

**Interpreting ‘Living Law’ amongst Muslim Women in the
UK**

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In the Name of Allah, the Most Gracious, the Most Merciful.

Read in the name of your Lord who created, created man from a clinging form. Read! Your Lord is the most generous, who taught by means of the pen; taught man what he did not know.

Acknowledgments

After an intensive four years of studying for my PhD, I want to dedicate an entire page in my thesis to acknowledge the individuals around me that have had a colossal impact on the contribution that has led to the completion of my PhD. I would like to reflect on these people who have assisted and supported me in many ways.

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By also being the youngest member of my family, I would like to give my gratitude to my family for increasing my confidence and self-reassurance at the time when I most needed it. I must express my very profound gratitude to my parents for their continual assistance and prayers that I become successful in my studies and that I attain my deepest desires in life.

To Sadaf, Shamila, Shazeena and Arslan

Abstract

The main objective of this thesis is to capture, describe, understand and articulate the ways in which Muslim women view and interpret crime, deviance and moral dilemmas in contemporary society. This study will evaluate the contrasts and overlaps between religious ideologies, cultural values and secular norms in relation to Muslim women's comprehension of moral dilemmas which involves prohibitions in Islam.

The present study will also capture how Muslim women formulate living law, how they come to the knowledge of what informs their perspective about crime, how they react and respond to crime and deviancy and how they interpret moral codes, which draws on the concept of legal pluralism. This will involve the discussion of how Muslim women interpret religious and secular norms in Britain which will result in the comprehension of what is central to their daily lives.

The theoretical framework that will be adopted to anchor the current project is **legal pluralism** and **living law**. The current project draws on the renewed interest in 'living law' as originally espoused by Eugen Ehrlich. Ehrlich recommends that to better comprehend how respondents live their everyday life under the living law, then an in-depth study should be conducted that will allow a clearer comprehension of how respondent's view their surrounding environment, social behaviour, habits and how moral codes are interpreted.

The current project embraces a qualitative approach, by using 30 semi-structured interviews to explore and capture Muslim women's interpretations and views in response to moral dilemmas, crime and deviance in contemporary society. This sample is comprised of a range of Muslim women in the UK that self-categorised themselves to be less adhering Muslims and more adhering Muslims.

Key to Transcripts

R: Respondent

MPR: More Practicing Respondent

LPR: Less Practicing Respondent

IFR: Islamic Feminist Respondent

CR: Convert Respondent

... Pause

(...) Material edited out

AK: Interviewer

Prologue

Before the commencement of the current project it is vital to draw upon the major incidents that took place in 2017. This is important for setting the context against which my data was recorded because such events are important to public and media debates as it strongly interlinks with how Islam and Muslims are being framed and discussed.

- Westminster Bridge vehicle attack and stabbing = 22/03/2017
- Manchester bombing = 22/05/2017
- London bridge and Borough Market attack = 03/06/2017
- Van hits pedestrians outside mosque = 19/06/2017
- The London train explosion = 15/09/2017
- Acid attacks = *Currently ongoing*

This was the year the current project undertook 30 semi-structured interviews with Muslim women. It is of high significance to draw upon these events as I discovered that, similar to what Abbas (2010) has commented on in his article, the study of Islam and Muslims in Britain has been compounded by several local, national and international factors (briefly outlined above). Such tragic events inevitably had an impact on how the interviewees responses were formed. It is clear from the onset that the current project is focusing on moral dilemmas, but I discovered that due to the complex sociological issues, there develops this additional dilemma for myself and the interviewees as we are having to navigate the terrain of what is comprehended and perceived to be or is actually part of one's unique lived experience.

Such events were not only profound for the respondents, but as a matter of fact, such events were profound for me too, especially as a researcher as I had to work towards gaining the trust of my participants to share with me their most deep, intense and secretive stories that were perhaps, not revealed before to anyone as claimed by some of the respondents. Fortunately, I was also able to capture many different experiences that emanated from the interviews which depicted the struggles the respondents were encountering through their journey of being affiliated to Islam. A range of emotions were felt by the respondents that varied from; being afraid or embarrassed of visibly being Muslims in public, to feeling a passionate conviction in Islam and wanting to prominently display their belief in public, in forms of attire and etiquette, for instance.

Further to this, I have encountered many interesting and intriguing aspects from this study as I discovered that some Muslim women irrespective of being a 'more practicing Muslim' or a 'less practicing Muslim' were placed in many different and unique moral dilemmas. Moral dilemmas can have multiple interpretations, which can be described as either sins that were transgressed in Islam, or secular norms that were in conflict with Islamic principles, or prioritising cultural norms and codes over secular and religious codes. Some respondents have experienced both sides of this coin, being more adherent and less adherent which makes their individual narrative of moral dilemmas that much more unique because their living law changes as their practicing levels change.

I also discovered that when some of the participants had verbalised their codes and norms that inform their living law, then this indeed, seemed to come as a shock to some of the interviewees as until this point they were ambivalent regarding what norms they prioritise. Only then did the understanding begin to dawn on the interviewees as to their reasons for why they chose to prioritise certain norms and codes over others. As prior to this project, the interviewees did not really give much thought to which norms they chose to heavily rely on. Only and only when such discussions were brought to light, exposed one's real self-identify. How reliable is it when individuals claim that they completely know themselves and are cognisant of what norms they would heavily rely on to escape a certain moral dilemma they have not yet been subjected to? To overcome this problematic nature, I discovered that a strong theme that emerged amongst the respondents was that they wilfully described their own moral dilemmas and lived experiences that were highly pertinent to the topic at hand.

It is the main objective of the current research to explore these everyday moral dilemmas and struggles closely. The current project examines how Muslim women face many challenges in embracing certain Islamic lifestyles as they are not only constructed by various non-orthodox approaches to Islam, but also how they are fashioned by European discourses and ideals. Additionally, the project also scrutinises how Muslim women manage on a practical level with the everyday complications of living a religious life, if so, in contemporary society which has become more hostile to the visible and discernible forms of Islamic adherence portraying piety. Due to this, one's living law code is difficult to fathom as there were several religious, cultural and secular moral codes the interviewees chose to opt from. The current thesis will also

investigate how Muslim women formulate very painful and at times difficult compromises regarding the opted codes to disentangle themselves from their moral dilemmas.

All the respondents that undertook the interviews have been anonymised for the sake of confidentiality. The participants that welcomed me into their lives and on their journey whether this was a more of a practicing route or a less practicing route, I was able to share with them their happiness and their misery, as well as witnessing the beginning of professional careers, seeing how sacred acts such as marriage were forged and ended willingly and unwillingly and being able to emotionally support some individuals that experienced the passing away of a close family member or a close friend. Such significant events helped me to intimately comprehend the interdictions, the stipulations, and etiquette that characterise the way of life Muslim women chose to interpret and live by, in their day-to-day life.

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I: INTRODUCTION

Aim

To critically explore how Muslim women, make sense of living law (informal law).

Research Questions

- What are Muslim women's views and experiences in response to transgressing Islamic prohibitions?
- How do Muslim women respond to moral dilemmas that revolve around prohibitions in Islam?
- What are the moral codes that inform Muslim women's decision to disentangle themselves from moral dilemmas?
- How and why do Muslim women prioritise and deprioritise certain religious, cultural and/or secular norms when forming their living law?
- Why, if so, is living law modified, strengthened or weakened?

The current research will critically explore how Muslim women understand and make sense of how their living law is formulated and how it functions on a day-to-day basis. The term 'living law' will be fully explained in the literature review as a core concept in this study. However, the term 'Islamic prohibitions' will be addressed and explained here. When the term 'Islamic prohibitions' has been utilised in the above research questions then this is a wide spectrum that can encompass almost anything under the topic of crime and deviance. Therefore, I felt that it is more beneficial to restrict the open interpretation there exists for the term 'Islamic prohibitions' by relating this to two main themes; what is deemed to be *halal* and *haram* in Islam and how and why there seems to be a level of acceptance which concerns the lack of adherence to certain Islamic obligatory injunctions. Some of the Islamic obligatory practices encompass; the five pillars of Islam, attire, relationships before marriage, the consumption of certain types of food and drink, employment and so forth.

Introduction

The literature review is consists of two main chapters. The first chapter addresses '*living law and legal pluralism*' whilst the second chapter engages with '*Islamic feminism*'. The first chapter is divided into six main segments detailing the current projects aim and research questions. The divided sections will incorporate: *morality; living law; legal pluralism; Islamic jurisprudence; cultural, religious, and secular codes informing ones living law and organised and non-organised religion.*

The first section of the first chapter focuses on '*morality*'. This discussion critically explores: *legal regulation of morality; morality, crime and religion; morality, crime and studies of other faith-based codes* and lastly, *morality, crime and Islam*. This will facilitate the understanding of how and why moral dilemmas may exist for Muslims, particularly in a Western democratic or secular State.

The discussion on morality will add to the understanding of how moral dilemmas may develop for Muslims, but the subsequent section from morality will explore '*living law*' as this section will provide an insight into how an individual extricates themselves from their predicaments. Living law is the first theoretical framework that has been selected for the current project. This section will go on to explain; how and why living law is an apt concept in which to frame the current project, critically explore *hisba* and what is prohibited in Islam, but not prohibited in the UK *per se* to gain a better understanding of how and why the interviewees in the UK navigate between different codes.

The third section will critically explore the second theoretical framework the current project has embraced, '*legal pluralism*'. This section is comprised of two main sub-sections which consist of; *legal pluralism in a secular State*, and *legal pluralism in the UK*. It is significant to draw upon legal pluralism to comprehend the different ways in which legal pluralism may resonate with the lives of Muslim women and if legal pluralism plays a major or minor role within one's living law.

The fourth section under the first chapter will go on to explain the different Islamic codes that may inform one's living law. This is comprised of; the *six pillars of Islam, the five pillars of Islam, five categories of ruling, fatwa, the Qur'an, the hadith* and *Al-Uqubat* (Islamic Criminal

Law). It is common knowledge that *Al-Uqubat* is not implemented in the UK, nevertheless this thesis will illustrate that at times, some individuals may closely adhere to the Islamic rulings purely because of the substitution of *Al-Uqubat*. In other words, it is possible there may exist other forms of cultural punishments that may be implemented on individuals for the transgression of Islamic rulings. Such religious and cultural punishments may contribute to how one perceives crime, deviance and moral dilemmas that may result in certain codes and norms informing their living law.

In addition, such different angles within Islam are crucial to explore as this may inform a Muslim's sense of living law, given that they believe in Islam. Moreover, the study of religion has prompted considerable attention and much interest from practitioners and researchers alike (Hatem, 2016: 124). However, regardless of the volume of religious studies, the specific concept of 'living law' is still very much under-represented in the literature, particularly in relation to religion. Religion is of the most influential and widespread social institutions that is known to have an imperative influence and an impact on many people's values, behaviours and attitudes for both, the individual and the society (Mokhlis, 2009: 75).

The fifth section will discuss *cultural, religious and secular codes* to provide a complete picture of the different codes and norms that may inform one's living law and the possible reasons for why certain codes are prioritised over others.

The last section within the first chapter will delineate how *organised and non-organised religion* plays a major role in how living law is constructed. It is imperative to acknowledge that multiple versions and interpretations of Islam exist as the selection criteria for the current project is for the respondents to be a Muslim woman (and over the age of 18 due to ethical reasons), irrespective of being affiliated to organised or non-organised Islam. Consequently, it is better to widen one's understanding of how different interpretations and practices for the same ruling within Islam for instance, inevitably plays a different role within one's living law.

The second chapter within the literature review will critically scrutinise *Islamic feminism*. This will encompass: *the struggles of being a Muslim women; law, culture and religion; the moral dilemma concerning the hijab; key contributions of contemporary Islamic feminist scholars; the reinterpretation of scriptural texts; acquiring Islamic knowledge and gender*

inclusiveness concerning public worship. The current project embraces Islamic feminism through the lens of a philosophical approach to make sense of how Muslim women choose to navigate around religious and or secular norms, if so.

Before exploring women in any human group, it should be acknowledged that a study is best analysed when certain inferences are incorporated, such as; gender roles, religion, social structures, cultural symbolisms, the position of the family unit and the power and authority of relationships (Ramadan, 2009: 207). The current project will attempt to capture how Muslim women make sense of what is right and wrong, how they interpret morality and how they articulate and make sense of the world. The study will also seek to examine the mechanisms through which Muslim women acquire knowledge about Islamic law; how this informs their day-to-day practices (if at all) as well as any conflict they may experience between the Islamic law, their cultural codes and secular norms they may have succumbed to.

II: LITERATURE REVIEW

PART I: LIVING LAW & LEGAL PLURALISM

Morality

It has been estimated that about one-fifth of the world's Muslim population, live in countries where Islam is a minority religion (Kenny 2015:159). There has been much interest in whether religion reduces, increases or has no relationship whatsoever with crime. Before exploring the relationship, religion may have with crime, deviance and moral dilemmas, it is significant to first come to an understanding of what constitutes morality and how morality is defined from a sociological and religious perspective. This section will then examine the relationship morality has with crime, religion and Islam in the Industrialised West. Such detailed information will increase the understanding of the relationship between morality and Islam.

There has been much research on the subject of 'morality'. Morality and moral philosophising have always gone hand in hand with theological questions which include transgressing laws or natural (divine) laws. Moreover, religion has influenced legal codes which in turn also address moral questions. A question may be raised for example, to what degree do contemporary legal codes (internationally) owe their origin to theological and moral conceptions of the world and the regulation of societies? For example, in the UK the question of permitting suicide or euthanasia has been long resisted by a House of Lords which comprises Lords Spiritual representing the Church of England. Even many secular codes have connections to Abrahamic prohibitions on killing, theft and war.

The issue of morality has been subject to examination in recent years by many Sociologists. In *Social Determinants of Moral Ideas* (1970), Ossowska contended that it is unfathomable that a Sociology of morality does not exist as an essential foundation within the field of Sociology and makes a request for a Sociology of morality (Ossowska 1970:27). Likewise, Gouldner (1970) referred to the absence of a Sociology of morality as a 'structural lacuna' (Gouldner 1970:104-141). The current project will respond to the plea of the above sociologists by contributing towards the field of 'morality' as the current project's main objective focuses on how Muslim women navigate around moral dilemmas, deviance and crime. This undoubtedly

will incorporate the level of morality that exists and how morality plays on the decisions that are adopted by Muslim women which informs their moral codes.

To begin, the current chapter will define morality. The term ‘morality’ means what is right and wrong, what is lawful and unlawful and what is acceptable and unacceptable. It is crucial to note that humans live in an era where the term ‘morality’ changes every so often (Broom 2003: 176). The frequency of the change occurs according to one’s; experience, religion, culture, societal circumstances, legislation and policies. Some rules, situations and cultural practices that were completely unacceptable in the past have at present become acceptable. For example, house-husbands and premarital sex no longer incite the immoral label among the middle and upper classes it once did. All in all, standards are frequently changing (Newman 2008: 98). The constant changing definition of morality is crucial to incorporate as the first analysis chapter will focus on the ‘*moral compass*’ which will manifest the different levels of morality the respondents have and how and why their living law is composed of certain norms.

Legal Regulation of Morality

The current project will benefit more by accentuating and exploring the concept of, ‘legal morality’ prior to discussing morality with crime and morality with religion as this will offer a productive basis with which to develop a thoroughly sociological and criminological appreciation of morality. Morality and criminal policy in general are described as serving the purpose of ‘achieving social good.’ A pertinent example that can be provided is the case in Egypt. According to the Preparatory Memorandum to Law No. 14 of 1999 (which repealed Article 291 of the Criminal Code), Egyptian jurists have recently explored ways in which a woman may legitimately have her virginity ‘restored’ and the repudiation of the provision of the Egyptian Criminal Code that proscribes the prosecution of a man who abducts a woman and then marries her. In both cases, such law has contributed towards increasing female honour and increasing the level of morality (Dupret 2001:165-183).

