

**3 SECONDS DIVORCE:
AN INTERACTIVE DOCUMENTARY**

SHAZIA JAVED

A THESIS SUBMITTED TO
THE FACULTY OF GRADUATE STUDIES
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF
MASTER OF FINE ARTS

GRADUATE PROGRAM IN FILM
YORK UNIVERSITY
TORONTO, ONTARIO

May 2016

©Shazia Javed, 2016

Abstract

3 Seconds Divorce is an Interactive Documentary (I-doc) that explores the effect of the prevailing practice of Triple Talaq, or Oral Divorce, on the lives of Indian Muslim women. This I-doc also highlights the grassroots movement that has been campaigning to ban this method of divorce, while examining the opposition faced by women activists from institutionalized patriarchy within the community. In creating a digital space for the local Muslim feminists and victims of this law to share and amplify their voices, *3 Seconds Divorce* seeks to construct a model of the Interactive Documentary as a tool of empowerment for those subaltern feminist voices that may otherwise go un(der)-represented in mainstream feminist discourse.

Table of Contents

Abstract.....	ii
Table of Contents.....	iii
Context	1
Thesis Evolution.....	5
Participants.....	8
Shaista Amber	8
Riffat	9
Dr. Mufti Mohammad Adil	10
Transnational Feminism and Interactivity	11
Experiments in Klynt	14
Inspirations.....	17
<i>Me and the Mosque</i>	17
<i>Alma: A Tale of Violence</i>	18
Conclusion	19
Bibliography	20
Filmography	22

Context

3 Seconds Divorce derives its name from a practice by which a Muslim man in India can unilaterally divorce his wife by merely pronouncing the word 'talaq' (*divorce*)¹ three times consecutively. Triple Talaq is unilateral, arbitrary, and abrupt, and leaves no scope for a couple's reconciliation or for a woman's say in the matter. It leaves the divorced woman in a precarious financial, physical, and emotional condition. My interactive project explores the impact of this practice through the story of Riffat, who has been a victim of this kind of divorce.

Though held to be un-Islamic by many Muslim scholars and activists in India, Triple Talaq is still very commonly practiced by Muslims and, ironically, validated by many Muslim religious leaders in India. Asghar Ali Engineer, a noted "reformer-writer and social activist," contested that "Qur'an does not permit triple divorce at all" ("Islam vs. Modernity"). Tahir Mahmood is another Indian scholar who has asked for Triple Talaq to be abolished.

¹ Originally an Arabic word, Talaq is used by Urdu speaking population in India to mean "Divorce".

The Indian constitution protects the right to religious freedom for its citizens, and as a manifestation of this, different faith communities in India are governed by their own civil codes. Laws governing criminal matters are applicable to all citizens; meanwhile, in the governance of civil matters, “Systems of “personal law” (in contrast to territorial law) regarding marriage, dowry, divorce, parentage, legitimacy, guardianship, religious and charitable endowments, wills, inheritance, succession, and so forth, continue to operate separately for Hindus, Muslims, Parsees, and Christians” (Larson vii).

Muslims are governed by Muslim Personal Law, which is largely uncodified and is based on Sharia. Religious leaders and judges (qazis) who interpret and execute these laws have traditionally been only male, and, for a long time, Muslim women’s voices have been silenced in the legal discourse of their rights². Although there have been several amendments and reforms to Hindu personal law, any effort at reforming or codifying Muslim personal law has been halted by male Muslim leadership on the grounds that it is an interference in the personal religious matters of the community. For this reason, political leaders have refrained from taking any concrete steps to reform these

² The debate and implications of Muslim personal laws referred to in this work are strictly in the context of India. The interpretations and readings of Quran that are offered are from the Muslim women activists to whom I refer in this work.

laws, as reformation poses the risk of the loss of votes from the Muslim community, the largest minority group in India.

Compared to other women in India, Indian Muslim women have greater disadvantages, as “political skirmishes from the State and community over the religious/‘personal’ law governing them constrains the forms in which they can seek legal remedies, both in forms of divorce and in amount and form of post-divorce maintenance” (Basu 496).

The All India Muslim Personal Law Board (AIMPLB), a non-government organisation, is one of the major entities that maintain this status quo through its self-proclaimed role as protector of Muslim law. It has a mandate to “adopt suitable strategies for the protection and continued applicability of Muslim Personal Law in India” (“All India Muslim Personal Law Board”). In my I-Doc, this male Muslim leadership is represented by Dr. Mufti Mohammad Adil, who is an imam at a mosque in Laxmi Nagar in Delhi. My project also includes links to the press interviews and website of AIMPLB for users who may wish to learn more about their activities and their stance on Triple Talaq.

