

## Islamic Law, Gender, and Politics: Theory, Doctrine, and Practice

Throughout February 2007, American University's Washington College of Law (WCL) sponsored several important forums and conferences as part of the college's "Founders' Celebration." The National Muslim Law Students Association (NMLSA), in conjunction with the WCL's Islamic Legal Forum, proposed a conference that would look at the intersection of classical and modern conceptions of Islamic law, discourses around gender and Islam, and the larger political questions that often frame these issues. Many Muslim law students were interested in engaging with these themes, which emerge from any discussion on "Islam and/in the West," or "Islam and Modernity." Muslim law students and the region's Muslim community in general, as well as interested non-Muslims, were pleased to hear about WCL's sponsorship and support for the conference, which was held on February 2-3, 2007.

Mohammad Fadel (faculty member, School of Law, Toronto University) opened the first panel, "Islamic Law: An Introduction and Critical Issues," by presenting the basics of Islamic law. He clarified several misunderstandings held by Muslims by distinguishing between the Islamic juristic and legal tradition and the Islamic theological *cum* philosophical tradition. One of North America's leading scholars on Islamic law and with a J.D. from the Univer-

sity of Virginia and a Ph.D. from the University of Chicago, he was fully equipped for this task.

Jasmin Zine (professor of sociology, Wilfred Laurier University) brilliantly outlined the context and developments related to Canada's 2005-06 debate as to whether Muslims could turn to Shari'ah tribunals, instead of Canadian civil courts, for certain legal matters. She covered the various positions, views, and heated arguments, focusing on how the resulting discourse quickly began to assume a bigoted and hypocritical character. Intisar A. Rabb (J.D. and Ph.D. candidate in Islamic law, Princeton University), brought the panel back to the basics by explaining further the Islamic juristic tradition. Her talk prepared the audience for further engagement with other issues that would be raised during the conference.

The day's final speaking event was the keynote address delivered by Umar F. Abd-Allah (chairman of the board and scholar-in-residence, The Nawawi Foundation), one of the country's most highly respected scholars of Islam and the Islamic juristic tradition. Speaking on "Muslims in the Mainstream," Abd-Allah enumerated several developments within the North American Muslim community, some of them positive and others that need improvement. He said that while the North American Muslim community's overall level of education and affluence is a noteworthy achievement and blessing, its continuing class, racial, and gender disparities impede the realization of Islam's message and beauty.

On Saturday, the conference commenced with a panel on "Islam, War, and Politics." The first speaker, Abdul Karim Bangura (professor, School of International Service, American University), outlined an Islamic just war theory based upon classical Muslim scholarly and juristic concepts of the conditions, regulations, and motivations that legitimize the use of force. He also analyzed the highly publicized (but misunderstood) concept of jihad.

The next panelist, M. Shahid Alam (professor of economics, Northeastern University) deconstructed the term *Islamic terrorism* and exposed its misuse in mainstream media and intellectual circles. He sharply criticized the so-called "war on terror" and its devastating toll both at home and abroad. Fadel wrapped up the panel with a talk on "Islam and the Moral Obligations of Citizenship." His astute reflections provided an ethical and political compass for an American Muslim citizenry caught between demands of patriotism and loyalty to country on the one hand, and fidelity to a religion that calls for the primacy of truth and justice on the other.

The concluding panel touched upon one of the conference's most anticipated topics: "Islam and Gender Politics." Each panelist displayed a strong commitment to a transcendental Islamic ethics in the quest for gender justice.

Anne Goldstein (International Association of Women Judges) spoke passionately about the need to support a human rights and women's rights-friendly Islamic ethos in interpreting and applying Islamic law in Muslim societies. Abd-Allah, the next speaker, pleaded for Muslims to do more to integrate women fully in their communities and placed the principal responsibility on the "male elite" who comprise the leadership of many of these communities.

The third panelist, Anouar Majid (professor of comparative literature, University of New England), spoke on the hijab's shifting politics and discourses. His deep analysis of the political economy of imperial pronouncements concerning the "Muslim woman" harshly criticized the opportunism of such discourses since the beginning of the "war on terror" and reminded the audience of women's continuing struggles. The final panelist, Shabana Mir, called forcefully for reexamining the "historical Shari'ah" because of the serious limitations found within it regarding gender. She argued that medieval-era rulings were the products of jurists who lived in a different social context and held views that could only be understood in their time. Thus, in her words, applying them today would be anachronistic. She also warned Muslims that juristic rulings and scholarly opinions unfriendly to Muslim women continue to exist and that the Qur'an's and the Prophet's original liberatory vision and praxis must be recovered in order to realize the just and compassionate project of Islam.

The conference was an enormous success, and one of the greatest achievements of the rapidly growing association. Feedback was highly positive. NMLSA hopes to organize more conferences that will live up to the level of intellectual excellence achieved by this one.

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