

Al-Mughtaribūn: American Law and the Transformation of Muslim Life in the U.S.

By Kathleen Moore. New York: SUNY Press, 1995, 211 pp.

The focus of this book is on "the gradual transformation of American Muslims' perceptions and self-identification, coaxed by the ways American civil law has penetrated and come to dominate their daily lives" (p. vii). Hence, the book attempts to show the link between law and society by using Muslims in the United States as a case study. It is of interest to sociologists, legal historians, political scientists, and scholars of religion and touches on the themes of civil rights, freedom of religion, social change, the status of minorities, and assimilation.

Moore shows how Muslims in the United States have been affected by American immigration law (chapters 2 and 3), religious liberty laws affecting Muslims in prison (chapter 4), hate crime legislation affecting mosques (chapter 5), and zoning laws that affect mosques (chapter 6). The sources Moore uses are historical: court records, interviews, magazine articles, and newspaper stories. She points out that there has been a great transformation in the American legal system's attitude toward Islam. In 1811, the New York Supreme Court ruled (in *People vs. Ruggles*) that the "religion of Mohammed" is an impostor religion, a superstition, and is equally false and unknown (p. x). In 1962, on the other hand, the District of Columbia U.S. District Court ruled (in *Fulwood vs. Clemmer*) that Muslims believe in Allah as a supreme being and as the one true god. It follows, therefore, that the Muslim faith is a religion (p. 82).

Have American legal institutions been responsive to the Muslim community? Has the American legal setting transformed the Muslim community? The answer to the first question, according to Moore, is that in the 1800s, "No"; but gradually the courts have become more responsive and continue to be more responsive as time passes and as Muslims become more politically active. The answer to the second question is "Yes."

How has the American legal setting transformed the Muslim community? It has limited the numbers of Muslims in the United States (through immigration restrictions). It has increasingly allowed Muslims in prison to pray *jum'ah*, wear *kūfis* on their heads, eat nonpork foods, and obtain copies of the Qur'an. It has protected Muslim mosques from vandalism through stiffer penalties for people committing such a crime. It has also restricted the establishment of

mosques by preventing them from being built in many areas through the use of zoning laws.

Each chapter focuses on a different type of law: immigration, civil rights, hate crime, and zoning. The first three types are mostly federal statutes, whereas zoning laws are mostly local ordinances. Moore presents various examples of each type of law and narrates how they have applied to Muslims in the United States.

It is not clear, however, why she did not apply the disciplinary methods of various fields of research to explain what is occurring. A sociologist, for example, would point out how Muslims have mobilized the community (through the mosques) to oppose many laws that are perceived to be anti-Muslim. A political scientist might have shown how Muslims have lobbied for or against legislation, while it is being worked out in Congress. A psychologist might have analyzed the ways in which a Muslim in the United States no longer possesses a "displaced/immigrant" (*mughtarib*) self-concept and comes to see himself/herself as an "American." An anthropologist might look at how the attitudes and practices of the Muslim community have changed due to the legal restrictions placed upon Muslims in this country. For example, laws against polygamy are not just a legal issue; they are very much a cultural issue as well.

Insofar as Moore is a historian presenting events, she does a very good job. However, the book claims to be something more than a historical account. The strengths of the book are the following: The author shows a genuine concern for what happens to the Muslim community. There is no indication of an unwarranted and detached aloofness to the subject matter, as is characteristic of other studies of Muslims. Also, the book contains many examples of the laws it is addressing. Its weaknesses include the fact that the theory does not seem to inform the research very well. A question that is not answered fully is: Why is a political scientist delving into the area of law and society? Each law has a political climate in which it is enacted, of course, and this is evident in the discussion regarding immigration law in chapters 2 and 3. However, the political climate of lawmaking is not the stated purpose of this book. Had this been the purpose, the book clearly fulfills it.

There are additional items that the book editor should have addressed. The book has no glossary of terms and no index of Muslim organizations. Such an index would aid the researcher who wants to acquire more information about the topic of the transformation of Muslim life in the United States. It would also help the researcher verify some of the information that Moore presents.

Why is the issue of antipolygamy laws, apart from their relationship to immigration, not addressed? Certainly antipolygamy laws have some effect on the behavior, perceptions, and self-identity of Muslims in the United States. What about the rules and regulations regarding prayer? Many Muslims in this country must deal with issues of prayer in the workplace, prayer in public schools, and prayer on public property. What does legislation (or the lack of it) have to say about this? Has this issue had a transformative effect on Muslim life in the United States?

Overall, this book is worth reading. It is clear in its language, its subject matter is well-defined, and the issues it addresses are both historical and contemporary. A deeper understanding of the issues it raises will lead to a better

appreciation of an important minority group in the United States and to a greater realization of the need for more sensitivity in the legal community toward Islam and Muslims.

Omar Altalib
 Department of Sociology
 University of Chicago
 Chicago, Illinois

Journal of Islamic Studies

Volume 14 Number 1 Spring 2003

Journal of Islamic Studies

Journal of Islamic Studies is a peer-reviewed journal of research in Islamic studies. It is published by Cambridge University Press, 477 Williamstown Road, Port Melbourne, VIC 3207, Australia. Journals Fulfillment Department, 100 Brook Hill Drive, West Nyack, NY 10994-2133, USA. Journals Fulfillment Department, 477 Williamstown Road, Port Melbourne, VIC 3207, Australia.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.

For a complete list of titles visit our journal web site at <http://www.journals.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>. For more information on other Press titles access <http://www.cambridge.org>.