again that is not limited to “South Asian” food -- one can find pizza, Chinese and other varieties of food.

My goal in this chapter was to better understand the nature of the neighborhood. As I have shown, there are particular activities that take place -- such as stores closing during Ramadan -- that create a Muslim sense of time and space but at the same time, rest of the neighborhood also moves on its own pace.



Figure 13: Usmania Zabiha Chinese restaurant. Photograph by Sharif Islam.

For casual visitors, Devon is a place to visit during the weekends maybe from the nearby suburbs or from another city. Sometimes this is a family or group outing. At the same time, people who live or work in the neighborhood definitely do not have a casual

understanding of the place. For some it is a love/hate relationship. They enjoy the food but hate the chaos of the traffic. But sometime this chaos defines the rhythm of the place.

Chapter 5

Eating right in the neighborhood

Everyday aspects of halal food

Jahannam in my belly

It was a hot July Friday afternoon in Chicago. The Imam at the Jamia mosque in Devon Avenue introduced that day's sermon with a story. The topic was how to lead a life according to the sharia with an emphasis on the daily struggles that we all have to endure. The story, as I recalled it later, is the following:

Once, a great scholar of Islam was travelling and came upon an apple orchard. As he was walking next to the wall of the orchard, he found a small apple that fell outside. He was very tired and hungry from the journey so he took a small bite. As soon as he bit on it, he realized that he didn't have the permission of the owner of the orchard to eat that apple. Therefore, even though it is a morsel that he consumed, it was haram for him. He went inside and found the guard. The scholar asked the guard for permission to eat the apple so it does not become a little piece of jahannam (hell in Arabic) in his belly. The guard couldn't help him, as he was just an employee and not the owner of the orchard. So he couldn't make the apple halal for the scholar. Unfortunately, the owner lived far away from the orchard. So the scholar took a trip out of his way to meet the owner and ask for his permission. When he reached there after several days of travelling, the owner agreed to give him the permission to eat the apple under one condition. The scholar has to marry the orchard owner's

daughter who happened to be blind, deaf, and crippled. So he agreed to this condition as he felt he couldn't live a pious life after eating a bite of an apple from someone else's tree without seeking permission. After he married the owner's daughter, the scholar found her to be the most beautiful woman in the world and they gave birth to a son who became another great scholar of Islam.

The Imam pointed out that in good old days such piety and devotion to the letter of the divine law were common -- even in the case of consuming a morsel of apple. To lead a life according to the sharia, we should follow such examples.

This chapter takes up this idea of leading a life according to the sharia and illustrates people's thoughts, reasoning, and actions from my conversations, observations, and interactions with customers, employees and residents of Devon Avenue, near West Rogers Park, Chicago. My goal here is to bring the everyday in the forefront where people negotiate and navigate religions and moral convictions in a variety of different ways.

“Don't worry, say Bismillah and eat chicken”

“When I first moved near West Rogers Park in 1978, there were no halal restaurants and grocery stores near Devon”, Mahmoud recalled as I was talking to him inside a bustling halal restaurant in Devon Avenue. He continued, “I used to buy Chicken from the super market but I stopped doing that when a halal grocery store opened up nearby, I think in 1985. Someone told me, I couldn't recall who maybe my mother back home, that it was ok to eat chicken as long as I say Bismillah. If there are mistakes on my part, Allah will

forgive me. Then I met a group of people who used to go to Indiana to slaughter cows and goats the proper way and bring halal meat for me.”

This, known as the “*Bismillah* method”, was a common experience amongst the Muslim immigrants that arrived in the late 60s and early 70s. “Bismillah” is the collective noun for the Islamic phrase “b-ismi-llāhi r-raḥmāni r-raḥīm” often translated as “In the name of God, the Most Gracious, the Most Merciful.” Even though it is a customary practice for Muslims to say Bismillah before eating and doing any work, this utterance in this instance has a different significance. The reasoning is that as long as you invoke the name of Allah, the food will become halal and you will be forgiven for any wrongdoing. Of course this won’t work with haram foods such as pork. But chicken that was not slaughtered properly will become halal. And during my conversation, Mahmoud and others always emphasized that this might not be ok all the time but it is permitted when food from a properly slaughtered animal is not available. It is important to point out that none of the people I talked with referred to specific verses in the Qur’an or draw on a particular scholar to support their decision. The impression Mahmoud and others gave was that they are applying their best judgment given the options available to them.¹⁰²

Mahmoud, who recently retired as an insurance executive in Chicago, decided to stay near Devon Avenue even though he can afford to live in the suburbs. He spends a lot of time at the Jamia mosque and the restaurants nearby. “I feel a certain connection to this place which I can’t find anywhere else in Chicago”, he explained. “This is a

¹⁰² What Mahmoud here is doing can be understood as *Ijtihad* translated as “legal reasoning” or “independent reasoning”. However, who has the authority to do such reasoning has been a complicated and controversial topic (Ahmad 2012; Hallaq 1984; Khan 2003; Mir-Hosseini 2007; Tueni 2015).

neighborhood that attracted lots of immigrant and working class people and students. There are good trains and bus connections here and rent is relatively cheap. There are also several colleges nearby. When I first came, these were the same reasons that kept me here.”

Finding meat in the supermarkets and going to Indiana to slaughter animals -- those days are long gone for Mahmoud. He now goes to his favorite grocery shop -- a Pakistani grocery store that sells halal meat and other food items -- where he has been shopping for the past 10 years. To him it is not just the meat -- good, reliable, trustworthy people make the difference. And he has his lists of favorite restaurants around the neighborhood -- yes they are all halal. This issue of trust from the part of the consumers is one topic that repeatedly emerged in my conversations. On the part of the sellers/producers is the issue of customer service – the other side of the trust issue. Later conversations refer to this.

“The first few years were tough here for my wife and me,” he continued with his reminiscing. “I was doing a Masters and working part time. There weren’t that many desis around. I remember going to the famous Gaylord Indian a restaurant couple of times and of course that place was not halal but we applied the same Bismillah method there. Now that I look back, we probably shouldn’t have done that, but long hard working days, homesickness, a new place, and the winter made us crave some good Pakistani/Indian food. A Pakistani restaurant opened up, I think, around 1980. It used to have Karaoke downstairs. Again, I was not sure if that place was halal or not.”

He also recalled that there were no official mosques nearby when he first arrived. Makeshift prayer spaces were created for Friday and daily congregational prayers. He remembers going to Detroit through the 1980's for Eid prayers.

He emphasized the role of Devon Avenue and the neighborhood in his life. "It is very important to have this community connection. You can pretty much buy halal meat in several places in Chicago now. Most big suburbs have at least one halal grocery store and usually not that far from Devon (45 min to 1 hour drive). But staying here is more than just about food. I can follow a certain rhythm of life here that I cannot anywhere else."