On the other hand, there is a growing movement of Indian Muslim women who are challenging these laws and the patriarchal interpretations of the Qur’an and the Hadith (records of the sayings of

the Prophet) from which they are derived. Groups such as Bhartiya Muslim Mahila Andolan and All India Muslim Women's Personal Law Board (in contrast to the aforementioned All India Muslim Personal Law Board, most of whose members are male) have been formed by women. They are proposing alternative laws for Muslims and are advocating for those laws to be codified and enshrined in the constitution of India and its corresponding legal system. They are asking for Triple Talaq to be banned. My thesis project includes an interview with Shaista Amber, who is the founder of the All India Muslim Women Personal Law Board, as well as links to her blog and press interviews.

Thesis Evolution

My first foray into anti Triple-Talaq activism was about 17 years ago, during my undergraduate days in the city of Delhi, where I was born and raised. I wrote a Letter to the Editor to India's English newspaper, *The Pioneer*. In this letter, I supported the ban on Triple Talaq on the dual grounds of it being unfair to women and against the spirit of Islam. I had read an article by Asghar Ali Engineer, which, through a detailed analysis of the relevant verses of the Qur'an, concluded that Triple Talaq is essentially un-Islamic. This was a moment of enlightenment for me that taught me that my faith and my feminist ideals could in fact be in alignment. As women and as feminists, we need to reclaim our faith and its texts from patriarchal leadership and form our own networks to further our cause.

Years later, after I immigrated to Canada, I was exposed to more scholarly works from an Islamic-feminist perspective. Among the western scholars who have inspired me, the most important is Dr. Amina Wadud, who is an "American scholar of Islam with a progressive focus on Qur'an exegesis" ("Amina Wadud"), and whose prominent works include *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* and *Inside the Gender Jihad: Women's Reform in Islam*. Much of her work is devoted to reclaiming Islam from patriarchy, and she combines academia and activism with spirituality.

Her work on gender and the Qur'an gave me a framework within which to theorize the struggles of Muslim women. These influences have manifested in a substantial amount of the work that I have produced.

In 2010, I created a calendar featuring Edmonton's Muslim women who were nominated by community members for their positive roles in society. The project sought to instill real-life positive images of Muslim women into people's consciousness and thus counteract the frequent mainstream-media representation of Muslim women as dormant or regressive. In my short video *Can You Hear Me?*, I challenged pre-conceived notions about Muslim women, judgements made solely on the basis of what they do or do not wear. Created around the time when Canada was debating a ban on Niqab during citizenship ceremonies ("Niqab Ban"), and a Quebec judge refused to hear the case of a woman on the grounds that the woman was wearing a hijab (Rukavina), this video invites the audience to test their own prejudice as they watch the performer appear dressed differently in each scene.

More recently, I made *#WeSayKnow*, an online video featuring young Muslim girls sharing their experiences of sexual health education, to support the revisions made to Ontario's physical and health education curriculum. The girls participating in the video also share how, in their understanding of their faith, obtaining knowledge

of this aspect of their health is actually expected of them.

All of these works have helped me find my voice as a filmmaker, and the experiences I gained making these films have contributed to my treatment of *3 Seconds Divorce*. Around this time, the movement for Muslim women's rights in India has also reached a ripe stage, as Muslim women organize to advocate for changes that they want to see in the legal system. For example, the All India Muslim Personal Law Board has drafted a model Nikahnama (marriage agreement) that needs to be signed by both parties at the time of the wedding.³ In its endeavour to protect Muslim women from unfair practices in marriage and divorce, it rejects Triple Talaq. However, like other attempts at reforms, this Nikahnama has also met with opposition from clerics (Gidwani).

As an MFA candidate at York University, I find myself in a privileged space that I can use to create transnational connections for this movement, and to further the cause of Muslim women in India by informing more people about the movement and its goals.

³ A link to the Nikahnama can be found in the interactive project.

Participants

Shaista Amber, Riffat, and Dr. Mufti Mohammad Adil are the three participants in *3 Seconds Divorce*, each representing one aspect of the issue of Triple Talaq in India. Brief profiles of each appear below⁴.

Shaista Amber

I met with Shaista Amber, President of the All India Muslim Women's Personal Law Board, on a thesis-research-related trip to India. She founded this organization because the dominant All India Muslim Personal Law Board has a predominantly male membership and is therefore not cognisant of the issues of women in the community. She has written to different parliamentarians, as well as to the President of India, to request action on Triple Talaq. She is also representative of an increasing number of Muslim women in India who want a ban on Triple-Talaq⁵. In the I-doc, she is the principal source of information on the ban Muslim women are seeking against this frivolous and unjust method of divorce.

