to read such narratives as less an outright critique of the Futūḥāt itself and more as a preference of the experience of ecstasy over bookish learning about spiritual realities.

One last word deserves to be added about the translation, and this is both the highest possible compliment to the translator scholar, John O’Kane, and a condemnation of the present state of the field of Islamic studies. This is the second massive Persian hagiography that O’Kane has patiently translated, the other one being the equally voluminous Ṭabīṣah, about the great Persian Sufi master Abū Sa‘īd ibn Abī ‘l-Khayr 440/1049. These types of translations are extremely time consuming, and require a great expertise not just in terms of Persian language, but also of the technical Sufi, philosophical, theological, and legal lexicon that these texts feature. Sadly, most academic programmes do not fully value translations, to the point that very few research universities reward scholars who spend their research time translating masterpieces such as the Manāqeb with tenure. The loss is that of the field of Islamic studies, where the overwhelming majority of our classical works remain un-translated. Surely it is time for the field of Islamic studies — and the universities that employ people in this field — to recognise that an erudite translation of a classic and difficult work is worthy of recognition. It is that recognition and applause that this reviewer wishes to bestow on the indefatigable John O’Kane.

Omid Safi

★★★★


Family law is one of the most important branches of law in all legal systems of the world. Family law regulates the rights and obligations of citizens regarding marriage, divorce, maintenance, custody of children, and inheritance, thus providing the foundation on which the most important unit of the society rests. The present book deals with this important area of Islamic law.
The editor, Abdullahi An-Na’im, is a Professor of Law at Emory University in USA. He has been Director of Human Rights Watch/Africa in Washington DC for some years. An-Na’im is a Sudanese and was educated in the Universities of Khartoum, Cambridge and Edinburgh. He is the author of *Towards an Islamic Reformation: Civil Liberties, Human Rights and International Law*. He has also edited numerous volumes on human rights issues.

The book under review is divided into nine sections which deal with different geographical regions. Each section begins with a chapter that provides an overview of the social, cultural and historical background of a particular region, with a focus on how Islamic law relates to that background. The chapters attempt to explain the history of Islam in the region, the relationship between customary, constitutional and Islamic law, important political events, crucial legislative decisions, and the relationship of such events to the socio-cultural realities of the region. Within each section, there are legal profiles for each of the countries in that geographical area to enable the reader to know what is unique about the Islamic Family Law in terms of its interpretation and implementation in each country.

The main issues discussed in the book in relation to each geographical region and each country are as follows:

- The region and its history;
- Legal practices and institutions;
- Seclusion of women/purdah;
- Family system in the region;
- Polygamy;
- Custody of children; and
- Inheritance and other legal rights.

Furthermore, there are independent legal profiles for each country pertaining to its legal history which contain the following points:

- Schools of Fiqh;
- Constitutional status of Islamic Law;
- Legal and judicial system;
- Law reporting system; and
- Concerned international conventions.

The book is well equipped with the relevant references to the sources on which it draws. Each chapter ends with a detailed and comprehensive bibliography.
The book is part of a major research project entitled *Islamic Family Law: Possibilities of Reform through Internal Initiatives*. The project is pursued by a group of researchers from the Law and Religion Program of Emory University, the primary location of the Project and the School of Oriental and African Studies of the University of London. The basic objective of the present book is to explore the possibilities of reform in Islamic Family Law from a human rights perspective. In the words of the editor: “... it seeks to provide opportunities for testing and promoting the practical consistency of Islamic Family Law with international human rights” (p. xii). Human rights, in the opinion of the editor, provide a fair standard to judge the soundness, viability and efficacy of Islamic Family Law in the modern world. He further writes: “We believe that human rights now represent universally accepted standards of sound social policy for present day Islamic societies” (p. xii). As such, he argues and justifies the modification of Islamic Family Law in accordance with the Western notions of human rights, liberty, and equality between the sexes.

The editor contends that the notion of an immutable body of principles of the *Shari‘ah* as universally binding on all Muslims, and for all times, is not supported by the actual practice of the Muslim societies and their states throughout history (p. 16). But what to do if this historically conditioned understanding of the *Shari‘ah* contradicts explicit texts of the Qur‘ān and Sunnah? In response to this question, the editor writes:

It may be argued that to accept the unavoidability of the foundational role of human choice and interpretation in the formulation of any aspect of the normative system of Islam, does not address the question of what to do about categorical and explicit texts of the Qur‘ān and Sunnah of the prophet on marriage, divorce, inheritance and so forth. In my view, however, these ideas will in fact make it possible to found family law as sound social policy, even if that means the non-application of apparently categorical and explicit texts of the Qur‘ān and Sunnah. The role of human agency, therefore, means, I suggest, reflection on the policy rationale and meaning of those texts in the context of seven-century Arabia, rather than their acceptance as immediately and literally applicable in social settings for eternity (p. 3).