After a while, a Sikh businessman, a friend of Mahmoud's stopped by our table. We ordered more tea and some samosas. Although Sikhs have their own dietary restrictions, all of us shared snacks and tea. Mahmoud made sure to order vegetable samosas for his friend. He and Mahmoud started talking about local business and recent construction projects. I interjected by inquiring about the state of the neighborhood during the time of recession. The gist of their talk was: even though the economy is down, certain businesses are doing ok in Devon Avenue, and new stores and restaurants are opening.

This discussion over tea and samosa made me realize the inherent social aspect of food. Even though in this neighborhood and in particular in this halal restaurant the space and the atmosphere are filled with Islamic ethos and imageries, at this instance sharing snacks with fellow South Asians comes to the foreground. Of course this social interaction is happening over a cup of tea -- which is common for any South Asian

gatherings -- not a glass of beer even though we are sitting in Chicago and not too far from neighborhood bars and breweries.

“I still say Bismillah”, smiled Mahmoud as I was concluding our conversation and about to leave, “but this time we know better what we are eating.” He said goodbye as he put the remaining pieces of samosa in his mouth.

Mahmoud did start to attend the mosque and religious lectures more frequently after his retirement (I have observed the same behavior with other South Asian retirees). He described himself as a religious person but admitted he didn't give more time to religion while he was working. In retrospect, he could have done more while he was young. If we just look at his mosque attendance then one can conclude that he did become more religious in recent years. However, there are other factors at play here. There is a social component to attending prayers and religious lectures. That's where he sees most of his friends (he did emphasize that he also has “Hindu”, “White”, and “Jewish” friends). The halal restaurants he frequents are also places of socialization. Besides religious events there are a variety of cultural events like poetry readings, concerts that happen in the neighborhood and the surrounding areas.¹⁰³ The availability of halal Indian/Pakistani food, close proximity to mosque and ample opportunities of socialization keep Mahmoud busy here. When he first came to the neighborhood, he didn't have much outlet for both religious activities and socialization. There are now more mosques and religious events (such as lectures, Qur'an study circles) in the

¹⁰³ Chicago has an active *Mushaira* scene, which is basically poetry gatherings (mostly in Urdu) performed by invited guests from India and Pakistan and sometime by local residents who are in the same age group as Mahmoud. See <http://amuaachicago.org/wordpress/events/>.

neighborhood and other parts of Chicago as well. In one sense, as he grew older, the neighborhood and the city have also changed and provided him more opportunity to engage in religious activities. When he says, “we know better what we are eating” that is a reflection of these ongoing changes.

Several factors contributed to this changing opinion. Most importantly procuring and consuming halal food became much easier in the last ten years for people living in a city like Chicago. Even though the religious ruling didn't change, people like Mahmoud rationalized and changed their actions based on access to halal food. In their mind they didn't eat haram food when they bought chicken from the grocery store. Such action was justifiable because there were not any other reliable sources of halal food. As the situation is different now they can adhere to the stricter interpretation of halal. Besides easier access to halal food, there is also a social and business aspect to it. As numbers of Muslims and halal restaurants increased, people also started to socialize around these establishments. Maintaining a stricter understanding of halal in such social settings became important. At the same time restaurants and companies also started to appeal to Muslim consumers often times responding to the demand and sometimes creating it. Besides the marketing efforts, dissemination of what is halal or not via word of mouth and in recent times through the Internet also helped in changing and influencing people's interpretation of halal.

“You can always find bread and tea in America”

I was talking to Malek in his shop on a slow weekday afternoon. Customers were trickling in but he still agreed to talk to me for a while. We started talking about being Muslim in the USA, his family, my work and studies. Then I started asking him about Devon Avenue. One question I usually ask everyone is about his or her favorite place to eat in the neighborhood. “Halwa Puri at Tahoorā”, Malek enthusiastically answered. I nodded in agreement.

Malek is a middle-aged Pakistani store manager who lives in the suburbs¹⁰⁴ and has been working in this store for almost ten years. While talking about Devon Avenue and the restaurants that we like, I confessed that I don’t strictly follow the Islamic dietary laws: “If I am driving in the middle of nowhere in the highway, I am hungry, I will eat whatever I can find. It is easy to find halal food in Devon Avenue but not when you are in middle of Ohio or Indiana.” He quickly replied by saying that I should try harder: “You do not have to stay hungry but don’t eat whatever you find. That is not good. You can always find plain white bread and tea in America. I survived on those for days whenever I used to travel.” I found myself often in a similar situation during my research where older, seemingly pious, persons will impart religious advice. This never felt like that they were judgmental or criticizing but more as a goodwill gesture to save and warn me from wrongdoing.

¹⁰⁴ I soon discovered most well-off store managers and owners live in nearby suburbs such as Skokie, Evanston, Naperville, and Aurora but the store employees live near Devon Avenue where housing is much more affordable.

When I started my fieldwork, one of my participants recommended Malek as he has been working in Devon for a long time. He is definitely very knowledgeable about the area and one of the few people I met who is very strict about following the dietary restrictions. He was not shy about expressing his opinions regarding his practices and choices. He moved to America from Lahore after finishing his Bachelor's degree in Business. He has other family members living in Florida where he stayed for the first few years. Then eventually he moved to Chicago and started working in Devon.

“Devon is very diverse”, he started to describe the neighborhood. Then he qualified it by “mostly Indians and Pakistanis, some Middle Eastern people too but they have their own neighborhood. You know, this used be a Jewish neighborhood.” Business has been good according to him even though the recession was in full swing. Weekends are the best time from the majority of stores in Devon when most people from the suburbs come to shop for meat, produce, and other foodstuff.

“Do you only go to the Halal shops?” I asked him.

“Yes, of course.” As if I asked a dumb question. But then he started to explain in detail what exactly one should look for in these stores. According to Malek, it is not just about the halal signs in the front of the store; it has to be “zabiha.” He emphasized, “I only go to places that I know serve zabiha-halal food.” For him, the distinction is very crucial. He deliberated on clarifying his position: “Halal is permitted animal which means for instance any animal other than pork. But zabiha means that all the requirements of Islamic slaughter have been fulfilled.” He then continued on “So let me give you an example -- Chicken sandwich at McDonalds? Halal? Haram? It is halal but not zabiha. So

you shouldn't eat it even though Chicken is halal." Basically he concluded, just because a restaurant puts up a halal sign does not necessarily mean it is ok for Muslims to eat in that place: "It has to be zabiha!" Talking with others who frequent Devon for shopping during weekends, I was able to verify that Malek's explanation is a going opinion among a majority of South Asian customers but not so much for Middle Eastern people. Before I talked to them, I assumed the issue might confuse people. But I met only a handful of people who were confused by the halal vs. zabiha issue. Most of these customers know exactly what halal and zabiha meant. They might not know the historical and theological details but most held the opinion that zabiha is the better option. Some gathered this knowledge from friends and family members who moved to the United States before them while others found the answer on the Internet.