⁴ All interviews in the I-Doc are in Urdu and translations are mine.

⁵ In a recent study, more than 92 percent of the 4,710 Muslim women surveyed, who were mostly from disadvantaged communities, wanted a total ban on verbal or unilateral divorce. (Sarkar)

She also frames the demand for the ban from the perspectives of both human rights in general and Islamic rights in particular, thus bringing in the element of Islamic feminism.

Riffat

Riffat, who prefers to go by her first name only, shares the intimate and moving story of how she was divorced arbitrarily via Triple Talaq, and the impact this had on her life. Her interview forms the emotional appeal of the project and relates the effects of Triple Talaq on its victims. Her personal story also provides referential information on the challenges other victims of Triple Talaq (of which there are many, although no studies have been done to indicate their exact number)⁶ face as well. Riffat is also the central feminist participant in the I-doc, as she braved an on-camera interview in the hope that her 'voice' on the subject might benefit other women. This also makes her an integral part of the Indian Muslim women's movement.

⁶ In a phone interview I conducted with Zakia Soman of Bhartiya Muslim Mahila Andolan, an organization that runs a counseling program for women, she commented, "In 2014, of the 235 cases that came to them, 80% were of Triple Talaq."

Dr. Mufti Mohammad Adil

If Triple Talaq is so obviously unfair, and so many people contest that it is un-Islamic, why has there not yet been a law against it in India? My interview with Dr. Mufti Mohammad Adil, who is the imam at a mosque in the Trans-Yamuna area in Delhi, sheds light on the patriarchal mindset, which poses the biggest challenge to any reform.

In the I-Doc, his interview clips are representative of the clerics who oppose the ban on Triple Talaq on the grounds that it is a law “made by Allah.”

Transnational Feminism and Interactivity

Voices of Indian Muslim feminists, due to their relative lack of access to global resources, have not garnered sufficient space in the mainstream discourse of women's rights. This creates an urgent scope for creating a work of "feminist multi-media" or "feminist technological activism" that uses new-technologies for "research and action in interest of women" (Hocks & Balsamo). By providing Indian Muslim women a space to share their experiences, knowledge, and opinions on their emancipation, and inviting feminists outside of India to support their cause, *3 Seconds Divorce* seeks to create a common digital sphere to facilitate transnational activism around the issue of Triple Talaq. In creating this practice-model for transnational feminism, I am respectful of the agency of Indian Muslim women in creating solutions to the social issues that affect them.

Thus, "In this perspective, concrete struggles for survival rather than putatively common oppression or shared identity is seen as the more reliable basis for solidarity, and 'coalition' rather than 'unity' is the preferred political goal" (Mohanty).

3 Seconds Divorce is positioned at the nexus of transnational feminist activism and interactive documentary, where the latter becomes a facilitator to the former. By "transforming watchers into users and then users into doers" (Aston & Gaudanzi) and

"documentary subjects into collaborators", *3 Seconds Divorce* constructs interactivity not just in the terms of navigation through the narrative, but also in a sense of collaboration with the participants of the film and their cause.

One level of interactivity allows the users to select the order in which they can view the different interviews and sequences embedded within. The second level of interactivity that this project envisions relates to the user's response; specifically, their empathy and support of the movement of Muslim women in India. Working in the interactive mode also allows *3 Seconds Divorce* to cater to international audiences, some of whom may need more contextual information on the issue than the others. Thus, while users new to the subject can opt to view sequences and links that provide background information on the issue, those familiar with the legal system in India may engage more directly with the participant interviews.

3 Seconds Divorce can help to steer public opinion on Triple Talaq, and therefore can be an additional resource for the All India Muslim Women's Personal Law Board. As an Internet resource, *3 Seconds Divorce* will be freely available to all users. Online resources are being increasingly used as a resource for education and activism in India. Shaista Amber, for instance, maintains a blog and a Facebook page, in addition to her website. Over four hundred million people in

India use the Internet (Press Trust of India). Many women who are vulnerable to or are victims of Triple Talaq may be able to access it and become aware of their rights and of services provided by All India Muslim Women Personal Law Board. Riffat, for instance, has access to Internet and uses it in her every-day life.

Experiments in Klynt

3 Seconds Divorce is created on Klynt, an “interactive editing and publishing application” (klynt.net). I found this application very useful for a filmmaker like myself who does not have a knowledge of programming or coding. Some of the features I found particularly useful are the visual storyboard and sequence previews that allowed quick overviews, making changes less time-consuming than they may have been otherwise.