The extent to which the law should concern itself with moral questions and the degree to which morality can be left for each individual’s conscience is a difficult question. It is vital to note that the central theme of the legal regulation of morality, particularly where there is no specific harm to others, exists more today than ever before that encompasses a wide range of controversial issues. Legal moralism relates to whether the law ought to or does, in fact, enforce

moral standards. For example, it is argued whether the law should restrict or prevent pornography, homosexuality, prostitution, euthanasia, stem cell research, assisted research or gay marriage (Lukes & Prabhat 2012: 364). Many have grappled with this subject since the ancient Greek philosophers, and perhaps even before. Most notably, in the 20th century, the debate was taken by Lord Devlin and HLA Hart (Heilbronn et al., 2008: 16).

The debate between Hart and Devlin rose out of Devlin's arguments in a lecture later entitled, '*The Enforcement of Morals*'. In Devlin's lecture (1959), he disputed the inferences of the Wolfenden Report (1957), which contained the findings of a Committee investigation regarding prostitution and homosexuality. The writers of the Wolfenden Report addressed the United Kingdom Parliament, highly recommending that the English law proscribing homosexual behaviour between consenting adults in private should be revoked. According to the writers of the Report, the proper concern of the criminal law is not private conduct. They asserted the proper concern of the criminal law is to safeguard individual citizens. Devlin condemned the findings of this Report and argued that the proper concern of the criminal law is to protect society and that concern is related to the prohibition of immoral acts, even those perpetrated in private. According to Devlin, the moral purpose of the criminal law is not confined to laws aimed at protecting individuals from other individuals' conduct. Somewhat, the criminal law serves to defend certain accepted social values which the society is composed of (Culver 1999: 321).

On the other hand, Professor Hart argued against the perspective that anything that was considered as objectionable or as an aberration could, or should, be made unacceptable. Hart further argued that a society's right to protection should not extend to a protection against the knowledge that some individuals were acting in a way that others might find objectionable. According to Hart, it was not adequate for any demeanour to be perceived as offensive. Hart believed that the fundamental moral question that should be asked is, 'under what circumstances does society have the 'moral' prerogative to enforce and subject its morals on others'?. Consequently, such a principle provides the liberation for everyone to decide for themselves whether something is detrimental but restricts them from inflicting their beliefs upon others. Hence, the individual is entitled to their own choice, but will be confined from imposing their beliefs upon others (Heilbronn et al., 2008:16).

Interestingly, Philips and Smith (2003) conducted a qualitative study in this field which focused on everyday incivilities confirming that people have the propensity to take moral stances toward behaviours that are not necessarily unlawful, but which are deemed to be unacceptable and forbidding in nature (Phillips & Smith 2003: 85). The inclusion of the above studies that have been outlined under this section are vital to incorporate as it evinces that some individuals are against unacceptable behaviour from the perspective of society, which perhaps maybe legal. It is possible to fall in moral dilemmas because of one's personalised definition of morality as has been discussed. Moreover, this provides an insight into the conflict that may exist between religious and secular laws as the secular law has been officiated by the State and the religious law is non-officiated by the State. However, there is a need to emphasise that there exists some blurriness between the officiated and the non-officiated State because secular law may have religious origins and theocratic states may also incorporate secular or international moral frameworks. The religious law, as has been evident in the first analysis chapter, produces moral dilemmas for Muslims irrespective of not being recognised by the State as some Muslims prioritise religious laws over secular laws (more detail will be provided in the '*Moral Compass*' chapter under the theme '*Secular Obligation*').

Morality, Crime and Religion

Moving on from legal morality, it is worth discussing the strong correlation that exists between morality, crime and religion. Crime is defined by legal codes that echoes ethics, but morality does not consistently coincide with legality (Cromby et al., 2010: 5). Some have evinced that the relationship between morality and religion plays a crucial role that helps to understand the reduction of crime levels and inevitably an increase of morality. Research that has illustrated the relationship between the level of religiosity and criminal behaviour is based on self-reported measures of criminality. For many years, the relationship between crime and religiosity has been a subject of interest for religious practitioners, sociologists, and criminologists (Elifson et al., 1983: 505). Irrespective of countless theoretical reasons for expecting religion to have an impact on social conformity, social scientists cannot clarify with any supporting evidence whether religion inhibits deviancy (Tittle and Welch 1983: 653).

Classical theorists, such as; Durkheim ([1897] 1951), Marx ([1844] 1978), and Weber ([1904-5] 1958), claimed that religiosity, is an agent of social control that encourages conformity and reduces the level of deviancy by accepting social norms and internalising moral values.

Durkheim questioned the existence of moral order and meaning in contemporary society. Durkheim's theory manifested a deep appreciation of the permanence religion has in social life, particularly the larger function played by religion in creating the overarching values for society (Tole 1993: 1). For instance, Durkheim argued that religiosity is a form of social control as it endorses conformity and accepts social norms. This inevitably reduces deviancy through the internalisation of moral values. For Durkheim, society was the foundation of both religion and morality (Hoffmann & Bahr 2006: 266).

Philosopher Henri Bergson's also asserted that religion and morality are entwined and are believed to complement each other (Germino 1982: 148-152). Other researchers have also demonstrated that religious practices have their own distinct and semi-autonomous effects on the moral self (Ebaugh and Haney 1978; Thornton and Camburn 1989; Wilcox 1992; Greeley 1993; Spicer 1994; Manza and Brooks 1997; Meier 2003) which results in the increase of embodied practice that concerns religious realities, morality and selves (McGuire 1990; Hall 1997; Mellor and Schilling 1997; Warner 1997; Ammerman 2003 & Neitz 2004).

However, scientists (Lombroso 1911; Bonger 1916; Middleton and Putney 1962) were rather sceptical about the existence of such a relationship and even suggested a positive relationship between these variables. For instance, even the foremost control theorist, Travis Hirschi ascertained that religiosity does not have any impact on self-reported delinquency, so consequently Hirschi excluded religiosity as a crucial aspect of his study (Hirschi & Stark 1969). In spite of Hirschi and Stark's (1969) findings, every study after that specific research reported that religiosity was affiliated to lower levels of self-reported criminality amongst adults. But it was ascertained that this was more prevalent amongst juvenile delinquents as religiosity had an influence on victimless offences, such as; the consumption of alcohol, the consumption of drug use and premarital sexual intercourse, than on victim crime (violent or property offences) (Burkett and White, 1974; Higgins and Albrecht 1977; Scott and Al-Thakeb 1977; Jensen and Erickson 1979; Bock et al., 1987; Cochran and Akers, 1989; Grasmick et al., 1991; Junger and Polder 1993). It is significant to critically explore the relationship morality has with crime and religion as the current thesis is focused on how and if religion plays an important role for respondents when placed in moral dilemmas (the relationship between the respondent's morality level and religion has been demonstrated in several different ways by providing many examples throughout the four main analysis chapters).

Morality, Crime and Studies of Other Faith Based Codes

Stark et al., (1982) argued that religion prevents individuals from perpetrating norm violations to the degree that the individual is embedded in a moral community. According to Stark et al., religion and morality are concomitant as it is believed that religion has a significant impact on crime rates and delinquency, specifically in reference to Islamic communities as they are deemed to possess a moral climate that inevitably results in lower levels of delinquency and/or crime (Stark et al., 1982:15-17). Before indulging in the relationship between morality, crime and Islam, the current section will briefly outline studies of other faith-based codes.

The key contentions from studies of other faith-based codes is that the more salient religion is to an individual and the more the individual participates and engages in religious activities it results in lower levels of deviant and criminal behaviour (Johnson et al., 2000; Herzog 2003; Zhong and Liljenquist 2006; Sachdeva et al., 2009; Jordan et al., 2011; Durosaro et al., 2012; Chui & Wing 2013; Mckay et al., 2013 & Ozbay 2015). Such faith-based studies will not be explored in detail as the current focus is on Islam and not on other religions. However, the reason for delineating the above studies is to illustrate that religion may play a crucial role for followers of a particular religion when placed in moral dilemmas.

Morality, Crime and Islam

The last segment within the first section of '*morality*' will critically examine the relationship that exists between morality, crime and Islam to gain a basic background understanding of the current project's research questions. By interlinking morality with crime and Islam, the nature of this study shifts to a slightly different angle which results in the inevitable discussion of moral dilemmas.

To begin, it has been perceived by some that the Industrialised West triggers crime and immorality amongst Muslims. For instance, some contend that secular values and norms in the Industrialised West are widely held to glamorise immorality, hedonism, and disrespect for religious values, such as, an unrestraint on sexuality (Abdul-Rauf 1972: 30; Smith 1983: 155-184; Haddad & Smith 1996: 21-22). Westernisation is perceived to be a synonym for and cause of immorality that should be resisted by Muslims where possible (Reece 1996; Pieri et al., 2014).

It is clear that after providing the definition of morality at the beginning of this section, there exists a range of immoral acts that can vary from person to person. Under this section, only a few examples will be provided that will illustrate how and why different levels of immorality exist for some Muslims to better understand the responses that have emanated from the respondents presented in the analysis chapter. Before moving on, it should be acknowledged whilst indulging in the topic of crime, that for the current project, the term ‘crime’ consists of a dual interpretation; reference to crime from the legalistic perspective and reference to Islamic rulings that have been transgressed (The issue on dual interpretation has been explored further in the third section on ‘*legal pluralism*’).

To proceed with the topic at hand, some studies have reported that immorality amongst Muslims is growing in the Industrialised West (Abdul-Rauf 1972: 30; Smith 1983: 155-184; Haddad & Smith 1996: 21-22). But, it has been evident that the level of immorality is also increasing throughout the Muslim countries which is framed around debates of religious observance (examples will be provided below). This is relevant to emphasise as some participants that were interviewed for the current project were nationals of Muslim countries. Therefore, to explore how immorality exists globally for Muslims results in a clearer understanding of how morality is perceived, hence a better understanding is gained concerning the topic’s research questions.

The Internet is one approach for understanding how immorality exists and is developing in countries like Saudi Arabia. For instance, the Internet inevitably means that there is access to certain chat rooms. Chat rooms are anonymous which encourages honesty and frankness regarding issues that would be challenging and difficult under other circumstances to discuss openly. It has become prevalent for Saudi women to search the Web from home to discuss various subjects that encompass; Islam, the family, social issues, why the sexes must remain completely segregated and why women have been traditionally prohibited from driving. Such women circumvent utilising public Internet terminals because of the Committee for the Promotion of Virtue and the Prevention of Vice, a form of religious police, eradicating such arrangements which have been made previously. Consequently, women opt to use private internet chat rooms (Pharaon 2004: 365).

The Internet has opened up an entirely new arena for accumulating information (this issue will be explored further in the '*fatwa*' chapter) and for socialisation purposes. However, Pharaon ascertained that discussions concerning social and political issues were not the main use of the Internet but dating and entertainment are. For many years, young women and men have had to meet each other clandestinely or through the supervision of parents, but the Internet transforms this period rapidly as the Internet provides anonymity. Currently, Saudi Arabia is struggling with the repercussions of globalisation's main instrument, the Internet. This is because Saudi Arabia wants to be a part of the 'new economy,' but simultaneously is endeavouring to retain its unique heritage. Hence, the Internet is regarded as both a challenge and an opportunity for some (Pharaon 2004: 365).

The link between immorality and the internet can also be conveyed from a different perspective with the help of Marcotte's (2015) study which was also based in the Industrialised West. The inclusion of this theory is pertinent to the current project as Marcotte demonstrates how Muslims living in the Industrialised West tap into moral dilemmas and how different levels of immorality are conveyed using the internet from a Western perspective. Marcotte focused on how young Australian Muslims living in a Muslim minority context actively liaise with others online. Such discussions encompassed; women's bodies, gender relations, sexual choices and sexual intimacy within the confines of marriage and sexuality-related issues outside of its confines.

Marcotte discovered that many of the Muslim women of the forums tapped into the religious tradition to provide Islamic morals and ethics rather than opting for legalistic readings that will enable them to mitigate some of the consequences and issues they were confronted with. Marcotte argued that Muslims feel that they must respond to such questions in such a way that is acceptable to the non-Muslim community because Muslims want to relate morality with modernity that depicts Muslims as being civil, keeping up to date with societal changes, and preserving 'Islamic' progressive values. The results from Marcotte's study are very similar to some of the respondents that were interviewed for the current project (examples are presented throughout the analysis chapter). This study has demonstrated the challenges and the growing contestation that exists within the Muslim community residing in the West regarding specific Islamic injunctions, teachings and influences that Muslims may be subjected to (Marcotte 2015: 80). The inclusion of this theory is relevant to the upcoming '*fatwa*' section under Islamic

jurisprudence which encompasses how some of the respondent's manoeuvre around Islamic injunctions, teachings and influences Muslims may be susceptible to.

This section commenced by defining 'morality', accentuating the social theories that relate to morality, crime and religion and then by providing a critical exploration of the relationship morality has with religion, Islam and crime. It is crucial to incorporate such topics as this section will better equip one with a better understanding of how and why different levels of morality exists for particular individuals and possibly the reasons for why this occurs which causes the levels of morality to either weaken, strengthen or to fluctuate.

At present, there are currently limits, prescriptions and prohibitions within Islam that informs the level of morality which will enable a profound understanding of the complexities, solutions and possibilities of moral selfhood in contemporary society. It is the persistence of religion and related questions of moral order and meaning that results in the pertinence of exploring religion and morality that will provide an insight into the lived experience of 'living law' amongst contemporary Muslim women. On a more theoretical front, the current project complements contemporary work on 'lived religion' (Hall 1997; Orsi 1999) by illustrating that morality, like religion, exists not just in discourse and doctrine, but also in the focal arena of everyday social practice (MacIntyre 1984; Taylor 1989; Bender 2003; Winchester 2008).

Overall, it is significant to understand the status of ethics and the varying levels of morality that exists in the lives of individuals in contemporary society. This pertains to all ideologies, to all individuals, to all cultures, to all religions, whether the individual is a more practicing or less practicing adherent, an atheist or an agnostic. Ramadan (2009: 34) acknowledged that secularisation has never meant the eradication of moral and ethical references from the public sphere, but rather to differentiate between different spheres of authority. Consequently, the level of morality should still exist irrespective of one's background. The current project will explore this by determining to what extent does morality exist and if the level of morality informs one's day to day practices, especially that which may relate to crime, deviance and moral dilemmas.

Living Law

The theoretical framework that will be adopted to anchor the current project will be living law and legal pluralism. This will lead to the discussion of how the official and unofficial law has an impact on the day-to-day life for Muslims in the UK, which has been proven to inform their moral code in contemporary society. This will facilitate the understanding of the behaviour, attitude, and conduct of Muslims, particularly in certain scenarios where Islamic teachings may fall into conflict with indigenous norms in the Industrialised West. Hence, it is crucial to examine the diversity of norms that governs the behaviour of Muslims as it may provide an insight into why Muslim women interpret and experience 'living law' in certain ways which will add on to the understanding of what informs their code when applied to moral dilemmas, deviance and crime.

This section will encompass the social context of religious codes, secular codes, living law and legal pluralism that will help to explore some contours of social control in Muslim communities. The contribution of the present study to the extant literature is significant because it will be one of the very few individual-level studies that will focus on the relationship between Muslim women and their relationship with living law (informal law) in a secular State. For example, Bano's (2012) study focused on the formal *Shari'ah* courts, but the informal forms of control which extend from Islamic rules and conduct has been neglected to an extent which the current thesis aims to encompass. As a result, the current project will fill this neglected and identifiable gap in academic knowledge.

Before moving on to the definition of living law, it is first crucial to discuss the founder of the term 'living law'. Eugen Ehrlich (1862-1922) was an eminent Austrian legal theorist, a professor of Roman law and the founder of the Institute (Seminar) for living law. Ehrlich (2002) was one of the first scholars to acknowledge the plurality of normative orders. Many perceive Ehrlich as one of the founders of the modern Sociology of law. Ehrlich's theory of 'living law' is currently being utilised and applied for studying normative pluralism that is inherent in different working normative orders. In '*Fundamental Principles of the Sociology of Law*', Ehrlich differentiated between the law produced by the State (juristic law and statutes) and informal norms created by non-State social associations (living law).