Malek's insistence on finding the right kind of halal food is not an isolated practice. It is not just his dietary habits -- he follows the same scrutiny in other domains of his life as well (for instance, he recently started using Islamic mortgagees and sharia compliant mutual funds). The scrutiny and effort he invests come from his natural disposition but at the same time living in a non-Muslim majority country, he feels he needs to exercise higher scrutiny to safeguard his faith. Does it make him more religious than the next Muslim? According to him, he is merely trying to follow the sharia properly -- there is no question of more or less. Even though multiple understandings of sharia are out there, Malek exercises his own judgment to come to the conclusion that he needs to find zabiha food and verify the authenticity of that claim. There's no wiggle room and gray area there. And this is not a burden for him -- that is how he exercises his piety.

A typical late afternoon at the Dhaba

It was a hot July afternoon. After I entered the Punjabi Dhaba I was excited to feel the cool air inside. I ordered some Bihari Kabab and before finding my seat, I went in to the bathroom to wash my face. Then I saw they had complementary “kagji lebu” drink, similar to lemonade -- how nice! (when I was little my mom used to make a similar “kagji lebu” drink during the summer, much better than lemonade).

The food came pretty quickly but I was observing the customers. On the right hand side of the store there were two tables -- elderly gentlemen with beards and long dresses occupied all of these. In front of me three relatively younger guys: one bearded guy, not wearing the long dress (colorful shirt and trouser). As a good ethnographer, I started eavesdropping. The topic was Indo-Pak politics. Most of the conversation was in Punjabi and Hindi with a little English here and there. So I had to piece it together. At some point, it felt like the bearded guy was giving a lecture.

Then a little kid appeared from the kitchen and went out and started playing with the hose (can't blame him, it was pretty hot). The customers were looking at me; I guess it is a bit unusual for someone to have lunch on their own here.

After finishing my food, I ordered some tea. As I was finishing my tea, I noticed a big group was entering the restaurant (the little kid still messing with the hose). The guy at the front of the group who seemed to be the patriarch of the family looked annoyed by the kid's

behavior. It was a big family -- with the wife and what seemed like three daughters (or some other female relatives). Yes, it felt like a "typical" scene, the bearded Muslim guy in front and a group of women (yes, they were all covered with black long dresses) following. The owners of the dhaba (both husband and wife) seem to know them. Greetings were exchanged. The husband came out of the kitchen (as he was saying cinco Paratha to the Spanish speaking helper there). The family sat in another section (most of these restaurants have a family section, separated).

I paid the bill and left a \$1 tip in the table, the guy was surprised. Even though tipping is common in the USA, it is not in South Asia, at least not in dhaba type places. I asked one of the South Asian workers in Hindi, who is the owner ("malik"). He pointed out to the man seating in the table talking on his phone and also pointed inside the kitchen (the wife was there, wearing a hijab). Then the store was empty for a while and after a while an East Asian lady walked in. I saw her park across the street. I was a bit surprised as I was expecting mostly South Asian clientele here (later I "yelped" the place and saw good reviews from what it seems, by non South Asians). She came and ordered some chicken biryani and mentioned that she will pick it up after shopping.

“There are only two real halal places in Devon”

I met Parvez at a Starbucks near his suburban home. He came to the USA almost 25 years ago. After he graduated with his Ph.D. in Mechanical Engineering he moved to the Detroit area to work but for the last eight years he is working near Chicago. He used to go to Devon almost once a week but now most suburbs have small to midsize South Asian groceries that carry halal meat. He confided in me at one point during our conversation, “I will tell you a secret. One of my friends told me once, and I consider him to be very reliable, there are only two real halal shops in Devon. All the rest use fake halal signs. Of course, I am not telling you the names as my friend told me in confidence and I don’t want to create a rumor. But I think this is very true. It is a big mess there. You can’t trust anyone these days.”

I heard similar comments in passing from others as well. But they also admitted that there is a rumor mill in operation that sometime creates confusion for the consumers and hurts businesses.

I never got the name from Parvez. But he expounded on his impressions of Devon Avenue: “It was an interesting place around the late 80’s and early 90’s when it was slowly growing. Now it is just chaos. Parking is a pain and all those new constructions don’t make it easy. And this whole halal thing.... let me tell you how it works. They pay some company for a certificate and then put up signs in front of the store to attract customers – this is all just marketing. I mean what is 100% halal? It does not make any sense. Either you are halal or not.”

He currently shops once a week at the grocery store near his home in the suburb. “I know the owner, he is Indian but Muslim. His brother-in-law owns a farm in Michigan. It is a family business. Most of his meat comes from there. I rarely go to Devon now.”

He also didn't have a high opinion about the restaurants. “I don't think they can make a big profit if they really purchase halal meat. There is one place we used to go to as a family; we rarely eat out now a day. But I am not picky about that. I guess they serve halal. When I buy meat, I do make sure I trust the owner and the store. The sign and certificate mean less to me.”

Parvez represents the professional, highly educated, and successful South Asian Muslims who are involved in organization building and grassroots community efforts in Chicago (Schmidt 2004). He knows most of the leaders of the community who sits on mosque committees and other Muslim non-profit organizations. Even though he never participated in such endeavors, he morally and financially supports these mosques and organizations. His take on halal food and religion can be identified as a modern rational outlook that is doubtful but yet focuses on practicality and convenience without undermining sharia. The big difference between Malek and Parvez was their level of scrutiny and doubt towards halal food. They are both aware that there are people out there who just want to make profit in the name of religion but Malek kept insisting on the authenticity of halal food whereas Parvez while critical was more relaxed about it. However, despite their level of scrutiny both emphasized the role of personal relationship and trust; for example, knowing the owner of the store.

Halal Fried Chicken

“The fried chicken wars on Devon underscore the growing power of the Muslim market,” (Ahmed-Ullah 2007) claimed a 2007 Chicago Tribune story. According to the story KFC and Brown’s Chicken both were in competition to lure Muslim customers to their stores by providing halal fried chicken. The news story also summarized some of the discussions and debates that followed the opening of these two restaurants. The particular branch of Brown’s Chicken near Devon Avenue is now closed but there are other branches that serve halal fried chicken. The KFC near Devon Avenue still serves halal food and on their website has details about their process:¹⁰⁵

This KFC came about as a collaborative idea between Afzal Lokhandwala and Shahid Yusuf to give the Muslim community in Chicago something it has never had, a halal American fast food alternative. With KFC, the Muslim community now has an equal opportunity to enjoy the same foods as their non-muslim neighbors. Giving our community access to such an alternative was the number one goal of these two partners when they started this venture.

The creation of this Halal KFC was not an easy one. The partners had to convince the KFC Corporation that there was an actual need of Halal KFC as the Muslim community was growing and missing out on some of the tastiest chicken in the world. It was after a great deal of hard work and patience that led to the opening of a KFC which would offer Halal Chicken.

¹⁰⁵<https://web.archive.org/web/20050323024331/http://www.zabihakfc.com/aboutus.asp?id=about#bio>

Our chicken is processed exactly as done in Saudi Arabia, middle east and other Muslim countries. We not only offer 100 % Halal chicken but we also comply to the highest standards set by KFC. We strive hard to satisfy our customers with their needs of Halal fast food.

