

Conference, Symposium, and Panel Reports

Protecting America's Promise

The 2007 joint National Association of Muslim Lawyers (NAML) and National Muslim Law Students Association (NMLSA) conference took place on 9-11 November in San Francisco. Both NAML and NMLSA are rapidly growing organizations with many young Muslim students now deciding to enter the legal profession, a field in which they have been historically under-represented. This year's theme, "Protecting America's Promise," could not have been more appropriate.

The conference was kicked off by an electrifying talk by Jameel Jaffer, co-author of *Administration of Torture: A Documentary Record from Washington to Abu Ghraib and Beyond* (Columbia University Press: 2007) and director of the ACLU's National Security Program. He detailed the manner in which the Bush administration has implemented a systematic program of torture since 9/11, and how it has done this without significant challenge from the other two branches of government: Congress and the judiciary.

The first plenary session, which addressed the topic of "Investigating and Prosecuting Terrorism Cases: Seeking Justice while Upholding Constitutional Principles," focused on the tension between bringing alleged terrorists to justice and upholding core constitutional rights and protections, including the accused's rights to counsel, a speedy trial, and to confront the evidence presented by the plaintiff. The second plenary session, "The Impact and Legality of U.S. Counterterrorism Policies Overseas," discussed whether the United States has accurately framed the terror threat and how its policies have inflamed or diminished that threat. The session also explored the legality and effectiveness of arbitrary detention, torture, extraordinary rendition, and other counterterrorism policies.

The various parallel sessions throughout the conference addressed a myriad of topics germane to the legal profession in general, as well as to Muslims and the law in particular. In a session entitled "Leveraging Legal Resources for the Benefit of the Muslim American Community: A Training Session for Lawyers," attendees learned some of the basic laws and challenges facing Muslim Americans from experienced criminal defense and

immigration lawyers, as well as obtained guidance on how to advise those who turn to lawyers for assistance and possible representation. Another panel on “Encouraging Muslim Civic Engagement: Overcoming Legal Obstacles” explored the legal and practical hurdles that exist for Muslim Americans who want to participate in American civic life, as well some solutions for overcoming those hurdles.

One very interesting panel discussed the issue of “Muslim Charities under Siege: An Update and Efforts to Protect and Strengthen Muslim Non-profit Institutions.” The session’s aims were to provide a brief post-9/11 history highlighting some of the key issues in high profile investigations, including charities’ assets being frozen and, in some cases, the charities themselves having to close down; address why these Muslim charities, as well as the individuals and groups associated with them, are being subjected to increased scrutiny and investigation; discuss what has been done to address these challenges; and analyze what steps must be taken next. This session is clearly pertinent for a Muslim American community wanting to know the ins and outs of the whole controversy surrounding the issue of Muslim charities.

The session on “Muslim Americans and Family Law in U.S. Courts” was a timely and important panel that looked at the future of Muslim marriages in American courts. Panelists offered an overview of significant cases that the courts have adjudicated over the last decade and what they have meant for the Muslim American community. This panel also included a discussion of the development and evolution of Muslim women’s “Islamic” rights in the United States and the phenomena of Muslim women claiming their Islamic marital rights in American courts.

The final two parallel sessions appealed to the many law students in attendance. The first one, “Law Student Career Panel: All the Things to Do with a Law Degree,” analyzed steps that Muslim law students can take to achieve goals that are related to their individual interests and strengths, while simultaneously remembering the need to serve their communities. The other session, “The Future of Muslim Lawyers: Identifying Career Goals and the Path to Getting There,” complemented the first panel’s discussion by presenting panelists from all areas of the legal community to speak about their career paths, how they chose them, and how they got there.

The final plenary session that wrapped up the conference was well-attended and quite popular, not least because it featured the renowned Islamic law scholar Dr. Umar Faruq Abd-Allah (chairman of the board and scholar-in-residence, the Nawawi Foundation) as one of its panelists. The session, “Islamic Jurisprudence and American Law,” provided an overview of the

legal schools of thought that developed over time and the principles they share with each other and with the American legal system. Panelists analyzed how the underpinnings of American criminal, civil, and constitutional law are akin to principles articulated and practiced in Islamic jurisprudence.

The 2007 NAML-NMLSA conference marks yet another successful endeavor to empower both Muslim lawyers and law students to be actively engaged in both their profession as well as their communities. If there was one theme that permeated the conference, it was that Muslims in the legal profession have an obligation to be at the forefront of the battle to uphold and defend the democratic and just constitutional principles of the United States – principles that must affirm the rights of all Americans, including Muslim Americans.

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