According to Ehrlich, 'living law' dominates everyday life and consists of different rules that can encompass; law, religion, ethical customs, morals, decorum, honour, tact, fashion and of etiquette. Ehrlich argued that law and society are interdependent and stated that "law is shaped by society and shapes it at the same time" (Ehrlich 1916: 586). It is imperative to acknowledge that when the term 'living law' is utilised in the current project then Ehrlich's definition of living law has been embraced which is synonymous to the term 'informal law'. However, the critique of this definition is that the term 'living law' does not comprise one single definition. A study of this nature can be very time consuming as everyone's definition of living law can range from religious, cultural or/and secular norms which the current study will aim to ascertain.

Moving on, much scholarly literature in anthropology has demonstrated that the laws of the State are practically absent in everyday life, although 'informality' is omnipresent (Wegerich 2006; Ilkhamov 2007; Kandiyoti 2007; Trevisani 2007; Markowitz 2008 & Rasanayagam 2011) and that living law has surfaced independently of the State law (Banakar 2008; Svensson 2013). Similarly, Muslim women in the current research adhere to different cultural, secular, feminist and religious codes that constitutes their living law which is independent of the State law.

The current project draws on the renewed interest in 'living law' as originally espoused by Ehrlich and currently exemplified by certain studies, such as Urinboyev and Svensson's (2013) research, entitled, '*Living law, legal pluralism, and corruption in post-soviet Uzbekistan.*' Urinboyev and Svensson reported that the laws and regulations of the State are not the only regulators of social, political and economic life in Uzbekistan. There are in fact other competing (informal) normative codes or 'living law' that has an influence on social conduct and everyday life beyond the laws of the State (Urinboyev & Svensson 2013: 372). Urinboyev and Svensson's research provides an insight into how living law is constructed in an Islamic State by Muslims. The current project is different from Urinboyev and Svensson's study as the current project will focus on Muslim women in a secular State. Nevertheless, the current project will not just explore how living law is constituted but also the different reasons for why Muslim women have selected certain codes of living law that, at times, prioritises or de-prioritises other codes that informs one's living law.

For instance, it was reported that Muslim youths may undergo a significant degree of peer pressure mainly because their beliefs and practices are clearly distinguishable from secular norms and values (Mahmoud 1996: 122). An example of this is that of traditional secular dating habits which includes the engagement of having sexual relations. Such proclivities are incompatible with Islamic values (Haddad & Smith 1996: 21-22). This can provide an insight as to the reasons for why, if so, some Muslims substitute their religious codes with secular codes when informing their living law because of pressure. To add on to this research, the current project did not only encounter the reasons for why one's living law changes because of interaction with non-Muslims but also due to exchange with fellow Muslims (This issue will be explored further in the section entitled, '*Secularism and Islam*' under the fourth analysis chapter).

Another example that can be provided that informs some Muslim women's living law is that some Muslim women choose to wear the veil or the *hijab* as a manifestation of their religiosity (Mahmoud 1996: 121) rather than shying away from Islamic norms as was the case in the first example. Both different examples suggest that selecting a certain code of living law is selected for different reasons, either because Muslim women are resilient to the Western culture or because Muslim women have succumbed to the pressure of embracing other Western norms and values that constitutes their living law. This suggests that there are different informal laws that are adapted by Muslims for different reasons which suggests that the concept of living law is unique for everyone.

Furthermore, Pieri et al's., (2014) ethnographic research is also highly pertinent to incorporate within the current section as they scrutinised how living law operates. Pieri et al., exemplified that morality, crime and religion are strongly interlinked after exploring how sin (Islamic prohibitions) has been defined amongst Muslim communities in Britain, Nigeria, Indonesia, Malaysia and Singapore. Pieri et al., discovered that the forbiddance of sin has resulted in attempts to initiate '*Shari'ah Zones*' in certain predominantly Muslim areas. For example, in some Nigeria States the reintroduction of the criminal codes of the *Shari'ah* have been implemented and in Indonesia there is a rise to the Islamic Defenders Front (Pieri et al., 2014: 37-38). Similarly, in Saudi Arabia there is currently a State-sponsored 'Committee for Enjoining Good and Forbidding Evil', a special police that has been allocated the role to

maintain moral integrity by policing public moral behaviour and ensuring attendance for the five daily prayers (Commins 2006: 94).

Pieri et al., expressed that there is a growing concern amongst some Muslim communities that public sin and private sin is becoming the norm that causes degeneracy and immorality in society and have contended that individuals who would not have otherwise sinned are influenced and pressurised into doing so. Private sin and public sin can be easily distinguishable with the latter being far more complex, notably because of the belief that it has potential to create more damage on a wider scale (Pieri et al., 2014: 38). In the Muslim communities, the issue of public sin is deemed to be more serious, irrespective of the location of Muslims, whether Muslims are residing as the minority (in the Industrialised West) or as the majority (Asian or Arab States). According to Durkheim, sin, especially public sin, must be controlled and supervised because it threatens the sanctity of what Durkheim referred to as, 'moral communities'. It is for this reason that under an Islamic jurisprudence, repentance for a public sin should also be made in public, whereas private sins can be repented privately. Public sin should be repented publicly because it may deter others from perpetrating such crimes (Pieri et al., 2014: 42-43).

Common characteristics in prohibiting sin across Muslim communities often focus on 'Muslim moral issues' which is comprised of; music, gambling, smoking, alcohol, dress codes and the mixing of men and women in public spheres (Pieri et al., 2014: 38). It is significant to accentuate and become cognisant of such moral issues that seem to be prevalent within the Muslim community as the current project's interview guide mapped certain scenarios that were related to such moral issues to ascertain how Muslim women navigate around such dilemmas.

The issue of sin has been conflated with a growing concern and uneasiness within Muslim communities across the world with the contribution of globalisation and westernisation. One proposed remedy has been a need to reemphasise the classic Islamic principle of *hisba* which means the obligation to prohibit wrongful acts and to encourage integrity and high levels of morality (Cook 2003: 4).

Mohammad Hashim Kamali (2008) asserted that the distinction between Islamic law and morality is embedded within the five-fold moral categorisation (see page 46) within the system

of Islamic jurisprudence. To elaborate further, Kamali argued that the permissible (*halal*) and impermissible (*haram*) have their legal implications, whereas the three remaining intermediate concepts; encouragement of the recommended, neutrality and avoidance of the reprehensible, essentially lie in the realm of ethics or morality which cannot be adjudicated as laws. Nevertheless, Kamali highlighted that in the historical background of Islamic societies, there was in fact another institution that played a significant role in safeguarding morality, namely the institution of *hisbah* (see page 29).

Hisba

The Qur'an states:

The believers, men and women, are *Auliya'* (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) *Al-Ma'ruf* (i.e. Islamic Monotheism and all that Islam orders one to do), and forbid (people) from *Al-Munkar* (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden); they perform *As-Salat* (*Iqamat-as-Salat*), and give the *Zakat*, and obey Allah and His Messenger. Allah will have His Mercy on them. Surely, Allah is All-Mighty, All-Wise [Qur'an, *Surah At-Taubah*, Ch.9:V.71].

Three Muslim scholars from the classical age, Al-Ghazali (1058-1111), Ibn Taymiyah (1263-1328), and Ibn Khaldûn (1332-1406), are highly influential in informing contemporary Muslim discourse. Recent theological work builds on their theories and thinking. The current project however is unable to discuss each and every scholar in depth but will summarise and highlight the work of relevant scholars that is pertinent to the project at hand. For instance, Al-Ghazali argued that without further development of *hisba*, religion would be neglected, dangers and calamities would appear, ignorance would prevail and inevitably this will lead to the destruction of mankind.

However, An-Naim argued that Muslims everywhere, whether living as the majority or as the minority, are bound to adhere to the *Shari'ah* as a matter of religious obligation and adherence to Islam must be voluntary that falls in accordance to personal pious intention (*niyah*). According to An-Naim, this can be completely achieved when the State is neutral concerning all religious doctrines and does not claim to enforce the *Shari'ah* as State policy or legislation.

Personal pious intention (*niyah*) of an individual can be negated if there exists coercive enforcement of *Shari'ah* obligations. An-Naim further argued that the likes of coercive implementation promote hypocrisy (*nifaq*), which is repeatedly condemned in the Qur'an. Consequently, it is An-Naim's contention that there should exist a separation between Islam and the State, referred to as, "the religious neutrality of the State" (An-Naim 2009: 4). According to An-Naim, such neutrality results in the freedom of individuals in their communities to accede to, oppose to, or modify any belief of religious doctrine (An-Naim 2009: 3-4).

Moreover, the concept of *hisba* has not remained constant over time, but is subjected to frequent changes, that take on different meanings with many attempts at reinterpreting the term, as well as being influenced by the hugely diverse contexts in which such reinterpretations emerge. For instance, in contemporary society, this concept has been reinterpreted to constitute the basis of an Islamic doctrine of responsible citizenship. One of the central themes in the Islamic doctrine is the significance placed on the obligation of Muslim rulers or Muslim States because *hisba* is a religious obligation, which is inevitably seen as an obligatory duty for leaders to act upon. The person holding political authority delegates an officer in command (*Muhtasib*), who in turn allocates assistants.

The *Muhtasib* investigates any religious and secular issues. For example; urging Muslims to pray punctually, caring for the removal of health hazards, regulating moral behaviour in public, looking after the maintenance of the *Masjids* (Mosques), and scrutinising manufacturing and commercial activity. The *Muhtasib* applies appropriate punishments and correct measures to rectify such immoral issues if required. Such officers find it incumbent to explore everything that comes to their knowledge or that which is reported to them. The *Muhtasib's* main objective is to ensure that citizens conform to public duty, inevitably to act in accordance with the law of the *Shari'ah* (Ghabin 2009: 12). *Hisba* is not enforced upon Muslims in the UK, but the reason for explaining the detailed account of *hisba* within this section is to understand that the respondents living law is not composed of coercive measures, but is purely optional which has resulted in some participants deviating from Islam and consequently falling into moral dilemmas because of their lack of adherence (see 'Guilty Conscience for not Adhering to the Obligated Islamic Practices' under the chapter 'Moral Compass' for further exploration of this issue).

Furthermore, *hisba* is also considered as compulsory for each Muslim to engage in. Ibn Taymiyah argued that the Qur'anic verse (*Surah At-Taubah*, Ch.9 V.71) stating, "Of the believing men and women some are in charge of others, enjoining what is proper and preventing the improper" is the basic groundwork of the concept of public duty in Islam (Ibn Taymiyah 1982: 22-23). Some individuals have embraced certain steps to ensure that high levels of morality (as defined by literalist interpreters of Islam) is preserved in communities, often with repercussions that other Muslims perceive apprehensively. However, this is deemed to be slightly problematic when acts of aggression and coercion are utilised or 'dishonourable' methods are employed to prevent an 'immoral' act which leads to the question of acceptability (Pieri et al., 2014: 38).

Moreover, the sort of 'responsible citizen', that is deemed to be incumbent for each Muslim to ensure the enjoining of good deeds and the prohibition of immoral acts, as opposed to it being the sole responsibility of Muslim States or rulers, has been recognised in the West, particularly in London. However, by stating this, it should be acknowledged that in the context of non-Islamic States (such as European countries), a small quantity of Muslims would expect a nominally Christian or secular State to accept the responsibility of 'policing sin' especially regarding; consuming alcohol, smoking tobacco and sexual promiscuity. Pieri et al., argued that in the absence of a Muslim authority to take on such a responsibility within the States, it has resulted in some Muslims having argued that such an obligation has become incumbent upon the Muslim communities and individuals within those States to make a difference.

This has been demonstrated in the attempted initiation of '*Shari'ah Zones*' by Islamists in certain predominantly Muslim areas of the capital whereby public sin can be monitored and eradicated. The London *Shari'ah* zones, for example, have attempted to coerce and convince Muslim women to wear headscarves and to keep homosexuals out of Muslim 'areas'. Undeniably, the issue over sexuality has become an increasingly contested subject in fundamentalist discourse, especially impacting on *hisba* (a relevant example has been provided in the first analysis chapter entitled '*Moral Compass*' under the sub-theme, '*Secular Obligation*' which explains the moral dilemmas surrounding the complexity of sexuality). For example, in Britain, there has been an increase in homophobic hate crime that has been perpetrated by Islamists. In February 2012, three Muslim men were convicted of inciting hatred

on the grounds of sexuality as they disseminated pamphlets incorporating anti-gay slogans (Addley 2012).

Pieri et al's., research is crucial to explore as their research is pertinent to the current projects research questions; to critically explore how 'living law' was explored in relation to moral dilemmas, deviance and crime amongst Muslims in secular States and non-secular States. The short-fall of Pieri et al's., study is that the actual term 'living law' was not mentioned, however there does exist similar attributes to living law that has been exhibited in the study. Most notably this occurred with the term 'sins' acting as a synonym of 'living law' as the respondents were questioned on what informs their moral dilemmas in relation to Islam.

Furthermore, Marcotte's (2015) research is also similar to the current project and should also be discussed under this section because different moral dilemmas that relate to Muslim women's sexual choice and bodies were discussed and an analysis of the different codes that inform one's living law was explored (a relevant example has been provided to illustrate the existence of polyandry in the third analysis chapter entitled '*Fatwas*' under the sub-theme labelled as '*Fatwa Shopping with the Right Intention*'). Marcotte explored forum discussions on sex-related issues with which young Australian Muslims (living in a Muslim minority context) are most often confronted with. Open discussion regarding sex is ubiquitous, yet it is often proved to be difficult within conservative or religious milieus. Marcotte explored the dynamics of online discussions on the complexities of sexually related issues within the confines of marriage and outside the confines of marriage. The topics under discussion encompassed; wedding virgins, marital rape, the controversial hymen restoration surgery, masturbation, celibacy, premarital sex, extramarital sex and sexually transmitted diseases (STD).

It became discernible from the Muslim-Village forums that several key issues that relate to; ethical, cultural, social, legal and even religious teachings are associated with significant issues which have an impact on women's lives, sexual choices and bodies (examples of this has been provided within the *Fatwa* chapter). It was also ascertained that respondents often grapple with contemporary values, realities and socio-sexual norms that structure and inform their day-to-day lives in Australia (Marcotte 2015: 81). This suggests that Muslim women acknowledge, comprehend, negotiate and manoeuvre around certain rulings proscribed in Islam when

concerning sexual values. This is a challenge that has been proved to be much more difficult for Muslim women whom embrace an Islamic pious lifestyle (additional and relevant challenges that Muslim women within this research have been confronted with when they are wanting to embrace a pious Islamic lifestyle has been manifested throughout the analysis chapter referred to as *Secularism and Islam*), in comparison to their Muslim male counterparts (Tong and Turner 2008; Ozyegin 2009:119; Sanjakdar 2011).

To attain a deeper understanding of living law, it is vital to take note of what is prohibited in Islam, but not in the UK, by providing a few examples. Such attributes of living law have been presented in the form of scenarios for the semi-structured interviews. This will facilitate the understanding of why Muslim women were falling into moral dilemmas as demonstrated in the four main analysis chapters.

Prohibited in Islam, But not in the UK

Prior to explaining some of the prohibitions in Islam within this section it should be noted that the prohibitions will be explained in no particular order. The multiple reasons for why Islamic prohibitions exist will not be explained as this is not the main objective of the current thesis. The current section will provide a fundamental understanding of some of the rulings within Islam which are prohibited, but not in the UK.

To begin, the taking and giving of interest (*riba*) and usury is *haram*. Interest is an unreasonable increment in lending or borrowing money, which is money paid above the amount loan, as a condition which is imposed by the lender or willingly by the borrower. Usury differentiates from interest slightly because usury is an exorbitant rate of interest that is charged by a creditor from his debtor for the use of the borrowed money. There are a variety of modern interpretations of why different types of interest (*riba*) is *haram*, but such interpretations are strictly secondary to the religious underpinnings (Kettell 2011: 32).