From this passage it can be easily grasped that the editor argues for reopening of many already settled *Shari‘ah* positions such as those relating to the share of women in inheritance, unilateral repudiation of one’s wife by the husband, the veiling requirements for women, etc. It also calls for their reinterpretation in the light of the notion of human rights which, in the
author’s opinion, provide a fair basis for a sound social policy to be framed and pursued by the states (p. xii).

It is pertinent to note that the contributors to the book have generally chosen for their study the issues that are regarded as contentious and problematic from the human rights perspective such as seclusion of women, veiling, polygamy, divorce, etc. The issue of *hijab*, though not directly related to Islamic Family Law, features as a central issue in the discussion on the reformist strategies proposed by the contributors to this volume. This is, perhaps, due to the fact that it occupies a central place in the current debate in the West on human rights and the civil liberties of women, especially Muslim women. It is also a major theme of the campaign launched by the international feminist movement for the elimination of every kind of discrimination against women. This movement regards *hijab* as a symbol of oppression perpetrated on Muslim women.

The issue of polygamy has also been given considerable space in the book. This is also because the Western mind considers it a discrimination against women. Ironically, the West objects to polygamy but in practice condones and endorses the practice of men having regular sexual relations with women other than their legal wives. The contradiction between these two attitudes — opposing Islamic polygamy on the one hand and cheerfully accepting extramarital sexual relations on the other — is conveniently ignored. It goes without saying that polygamy is not at all a common practice in the greater part of the Muslim society; it is a practice to which recourse is made in most Muslim societies in extraordinary circumstances. This contrasts sharply with the accepted practice of having several mistresses and girlfriends which is a common in the West.

Unfortunately, the present study identifies religion as the culprit and holds it responsible for oppression and discrimination against women. Moreover, secularism and the Western notion of human rights are claimed to be the route to freedom of women. It regards conventions such as CEDAW (Convention on the Elimination of All Forms of Discrimination against Women), ICCPR (International Covenant on Civil and Political Rights) as standard-setting legal instruments for actualising women’s human rights. The fact is that the injustice, inequity, indecency and oppression meted out to women in some Muslim societies is not because of Islam; it is rather inspite of it. The Qur’an and the Sunnah frequently emphasise that wives be treated with compassion, respect, consideration and sensitivity. As regards the reformation of Muslim Family Law we are of the view that to build the proposed reformist strategy on Western notions of human rights will only lead to the disintegration of the family life in the Muslim countries. The
Muslim countries should, therefore, build their own reformist strategies and pursue their own agenda in the realm of Muslim family law which should be inspired by the teachings of Islam and the Islamic norms and values that give Muslim family life its distinct tone and tenor.

Muhammad Tahir Mansoori


Is it an Islamic duty to “save the earth”? How can religious faith contribute to establishing a better environment and combating injustice? What is the role of religion in building the “new world order”? How can we honestly be “true to this earth”? These are some of the questions raised in a volume comprising a number of interesting essays which seek to explore the connections between some of the most serious global problems and the challenges they pose to various faiths. Although already a few years old, the book is still topical and important.

The first part of the book is a descriptive presentation of some problems that are actually confronting the world today in the fields of ecology, politics, economics and science. The second part of the book consists of direct or more indirect theological reflections and responses to each one of the chapters of part one, and thus the book is an “interweaving of fact and hope” (p. 8).

In the first chapter Gwyn Prins discusses the ecological issue, which includes an analysis of the “strange death of environmental politics” (pp. 17 ff). The great environmental movements of the 1960s and 1970s, and their political variances (“green parties”) of the 1980s, attract increasingly less interest. This is mainly due to the success of implementing “ecological modernisation” to the general opinion, i.e. the idea that societies can modernise themselves out of the ecological crisis. This is a paradox because the ecological crisis is actually a questioning of the modern premises such as the belief in the market, science and technology, which are nowadays surprisingly presented as the only solutions to human social problems. Religion has still a role to challenge such “modern” solutions. Perhaps we have been once again