Some of the people I talked with knew about this KFC. Usually they have kids who like to go to there. As one non South Asian cabdriver told me “My kids love KFC so I try to bring them here once in a while.” Some Muslims, although skeptical about the “halalness” of the place, were happy to see a place like KFC serving halal food. To them, this indicates acceptance of the growing need of the Muslim community in the USA, which is something the Tribune story described as well. However, Malek hesitated going to a chain like this even though a Muslim owns the franchise: “Who knows if they serve real halal food. It is not zabiha”! Here he is referring to machine slaughtered versus hand-slaughtered meat (the term zabiha always implies hand slaughtered). Malek emphasized his point in this manner: “if I knew the owner and he is Muslim, maybe. But more importantly, if I want fried chicken, I will just go next door to Tahoorah. They are much better than KFC. And I know the owners and managers of Tahoorah. If I have Tahoorah, I don’t need KFC.”

The restaurant business in a city like Chicago is very competitive. It is not surprising that outlets like Brown’s and KFC want to cater to the Muslim consumers to expand their market. These outlets are also in competition with the “ethnic” restaurants that are concentrated in and around Devon Avenue.

As I described in the previous chapter, one key point of contention is the exact method of slaughtering. For instance, some regard machine slaughtered animals to be halal and some do not. Even though some of these restaurants do not disclose explicitly the exact method of slaughter, if someone does not consider mechanical slaughtering to be halal then they are not the target audience here –they will just avoid places like KFC.

It is not just about fried chicken in Chicago. The iconic Chicago hot dog is now halal. “Muslim Eater”, a Chicago based food blog recently reviewed “Main Stop”, a hot dog joint in Lombard (not too far from West Rogers Park) owned by a Mongolian family, “Growing up as a Muslim in Chicago, there was a local food experience I was never able to enjoy: eating at a Chicago street food restaurant. Sure, I had my fair share of deep dish and stuffed pizza, but I had never been to a place that served hot dogs, gyros, burgers and hand-cut fries for one simple reason: those joints were never Halal” (Shafi 2015). Shafi describes in the article that “Main Stop” had a Muslim owner then sold to the current owner who is not Muslim. But the place still provides halal meat and no pork in the menu even though according to the owner only 20% of the clientele is Muslim. Similar to the places in Devon, “Main Stop” displays a halal certificate from The Halal Advocates of America.¹⁰⁶

Two trends need to be highlighted here. The restaurant businesses here are catering to different but overlapping market segments. First, people like Malek, who prefers authentic zabiha kababs and biriyani over hot dog and burgers, will stick to the restaurants in Devon Avenue area that specialize in South Asian cuisine. But restaurants

¹⁰⁶ <http://halaladvocates.net/hfsaa/about-hfsaa/>

like “Main Stop” attract a younger Muslim and crowd who adheres to the dietary restrictions but at the same time enjoys different types of cuisine. There is a generational divide where adherence to dietary restrictions ties them together but preference of cuisine drives them to different places. The restaurant still needs to be halal -- maybe not necessarily zabiha -- and occupy the same moral space but depending on one’s definition of halal and preference of food the nature of the space varies.

The Burger King method

Now we move to another franchise in the area -- Burger King. This is an example of how people expand the moral space into a different territory. Halim, a grocery store owner, had the following to say about one of the Burger King locations near Devon: “If I have to eat outside, fast food type stuff, I usually go to Burger King. I order the fish fillet. The one near here knows the drill. I ask them to deep-fry it in the same fryer they do the fries. So it does not get in touch with the lard or pork. McDonalds here don’t like this kind of requests but Burger King here will do this. This does not happen in other parts of Chicago. Most of the time it works here, depending on who is working at the counter. Once I requested this to the black girl in the counter, she had no clue what to do. Then the manager came and he figured it out and I got my fish fillet.”

Halim, who is from Hyderabad, India has been living in the area since 1992. He started working as a cab driver then eventually he was able to buy a small grocery store in the area. He grew up in a religious household. His father wanted him to go to a *madrassa* - (Islamic religious school) but he wasn’t interested. However he didn’t do well to go to

engineering or medicine school either. After a while with the help of his brother-in-law he made it to the U.S. He appreciates the hustle-bustle and chaos in Devon Avenue and of course the food -- “It reminds me of home.” Since he moved to the United States, Halim never had any issues finding mosques to pray or eating halal food. Once in a while he does prefer something different like Burger King.

Burger King unlike KFC does not provide halal options. However for various reasons these places are still popular with Muslim customers even in close proximity to Devon Avenue where one can find halal food. For Halim convenience plays a key role here. If wanted he can go a little further and find Indian/Pakistani halal restaurants but sometime he needs a quick stop and the Burger King method provides him that flexibility. He does not consider this as digressing from the precept of sharia. Rather, “I am making sure that I am not eating random things. I prefer the fish fillet not the burgers.” Thus he is eating halal despite eating at a place where haram items are available. As long as he can maintain, and the store can provide, the clear separation, he is satisfied.

“I am ok, as long I am not eating pork” / “I trust the sign”

I met Suleiman who is from Somalia one early Sunday morning. He has been living near Devon since 2003 but been in Chicago since 1991. He hasn't been back home since then. There's no point going back, he mentioned and talked briefly about the war. I asked him where he shops. There is a big grocery store in front of us. He pointed towards that. Then for halal meat, he goes a few blocks South from where we were standing. On Friday, he mentioned, “I stop working around 10am. Then I have enough time to come back here.

There is a Somali mosque in downtown but it is too small. It gets crowded there easily so I come here.” He didn’t mention anything about halal vs zabiha but he did point out that he tries to follow the dietary restrictions as strictly as he can.

At first, he wasn’t that interested to talk to me but after I gave him my business card he saw my name. Then he immediately addressed me with the Islamic greeting and he started to talk more. I asked him whether he thinks halal meat is expensive. “Maybe a little bit”, Jamal replied. “But it does not matter. For religion, if I have to buy this, then I have to buy. I am prohibited to eat the other types of meat. So there's no other option. I buy halal meat. “

“What about the restaurants?” I further asked.

“Yes, I sometime go to the Indian places here. But my favorite is Dawali” which is a Mediterranean halal place near Kedzie. He then went inside the cab and got a card of that place to show me. I wanted to keep the card but he needed it back as sometimes he calls from the cab on his way there. Then he started telling me about his family and kids. We were still outside standing next to his cab.

“I sometime take my kids to Pizza Hut. I just order cheese or veggie lover. Then when we come home we put some cooked chicken as toppings if the kids want chicken. This way we have halal pizza.“

“Do you know the KFC halal place near by?”

“Yes, I go there.”

“Do you think they are really halal?”