Furthermore, the prohibition of alcohol in Islam encompasses; consumption, to distilling, to marketing and to selling alcohol. This also incorporates working in the industry that deals with all this (Schoon 2011: 15). Similar to how there are multiple different reasons for why *riba* is considered to be *haram*, alcohol also is *haram* for many different reasons. In addition, it is common knowledge for present-day governments throughout the world that are cognisant of

the harmful effects alcohol has on the society, on families and on individuals (Al-Qaradawi 2013: 70).

Another prohibition in Islam that exists, but not in the UK, is a Muslim woman not being able to marry a man who belongs to any other religion, including Judaism and Christianity, unless he converts to Islam. However, a Muslim man is permitted to marry a non-Muslim woman, provided that she belongs to one of the devout followers of the book (*ahl al-kitab*), belonging to Judaism or Christianity (Keshavjee 2013: 29). However, in South Africa, a Mosque held its first interfaith marriage between a Muslim woman and a Christian man which resulted in much controversy because many of the other Mosques had refused the couple an Islamic wedding ceremony on the basis that this is not an accepted marriage because the Christian man chose not to convert to Islam before marrying the Muslim woman (Moftah 2015).

An additional prohibition in Islam which exists but not in the UK is that Muslim women are prescribed to wear a *hijab* (concealing one's hair) and wearing an *abaya* or loose clothing to conceal her figure when in public and in front of a *non-mahram* (a person with whom marriage or sexual intercourse is permitted). But, this injunction is often challenged as it is interpreted in various forms, with some arguing that it is not mandatory (Cortés 2013: 1070).

Another proscription against Islam, but not in the UK is the issue of homosexuality (Qur'an, *Surah Al-A'raf*, Ch.7 V.81). However, Mayer has argued that the prohibition of homosexuality in Islam is a gender discriminatory practice, especially in the United Kingdom which decriminalised homosexuality in 1967 and legalised same sex civil unions or partnerships in 2004 (Mayer 2012: 129). To support this, currently there is a growing number of LGBT Organisations that cater specifically to the Muslim communities referred to as; the Inner Circle, Imaan, Salaam Canada, British Muslims for Secular Democracy, Muslims for Progressive Values (LGBT Muslims [LGBTM] 2016), Al-Fatiha and the First North American LGBTQ Muslim Conference (Park, 1999). Such LGBT Organisations argue that homosexuality is permitted in Islam irrespective of what the Qur'an and the *hadith* state concerning the 'so called' prohibitions of homosexuality and further justify their own actions by reinterpreting the Qur'an, the *hadith* and historical stories that revolve around the Prophet (Kuggle, 2010).

It is also *haram* in Indonesia for Muslims to attend or observe any other faith celebrations, take for example Christmas celebrations but this is not the case in the UK. Some Muslim scholars have also said that it is even impermissible to utter the words, 'Merry Christmas' to Christians arguing that such religious celebrations are incompatible with Islamic teachings (Saravanamuttu & Platzdasch 2014: 188). Recently, a Muslim woman was attacked with a beer bottle for saying "Happy Holidays" instead of "Merry Christmas" (5 Pillars [5P] 2016).

Moreover, smoking is considered by some to be *haram* in Islam (Al-Qaradawi n.d.), but some argue that there is no implicit or explicit ruling that concerns the prohibition of smoking cigarettes (tobacco) in the Qur'an (Ghouri et al., 2006: 292). However, there have been *fatwas* concerning the prohibition of smoking tobacco as some Muslim scholars argue that there is a slight reference in the Qur'an regarding this (see Qur'an, *Surah Al-A'raf*, Ch.7 V. 157; Qur'an, *Surah An-Nisa*, Ch. 4 V.29) and the *hadiths* narrated by Prophet Muhammed (ﷺ) state: "Do not harm yourself or others" (*Hadiths* reported by Ahmad and Ibn Majah).

Similar to smoking, according to Al-Faruqi (1985) there is no explicit or implicit verse in the Qur'an that concerns the proscription upon listening to music. According to Al-Faruqi (1985) and Al-Qardawi (2001) the general permissible ruling on music is conditional on certain characteristics that is related to that particular piece of music. Such features concern; the content of the song, the manner of performing to the music, and the reasons for such a performance are among other conditions that need to be scrutinised that will determine the level of permissibility of listening to music. However, if such conditions do not meet the standards of such rulings then that particular piece of music must be deemed as impermissible. On the other hand, some Muslim scholars have classified all music and songs as *haram*, although this is perceived to take an extremist perspective when interpreting the Qur'an and the *sunnah*.

All in all, it is important to acknowledge that Islamic jurisprudence and philosophy are pluralistic, and an individual will have differences of opinion based on which orthodox or reformist perspectives they embrace. It is crucial to note that the essential features outlined above have not been addressed by the English law as such prohibitions in Islam have not been officiated by the State.

Legal Pluralism

The first theoretical framework ‘living law’ has been addressed in the previous section. The second theoretical framework that has been selected is ‘legal pluralism’ which the current section is going to address. It has been made clear that law exists at every level of society, sometimes as norms or rules of conduct or sometimes as State law, and it is always permeated with historical and cultural meanings. Law is a process that is shaped and formed by cultural logic and rules. As for legal pluralism, official laws and unofficial laws continuously interact with each other (Yilmaz 2002b: 117). Legal pluralism highlights the coexistence and collision of multiple sets of rules that mould social behaviour as people are influenced by multiple informal laws. This can encompass religious decrees, indigenous customary rules, practical norms of social life and moral codes (ways in which people are navigating between different codes) (Nuijten and Anders 2007). This suggests that the State law is just one among many other normative orders in society (Urinboyev & Svensson 2013).

Anthropologists who have studied the intricacies of the legal spheres in Muslim societies were among the first scholars to accentuate legal pluralism (Benda-Beckmann 1979; Benda-Beckmann & Benda-Beckmann 2014). Such scholars have not examined the *Shari’ah* courts but have specialised in Islamic law and have come to respect and appreciate the research potential from this perspective. Several scholars utilise a legal-pluralist perspective to explore the interrelations between local customs, Islamic law and State law in contemporary Muslim States (Berger, Peters & Nefissa 1999; Buskens 2000; Welchman 2002; Bowen 2003; Agmon 2006; Lombardi 2006; Shahar 2008); whilst others focus their attention on the *madhabs* (schools of law) (Wiederhold 1996; Shahar 2008); and others are concerned with the ‘almost’ entwined relationship between Islamic law and other legal systems, as exemplified and maintained by contemporary Western States (Yilmaz 2002a; Yilmaz 2002b; Masud et al., 2006).

Academics such as; Nelken (1984), Griffiths (1986), Pound (1910), Ziegert (1999) and Tamanaha (2011) to name just a few, have all accepted and utilised Ehrlich’s theory of ‘living law’ as the foundation for studying legal pluralism. Griffiths (1986) established the difference between ‘strong’ and ‘weak’ legal pluralism in his article entitled, ‘*What is Legal Pluralism?*’ (Shahar 2008: 121). According to Griffiths, ‘strong’ legal pluralism suggests that not all the law is considered to be State law; nor is the law regulated by a single set of State legal

establishments. On the other hand, ‘weak’ legal pluralism exists when the sovereign commands different bodies of law for different groups in society by embracing their normative orderings into the central administration of courts and law (Griffiths 1986: 5). The current project will focus upon strong legal pluralism as only one of these systems is generally given State acknowledgement in the UK, whereas the other systems are recognised as the combination of cultural and religious laws. For example; the Muslim and Jewish communities adhere to religious practices that are perceived to be mandatory but are not implemented by the State (Edge 2013).

The current research will make use of previous studies that are related to legal pluralism to explore certain aspects of social control in Muslim communities using an approach that is similar to Haller and Shore (2005), Nuijten and Anders (2007), Menski (2013) and Urinboev and Svensson (2013). It is important to explore the impact legal pluralism can have upon a sample of Muslim women as the current project has explored how the respondents adhere to or may be subjected to more than one legislative structure, such as the *Shari’ah* and the English civil law in the UK. This is significant to study because the question posed by Ehrlich still stands when attempting to understand what ‘living law’ is, why it is interesting and what informs ‘living law’ in these situations.

Legal Pluralism in a Secular State

Different examples of legal pluralism operating in a secular State will be discussed prior to indulging in the critical exploration of legal pluralism in the UK to help understand how Muslims navigate around the official and unofficial law. But before discussing how Muslims understand the official and unofficial law, it is significant to come to an understanding of the challenges that exist between secularism and religion.

Prior to explaining, examining and discussing secularism, it is first essential to briefly discuss the political philosopher, Charles Taylor’s published work in 2007 on secularism entitled, ‘A Secular Age’. Taylor addressed three common understandings of secularism as a socio-political phenomenon. To provide very basic definitions of secularisation, Taylor summarised, one common reading of secularisation and defines it as the withering of religious practice and belief amongst individuals in terms of public spaces which have been allegedly emptied by God. For example, as individuals’ function within multiple spheres of activity (i.e. economic, political,

cultural, educational, professional, recreational) and when adhering to the norms and principles, generally does not refer individuals to God, or to any religious belief for that matter.

The second definition of secularisation Taylor provides, is that secularity consists in the decline of religious belief and practice. This is when individuals are turning away from God and no longer attend Church which is increasingly common in Western Europe. Further to this, Taylor argued that secularisation exists also in a third sense, which is closely associated to the second definition of secularisation, and then the first definition. This concentrates on the conditions of belief;

The shift to secularity in this sense consists, among other things, of a move from a society where belief in God is unchallenged and indeed, unproblematic, to one in which it is understood to be one option among others, and frequently not the easiest to embrace.

(Taylor 2007, p 3.).

The current thesis will employ and utilise Taylor's third definition of secularism, the conditions of belief. This is mostly linked to the current thesis as the qualitative study has attempted to capture the day to day interpretations and actions of Muslim women practicing Islam and attempting to understand how and why there is a decline (for some respondents) and a change in their personal beliefs in Islam within Western Europe. After highlighting the three main definitions of secularisation and understanding how the definitions are linked to the current thesis aims and objectives, the current topic will now explore and discuss some of the different challenges secularism has with religion.

Asad (1993 & 2003) and Mahmood (2005 & 2006) have argued that the secular interpretation of religious practice, a sign of fundamentalism, is not only a misinterpretation of Islamic resurgence, but also places Muslims in western contexts at risk because it causes them to be marginalised and are treated as outsiders by dominant constituencies and even as potential enemies within. It has been recognised that worldwide, it causes Muslims to be treated as potential fanatics and/or even terrorists.

Mahmood further argued that contemporary secularism, against its usual understanding and interpretations, is not so much about the relegation of religion functioning outside politics, but about the refashioning of religious subjectivities, so, in particular about the “regulation of religious life ... in the name of enforcing and protecting religious freedoms’ and thus implies a form of “normative secularity” (2006:327). For instance, influential American policymakers believe that conflicts between liberal democracy and contemporary Islamic movements occur because these movements do not adhere to the historical-hermeneutic methods of Qur’anic interpretation. These policymakers are of the opinion that traditionalists in the Muslim world believe that the Qur’an is the literal word of God and want to preserve orthodox norms and values and conservative behaviour, especially by adhering to Islamic rituals closely. In terms of one of the reports Mahmood analyses, traditionalist mentalities are “willing to accept authority with few questions”, and this is “causally linked with backwardness and underdevelopment, which in turn are the breeding ground for social and political problems of all sorts” (Mahmood, 2006: 333).

Consequently, there is an ongoing debate that the Muslim population within Europe may find Islam and secularism to be incompatible. There has been much research that has addressed the premises that concern public policies of European Governments and local authorities when dealing with the matter of ‘integrating’ Islam, either by catering for Muslims by authorising the building of mosques, or conversely, preventing Muslims from performing certain religious practices (the occasional banning of burqas, veils and headscarves). It is significant to understand that both examples, catering for Muslims and restraining Muslims from certain religious practices, although in opposition, contribute to developing and formatting the religious practices of Muslims (Mahmood 2013).

The current subsection ‘*Legal Pluralism within in a Secular State*’ has provided multiple definitions of secularism and then has gone on to highlight some of the challenges that have arisen between religion, that being Islam and secularism. The current subsection will now discuss in detail how Muslim women and secularism can at times fall into conflict as this is pertinent for the current study which contributes to the understanding of the fourth chapter of analysis entitled, ‘*Secularism and Islam*’.

It should be acknowledged that secular's normative assumptions define religious symbols in the public sphere and play around the control of women's body, which contribute as a marker of 'racialized religious belonging' and 'citizenship'. It has been understood that through women's body, the western or secular law creates a link between religion, ethnicity, gender and belonging which develops and forms a specific law and religious subject. Consequently, secularism emerges not as the schism between state and religion and between the private and public sphere, but rather as the reconfiguration of religious practices and sensitivities in the public secular space (via the control of what can be seen, the visible) as has been discussed (Asad 2003; Mahmood 2009).

Recently, the headscarf worn by Muslim women has been at the centre of many polemical debates in the west. Judges, journalists, columnists and politicians have even 'over-debated' the practice of veiling in the secular European public space. This has encompassed many stories of Muslim women who are not permitted to walk in a public place, not permitted to have an appropriate education, restricted from working and even to stand in a court room simply because they were veiled. The most recent event in this endless western obsession with Muslim women's veils has been the 2016 'burkini ban' which was implemented by several mayors on the French Mediterranean Riviera. The 'burkini ban' was sanctioned because the ban assumed that the swimwear does not respect secularism and good customs. It was perceived to threaten the French identity and it is believed to be a symbol of Muslim women's oppression (Amrani, 2016). According to Asad (2003) and Mahmood (2006 & 2009), contemporary understanding and interpretations of normativity and religion having to adhere with secularism, has resulted in a profound misunderstanding of religious performance.

The western discourse over the Muslim attire, secular legal subject is intended as someone who can 'choose' whether to be religious or not and is able to disassociate its internal from its external being. In other words, secularism for instance has developed a specific modular conception of religiosity which is essentially linked and historically coalesced with the modern category of the 'secular' (Casanova 1994; Asad 2003; Taylor 2007).

The current subsection has discussed multiple definitions of secularisation and has encompassed some of the challenges Muslims must overcome within Western Europe, particularly, Muslim women (i.e. attire in the public sphere) when living in a secular state. It is

now essential to draw upon some examples illustrating that Muslims can indeed comply and adhere to certain Islamic legal practices that can be retained alongside secular law which demonstrates that legal pluralism does exist amongst Muslims.

For example, Yilmaz (2002b: 113-118) explored the ways in which local and unofficial Islamic legal practices have been preferred and retained alongside secular law, irrespective of the official position in Turkey. Yilmaz ascertained that although the Turkish State attempted to eradicate Muslim law by transplanting secular laws, Turkish citizens have not deserted their local and religious laws and customs, whether legal modernity acknowledges them or not. At present, similar to the UK, secular official and Muslim unofficial laws function simultaneously in the Turkish socio-legal sphere. The new secular law was implemented mainly to transform the core structure of the Turkish domestic life that would enable the close association to the Western models. Yilmaz further discovered that Muslim Turks have actively assimilated to the secular official, but according to their own terms. The secular law, however extensive they appear to be, did not have an impact on the traditional Muslim law, which governed family life. The Islamic laws concerning; inheritance, marriage, divorce and custody of children for instance, continued as before (such examples of retaining and prioritising Islamic law over secular law has been portrayed in the *Fatwa* analysis chapter).