I used Klynt’s ability to create a timeline with mixed -media formats such as text, images, and videos to enrich the project by sourcing different information from different media. For example, in the case of Shaista Amber’s sequences, the video interviews share her stance on Triple Talaq and women’s rights in Islam; text and image are used to introduce her; and the external links to her blog and website provide more detailed information on the work that she is doing. Examples such as this one show how *3 Seconds Divorce* renders itself responsive to different needs and interest levels of various users.

I have also experimented with linking existing materials on the Internet with the content originally created for the project, juxtaposing the two to create a more engaging experience for the user. For background and contextual information, I have created two layers of information as defined by their access. For the information that a user

must have in order to understand the subject matter, I have added sequences of text and images within the timeline; and for the additional information surrounding the subject I have embedded links to external websites. External links also serve the purpose of establishing the urgency of the issue and inform the users that the subject of Triple Talaq is very much a part of public debate in India.

Although making an interactive documentary was different than creating a linear one in the ways mentioned above, I found that it was still important to find a focus, especially on a subject matter that is so complex and vast, just as I would have for a 15 minutes linear documentary. Keeping in mind the objective of facilitating transnational feminist connections for Muslim women's movement in India, the solutions presented to the problem of Triple Talaq in *3 Seconds Divorce* are from their perspective.

Another important aspect of working with Klynt was in designing the interactivity between sequences. For this, I tried different options before deciding on a common landing page for all of the three participants that connects the users to their individual menu pages. In an earlier version, the landing page had a central narrative of Riffat's story from which all the other sequences were linked. However, I found this design was restrictive for a project that required a good amount of contextual information on the subject matter. In the

current design, there are enough sequences for information while the users can go back to the individual menu pages of the participants, and from there to the main landing page.

Inspirations

In addition to the scholarly works of Asghar Ali Engineer and Amina Wadud, to whom I have referred earlier in this document, this work is also inspired by other media works. Of particular significance are the documentary film, *Me and the Mosque*, directed by Zarqa Nawaz in 2005; and *Alma: A Tale of Violence*, a web documentary directed by Miquel Dewever-Plana and Isabelle Fougère.

Me and the Mosque

Directed by Zarqa Nawaz, who later also created CBC's hit series *Little Mosque on the Prairie*, this documentary was produced by the National Film Board of Canada in association with CBC Newsworld. In this documentary, the filmmaker questions the practice of placing barriers between men and women during prayers. Through interviews with contemporary scholars and other Muslim feminists, she investigates whether this practise of placing barriers was followed at the time of the Prophet, and concludes that it was not. On these grounds, she protests the barrier in her mosque. At the time of its release, the documentary generated much discussion about the place of women in Canadian mosques.

This documentary has been an inspiration to me in its handling of an issue that solely concerns the Muslim community and its use

Muslim voices only, though it still has a resonance for women who may be struggling against patriarchal beliefs within their own communities. It also comes from a perspective of Islamic feminism that is an important framework for *3 Seconds Divorce* as well.

Alma: A Tale of Violence

In this web documentary, Alma, who had been a member of one of Guatemala's most brutal gangs for 5 years, makes an on-camera confession about her involvement in the gang. This web documentary allows users to form an intimate connection with the main participant's story, while at the same time giving them the option to experience the story in alternate ways. Inspired by this, in *3 Seconds Divorce*, I have created an un-obstructed linear narrative of Riffat's story. In my project however, there also narratives of the other two participants. Inclusion of these "other voices" and the external links on the subject differentiate the treatment of *3 Seconds Divorce* from that of *Alma*.

Conclusion

3 Seconds Divorce endeavours to amplify the voices of Muslim women feminists in India. It achieves this objective through its 'sequences' profiling Shaista Amber and Riffat. Using their 'voices,' this I-doc not only examines the impact of this law, but also reveals the resilience and struggle of Indian Muslim women against it. The sequences in which Mufti Adil appears help us understand the resistance faced by Muslim women in their demand for a ban on Triple Talaq. In this project, images, text, videos, and external links come together to create an encompassing experience for the user. I have also employed the features provided by Klynt to make *3 Seconds Divorce* relevant for users with varying levels of understanding on the subject. As an Internet resource, *3 Seconds Divorce* will be available to transnational users. Through this transnational access it seeks to work as a tool that can facilitate ally ship between feminists outside of India and those working at the grassroots level in India. Thus, *3 Seconds Divorce* functions by exploiting the potential of the Interactive Documentary in creating transnational connections.