“If they are displaying the sign then it is, should be, right? It is their responsibility to make sure they are following the proper method. Sometimes, if I order something and it is not halal, they inform me. But again it is their responsibility to make sure, not mine. “

These halal/zabiha signs that are visible on Devon Avenue are effective marketing tools and not so different than any other establishment advertising “fresh” or “organic.” However, at the same time, the sign conveys different messages to different people. To someone who strictly prefers hand slaughtered meat just “halal” might not be enough. For others, halal shows a welcoming sign -- that this place caters to Muslims who follow the dietary restrictions. For non-Muslims or people who don’t adhere to the dietary restrictions, it might be just a sign with no significance but indicating delicious food.

“I don’t care about halal but I drove here for the chicken”

There are only a few remaining live poultry shops in the entire city of Chicago according to Zain who works at one of these near Devon Avenue. I spend several afternoons there talking to the employees and some of the customers. The customers were from all walks of life and different ethnicities. Most of the time when I was there I noticed at least 50% of them were South Asians. The rest of the customers were Hispanics, West and East Africans, African-Americans. In some cases I could tell very easily by their attire and beard that they were Muslim, some I couldn’t until I greeted and talked to them.

Once I talked with a couple from Ghana (non-Muslim) who drove one hour to get fresh chicken. “I don’t like the frozen ones”, the woman replied when I asked about her reason for coming here. I talked with a Pakistani guy who also drove an hour: “I can buy

halal chicken near my house, but they are frozen. When I have guests at home, I come here.”

One afternoon, I went inside the shop with Maria, who grew up in Venezuela and now works as a cleaner at a nearby college and lives in Devon. She pointed out three chickens and Zain who was wearing a special apron and rubber grabbed those live chickens by their feet and legs from the back of his store. Then he went to the next room to slaughter them. A few minutes later, you can see white feathers flying into the air as the birds were stuffed into a plastic green tub to be weighed. When I asked about the process, he casually replied. “Allahu Akbar”, then he made a gesture for the slaughter. Usually the chickens are weighed before they the slaughtered to determine their price. He then takes the birds into a room with stainless steel walls and ceiling, and he cuts their throats with a knife.

“We only ordered chicken for the sheik”

A few years ago one of the mosques (Faizan-e-Madina mosque¹⁰⁷) in the area invited a famous *sheik* (teacher) for a lecture. The organizers were not sure what to do about food, as the sheik was very strict about what he eats while traveling. Every one I talked to had their own opinion about what constitutes halal. This was also the case among the organizers here. Some were fine with buying meat from the stores down the road. Some were skeptical like Parvez. In the end, the organizing committee decided to just get chicken. As there is only one live chicken place in the area and they can monitor how the

¹⁰⁷ Faizan-e-madina mosques are part of an Islamic movement called Dawat-e-Islami (see Gugler 2011).

animals are being slaughtered, the organizers preferred to create the menu for the sheik based on the easy availability of chicken. They assured the sheik about the authenticity and cleanliness of the food.

The Faizan-e-Madina mosque is a small storefront establishment. There is a computer repair shop and tattoo parlor near by. On the other side of the store, attached to the same building, is a Pakistani restaurant. Most of the storeowners and residents attend the big mosque near Rockwell but people living near this one come here for daily and weekly prayers.

One evening, I went there to attend the evening prayer. The name of the mosque is not clearly visible from outside. As you enter, the door you see piles of shoes on the racks beside the door. The opening is narrow but it diagonally opens up to a small hallway, which is the main prayer hall. I took off my shoes and entered the mosque. There is a small washroom as you enter the main room on the left. I also noticed a partition on the other side of the room. Later I found out that the partitioned section is used for Islamic education during Sunday school.¹⁰⁸ It was at least another 15 minutes before the evening prayer. So I found a corner and sat down in silence. I saw another guy who was reading the Qur'an. There is a rack of pamphlets about the vices of TV -- in English and in Urdu. A few minutes later an older gentleman walked in while talking on his cellphone in Urdu. Then two guys from the other side of the partition walked in to the main prayer area. Both of them were wearing the green turban, which is usually worn by the members

¹⁰⁸ Even though Islamic holy day is Friday and in most Muslim countries Friday is a day off, in the United States and other non-Muslim majority countries, the community use Sunday for educational purposes.

of the Faizan-e-Madina. Not all the attendees wore the green turban. After the prayer I talked with some of the attendees.

One of the older gentlemen asked me in Urdu if I understood. I politely smiled and said, a little bit. He quickly switched to English even though I understood him before. He has been in the neighborhood for 12 years. Even though he enjoys living here, it has been challenging to run a small mosque. They ran into some zoning issues with the city. The quality of the neighborhood is declining according to him. He specifically talked about drug related crimes and then pointed out the importance of Islamic education in these troubling times for the Muslims here. I pressed him about the drug related crimes and he skirted the issue and implied that they were caused by African-Americans not Indians or Pakistanis; but no one is safe.

I also talked with one of the cab drivers that regularly pray in this mosque. He also echoed the sentiment about the declining state of the neighborhood. He hinted at the presence of more African-American “kids” in the neighborhood. While asking him about halal food and the neighborhood grocery stores and restaurants, I found he displayed somewhat nonchalant attitude. So far during my research I was used to hearing details and passionate arguments about halal food choices. Even though he strictly follows the guidelines (very similar to Malek), he described the businesses around the neighborhood as: “too commercialized, trying to make a buck using this halal thing. I am fine without these halal stores.” He didn’t elaborate on this too much so it wasn’t clear whether he is boycotting these stores or not. A couple of others also expressed concerns about the

commercialized aspect of halal meat but I didn't get the sense that people stopped buying halal items from these stores.

"It was probably Jesus!"

One storeowner, who repeatedly requested not to use his name, told me why he prefers Hispanic workers in the kitchen. "Desis are lazy, they talk all day, nothing gets done. These people [Hispanics] know how to work hard." I asked him whether he teaches them about halal issues. "No, they don't need to know. The meat comes prepared. It is already slaughtered according to the sharia. The workers do not need to know about it. Once I did have a problem with one guy who used to drink and come to work. I didn't like that. But there are plenty of other good workers here that need a job. So I found someone who doesn't drink or smoke at all. He is a good kid", the owner smiled and pointed me to Jesus.

Then I briefly talk to Jesus and Maria, a couple from El Salvador who work in this restaurant that is open 24 hours. I caught Maria, outside the store as she was talking to her sister on her cell phone. She mostly does the preparation (such as peeling, cutting) and Jesus does the cooking. There is a Pakistani cook who comes in during the second shift. "He is a good cook", Maria told me about Jesus, "he learned all the spices and tricks very quickly from the Pakistani guy." I concurred, as I have regularly eaten in that restaurant.

"The beef-paratha was really good the other day", I told her.

"It was probably Jesus!"

Customer Service

Whereas Malek expressed caution and extreme doubt regarding the halal signs in the Devon Avenue, Kabir, a young Muslim entrepreneur from India, emphasized his customer service skills than the authenticity of halalness.

“Are Bhai! They are all halal, everything is halal here, but what matters here are people skills, right? You want to come back to the place. See, I keep my place clean; I greet my customers. Most desi store owners lack customer service skills, you know.”