The Turkish State and the elite anticipated that an increase in education, will result in the public learning and applying the rules of the official legal system, and they strongly expected that with the increase of urbanisation, citizens will eventually forsake their religious laws and local customs which will result in the adherence to the official law. Nonetheless, the Turkish empirical data has not yet confirmed such predictions but came to acknowledge that Turkish citizens have reconstructed their unofficial religious laws, despite all the claims of the secular legal system, specifically regarding marriage to meet the demands of the secular State (Yilmaz 2002b: 127-128). It is also noticeable in the Turkish society that other fields pertaining to finance, banking, business (“Special Finance Houses [SPHs] selection criteria by the customers are predominantly *religious-based decisions*” Okumus 2005: 80), insurance and in all other aspects, Muslim law is most frequently adhered to by many citizens, in spite of the non-recognition of the *Shari’ah* within the State. There is also a growing number of Turkish *fatwa* sites on the internet that have rapidly increased (see The Presidency of Religious Affairs’ *fatwa* site [TPoRAFS] 2013 for more information).

Interestingly, a recent report on ‘political Islam in Turkey’ commissioned by a respected think tank – the Turkish Economic and Social Studies Foundation (TESEV) have ascertained that religiosity is increasing in Turkey. Between 1999 and 2006 the percentage of respondents that considered themselves ‘to be pious’ and those that identify themselves as Muslims has increased from 6% to 46%, but there are no findings in the study to indicate a rising support for a religious State. To support this, when specifically asked if the respondents are in favour of the implementation of the *Shari’ah*, the number of those that provided an affirmative response declined from 21% in 1999 to 9% in 2006 (Çarkoğlu & Toprak 2000: 13). This implies that the majority of Turkish Muslims are content and prefer to work simultaneously with the official (secular law) and unofficial law (Islamic law).

However, this should not imply in any shape, way or form that all Muslims prefer to work simultaneously with the official (secular law) and unofficial law (Islamic law). For example, Pföstl (2015) ascertained that one of the key demands of Italian Muslims has been that the State should accommodate their normative practices when they adhere to Muslim norms in their day-to-day life. Some of the many requests Italian Muslims asked for, consisted of; Fridays being recognised as weekly holiday, a reduction of working hours during the holy month of Ramadan, allowances that should be made for prayers in the traditional hours in both private and public facilities and finally their prerogative of taking religious holidays (such as; participation in the Holy pilgrimage and other pertinent religious feasts) (Aluffi, 2004: 144-145 & Pföstl 2015: 344).

Legal Pluralism in the UK

Legal pluralism in the UK will be critically examined as it will provide more detail on how the Muslim law operates for particular Muslims in the UK so that it becomes comprehensible how such laws affect some Muslim women’s living law (as has been evident in the four main analysis chapters). Muslim law in Britain exists both on an official level and on an unofficial level as briefly discussed above. The unofficial Muslim law has been applied in non-dispute situations that pertain to everyday lives of Muslims. Muslims have control over their own law, without external influence and interference. Muslims apply relevant law in different contextual situations aiming to meet the criteria of various overlapping normative orderings.

However, the process of becoming British and Muslim simultaneously is deemed to be demanding and complicated due to the adherence of Muslim laws (Modood 1992, 1993, 1994). The diverse ethnic minorities of England have actively generated strategies of resistance to ‘English legal hegemony’ which seems to be derived from religious inspiration (King 1995a). Nevertheless, Muslims acquire the skill of navigating across official and unofficial laws (Pearl & Menski 1998; Yilmaz 2000) and regard the unofficial law to be far more dominant and superior to English law (Yilmaz 2002a: 343). The laws and customs of Muslims is currently thriving. It has become common knowledge that the *Shari’ah* is one of the significant sources of influence wherever a Muslim maybe and it is one of the main reasons for some Muslim’s strong opposition and resistance to assimilation (Yilmaz 2002a: 346).

In the English context, conflicts between the unofficial Muslim law and the official law have been perceived to be temporary and it is believed that ethnic minorities would begin to grasp and adhere to the law of the land (Yilmaz 2002a: 345). According to some scholars this conflict has resulted in the formation of an ‘*Angrezi-Shariat*’ (English *Shari’ah*) which according to Menski (2013) is growing rapidly whilst simultaneously it is out of sight, regulation or supervision of the English courts (Griffith-Jones, 2013: 194). Furthermore, law being applied by such bodies is neither British common law nor Islamic law entirely, but a combination of both laws. Nonetheless, such a hybrid system would seek to circumvent direct conflict with the English law (Hanshaw 2010: 219).

Consequently, equipped with the theoretical underpinnings of the current project, ‘living law’ and ‘legal pluralism’, it can be easily inferred that the current project will not be able to satisfactorily examine the nuances of how British Muslim women interpret and experience certain moral dilemmas, deviance and crime without considering the needs, moral codes and local practices that they adhere to. Conducting research on the current subject is extremely beneficial as the critical exploration on the *Shari’ah*, local customs and the State law results in a much greater understanding and an appreciation of how Muslim women interpret and experience ‘living law’ in Western Europe.

Different Islamic Codes Informing One's Living Law

The current section within the literature review is going to critically explore the different Islamic codes that inform some of the respondent's living law. This will consist of; the six pillars of faith, the five pillars of Islam, five categories of ruling, the rulings on *fatwas*, the Qur'an, the *hadith* and *Al-Uqubat*. The significance of discussing such a variety of Islamic codes is to become cognisant of what Islam ordains, prohibits and permits. By understanding the foundation of Islam, it will become much easier to comprehend how and why certain moral dilemmas begin to develop for the respondents as evinced in the four main analysis chapters. One should also remain cognisant of the fact that there are many different interpretations for a simple ruling in Islam. But, the current literature review is not going to encompass all the different interpretations as this is not the focus of the current project.

The Six Pillars of Faith

To begin, the six pillars of faith (*arkan al-iman*) in Islam is a fundamental belief for all Muslims to believe in which consists of; the belief in God (Allah), the belief in Allah's angels, the belief in Allah's revealed Books (which incorporates the Pages of Abraham (*Suhuf Ibrahim*), the Torah (*al-Tawrat*), the Psalms of David (*al-Zabur*), the New Testament, also recognised as the Evangel (*al-Injil*) and the Qur'an), the belief in Allah's messengers, the belief in the Last Day (*al-Yawm al-Akhir*, also known as *Yawm al-Qiyama*) and the belief in Allah's determination of all affairs, whether positive or negative¹ (Esposito 1999: 88).

Five Pillars of Islam

The five pillars of Islam are of paramount importance to delineate as the first analysis chapter is heavily revolved around the relevance of the five pillars of Islam, incorporating the interviewees varied interpretations and reasoning of adhering to or not adhering to the pillars of Islam. Moreover, Mcguire (2002: 20) stated that some ritual theories emphasise that rituals construct and uphold communities. Yust et al., (2006: 297) supported this by arguing that the five pillars of Islam form the foundation of Islamic ritual duties as such regulations are deemed to be a rudimentary guidance for Muslims (except for the less practicing respondents which has been demonstrated throughout the four main analysis chapters).

¹ This is a reaffirmation of the faith of divine fore-knowledge (*qada*) and fate (*qadar*).

In addition, Mahmood (2005: 2-5) conducted a study on Egyptian Muslim women that comply to the five pillars of Islam and ascertained that there is a strong correlation between Islam and morality amongst the participants under study. Mahmood stated that certain Islamic practices that involve wearing the *hijab* and promptly performing *salat* have resulted in an increase in moral dispositions (such as; modesty and humility) within the participants as they perceive their body to be an active terrain on and which such moral work is performed. Mahmood stated, “For the mosque participants, it is the various movements of the body that comprise the material substance of the ethical domain” (2005: 31).

Similarly, Winchester (2008) studied a cohort of adult Muslim converts in Missouri, focusing on their developed new moral selves in and through the utilisation of embodied religious practices. Winchester argued that certain religious practices of fasting, covering and praying has fundamentally transitioned converts’ “moral makeup” by restructuring their embodied relationships to time, space, and the local social order (Winchester 2008: 1753-1759). It is significant to incorporate such studies within this project as it has been revealed that the adherence of such Islamic practices increases one’s moral dispositions. Interestingly, the current project is not only focusing on one’s morality, but it is also addressing whether their level of morality will have an impact on the individual’s reasoning for when attempting to navigate around moral dilemmas, deviance and crime. This inevitably revealed the relationship the respondents have with Islam and to what extent Islamic practices navigate their day-to-day codes.

However, it is crucial to acknowledge that adhering to the five pillars of Islam particularly in the West can bring about some challenges and difficulties for Muslims as illustrated in the first analysis chapter under ‘*Moral Compass*’. As Mahmood (1996: 116) noted that the conformity of fasting and praying may be perceived as a challenge without the cooperation of the officials. For instance, two of the five calls for the daily prayer occur after the sun has passed the highest point during the day and in mid to late afternoon (Eickelman 1998: 259). This is the time when Muslim youths are in school. Prayer holistically requires the involvement of the body and soul. Hence, a separate room is most often required for the numerous postures that are enacted upon during prayer. *Wudu* (symbolic washing referred to as ablution) is also required before the commencement of prayer. To overcome such challenges, separate facilities and prayer rooms have been arranged to accommodate the needs of some Muslims during school time (The

Muslim Council of Britain [TMCofB] 2007). This is just one example out of the many which illustrate the basic requirements of Muslims, however when such requirements are not taken into consideration then some individuals begin to neglect their obligatory practices (relevant examples are provided in the first chapter of analysis ‘*Moral Compass*’ under the sub-theme entitled, ‘*Guilty Conscience for not Adhering to the Obligated Islamic Practices*’).

Many theorists have contended that Islam in Europe has become de-territorialised (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009). To support these findings, the current project also ascertained that some Muslim women adhere to the five pillars of Islam and other teachings of Islam with a level of leniency and flexibility (can refer to all four chapters of analysis for various examples). This may be because Islam is not self-evident in the societal structures in the diaspora and minority situation which has resulted in a ‘reformed Islam.’ For instance, the frequency of fasting, the frequency of praying, one’s own willingness to conceal themselves in public and other Islamic practices have transitioned religious obligatory practices into an optional lifestyle. More detail is provided under the section of ‘organised and non-organised religion’ within the first chapter of the literature review.

Five Categories of Ruling

Moving on from the five pillars of Islam, the five categories of Islamic ruling will also be discussed that will facilitate the understanding of the second analysis chapter (*Halal & Haram*). The inclusion of the five categories of Islamic ruling will also help to understand how and why living law norms are composed of certain codes. The five ‘*ahkam*’ (principles) are divided into different categories (Denny 2006: 194) which encompass permissible and impermissible rulings and obligatory to non-obligatory rulings in Islam. The first category is labelled as ‘*fard*’ which implies that such practices are distinguished as compulsory, for example the five pillars of Islam. The second ruling is referred as ‘*mustahab*’, which suggests that such actions are encouraged and recommended, but such practices are not deemed to be mandatory. For instance; praying more than the five obligatory prayers would be deemed as *mustahab*. The third ruling has been identified as ‘*mubah*’ which indicates that a certain practice is permissible. The fourth practice is acknowledged as ‘*makruh*’, where actions are discouraged, but not prohibited, such as; divorce. The fifth practice is recognised as ‘*haram*’ which strictly means something that is prohibited, such as; murder, committing adultery, imbibing alcohol, consuming pork and other forms of misdemeanour (Stephenson 2010: 172).

The opposite of *haram* is *halal* which simply means an action that is permissible and acceptable under Islamic rulings. The concept of *halal* encompasses Islamic *Shari'ah*-compliant product(s) which incorporates the acceptability of; beverages, food, banking, finance, cosmetics, employment, tourism, transport services and so forth (Hatem 2016: 126).

Furthermore, an individual's single action can traverse through the five categories of rulings. For example, marriage is recommended and permitted (*mubah* and *mustahab*), but according to the individual's situation, it can almost become mandatory (*wajib*), or depending on the people that are involved, it can be perceived as a reprehensible (*makruh*) or prohibited (*haram*) act. Such distinctions also occur in cultural and social affairs between respecting the principle and implementing such principles. Take for example, the principle of modesty and its rules for both, men and women that is defined in Islamic ethics. However, the implementation of such principles is heavily dependent on the given society and the local culture (i.e. types of clothing, materials of clothing, colour of clothing and so forth) (Ramadan 2009: 18-19). It is of vital significance to incorporate such rulings and examples in the current thesis because this will inevitably enable a better understanding of how Muslim women interpret moral dilemmas and if the development of certain moral dilemmas is the cause of the constant transitions amongst the five categories of ruling.

In relation to the five categories, the term 'minority *fiqh*' (*fiqh al-aqalliyat*) that some Islamic scholars have recently developed are responses that applies to specific needs of Muslims living in a 'minority situation,' particularly in the West. This is constituted of legal judgements that are formulated to meet the needs that may pertain to a range of situations which comprise of; taxes, insurance, marriage, banks, food, and so forth. The main purpose of this is to facilitate Muslims, particularly where they are the religious minority to remain as faithful as possible to their religion. Being equipped with the knowledge of the five categories of rulings will facilitate a better understanding for the current project as certain Islamic rulings may traverse through the five categories particularly targeting minority Muslims ('*minority fiqh*') (Ramadan 2009: 31-32) as is the case for the current project.

Islamic Law

In order to understand the Qur'an it is first important to understand the fundamental sources of Islamic law. The fundamental sources for Islamic law are the Quran and the *Sunna*. In other words, *fiqh* and *Shari'ah* originate from the Quran and *Sunna*. Both terms are often used interchangeably however there is a distinction between the two terms. The literal meaning of the *Shari'ah* is road to the watering place or path or, in explanatory sense, the path to be adhered to and followed. In technical terms, it is the totality of God's commands or as Muhammad Khan (1991: 5) defines it, "Shariat means matters which would not have been known but for the communications made to us by the Lawgiver".

Nonetheless, *fiqh* refers to human knowledge, reasoning and understanding. According to Hashim Kamali (1999: 108) "Fiqh is a rational endeavor and largely a product of speculative reasoning, which does not command the same authority as Shari'ah".

Thus, the guidance and path of the *Shari'ah* has been established by God and His prophet whereas *fiqh* is the result of human endeavor. *Shariat* is the divinely ordained path of rectitude and *fiqh* signifies science of law. It is however challenging to distinguish between the two terms as the law and ruling in Islam is so coalesced that even a pure secular act which is in accordance with texts earns religious merit and blessings of God. Consequently, in practice both terms are used interchangeably as the criterion of all human actions, whether conforming to the *Shari'ah* or *fiqh*; seeking the approval of God by adhering to an ideally perfect code. As both terms have already been defined, described and explained, it can be further elaborated that the *Shari'ah* has the "clear rulings on the fundamentals of Islam: its basic moral values and practical duties such as prayers, fasting, legal alms, the Hajj and other devotional matters" (Kamali, 1999:109).

Such decisions are essentially based upon what is permissible (*halal*) or impermissible (*haram*). However, other areas like the criminal law, with the exception of some prescribed punishments, *Shari'ah* is considered to be flexible and provides general guidelines. On the other hand, *fiqh* is knowledge of practical rules that has been derived from the Quran and the *Sunnah*. Kamali states (1999: 109); "The practicalities of conduct are evaluated on a scale of five values; obligatory, recommended, permissible, reprehensible and forbidden" (see page 46 for more information on the five categories of ruling).

It is imperative to summarise the above in a brief sentence by asserting that although most of the Islamic law and jurisdiction is based upon human reasoning and knowledge, it does not conflict nor oppose the basic sources of Law; the Quran and the *Sunnah*.

Qur'an

Another form of religious codes that some Muslim women for the current project decided to embrace was the adherence to the Qur'an which helped to inform their living law. The first source of the *Shari'ah* is the Qur'an,² which is recognised as the Holy Book in Islam. The Qur'an is regarded to be the last Revelation, the word of God (*kalam* Allah) for Muslims (Ramadan 2009: 15). According to Muslims, the Qur'an is the direct word from God which was revealed to Prophet Muhammed (ﷺ) to reveal to mankind the code of conduct that administers religious and social life. Muslims regard the Qur'an as a deterrent mechanism which should dissuade humans from engaging in misconduct and delinquent behaviour that can have deleterious effects on society and on the individual (Ebbe 2013: 219).

