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Politics, social affairs and law

far away ocean and the resignation of a top football club manager are current events which are likely to provoke far more interest and discussion on the part of consumers than another row between political spin doctors. It must always be remembered that Lord Reith, that guru of public service broadcasting, maintained the BBC should inform and entertain across its output.

The competitive nature of news reporting often leads editors or reporters to fall back on tried and tested methods. The greatest challenge for those in the profession is to try to transcend the pressures of time and money, applying their minds creatively to the questions of what constitutes news and how it can be told in the most interesting way. Journalism has become such an important factor in national debate that this task has never been more vital. These latest works on the subject provide the essential background to understanding the journalistic culture for all its faults and virtues.

Mark Urban, Newsnight


In an age when the West is struggling to cope with its own distant, archaic and over-priced legal system, this book is a fascinating insight into how the Islamic world has sought to make its justice accessible both to the rich and poor, educated and illiterate. In addition to the courts, early Islamic jurists provided a legal aid service in the form of legal consultants called muftis. Any Muslim could go to a mufti and seek his opinion, or fatwa, on a question of Islamic law. The fatwa was non-binding, but if followed it could save time, money and conflict entailed in court procedure.

The system depended on its appeal to the faith of the questioner. The mufti was not just a lawyer, he—and in the early decades of Islam, she—was the human interpreter of God’s will on earth. Whereas the authority of the judge lay in the enforcement powers of the state, the word of the mufti was derived from the word of God.

A comparison of the 30 fatwas explored in the book suggests that time and the political-cultural clash with the West has done much to erode the muftis’ authority. In most Muslim countries, judges now apply legal codes based on those in the West, and the legal training is undertaken in secular law schools, not madrasas. As important is the fact that he who paid the piper increasingly seems to have called the tune. Traditionally, charging for fatwas was discouraged, but times have changed: the penultimate essay, ‘Operation Desert Storm and the war of fatwas’, is a sad tale of muftis turned into tools of their paymasters in Baghdad, Mecca and Cairo. The essay ends with a cry from various Muslim journals for muftis to serve God not the state.

As a means of realizing Islamic ideals in time and place, the fatwa remains a wonderfully versatile institution. Like the responsas of medieval Jewry, it enables Muslim communities to bypass secular courts and take the law into their own hands. The fatwas discussed span the time and place of Islam, from talking in a Moorish mosque to keeping dogs as pets in Malaysia. Sex is the chief concern of academics treating the classical Islamic period. However, when it comes to writing about the modern world, the contributors’ focus shifts to militants and jihad. The fatwas tackled in this collection include a nineteenth-century Shiite appeal to Sunni Muslims to abandon their efforts to pull down a monkey god temple in the Indian town of Ayodhya claimed to be built on top of a mosque. The choice of subjects might be a reflection of the Islamic reality. As likely, it indicates the two-track populist focus of much of western academia on Islam—the Arabian nights sensuality of classical Islam and today’s tabloid sexuality of Islam with irrationality and terrorism.

Any assortment as eclectic as this is bound to beg as many questions as it answers. We are told that unlike the Sunni law schools, Shiite Usuli fiqh (substantive law) as applied in Iran today prohibits following fatwas issued by deceased jurists. Shahla Haeri in his chapter ‘Regulating sexuality in post-revolutionary’ Iran cites the example of President Rafsanjani, who within a few months of Ruhollah Khomeini’s death, had abrogated a fatwa of the Ayotollah’s stating that a virgin must have her father’s permission before entering into a temporary marriage. Which begs the question, why has Khomeini’s fatwa on Rushdie outlived its author?
Book reviews

For all that, the novelty of this book is that it examines the practice rather than the theory of fatwa giving. Until recently, academics have concentrated on Islam's loss of independent legal reasoning, or ijtihad, and its replacement with adherence to precedent, or taqlid. This book makes clear that regardless of protestations to the contrary, mufitis do resort to independent legal reasoning, particularly in twentieth-century problems, such as post-mortems and investments schemes. Few of the contemporary fatwas translated make more than passing reference to their sources. In fact, given the readiness of mufitis to bend their opinions to the liking of their earthly masters, grounding their opinions more thoroughly in the legal sources might restore some of the authenticity which the editors say today's mufitis have lost.

Nicos Pelham, BBC World Service


On the one hand this book is a scientific discussion of the phenomenon of polity; on the other, it is a defence of a set of value judgements. The subjects under review are capitalism, Marxism and Third World secularism, which Moten treats analytically and critically. The author's reference point to debate these issues is Islam. Islam is more than a normative religion. It combines the spiritual with the worldly. This is the opposite of Christianity, the ideas of which—the separation of Church from state—are the foundation of western democracies. In Islam, writes Moten, 'religion and polity are one organic unity'.

Moten's starting point is the revelation of God with its divine laws, the Shariah. These laws are intended to enable the evolution of humanity in one community (ummah), an idea clearly at odds with notions such as nationalism. The author examines the Islamic polity—religion dichotomy, looking at the system of government in the ummah—khilafah—and the accountability of those in power. He examines the similarities and differences between the khilafah and western systems and concludes the book with a proposed framework for an Islamic state. Article one reads: 'Muslims form one single Ummah' and the Shariah is the source of all legislation'.

Mansour Malik, Islamic Law Chambers, London

Ethnicity and cultural politics


Feminist theory has made a tremendous impact on the discipline of international relations both in terms of substantive research and in the teaching of international relations theory. This does not, however, mean that it is fully accepted and integrated within the primary concerns of the discipline, namely our conceptions of the state, sovereignty, security, rights, and the international system. Feminist theorizing is still considered an exotic extra, added on as the singular chapter or article in edited volumes or journals. Rather than being seen as contributing to all aspects of the discipline, feminist themes are often marginalized and kept at safe distances, tokens in a sea of a constructed discourse built upon an exclusive and exclusionist masculine domain of 'masters' past and present.

It is precisely the exclusionist boundaries that international relations constructs and reifies that Jan Jindy Pettman challenges. In seeking to place the voice of women at the heart of international relations, Pettman draws upon a varied list of sources to highlight women's lived experience in three areas: the state and identity; women in war and peace; and the international political economy, with specific emphasis on the international sexual division of labour. The title of the book, Worldling women, immediately points to an inclusive project, one of reconstructing a discipline whose imagination is often reluctant to stray beyond what is conventionally acceptable or accepted.