I stopped by his store one late night. I forgot my notebook. He was gracious enough to tear a page from his notebook, which was hidden behind the counter. Then we started talking about the restaurant business.

“Being a professional chef is not an easy job. Most of these places do not have professional chefs. It is not easy. Service is important. Most desi places do not understand the concept of customer service. They don't smile and greet the customers. Most people expect that. You would if you go to an American restaurant or a gora [white people] that will come here, right?” As we were chatting about customer service, a south Asian woman walked in to the store. After ordering and while she was about to pay, she started complaining about the added tax. She didn't want to pay the sales tax. After she left, Kabir turned to me and smiled, “See, this is what desis are like.” Another storeowner also confirmed this. Some customers do not want to pay the tax; they just want to round it up.

The conversation with Kabir dominated on the topic of customer service and business. I tried to bring religion into the conversation but he wasn't interested. He was

emphasizing how his new business will be different than the rest of Devon and how he plans to succeed.

The guts and the livers

Bashir, a young storeowner, came to the United States seven years ago. At first, he was working for another store then he saved up some money and opened his own grocery store that sells halal meat and other items. I had a long, detailed conversation about the complexity of the meat business in Devon Avenue. He also emphasized the customer service aspect of his business like Kabir, “Everyone gets the meat from the same supplier and the price is the same. So why should people come to my store? I am nice. I smile and I talk nice. Customers like that -- desis or non-desis. They say, hey Bashir is good. Maybe I will keep buying meat from him. It is not just religious people. I know there is scientific evidence that the Islamic way of slaughtering the meat is healthier. But I have non-Muslim, American, Hispanic, non-religious regular customers. They find the meat better so they keep coming back to my store. Of course, some of these people are stricter about religion than others. I don’t care as long as they are loyal to the store. My theory is if you are paying for something, you better get a nice product and good quality service. That is my goal.”

Some customers prefer the liver and guts of the cow, Bashir explained. Usually the suppliers do not send them. Sometime the liver contains worms that pose a health risk. Before they send the stuff, there is an inspection that happens. His store went through

the health code inspections and most slaughtering houses have similar inspections – sometimes yearly, sometimes without notice.

Eating right in the right place at the right time

The previous accounts show three different things: 1) finding and consuming halal food is important for Muslims; 2) the definition of halal varies from person to person, and even though these variations are contested, no one considers them as deviations from the sharia; and 3) there are a wide variety of restaurants and stores that cater to the dietary needs of Muslims -- some are Muslim owned small shops, some are local and global franchises. These stores are part of the social and cultural life of the City of Chicago.

What explains these variations and different motivations towards halal food? Class and educational backgrounds is one of the factors. As we have seen Malek, Mahmoud, Parvez, who are from a similar educational background, seemed to care most about the authenticity of halal in their own different ways. Halim and Suleiman lacked higher educational degrees and could be identified as slightly lenient but they still consider themselves devout and following halal restrictions. For Kabir and Bashir, religion is important but they have a more of an entrepreneurial spirit that helps them navigate the competitive halal market in Devon Avenue. They might not be interested in talking about the strictness of halal as much as Malek but at the same time they identify as Muslim and follow the dietary restrictions. The variation also depends on specific local aspects. If there were not any halal KFC in the neighborhood, the concern that was raised by that

place would not have been there. The authentic nature of halalness would have remained unchallenged without a presence of another type of halal.¹⁰⁹

Whether it is in Burger King or Tahoorah, halalness manifests itself differently in different spaces. And it depends on the motivation and background of the actors involved in the process while interlinked processes and expediency also plays a role in these varying interpretations. If someone drives two hours to come to Devon to find halal meat, it is not always for religious reason. The lack of a halal grocery store near his or her dwelling plus other opportunities for shopping in Devon also play a role. Similarly, if someone prefers not to go to KFC, this is first due to not trusting KFC's claim to halalness but at the same time preferring other fried chicken or different food than what is offered at KFC. If we just look at these accounts solely through the lens of religion and sharia, we miss the nuances brought forth by the personal accounts and descriptions. When someone goes from Tahoorah to Burger King, the boundary between moral and "immoral" space is blurred. Sharia is enacted in both places -- sometime by the same actor in different spaces -- but still the underlying moral order for the person remains the same: the command from God to eat what is wholesome and good. And of course the definitions of these terms are constantly reshaped by our everyday actions.

¹⁰⁹ The question of authenticity is very significant when it comes to food preparation, presentation, dissemination, and consumption. The issue of authentic food is not necessarily limited to religiously permitted food: "The fact that deviations from the norm are often met with derision, disgust, and hostility suggests that food traditions have genuine normative authority. ...Food is a constant necessity and its procurement and consumption requires a robust social context, so it is deeply woven with our history and emotions, it is naturally associated with a sense of "at homeness," of location, and intimacy. Food rules have normative authority because their violation is an affront to our self-concept and threatens our implicit sense of security that we expect from food" (Furrow 2016:135).

Conclusion

I found echoes of the sermon presented at the beginning of this chapter during my conversations with various people. The starting point for most of my discussions regarding halal was indeed avoiding pork, alcohol and making sure to consume meat from properly slaughtered animals; at the same time, halal for these people is not just about food. It is an ethos, a site of contestation (between halal and non-halal choices), and a method of purifying the body and the soul. As the conversations recounted in this chapter make clear, sharia is the source of halal regulations, however, approaches towards understanding and applying these regulations vary. In other words, the source of dietary and other restrictions does emanate from one single source but the practices lack a coherent strand. Here people's actions and choices transcend the boundaries between juridical reasoning and everyday practices. There are complicated scholarly debates based on different verses and interpretations but sometime it boil downs to how far do I need to walk or how much do I have to pay for this halal item. This does not imply that the scholarly debates are irrelevant -- they definitely impact people's actions -- but these debates are received, contested and mediated through everyday choices.

Chapter 6

Conclusion

Sunday, Dec 9, 2012

I arrived in Devon around 10am. It was a gloomy, drizzly morning. The streets were still half empty. I parked my car at the Devon Bank parking lot (parking there on weekends is free whereas it is not free until 9pm on the street, even on Sunday. Later that day, I saw someone arguing about the parking enforcement on Sunday). I took a left on Devon and walked toward Hyderabad House. It is a good spot for breakfast.

I went in and ordered some Keema Kichri. The place was not that busy, I thought I probably missed the early morning breakfast rush. I saw the owner recognizable in his flat turban. I put in my order and sat next to the counter in order to listen in on what people were ordering. The TV was on the SONY channel showing "Aradhana," a Bollywood classic from the 1970's starring Rajesh Khanna and Sharmila Tagore. Someone asked about the famous "Meri sapne ki rani" song -- was it from this movie? The owner replied "oh ya! That was a good song" (it means "the girl from my dream").