Reciting the Qur'an can be problematic as there are various Qur'anic interpretations that are employed by Muslims. The current chapter does not have ample time to discuss each category of interpretations and the causes for why such interpretations have developed. But, it is enough to expect a range of interpretations for one simple Islamic injunction. This also provides an insight into why traditional sectarians behave differently from each other and the main reason for why there is little capacity for generalisations within the study of Islam. It is significant to acknowledge that despite the existence of various Qur'anic interpretations; some Muslims opt to either; conform to all the Qur'anic teachings completely, whilst others adhere to some of the Islamic rulings and with some disregarding certain Islamic injunctions completely. Take for example, the attire of Muslim women. The Qur'an states:

And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts) and not to show off their adornment except only that which is apparent (like both eyes for necessity to see the way, or outer palms of hands or one eye or dress like veil, gloves, head-cover, apron), and to draw their veils all over *Juyubihinna* (i.e. their bodies, faces, necks and bosoms)

² The word 'Qur'an' simply means 'recitation' (Denny 2006: 128).

and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers, or their sons, or their husband's sons, or their brothers, or their brother's sons, or their sister's sons, or their (Muslim) women (i.e. their sisters in Islam), or the (female) slaves whom their right hands possess, or old male servants who lack vigour, or small children who have no sense of feminine sex. And let them not stamp their feet so as to reveal what they hide of their adornment. And all of you beg Allah to forgive you all, O believers, that you may be successful (Quran, *Surah An-Nur*, Ch.24: V:31).

Reece (1996) had illustrated that there exists clear contestation regarding the above Qur'anic verse as some Muslim women adhere to the Islamic teachings with a level of leniency. For instance, several respondents conveyed that they conform to the Islamic ruling concerning the attire only during prayer time (mainly at home). Such respondents appear to struggle with the level of adherence to certain Qur'anic instructions more than other respondents. On the other hand, Reece also established that some Muslim women fully adhere to such teachings especially living as the minority within the Industrialised West. One Palestinian student disclosed a sense of guilty conscious for not concealing her body whilst simultaneously attempting to justify her lack of compliance to the Qur'an by arguing that such teachings are not comprised of the five pillars of Islam (Reece 1996: 48-50).

Relevant to the topic at hand, in another study, some Muslim parents that have daughters perceived the *hijab* as a potential threat to their child's participation in physical activities. For example; wearing swimsuits in a public school, swimming, playing basketball with boys and participating in wall-climbing activities, or being instructed by a male instructor are certain activities that girls may not be allowed to participate in, depending on the conditions the activities are being brought about. It was ascertained that learning the parent's fluid and multiple interpretations of the *hijab* was a procedure that is most often negotiable as it became distinguishable that there exists negotiating differences that were directly related to relationships based on trust and understanding (Hamzeh & Oliver 2012: 337).

This illustrates that there do exist numerous codes that inform one's living law and that living law is not solely derived from religion. Nevertheless, the inclusion of the above study demonstrates that Muslim women (Mothers in this scenario) are not only informing their own

‘living law’ but are also playing a major role in composing their daughter’s code of living law, specifically regarding physical activities from a young age. The fourth chapter of analysis, ‘*Secularism and Islam*’ will support such studies by providing evidence that parents do indeed have a major role when informing their child’s living law, but this particular chapter of analysis will add on to such studies by depicting that certain living law codes does not necessarily mean codes that adhere to Islamic rulings, but rather codes which go against Islamic rulings.

All in all, it is vital to briefly explore the different Qur’anic interpretations that have developed as it is crucial to acknowledge that different interpretations are embraced by all Muslims. Hence, it is preferred to approach the current project with the notion that each Muslim is unique and that each Muslim woman embraces a different code to living law compared to others purely based on the Qur’anic interpretations as explored, if the respondents have opted for religious codes to inform their living law.

Hadith

The second source after the Qur’an that concerns itself with jurisprudence and legislation matters is the ‘*sunnah*’. The term *sunnah* was employed to describe Prophet Muhammed’s (ﷺ) ‘customs’. This term has been widely established and is well known in Arabic which is often distinguished as Prophet Muhammed’s (ﷺ); exemplary gestures, deeds and words that Muslims strive to emulate. The *sunnah* has been distinguished and disseminated by means of a literary form referred to as the ‘*hadith*’.³ Such *hadiths* have been remembered and conveyed by many different people in a wide variety of regions and contexts (Kettell 2011: 19).

The Qur’an is the first source of contact that is far more superior over other scriptures for Muslims. But, gradually the *hadith* has also attained a wide amount of supremacy. If the Qur’an and *sunnah* remain insufficient in some areas concerning specific solutions to a complication, then the practitioners of *fiqh* (to know and to fully comprehend the subject) must adopt specific assessments that were originally initiated from human judgement, such as; *ijma*, *qiyas* and *ijtihad* (Kozlowski 1985: 100). However, this is not to insinuate that the Qur’an was

³ The term *hadith* contains a root meaning, which is termed as “being new” and “occurring, taking place, coming to pass” and elaborates what has already occurred. For instance; when certain narratives were related to Prophet Muhammed (ﷺ) and his Companions, it had then become a means of practise that was taught from generation to generation.

compromised, but an opportunity to become cognisant that the community's exigencies have surpassed the Qur'anic rulings (Bowker 2012: 137). *Hadiths* are also a form of religious codes which can be utilised to compose one's living law.

Fatwa

After discussing the major elements of different religious coding's, *fatwas* are going to be critically explored to appreciate and understand the third chapter of analysis (*Fatwas*). *Fatwa*⁴ simply means scholars that can modify Islamic prescriptions to an extent to meet the needs of Muslims. Contemporary *fatwa* refers to new Islamic rulings that are not specifically addressed in the Qur'an or have been emphasised by Prophet Muhammed (ﷺ).

After providing the definition of *fatwas*, it is now important to understand briefly how and why *fatwa* changes over time and the historical relevance to *fatwas*. A brief description has been provided regarding the definition of the *Shari'ah* and how it is understood and complied by. It is also imperative to comprehend that the process of transforming the *Shari'ah* into divine law is derived from an effort to understand and interpret it, which is called *ijtihad*. *Ijtihad* was undertaken by qualified Islamic jurists who set out to interpret the Quranic verses into legal norms (Kamrava, 2006: 16).

A century after the Qur'an was revealed, several law schools were established throughout the Islamic world, and they all had different ways of understanding and evaluating divine law. However, it was ascertained that whatever their interpretations and the differences among various philosophers and lawyers all the schools arrived at a consensus that the sacred religious texts were merely sources, and not the actual content, of the law. The Egyptian theologian, Ali Abdel Razik (1888-1966), has asserted that the *Shari'ah* is rather a spiritual guide, without any legal directives and that Muslims should constitute their own system to organise their community.

Furthermore, it was discovered that it was during the Middle Ages, a debate involved two opposing currents of thought which is pertinent to the current topic. On the one hand, some

⁴ A *fatwa* is a decree or verdict that is issued by religious scholars addressed to Muslim communities. *Fatwas* are an integral component of Islamic law.

argued that the word *Shari'ah* should be coalesced with political meaning, giving it legislative stature. The judges holding authority would then become what Montesquieu (1748) described in his treatise, *Spirit of the Laws*, as: “no more than the mouth that pronounces the words of the law, mere passive beings, incapable of moderating either its force or rigour” (Montesquieu, 2005: 194). On the other hand, there were others who believed, to the contrary, that Islamic jurisprudence should be made autonomous, which would allow the judge to draw upon the *Shari'ah* rulings to constitute within his tribunal, a counterweight to political power. For example, the sovereign held discretionary power, albeit restricted in scope, which could substitute religious law with administrative regulations which is pertinent to specific types of cases. This was described as *siyasa shar'iyya* (policy compliant with revealed law), a useful instrument that was especially useful to restrain abusive political power, as explicated by Hallaq in his book, *An Introduction to Islamic Law* (Hallaq, 2009: 74).

In pre-modern states, the *Shari'ah* tended to be disassociated from political power, even if the boundary was unclear and differed from one state to another. Conversely, in modern post-colonial societies, *Shari'ah* is a part of statutory law, even though in some countries its scope is often reduced to personal status issues which encompass; marriage, divorce and inheritance laws for example. Contemporary understanding of the *Shari'ah* is based on control and codification, consequently rendering it purely an instrument of the state. The politicizing of the *Shari'ah* is a recent phenomenon which has been coalesced with *fatwas* (Hallaq, 2009).

Consequently, the *Shari'ah* is an epistemological concept; adaptable and flexible. The proverb that “*fatwa* changes with the times” demonstrates that legal opinion was not deemed to be a timeless and immutable ruling. *Fatwa* in its original sense is a non-binding legal opinion. The ruling was subject to modification because of “the changing of the times or...the changing conditions of society” as Hallaq reminds us in his book *Authority, Continuity and Change in Islamic Law* (2001: 166).

The necessity of modification is acknowledged as the principal characteristic of divine law. The medieval philosopher Al Farabi (870-950) has described how successive legislators would change the law. In his *Book of Religion*, Farabi has explained that these changes served to; conceal the gap that has been left by the previous legislator, to revise many of the predecessor's rulings and to authorise other rules which according to the legislators were more appropriate

for the current times. For example, *fatwas*, which has been recognised as a legal opinion is often subject to political manipulation as has been evident in France's manipulation of *fatwas* to ban Burka in public spaces (Fredette, 2015).

Divine law is coalesced with human understanding and interpretation. This comes with the understanding that the interpretation should be interpreted by competent learned scholars. "Islamic law is thus also characterized by legal pluralism", asserts Hallaq in his *An Introduction to Islamic Law*. "Not only because it acknowledges local custom and takes it into serious account," he explains, "but also because it offers an array of opinions on one and the same set of facts" (Hallaq, 2009:27). Consequently, Hallaq ascertains that it is highly ironic that colonial Europeans have accused Islamic law of being inflexible to rationalise and justify replacing it with new Napoleonic codes. Consequently, this process began the deconstruction of the *Shari'ah* that contributed to a perception of Islamic ruling to be timeless (Hallaq, 2009:27).

Recent examples of *fatwas* can even make consumers go against many businesses by proscribing Muslims from purchasing and consuming day-to-day consumer brands and products. For instance, there were reports regarding recent calls for a *fatwa* on Danish products which caused an eradication of Danish products from the retail shelves in Muslim countries. This inevitably had an impact on the Danish brands, thus losing significant amount of sales (Harrison & Akeel 2006). New rulings like a *fatwa* can be controversial and is at times, subjected to a debate among a wider group of Muslim scholars, until the *fatwa* ruling is well accepted and debated (Muhamad & Mizerski 2013: 357-360).

Examples of *fatwas* range from botox (Aglionby 2006), participating in car raffles (Ghazal 2010) to watching 'gossip TV' (Osman & Siregar, n.d.). It was reported that 350,000 *fatwa* verdicts were issued in 2010 by the 'Fatwa Center at the General Authority of Islamic Affairs and Endowments' in Abu Dhabi (Ghazal 2010). It is fundamental to comprehend that the *fatwas* vary across sectarian groups (Muhamad & Mizerski 2013: 358). Nevertheless, if a *fatwa* is issued in a country like Malaysia it is deemed to be legally binding upon all Malaysian Muslims (Nasohah 2005: 25). Moreover, Muslim countries are crucial agents in the procedure of making *fatwas* readily available for Muslims. For instance, the Malaysian Government compiles *fatwas* that have been issued in Malaysia and play a role in publishing *fatwas* online. This is supposed to facilitate the dissemination of *fatwas* among Malaysian Muslims

particularly younger Muslims that have a higher level of participation with online media (Islamopedia Online [IO] n.d.). There exists a consensus amongst Muslims that acting against accepted *fatwa* rulings is regarded to be a sin (Aglionby 2006).

It is of paramount importance to incorporate the subject of minority *fiqh* and *fatwas* within the current project as both are pertinent to the current study. Minority *fiqh* seeks to preserve the religious commitments of Muslim communities in the West. It has been contended that *fatwas* have and will be a significant mechanism that will contribute towards the integration process envisioned by Islamic scholars as many Islamic scholars appear to agree with many European public intellectuals and policy-makers that *fatwas* are supposed to be a diagnosis of the current ‘failure of integration’ situation (Lindekilde 2010). It is crucial to critically explore *fatwas* as they are also a religious code which informs one’s living law. Another reason to discuss *fatwas* is because some *fatwas* are gendered-based. The pertinence of this discussion is that some *fatwas* directly have an impact on Muslim women which is evident in the third analysis chapter, ‘*Fatwas*’ under the subheading ‘*Gendered Fatwas*’ encompassing the perspective of Islamic feminism. For instance, there exists several *fatwas* that are issued for Muslim women that range from beautification to clothing (Fatwa-Online [F-O] 1999). This provides an insight into what may or may not inform Muslim women’s sense of living law, how and why moral dilemmas develop and how frequently *fatwas* are adhered to (if so).

Al-Uqubat

Another reason to adhere to religious codes when one is informing their living law can be due to *Al-Uqubat* (the Islamic Criminal Law). *Al-Uqubat* stipulates different types of punishments for different crimes that have been transgressed in Islam within Muslim countries that implement *Al-Uqubat*. Such rules protect public values and interests that is regarded to be crucial by and for society, even if the immediate interest that is safeguarded is a private one. It is crucial to note that the interests protected by penal sanctions differ from society to society. Take for example consenting sexual acts. In some societies and communities, sexual acts between consenting adults are of no concern to the authorities, whereas in other societies and communities, the rules regulating sexual contact is regarded to be so imperative for the maintenance of social order that perpetrators are severely punished. The variation of such laws also applies to the consumption of alcohol, other psychotropic substances and much more (Peters 2005: 1).

The current sub-section will not provide details about what *Al-Uqubat* entails, nor detailed information on the different schools of Islamic jurisprudence and their views on *Al-Uqubat* because such detailed information is not pertinent to the current project's research questions. Another explanation for not providing a detailed account on the Islamic criminal law is that it is not implemented in the UK, so when and if certain Islamic rules have been contravened by the individual, then the State can in no way punish the transgressor. However, the Islamic criminal law can inform one's living law irrespective of not being implemented in the UK because there exist other forms of repercussions that can be delivered by the Muslim community to mete out similar punishments that is afflicted upon the perpetrator, whether the Secular law approves or disapproves of such punishments. This is crucial to incorporate as this may affect the thinking process of how Muslim women code and inform their living law in relation to moral dilemmas, deviance and crime.

Cultural, Religious, and Secular Codes Informing One's Living Law

After discussing religious codes, the current section will now go on to critically explore how cultural codes, religious codes and secular codes can simultaneously or separately have an impact on one's living law. Moreover, it is imperative to acknowledge that there also exists an interconnection between the *Shari'ah*, customs and the State law. Buskens (2000) has described this entwined relationship as an 'Islamic triangle model' which provides an enhanced understanding of the diversity of norms that exists within the Muslim communities. The incorporation of Buskens' study is crucial for the current project as the 'Islamic triangle model' provides an insight into how different norms and codes compose living law.

Furthermore, Cesari (2006) explored the situation in France where Muslim youth are seeking to distinguish and discern between their faith and their parent's cultural trappings as they endeavour to construct an Islam that is cohesive and applicable to the French society. It is crucial to acknowledge that the older generation, having migrated from their home country in which they were a majority are having to redefine their identity as a minority in a non-Muslim majority context (Cesari 2006: 13).

It has also been noted that although the new generation of Muslims are not consistent at practising the basic tenets of Islam, they do however respect Islamic values and rules. Most Muslims define themselves as believers in Islam and preserve a positive perception of Islam (Bectovic 2011; Jeldtoft 2011; Otterbeck 2011). Such Muslims, believe that Islam signifies, above all, significant rituals and episodes of family life (Feasts and religious holidays). The prominence of festive moments, rather than on the day-to-day practice of Islam mainly exists because most second-generation Muslims in Europe have not attained a religious education either outside or inside their families, as for certain age groups, specifically over the age of 25, there were no Qur'anic schools or religious schools of any sort that existed.