Bibliography

- "All India Muslim Personal Law Board." *Wikipedia*. Web. 19 Nov. 2014.
https://en.wikipedia.org/wiki/All_India_Muslim_Personal_Law_Board
- "Amina Wadud." *Wikipedia*. Web. 19 Nov. 2014.
https://en.wikipedia.org/wiki/Amina_Wadud
- Aston, Judith, and Sandra Gaudenzi. "Interactive Documentary: Setting the Field." *Interactive Documentary: Setting the Field*. N.p., n.d. Web. 20 Mar. 2016.
- Basu, Srimati. "Separate and Unequal: Muslim Women and Un-Uniform Family Law in India." *International Feminist Journal of Politics* 10.4 (2008): 495-517. *Academia.edu*. Web.
<http://dx.doi.org/10.1080/14616740802393890>
- Engineer, Asghar Ali. "Islam vs. Modernity: Ban Triple Talaq, It's a Sin." Web. 17 June 2014.
http://www.irfi.org/articles/articles_201_250/islam_vs_modernity.htm
- Fuente, Vanessa RDL. "Women Weaving Peace: Social and New Media as a Tool for Muslim Women Community Empowerment and Internal Peace Building." *Academia.edu*. N.p., n.d. Web. 19 Nov. 2014.
- Gidwani, Deepak. "New Nikahnama Sparks Controversy." *DNA India*. 17 Mar. 2008. Web. <http://www.dnaindia.com/india/report-new-nikahnama-sparks-controversy-1156424>
- Hassan, Mahmudal. "Islam's Encounter with Women's Rights and Feminism: The Need for Greater Engagement of Muslim Women." *Academia.edu*. N.p., n.d. Web. 19 Nov. 2014.
- Keen, Seth. "Netvideo Nonvideo Newvideo: Designing a Multilinear Nonnarrative Form for Interactive Documentary." (n.d.): n. pag. Web. 19 Nov. 2014.
- Klynt.net*. Web.
- Larson, Gerald James, ed. *Religion and Personal Law in Secular India: A Call to Judgement*. Bloomington, IN: Indiana UP, 2001. Print.

Mohanty, Chandra Talpade. *Feminism without Borders: Decolonizing Theory, Practicing Solidarity*. Durham: Duke UP, 2003. 117. Print.

"Niqab Ban Prevented 2 Women from Proceeding With Citizenship Oath." *CBC.ca*. Web. 29 Sep. 2015.
<http://www.cbc.ca/news/politics/niqab-ban-zunera-ishaq-1.3249495>

Press Trust of India, comp. "Internet Users in India May Reach 500 Million in 5-8 Months: Prasad." *NDTV Gadgets360.com*. N.p., 18 Jan. 2016. Web. 12 Apr. 2016.

Rukavina, Steve. "Quebec Judge Wouldn't Hear Case of Woman Wearing Hijab." *CBC.ca*. Web. 26 Feb. 2015.
<http://www.cbc.ca/news/canada/montreal/quebec-judge-wouldn-t-hear-case-of-woman-wearing-hijab-1.2974282>

Sarkar, Urvashi. "[Poll: Indian Muslim Women Want End to Verbal Divorce.](#)" - *Al Jazeera English*. 21 Aug. 2015. Web. 17 May 2016.

Wadud-Muhsin, Amina. "The Qur'an, Shari'a and the Citizenship Rights of Muslim Women in the Umma." *Shari'a Law and the Modern Nation: A Malaysian Symposium*. Ed. N. Othman. Kuala Lumpur: Sisters in Islam, 1994. 77-80. Print.

Wadud, Amina. "Foreword: Engaging Tawhid in Islam and Feminisms." *International Feminist Journal of Politics* 10.4 (2008): 435-38. Print.

---. *Inside the Gender Jihad: Women's Reform in Islam*. Oxford: Oneworld, 2006. Print.

---. *Qur'an and Woman: Rereading the Sacred Text From a Woman's Perspective*. Oxford: Oxford UP, 1999. Print.

Filmography

Deweever-Plana, Miquel, and Isabelle Fougère, dir. *Alma: A Tale of Violence*. <http://alma.arte.tv/en/>

Javed, Shazia, dir. *Can You Hear Me?* 2015.
<https://www.youtube.com/watch?v=Hpsn8yE6AL0>

---. *#WeSayKnow*. 2015. <https://www.facebook.com/wesayKNOW/>

Longinotto, Kim, and Ziba Mir-Hosseini, dir. *Divorce Iranian Style*. 1998.

Nawaz, Zarqa, dir. *Me and the Mosque*. 2005.
https://www.nfb.ca/film/me_and_mosque

The Seven Digital Deadly Sins. <http://sins.nfb.ca>

Welcome to Pinpoint. <http://pinpoint.nfb.ca/#/pinpoint>