This is a Hyderabadi place that is frequented primarily by a Muslim clientele (85% according to the owner) but love of Bollywood films (mostly the classic ones) runs across religious and ethnic lines. The service was ok (Anwar Bhai -- the ever present, tired server -- is very quick). As I waited for my food, a few customers walked in to pick up items ordered

over the phone. A desi couple sat down next to me. Usually this is a male dominated space so I was surprised to see both of them there. An older gentleman, presumably a grandfather and his grandkid, were enjoying their breakfast at another corner. I think they were also having the Kichri. The food arrived and I started eating using my hand. Then I saw a tall white gentleman walk in wearing an Illini T-shirt. Wow! That's a coincidence. I was too busy eating and watching the movie so I couldn't bring myself to start a conversation. He seemed to know the owner. He got some tea and went along on his merry way.

“Imagine the restaurant like a stage” -- Karla Erickson (2004:77) asks us to reconsider the restaurant space as a place for performance that does more than just serve food. There are backstage exchanges and interactions -- she compares these to dance moves -- that are often times invisible to the customers. While Erickson was mostly interested in the service workers, the metaphor of the stage and performance helped me to visualize the various spaces and behind the stage connections that are part of halal food and sharia in the United States. Most of my conversations and observations happened in restaurants such as Hyderabad House while consuming halal food and talking about sharia. The stories that came out of these restaurants and stores helped me to draw a picture of the spaces of sharia in the United States. These spaces are first and foremost enacting religious rituals. At the same time there are social, global and local economic and political actors and processes at work that interact in a variety of ways.

In the preceding chapters, I elaborated on how Muslims in the United States negotiate and construct not just Muslim spaces but moral spaces while following Islamic

dietary restrictions in a variety of different ways. The first chapter provided some background reflections on methods. My methodological approach helped me to understand the grand scheme of Islam and sharia but the at the same time understand everyday day activities. The second chapter provided a historical overview of Islam in the United States. I explored the historical trajectories from the slave trade to World War II then to the post-1965 era to show how global and local events have changed the face(s) of Islam in the United States and as a result how Islam has been understood and perceived throughout the years. All of the people I talked with came to the United States after 1965. Some of them, highly educated in the fields of science, medicine, and engineering influenced by modernist ideals of rationality and progress along with Islamic revivalist understandings of pure and true Islam, started dominating Muslim American organizations such as the MSA and ISNA in the late 1970's and early 1980's (Howell 2014). One of the agenda-setting tasks of these organizations and people involved was to establish halal certification and call for halal standardization (Riaz and Chaudry 2003). This is also the time when the world witnessed the banning of artificial sweeteners, MSG (Sand 2005) that in turn influenced how people in general understood food and food labeling. The food industry and consumers also witnessed various food audit regimes that provided a system of neoliberal governance (Guthman 2003) which in turn impacted how kosher and halal food items were labeled (Campbell, Murcott and MacKenzie 2011). The proliferation of halal signs in Devon Avenue is part of these wider phenomena.

In the third chapter, I described the various details of Islamic dietary restrictions and expanded on the sources of varying opinions found amongst Muslims in the United

States. I also described the process of certifying halal food that connects farms, slaughterhouses, stores and countries that receive the exported meat and food items. The idea of small to large-scale halal slaughterhouses and certification processes is a fairly new phenomenon. Muslims living in a Muslim majority country never had to seek a halal butcher or ask for certification. But as demand for meat and other processed food increased, more and more meat started to be imported from Australia and New Zealand to Muslim majority countries (Lever and Miele 2012). Malaysia was one of the first countries to regulate the state standard for halal and set out to be a global player for determining the standard for halal globally: “Malaysian branded halal, as a result, has risen from national policy objective, to become an internationally recognized benchmark that fuses Islamic traditions with the demands of the international market” (Lever 2016: 34). The diaspora around the world also carried this ethos forward (Fischer 2008). As meat consumption increased globally, so the process behind it became more efficient and modern (Lee 2008). The halal slaughter industry is part of these changes. A cow slaughtered in Nebraska following the precepts of sharia might end up in the restaurants I visited or could be exported to Malaysia powered by the certification authority based in Chicago. Even though this is a vast global business network, there are clear local manifestations such as the indictment of the owners of Midamar in Iowa. This local manifestation includes legal proceedings that deal with halal food.

In the fourth chapter, I expanded the stage to the streets around the neighborhood to understand Devon Avenue better. The halal restaurants and stores are the spaces where sharia is enacted and these spaces are also part of the social and moral fabric of the

neighborhood where Muslims feel comfortable. At the same time these stores and the surrounding streets are part of a complex urban space and the culture and diversity of places like Devon can create “corner store cosmopolitanism” (Kasinitz, Zukin, and Chen 2016:196; Hall 2012) where “in a world of perpetual journeys and migrations, they are often the first meeting place between people from different parts of the globe who are brought together by rituals of commerce rather than by shared cultural rituals” (Kasinitz, Zukin, and Chen 2016:196). These are also spaces that blur the distinctions between private and public (Erickson 2004), and between sacred and profane (Sen 2013). Sometimes there are clear insiders and outsiders in these places; sometimes we are all just eating. People hang out here to talk politics, watch movies and sports, pray, or come to eat before or after praying. The restaurants interact with the community in variety of ways such as by donating food to the various religious organizations (both Muslim and non-Muslim) and accepting food stamps that some of the residents rely on.

In the fifth chapter, I detailed the conversations that provided a personal narrative of how people negotiate dietary restrictions when there are multiple interpretations and understandings of halal food. I also tried to understand how people view Devon Avenue as a moral space. Two recent works (Robinson 2014; Dahlan-Taylor 2012) that dealt with the issue of halal food in the United States provided similar narratives of people.¹¹⁰ My project contributes to these ongoing discussions about the moral aspects of halal food consumption in the United State by providing further details such as a spatial

¹¹⁰ For an European perspective see Bonne et al (2008).

understanding and also by connecting the local issues with historical and global trajectories.

Toward a multi-layered understanding of sharia and Islam in the United States

Norman Wirzba (2011) in his book “Food and theology” talks about the implications of simply taking a bite:

To eat is to be implicated in a vast, complex, interweaving set of life and death dramas in which we are only one character among many. No matter how solitary our eating experience may be, every sniff, chomp, and swallow connects us to vast global trade networks and thus to biophysical and social worlds beyond ourselves. The moment we chew on anything we participate in regional, geographic histories and in biochemical processes that, for all their diversity and complexity, defy our wildest imagination and most thorough attempts at comprehension. The minute we contemplate or talk about eating, we show ourselves to be involved in culinary traditions and cultural taboos, as well as moral quandaries and spiritual quests. To amend an ecologist’s maxim: we can never only bite into one thing (Wirzba 2011: 4).