The neglect or lack of religious education within the family can also be manifested by their parents' attitude towards Islam during the first period of migration. It was during this period that it became evident that the older generation, to an extent, abandoned some of the Islamic teachings because they did not feel completely integrated within the French society. At present, the situation has now transitioned from no religious schools to the development of Islamic associations in France since the early 1980s which was accompanied by the foundation of

numerous Qur'anic courses (Cesari 2006: 262). Adding on to this study, a strong theme emerged in the fourth chapter of analysis which demonstrates how the respondents acquire new Islamic knowledge but the affect this journey has on the individual has not been highlighted previously by academics nor researchers (this issue will be explored further in '*Secularism and Islam*' under the theme '*The Complexities that are revolved Around Acquiring Islamic Knowledge*').

Similarly, Cherribi (2006) also noted that at present, there is an increase in the 'Islamisation of Europe.' According to Cherribi, Islam has become increasingly visible in European public spaces, such as; the prevalence of *halal* food, Mosques, Muslim customs and the ways in which they dress are all increasingly common in European countries. However, it was clear that Muslims were increasingly discriminated against and marginalised since the terrorist attacks in the United States which led to feelings of disintegration. To add on to this, the current project also ascertained that some of the respondents were also feeling disintegrated within their own communities (this issue will be explored further in '*Secularism and Islam*', the fourth chapter analysis).

Cherribi further established two key developments that have occurred in the Muslim communities within Western Europe over the past few decades. The first key development is the ongoing process of institutionalisation of the establishment of Islam in Europe that encompasses the development of Islamic schools, cultural, social, and political networks and the growth of Mosques. The second key feature is the emergence of Islamic religious leadership in Europe, in the form of *imams* as a major voice that represents and speaks to and for the Muslim community on various social issues that relate to the European contemporary society (Cherribi 2006: 193-5). Similar to the current project, the respondents have acknowledged that there is a rise of Islamic leadership (evident in third chapter of analysis entitled, '*Fatwas*'), but the influence certain *imams* have on the individual and on their sense of living law has not been captured (this issue will be explored further in the fourth chapter of analysis, '*Secularism and Islam*' under the sub-heading, '*Learning Islam via Imams*').

The inclusion of the above relevant and contemporary studies is pertinent to the current project as such studies evince the correlation that exists between religious, cultural and secular codes, echoing the works of Buskens (2000). Moreover, the challenges that have been highlighted that

hinder the individual from adhering to the Islamic obligatory practices suggests that living law fluctuates as the individual prioritises and deprioritises certain codes of living law to solve their moral dilemmas. More information concerning why there is this sense of prioritising codes over others has been provided in all four chapters of analysis.

Organised and Non-Organised Religion

After critically exploring a large variety of different religious, cultural and secular codes that have been and can be utilised to form one's living law, it is now imperative to acknowledge that irrespective of which codes form one's living law, there exists the dimension of organised and non-organised Islam. In other words, there is a fluid and complex range of what it means to be a 'practising Muslim' and this study explores how such interpretations are qualitatively experienced.

There has been extensive research conducted on organised and non-organised Islam. The most relevant research that relates to the present study has been conducted by; Bullock 2002, Bectovic 2011, Jeldtoft 2011, Otterbeck 2011b and Jouili 2015. Such studies have focused on organised-Muslims, non-organised Muslims, Muslims 'just by name', converts to Islam and individuals who do not belong to any jurisprudential school of thought. These studies have also engaged in the discussion of what it means to be a Muslim, the Muslim's perspective and understanding of Islam as well as exploring the impact Islam has on the lives of Muslims living in a non-Islamic State or a secular State. From such studies, it has been ascertained that the level of religiosity affects the level of adherence and practice towards Islam. The results of the qualitative data have in general, produced similar results, in particular, research that has been conducted in European countries (Otterbeck 2011a: 1169). However, when the focus is on Muslim youth that are not engaged in a process of resurgence, then other results become discernible (Jacobsen 1998; Keaton 2006).

In addition, Otterbeck's (2011a) study will be explored in detail as the findings of this study is relevant to the current project. Otterbeck explored Islamic rituals amongst non-organised Muslims in Malmö (Sweden) and Copenhagen (Denmark). The aim of this study was to discover how Muslims associate with their family history. Otterbeck (2011a) argued that for some Muslims, religious practices are not actually considered to increase one's moral disposition and discovered that the Muslim youth are in fact beginning to question the morality and prohibitions of Islamic teachings. For example, the relevance of wearing Islamic clothing, abstaining from alcohol, eating *halal* food, observing fasts, attending the Mosque, praying *tarawih* prayers,⁵ celebrating Christmas and even celebrating major Islamic holidays is being

⁵ 'Tarawih' is an additional prayer performed during evenings in Ramadan.

subjected to doubts and questioning whether there is a relevance to Islamic teachings (if any) that is causing a proliferation of endless questions (Otterbeck 2011a: 1171). The inclusion of this study is imperative to incorporate as the current project also ascertained that there was a strong sense that the respondents are indeed beginning to question morality and Islamic prohibitions (refer to the fourth chapter of analysis). However, the current project has contributed to Otterbeck's study by illustrating; the different ways in how and why Muslim women are beginning to question Islam (refer to the third chapter of analysis referred to as, 'Fatwas'), the different ways in which Islamic knowledge is consumed and the after-effects of acquiring this new-found knowledge (refer to '*Secularism and Islam*').

All in all, there has been much academic work that has focused on organised and non-organised Muslims. It is important to encompass such studies as it will result in a clearer understanding of why the respondents for the current project were categorised into 'more practicing' and 'less practicing' cohorts.

PART II: Islamic Feminism

The second chapter within the literature review will focus on Islamic feminism by critically exploring: the *struggles of being a Muslim woman; law, culture and religion; the hijab; key contributions of Islamic feminism; reinterpretation of scriptural texts; acquiring Islamic knowledge; gender inclusiveness and concerning public worship*. Islamic feminism is a normative framework that prescribes certain rules for women and has embraced certain methodological tools which enables a better understanding of the Muslim world. The fundamental pillar of Islamic feminism is that they explore the challenges and interpretations derived from religious authorities, religious issues and religious scriptures. Consequently, Islamic feminists have attempted and are attempting to reinterpret Islamic teachings that would result in egalitarian rights for women and men in Islam (Davids 2015).

Islamic feminism is a response to challenges from both patriarchy and secularism, but rather than rejecting organised religion as an oppressive institution, Islamic feminists emphasise the importance of religious identities and empowerment of Muslim women through a female-centric re-interpretation of classical Islamic jurisprudence. Islamic feminist's contention is that any challenge to orthodox and patriarchal dominance in Islam will happen via empowering Muslim women themselves rather than from external secular forces or pressures.

Most Islamic feminists are reluctant to neglect their religious orientation. Such women regard Islam to be of high value and significance that constitutes their cultural, ethical or/and national identity (Lang & McGarvey 2009: 22). Most Islamic feminists perceive Islam to be the only authentic path for women's liberation and regard cultural misinterpretations as the primary source of women's subordination.

For example, certain Islamic feminists, such as Amina Wadud, Asma Barlas and Riffat Hassan have conferred amongst themselves to challenge the monopoly of traditional interpreters of the Quran departing radically from classical interpretations. The heterogeneity of this feminist approach ranges from the development of new interpretive methodologies in scriptural exegesis, to a more critical analysis of the viability of understanding gender equality within Islam (Moghissi, 1999). Other scholars such as Fatima Mernissi (1991: 80) are engaged in contesting and disputing received notions of Hadith literature.

Also, to better understand gender inequality, both scholars, Kecia Ali (2010, 2012) and Ziba Mir-Hosseini (2003, 2013) deconstructed some of the Quranic interpretations and critiqued the very epistemological, philosophical and ethical premises that have guided some of the classical jurists' constructions of women and men. Some of the critique encompassed; the relations between the two sexes, marriage and marital roles in which both scholars discern as the genesis of gender inequality and hierarchy within Islamic law.

It is essential to understand that some Islamic feminists differ from one another, when they approach Islam and argue that it is not Islam, which is at fault, but rather the cultural interpretation of Islam. Therefore, Islamic feminists don't blame their secondary status on Islam although some critics of Islam do is unfeasible and essentialist. As is the assertion that all solutions to overcome the impediments that Muslim women encounter within their cultures and societies can be eradicated by detaching oneself from their religious teachings that revolves around historically biased interpretations. Hence, this perspective constitutes an essentialist Islamic determinism and dismisses the complexities of political, social and economic transformations that can contribute towards women's subordination (Lang & McGarvey 2009: 54).

Nevertheless, Islamic feminism and women's movement argued that a degradation of the Islamic legal tradition and a major misrepresentation of the sacred texts has been curtailed over the ages by the misogynist and patriarchal cultures of Muslim communities and was particularly silenced by the legal interpretation of Islam which was established by the juridical schools in the tenth century. The repercussions of such interpretations have resulted in the development of a patriarchal structure and sexist laws that have become prevalent in many of the Muslim countries. For example, the Permanent Council for Scientific Research and Legal Opinions (C.R.L.O.) is established in Saudi Arabia and is regarded to be the official institution entrusted with imposing Islamic legal opinions. The Saudi Government, embraces the legal opinions of the Council as the law of the land. Examples of some of the legal opinions are whether a brassiere should be worn or whether it is acceptable for women to wear high heels. It was concluded that brassieres can be worn for medical or health reasons, whereas high heels were not permitted because they accentuate a woman's thighs (El Fadl 2001: 177-178). To summarise, many laws in Islamic countries are developed by such *fatwas* legal opinions (El Fadl 2001).

After discussing the different dynamics within Islamic feminism, it is important to briefly highlight some of the critiques of Islamic Feminism purely because not all the respondents that were involved in the current thesis concurred with Islamic feminism for different reasons. For example, Haideh Moghissi (1999) a critic of Islamic feminism asserts that Islam and feminism are fundamentally incompatible because Islamic scripture encompasses a highly developed gender hierarchy. Thus, Moghissi is highly sceptical regarding the possibility of establishing a programme of legal and social rights for women within Islamic parameters, as Moghissi argues that it is inherently antithetical to the notion of gender equality. Further to this, other scholars have also critiqued Islamic feminism as having weak methodological associations to classical religious sciences, being an unsystematic and heterogeneous body of knowledge, and being politically insignificant, or for that matter, even counterproductive, for Muslim women (Moghissi 1999, Moghadam 2002, Tohidi 2003).

After briefly explaining the role of Islamic feminism and the limitations, it is now imperative to comprehend how living law and legal pluralism are related to Islamic feminism. Islamic feminism would argue that the way in which women understand norms, the way they understand laws and the way they make sense of their lives depends on the social situations they find themselves in and the extent to which they are immersed in patriarchal and segregated society's. By focusing on a variation of Muslim women, the current research is exposed to potential different codes and interpretations of 'living law'. The current project will utilise the work of Islamic feminism, not as a model of what women should think, but as a structure for predicting which Muslim women are more likely to use a religious focus to construct their living law and which Muslim women are less likely to do that. Therefore, this bank of literature will aid the current research when describing and explaining the respondents' interpretations of moral codes.

Struggles of Being a Muslim Woman

The current section is divided into two parts which consists of; law, culture and religion and the *hijab* to comprehend some of the challenges and struggles Muslim women are encountering in contemporary society. This is crucial to discuss as some of challenges delineated below help to understand how one's living law is formed when placed in moral dilemmas. To appreciate and understand how living law is composed, it is crucial to acknowledge how moral dilemmas; strengthen, weaken, transform or fluctuate certain codes of living law. The inclusion of the

challenges and struggles Muslim women encounter is pertinent to the topic at hand because such moral dilemmas have been accentuated by the participants as is evident in the four analysis chapters.

Law, Culture and Religion

It is pertinent to explore the strong interconnection that exists between religion and culture as it is crucial to understand that inevitably there will be traces of cultural codes that informs one's living law whether Muslim women confess to this consciously or subconsciously. Religion does not come without culture and that, conversely a culture does not come into existence without the intervention of religious practices of the social group that constitutes it. For example, Prophet Muhammed's (ﷺ) personal experience provides a deep insight into how deeply culture and religion are interconnected. Prophet Muhammed (ﷺ) had to experience exile from Mecca and had to migrate to Medina, which involved an inevitable confrontation with cultural differences that were experienced within the Cities of Saudi Arabia. This suggests that there are no culture-free religions and religiously neutral cultures. Any given religion is always interpreted and comes into existence within a given culture; hence religion is consistent in fashioning and nurturing the culture of the social community within which it is lived (Ramadan 2009: 183-186). This renders such a thesis challenging to explore as some of the respondents for the current project have found that such complex links between religion and culture are difficult to define and differentiate (refer to the third analysis chapter 'Fatwas' for further exploration).

A recent study which can be incorporated has been presented as part of the National Dialogue (2004) in Saudi Arabia. This was an annual event that was organised by the *King 'Abd al-'Aziz Centre for Dialogue*. This study explored Saudi women's increasing awareness (if, some) of the differences between religion, customs and norms. The findings of this research were that norms and customs are merged into one another which informs religious provisions that influence how Saudi women understand their rights and the situations they are currently placed in. Also, many legal scholars and judges tend to perpetuate social norms through their legal actions, decisions and judgements which has also had an inevitable impact on women (Alhussein 2014). The inclusion of this study suggests that the consistency with which customs are unaffiliated and at times contradictory to religious doctrine, are adhered to and practised upon by Muslim communities as supposedly religious. Most Muslim women are unable to

discern between practices, customs and basic tenets of Islam (Pharaon 2004: 362). More information on not being able to differentiate between culture and religion has been explained in more detail in the third analysis chapter entitled, '*Fatwas*' and the fourth analysis chapter called, '*Secularism and Islam*'.

Furthermore, the interconnection of religion with customs and law has extremely profound implications for women which affects them negatively in contrast to men. In principle, the main purpose of the development of Women Living under Muslim Laws (WLUML) is to expand the autonomy of women that are affected by Muslim laws and by encouraging Muslim women to reformulate and scrutinise the identity that is imposed on them through the implementation of Muslim laws. Hence, by doing so would result in a much greater control over their own lives. However, it is prevalent for many Muslim women to remain ignorant as they remain incognisant of even the basic disparities that exists between customary laws and the official version of Islamic law (Shaheed 1994).

In an attempt to demolish this monopoly, a Qur'anic Interpretation group was held in 1990, where thirty women activists congregated to recite the Qur'an themselves in an attempt to explore the real relationship between women and Islam. The attendees began to formulate new Qur'anic interpretations. It came to everyone's knowledge that it is possible for different interpretations to emerge and encouraged women, in general, to involve themselves in such exercises and to question common assumptions (Shaheed 1994) (this issue will be explored further in the '*Reinterpretation of Scriptural Texts*' within this chapter).

The Hijab⁶

Another most common challenge Muslim women experience is the '*hijab-dilemma*'. Muslims believe that modesty is one of the basic principles that should be adhered to in Islam by men and women. Modesty can be adhered to by lowering one's gaze and by remaining pure which

⁶ The head cover is derived from the interpretation of the word '*khimar*.' It was common that at the time of Prophet Muhammed (ﷺ), the practice that was adopted to conceal oneself was to wear a loose scarf covering the woman's neck, head and perhaps the shoulders which leaves the rest of the body uncovered. But, in the later implementation of this rule, women had to use the *khimar* to conceal their breasts as well. Given the interpretation of the original term *khimar* explains why Muslims believe that the Qur'an instructs women to conceal their hair. However, this has not been explicitly specified in the Qur'an which is why some Muslim women argue that they do not have to conceal their hair (Sechzer 2004: 268).

is enhanced by the dress code (Sechzer 2004: 268). To support this, it has been stated in the Qur'an:

And tell the believing women to reduce [some] of their vision and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of] their headcovers over their chests and not expose their adornment except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons, their women, that which their right hands possess, or those male attendants having no physical desire, or children who are not yet aware of the private aspects of women. And let them not stamp their feet to make known what they conceal of their adornment. And turn to Allah in repentance, all of you, O believers, that you might succeed.

