

**Islaamic Rulings for Incarcerated Muslims:  
Volume One: A Compilation of Verdicts and Rulings**

*Various Ulaama of Ahlis-Sunnah Wal-Jamaa'ah  
Dallas: Tarbiyyah Bookstore Publishing, 2007. 96 pages.*

Even in an age of digital research, printed books that can be held in one's hands and read are far from being relics of the past. This is doubly true in the restricted environment of an American prison, where access to the Internet is out of bounds but books may be obtained through mail order or prison libraries. This publication seeks to overcome this Internet access gap by printing questions from an online Prison Q & A Forum as a slim booklet. It represents the new challenge posed by the fatwa-on-line phenomena, its influence in diverse settings, and the complexities of conflicting notions of religious authority. Eighty questions, purportedly from incarcerated Muslims in American prisons, are answered by thirteen shaykhs and published by a bookstore, self-described as "revolutionizing authentic *salafee* publishing" (back cover).

Numerous questions in this booklet are familiar to Muslim prison chaplains, who are professionally trained to prioritize and negotiate religious accommodation within correctional institutions. For example, Question 11 reads: "I am locked in the cell with another Muslim and there is not enough room for us to pray side-by-side. Can we then pray with one of us in front of the other?" (p. 19). One shaykh says that it is permissible to do so because of the situation, reflecting the principle that necessity may alter prescribed ritual requirements. However, addressing this and other questions without an

on-site Muslim chaplain to assess not only the question but also the questioner and the abnormal circumstances of prison society is inadequate as a resource for reliable religious accommodation.

The authors unduly simplify individual issues that Muslims of varying legal schools may interpret differently. For example, questions regarding dress and the length of one's beard are represented by the most conservative and restricted viewpoint. On page 24, the question "Is it permissible for you to trim your beard?" is answered "No," citing various textual references. Missing is any mention of variant or even more relevant positions: the fact that incarcerated individuals may have no choice in this matter, as religious provisions within prison policies often mandate maximum lengths for beards.

Other questions: "With regards to wearing the pants below the ankle; when we see someone in this condition, should we remind him once or every time we see it? Also, is there any reason that wearing pants below the ankle would be permissible?" Both the questions and answer in this case seem to be formulated from a viewpoint that may be inappropriately tendentious for a prison chaplain. The answer, "The *Musbil* (the one who allows this garment to go below his ankle) is committing one of the major sins in Islaam" (p. 39), is followed by a discussion with contradictory points about whether this "infraction" is done out of arrogance or not. It then concludes: "For both cases, if done out of arrogance or not, that these [clothing violations] are major sins" (p. 40).

In contrast to the lengthy discussion on this particular sin, a question on divorcing one's wife over the telephone requires only one short paragraph: "Yes! If a man, for example, uses a telephone and he divorces his wife, the divorce takes place even if at that moment he was not talking to her (directly in her presence) ..." (p. 42). The potential for generalizing and misapplying Islamic rulings to an inmate's decision based on the information provided presents critical and unconscionable problems. What happens if this booklet is the sole source of information given to inmates with little or no critical thinking skills, unable to address their questions to a Muslim chaplain?

One can only conclude that these and other questions on "deviant" translations of the Qur'an and other topics were presented to overseas shaykhs who are unfamiliar with the legal and religious parameters of chaplaincy in American prisons. This booklet does not serve the interests of incarcerated Muslims (many of whom are new converts), because it does not meet their essential educational need for in-depth prioritization of practices for Muslims in this particular environment. It also fails to address differing points of view and to afford incarcerated Muslims the parity of their First Amendment rights. Further, the dangers of ideology embedded in the questions may pro-

mote to inmates a type of anti-authoritarian attitude that undermines the Muslim chaplain's authority. This makes it hard for inmates to focus on the real work of spiritual self-transformation.

This booklet lacks understanding of Islamic chaplaincy's broad role in prison, which includes legitimate religious representation and accommodation for prison inmates, with a clear recognition that such accommodation must be for all. It is crucial for Muslims working in American prisons, of whom I was one for eight years, to adapt teaching and counseling to meet the setting's educational needs and legal limitations in order to best serve the inmate clients and the correctional facility in which they work.

Fortunately, good-faith efforts to support the professional education and organizational efforts of Muslim chaplains in major public institutions (e.g., prisons, hospitals, universities, and the armed forces) are being initiated by ISNA, Hartford Seminary, and the Zaytuna Institute. While some private scholarships are available, many more are needed in all areas of chaplaincy.

Muslim chaplaincy training combines religious education and training in pastoral counseling with the vital knowledge of the related work environment. Only trained Muslim chaplains and scholars familiar with all of these areas can produce viable prison programming and literature that will raise the standards of this applied chaplaincy and put helpful and hopeful books in the outstretched hands of incarcerated Muslims looking to reform and better their lives.

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