This dissertation bites into different things. While religion may be the immediate context of the debates and issues I presented here, these debates instantiate a much more expansive moral trajectory. There is no doubt that the halal food industry and in general the halal industry is a Wild West of sorts open to innovative products and consumption

practices. A 2007 Forbes article poses the question, “How do you sell halal to an infidel?” (Power and Gatsiounis 2007) in the context of companies like Nestlé’s approach to producing and marketing halal food:

Nestlé’s hope is that halal will reach an audience beyond Muslims. Precedent for a religious food’s breakout into the broader market comes from the American kosher sector. How do you sell halal to an infidel? Talk about health, purity and ethics. That image would dovetail with Nestlé’s new push as a health-and-wellness company. “We see halal as something which can develop along the lines of organic food,” says KasehDia’s Evans. Opening the first World Halal Forum last year in Kuala Lumpur, Malaysian Prime Minister Abdullah Badawi invoked halal as “that which is good, healthy, safe and high quality in all aspects of life. [It] represents values that are held in high regard by all peoples, cultures and religions” (Power and Gatsiounis 2007).

The forces of these markets are unavoidable in any sphere of modern city life. But at the same time there are strict religious guidelines of sharia that Muslims have to follow. One interesting finding from my project was to show how talk of halal can change from a platform of sharia to “health, purity, and ethics” in order for it to be more palatable for a general audience. Even though there are differences of opinion among different schools of sharia the companies, certification agencies, and marketing outfits are focusing on a

universalizing Islamic experience that is guaranteed to be sharia compliant but without the complicated history of the past 1400 years of debate and discussion.

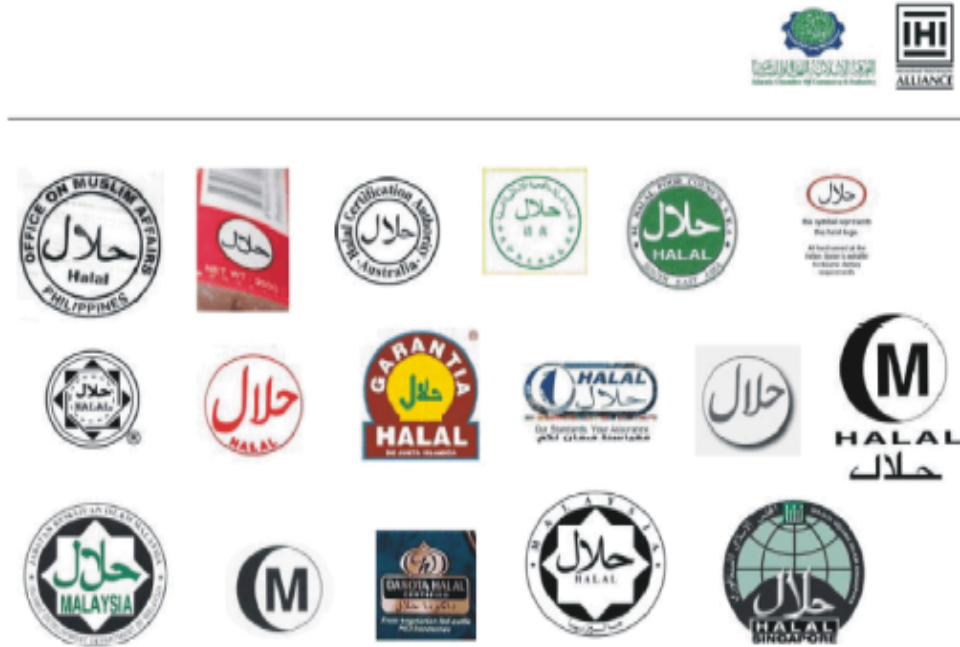


Figure 14: Various halal logos that are used around the world.

It is clear that Muslims in the United States are still trying to figure out the exact process of halal meat production, dissemination, regulations, and to certain extent consumption. While this process continues, the religious and moral obligations for Muslims do not take a break. How these obligations are transformed into action is the challenge that this work tried to address.

In the remainder of this conclusion, I argue for a multi-layered theoretical and methodological approach to understanding sharia and Islam in the United States. The ultimate goal of this approach is to look inside the black box of sharia and shed light onto

the daily practices of Muslims in the United States. The details of the individual practices provide us with a much more nuanced understanding of sharia. But we also need to understand the scale and scope and connections that go beyond the individual. By redefining our understanding of space, we can see how practices vary spatially (Henkel 2007; Walton 2010) and how they produce different spaces (Perkins 2012). As I have shown, my interlocutors have a variety of different ways of understanding and enacting sharia, where sharia is not an abstract form but rather assumes multiple forms in the specific urban settings of the city of Chicago. This is not to argue that the practices lack coherence (Hammond 2014; Numrich 2012) rather that they operate within a coherent structure of Islam that manifests itself in different forms in conjunction with the variety of global and local forces.

Islam and Muslims are not foreign or alien concepts anymore in the United States (Bilici 2012; Jackson 2009). In *Finding Mecca in America: How Islam is Becoming an American Religion*, Mucahit Bilici (2012) looks at Islam in cultural, political, and economic spaces, arguing that Islam and America are “entangled” (2012:203) and “enmeshed” (2012: 204). He argues:

Islam is now more American than ever before. The decade of foreign Islam – the 2000’s, the decade of 9/11, characterized by the discourse of jihad – is giving way to a new decade of domestic Islam, characterized by sharia law. No longer sharp or shocking enough, jihad talk is being replaced by concern over sharia as the new tool of Islamophobia. Jihad was *looming* but sharia is *creeping*. Not only is Islam an

imminent danger, but it is dangerously close to becoming immanent (Bilici 2012: 204).

In this immanent frame, the contingencies of -- that is the everyday aspects of -- sharia touch multiple spaces. All these are happening in Chicago and in various other parts of the United States of America. The people I talked with are multi-faceted individuals; where religion is just aspects of themselves that they highlighted. These people, who live in cities like Chicago and other places, might be coming to the restaurants on their way to pray at the mosque five times a day or attend comedy festivals (Bilici 2012), poetry recitals (Bodiwala 2015), concerts (Hemmasi 2011; Fiscella 2012), and parades (Abdullah 2009; Afzal 2015). They might be dealing with sharia in other domains of their lives such as education (Memon 2011; Grewal 2014), mortgages and finance (Maurer 2005), marriage and divorce (Moore 2010; Macfarlane 2012), death.¹³³ Often these domains are not defined by just solely individualized practices. There are specific spatial and social aspects to these practices where Muslims are creating a moral trajectory that is part of this country's day-to-day operations. There is no doubt that some of these issues will be hotly debated - both by Muslims and by non-Muslims -- but that is the nature and sign of a healthy political and civic process. Devon Avenue, Chicago, and the question of halal meat production and consumption -- as complicated as it might be to non-Muslims -- is a slice of sharia, American religion and morality. Before taking this bite, we might not know how

¹³³ At the time of this writing, I am not aware of any studies that looked at burial practices of Muslims in the United States. Since I came into this country (1998), I attended two funerals of acquaintances of mine who were buried in the United States at Muslim cemeteries.

this slice will taste, whether or not it will be 100% halal or not but it will be a challenging and fascinating moral trajectory.

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