(Qur'an, *Surah An-Nur*, Ch.24 V.31).

Most Islamic scholars perceive that a woman's hips, chest, neck, legs, or her entire body referred to as *zeenah* (beauty or charms and ornaments) should be completely concealed (Sechzer 2004: 268). The word *jilbab* is often referred to loose-fitting clothing, more specifically, a long, loose overcoat or dress worn by many Muslim women. Adhering to such rules would assure modesty and would not attract attention from the opposite sex (Muslim Women's League [MWL] 1997). But, there is no specification regarding a complete body coverage that is stated in the Qur'an (Sechzer 2004: 268).

Moving on, there are two main reasons for the existence of the '*hijab-dilemma*.' The first reason is that some Muslim women choose to remove their headscarves for fear of racial and hatred crimes, hence are attempting to circumvent such scenarios. Since the terrorist London attacks which occurred on the 07/07/2005 a leading British Muslim scholar, Dr Zaki Badawi issued a *fatwa* stating that Muslim women living in the European country, in particular those Muslim women that have suffered harassment and abuse can remove their headscarves (TheRevivalEditor [TRE] 2005). Similarly, in the United States, an alarming number of Muslim women have chosen to remove their headscarves since Donald Trump has been elected for the Presidency of United States of America due to the number of racial attacks on Muslim women. The second reason for the development of the '*hijab-dilemma*' is that some Muslim

women have been requested by family members and friends not to wear a headscarf in public due to fear of assaults (Bondok 2016).

All in all, the inclusion of the above studies that have portrayed the complexities of the *hijab*-dilemma is pertinent to the current project as it will help to comprehend and appreciate the struggles Muslim women encounter with their attire in contemporary society that has been explained in more detail in the following analysis chapters; the second analysis chapter '*Halal and Haram*' under the sub-theme '*Muslims Categorise other Muslims as Halal and Haram*', the third analysis chapter '*Fatwas*' under the sub-theme, '*Fatwa shopping with the right intention*' and the fourth analysis chapter '*Secularism and Islam*' under the sub-theme, '*complexities of the hijab*'.

Key Contributions of Islamic Feminism

The current section explores the key contributions of Islamic feminism. It should be acknowledged that the discussion will be contained to contributions which highlight the different ways of how living law is lived by Muslim women. The key contributions will encompass; the reinterpretations of scriptural texts, acquiring Islamic knowledge and gender inclusiveness concerning public worship.

Reinterpretation of Scriptural Texts

To begin, Muslim women felt that there was a need to reinterpret scriptural texts (the Qur'an, *Sunnah* and the Islamic law) which was traditionally interpreted as sanctioning female subjugation and male authority according to Islamic feminists (Lang & McGarvey 2009: 38). The reinterpretation of scriptural texts has occurred in the Muslim world and the non-Muslim world, mainly amongst Muslim women. To provide a few relevant examples, in Indonesia, Muslimat Nahdlatul Ulama (NU's) was developed in 1946 to enhance the plight of women by focusing on legal issues and addressing the need for the reinterpretation of scriptural texts (Athyal 2015: 190). Further to this, in Kuala Lumpur, Malaysia (1980) there is a rise on Muslim intellectuals, activists, teachers and *imams* that are also interpreting the *Shari'ah* (Barazangi 2016: 47).

Further to this, in Malaysia, Sisters in Islam was founded in 1987 by a group of professional Muslim women. The organisation was registered as an NGO in 1993 to promulgate awareness of the principles of justice, equality, dignity and freedom that they strongly believe is inherent in Islam. Sisters in Islam aims to uphold and preserve such principles within a democratic State, more specifically accommodating for a more humane treatment and an increase of protection for women. Sisters in Islam formulates its arguments based on the Qur'anic text by accentuating that the Qur'an calls for equality between men and women and for the fair treatment for all mankind. Consequently, if the interpretation does not adhere to such Qur'anic principles, then the interpretation, rather than the Qur'anic text, is perceived to be distorted, suggesting the requirement for reinterpretation. Sisters in Islam have also challenged the interpretations that supposedly endorse the oppression and subjugation of women and certain interpretations that refuse to acknowledge the basic rights of women as such interpretations violate and contradict Qur'anic principles in general (Shukri & Owoyemi 2014).

As mentioned at the beginning of this section, the reinterpretation of the Qur'an and the *hadith* has not just been emphasised in the Muslim world, but the need for such reinterpretations has also seeped through the West and has been embraced by some scholars. For instance, Moroccan Fatima Mernissi was the first Muslim feminist scholar to explore critically the patriarchal and misogynist interpretations of Islamic teachings. Mernissi provides a detailed re-interpretation of the *hadith* and the Qur'an discussing how women can achieve equality. Although, Mernissi acknowledged that egalitarian principles in the Qur'an do exist, she does not attempt to persuade her readers that Islam or the Qur'an can be completely detached from cultural, historical and human influences (Mernissi 1996: 68-69).

Similarly, the African-American scholar, Amina Wadud is known to be one of the first to publish a female-inclusive exegetical work that focused on female and male equality and further accentuated the importance of religious obligations as a foundation for challenging gender roles, not as a product of religion, but as a product of culture (Wadud 1999). All in all, it was vital to draw upon some of the work that has been conducted on scriptural interpretations or reinterpretations for that matter as this results in a better understanding of how and why Islamic feminists (for the current project) behave and act in certain ways as opposed to other respondents as they are adhering to the 'reinterpretation' rather than what was originally 'interpreted'. More detail on how Islamic feminists differ from others has been presented in the third chapter of analysis, called '*Fatwas*' under the sub-theme '*Gendered Fatwas*'.

Acquiring Islamic Knowledge

The second most common theme Islamic feminists strive to achieve is to acquire Islamic knowledge. It is becoming increasingly common for Muslim women to acquire Islamic education as it enables them to detach their religious belief from their cultural beliefs and are further able to liberate themselves from patriarchy. Furthermore, many Muslim women seek personal empowerment by closely adhering to religious prescriptions by; studying and fathoming the meaning of the Qur'an, by learning Arabic, and by attending Islamic conferences and lectures which enables them to challenge cultural tradition and to dispute male leadership 'from within' (Silvestri 2011: 1231). Additional information on the causes for acquiring Islamic knowledge can be gleaned from the fourth chapter of analysis (refer to the theme that is entitled, '*The Complexities that are Revolved Around Acquiring Islamic Knowledge*').

There are many different forms of obtaining Islamic knowledge as has been delineated above. The enhancement of technology is one approach of understanding how Islamic knowledge can be obtained. The emphasis on technology will be highlighted as technology seemed to be one of the main sources of how knowledge is gained for the respondents within the current project. Moreover, computer mediated communication (chat rooms, weblogs, MySpace, Facebook, online forums or e-lists) provides different forms of interactions and support new virtual social networks. Muslims engage with one another online via public virtual Muslim communities. Such social networks are the new cyber or online Islamic environments (see Bunt 2000, 2003 and 2009) as Muslims can examine what it means to be a Muslim living in minority contexts, whether Muslims are; in Australia (Rozario 1998), in Britain (Bunt 1999), or in the Netherlands (Brouwer 2004: 47). Muslim forums have become virtual public places where young Muslims who belong to diverse linguistic, ethnic, social and cultural backgrounds can learn how to negotiate such multiple identities. The internet creates a new “e-public space” where Muslims can explore, understand and familiarise their own cultural beliefs related to Islam and other beliefs that other Muslims bring forward to such online Islamic environments (Dawson 2001; Helland 2002: 297; Karaflogka 2006). How and why Muslim women utilise social networks will be further discussed in the third chapter of analysis called ‘*Fatwas*’.

The growing use of technology is not only comprised of; computer mediated communication, but also consists of; the local radio, the local cable television and call-in radio programmes that have become prevalent in European Cities, making the local *imams* accessible and approachable to Muslim communities. There also exists the imported Muslim programmes that are recorded on videotape from Islamic countries that are frequently broadcasted on local cable television because the local communities do not always have the means and resources to develop their own programming. For instance, on the same cable system in Amsterdam, one can find programming that is derived from Morocco, Turkey, Saudi Arabia or London. “*Imams on-line*” have also become increasingly common in the late 1990s in different European countries (produced in various languages) which is a relatively new phenomenon. ‘*Imams on-line*’ can respond to questions concerning; assimilation, integration, rituals and personal issues that relate to marriage or sexuality (Cherribi 2006: 198-199). The issue on how *imams* provide information online, will be explored further in the third chapter of analysis on ‘*Fatwas*’. This reveals not only how the *imams* respond to certain Islamic predicaments but also how and why

Muslim women choose to adhere to or opt to dismiss the rulings of the *imams*. Such detailed analysis brings to the forefront how and why living law is constructed the way it is.

In addition to this, Marcotte (2010) explored the e-religious discourse which Australian Muslims developed over the internet and ascertained that Muslim forums provide numerous opportunities for members to manifest a variety of opinions and views. On the one hand, such forums enable Muslims to submit views that may contest, challenge or even transgress Islamic gender and sexuality norms. On the other hand, such forums equally permit members to reaffirm authoritative normative Islamic views and provides members an opportunity to acquire Islamic knowledge. It was ascertained that Muslims can manifest a greater diversity of opinions and beliefs online in preference to other Muslim public contexts, whether it be the local Muslim community Mosque or the Muslim school. This may be because online forums have become much safer due to anonymisation which enables the exchange and response of certain beliefs without identifying the poster (Piela 2011: 262; 2012: 80-88). The inclusion of this study is highly pertinent to the current project because the current project's analysis also demonstrates that there are many respondents that manifest their predicaments on forums. But the current project builds on this research by explaining the causes of such predicaments and the outcomes of such predicaments, which inevitably involves the discussion of which norms are extracted from their living law to solve their moral dilemmas.

Overall, it has been gleaned that there is a great impact on the lives of Muslim women for wanting to acquire Islamic education. Riffat Hassan perceived the lack of Islamic education among Muslim women as a substantial impediment to be encountered, as Hassan further argued that if Muslim women are not cognisant of religious attitudes and ideas which consists of the matrix in which their lives are rooted, it will inevitably render such beliefs and transitions to be meaningless. In other words, it will not be conceivable to develop a new era in which the Qur'anic vision of gender-justice and equality become meaningful and a lasting reality. Hassan depicts Islam not as an embodiment of Islamic rituals and beliefs, but instead as a way forward, striving for an equitable and just society (Hassan n.d.). However, there are other temporary and long-lasting predicaments Muslim women are confronted with for not obtaining Islamic knowledge, aside from not being able to contribute towards a gender-justice world. This issue will be explored further in the '*The complexities that are revolved around acquiring Islamic knowledge*' in the fourth chapter of analysis '*Secularism and Islam*'.

Gender Inclusiveness Concerning Public Worship

Islamic feminism has also contributed towards gender inclusiveness in relation to public worship. To provide more detail, some Muslim women have begun to challenge the male prerogative in the Mosque. This is implemented not only by asserting their right to pray in the Mosque and in the same room as men, but also by alleging their historic right to lead prayers in a mixed-gender setting (Hammer 2012: 205). Muslim women are not just arguing for their ‘rights’ in public worship but are also implementing such practices. For example, in the early 1990s, Muslim women delivered the *khutbah* (Friday sermon) and led mixed-gender prayers (Heol 2013). Muslim women did not just argue for more space in the Mosque and to lead prayers in a mixed-gender setting, but also insisted that it is their prerogative to pray alongside men in shared common space in the Mosque (Iqbal 2014). To justify their position, Muslim women would cite the example of Umm Waraqah, who was appointed specifically by Prophet Muhammad (ﷺ) as an *imamah* (female prayer leader) over her household. However, there is much contestation regarding this *hadith* as is evident in the third analysis chapter under the section ‘*Gendered fatwas*’.

However, there are many implications of implementing gender inclusive practices within the public sphere. Amina Wadud (2005) can be referenced upon for this example. Wadud caused an uproar amongst the Muslim communities worldwide because she led the Friday prayers for women and men in New York. In response to her act, Yusuf Qaradawi issued a *fatwa*, stating that a woman leading men in prayer is practically inconceivable and unheard of in Islamic history, and is contrary to Islamic teachings because the female body inevitably incites sexual thoughts in men. Hence women simply cannot perform the prayer by becoming the centre of attention (see Al-Qaradawi 2010 for more information and for Islamic references).

However, such *fatwas* have not precluded other Muslim women from emulating Wadud as Asra Nomani followed Wadud’s footsteps a short period after in Boston (2006). After this implementation, it is easily distinguishable to note that others have emulated such actions around the world. Furthermore, in Turkey and Morocco, female *imams* have also increased in numbers and have embraced the national stage. For instance, the Moroccan Ministry of Islamic Affairs granted the *imam* status to fifty Muslim women *imams* in 2006. However, their powers are restricted because these women cannot lead the prayers, a privilege reserved for Muslim

men in accordance with a *fatwa* that has been issued by the High Council of Ulemas in Morocco (Chrabieh-Badine 2011: 179).

The importance of discussing gender inclusiveness in public worship is to evince that Muslim women are not just arguing for their rights but in fact, are implementing such practices. Kecia Ali went a step further in 2006 as she solemnised a Muslim wedding by providing the sermons and administering the wedding vows (Hammer 2015: 402). Such examples are necessary to incorporate as the current project will attempt to decipher if Muslim women are encouraged or deterred by such acts and why this seems to be the case. Such explanations that will be derived from the respondents will explain how and why they have comprised their sense of living law in a certain way and if they feel that such codes are in any way related to moral dilemmas, deviance and crime in Islam. This issue will be explored further in the third chapter of analysis ‘*Fatwas*’ under the fourth theme ‘*Gendered fatwas*’.

Islamic Feminism Summary

To conclude, all feminists differ when concerned with the conceptions of identity, status, recognition and inclusion of women (Davids 2015). Islamic feminism has been selected because it resonates with the comprehension of Islamic laws. This relates to the present research as it will describe Muslim women's experiences and their relevance to Islamic feminism. The second chapter on Islamic feminism has focused on two main areas which encompassed; the struggles of being a Muslim women and key contributions of Islamic feminism. Other aspects of Islamic feminism have not been evaluated in this thesis because they are of less relevance to the current project and the specific issue of living law. The above sections of Islamic feminism all relate to the themes and sub-themes that have been analysed in the four main chapters of analysis as has been highlighted as and when relevant.

Nevertheless, it has been made transparent that many Muslim women encounter some form of conflict either within their own Muslim community where they are often challenged with patriarchal traditions and with the Western world's increasing criticism of Islam where Muslim women struggle to protect their faith, belief and culture. Muslim women's struggle often results in them having to select between fighting racism (prevalent in the West) and sexism (within their own faith community) (Lang & McGarvey 2009: 21).

III: RESEARCH METHODOLOGY

This section provides a detailed overview of the methodology underpinning the research in addition to the methods of data collection, process of analysis and the ethical issues prompted by the fieldwork.

Scholarship on gender and women in Islam is relatively rich as discussed in the previous chapters but provides limited perspectives on the lived experience of Muslim women and their relationship to living law in contemporary society (Silvestri 2011: 1233). The intention of this project is to focus on the variety of Muslim women's experiences, interpretations, voices, subjectivities, norms, values, symbols, institutions and their forms of belonging to their code of living law. Therefore, the current project has explored Muslim women's positioning in society in relation to living law codes that relate to moral dilemmas, crime and deviance.

Qualitative Data

The study has adopted a qualitative approach to answer the research aim and questions since they are concerned with experiential phenomena. Qualitative data is best utilised to answer the research questions that relate to Muslim women's understanding and interpretation of how they make sense of moral dilemmas. This type of approach is best used to explore the concept of 'living law' amongst Muslim women because this approach enabled the respondents' to articulate how they make sense of the world, how they anchor themselves in the world and what the world is like for them. The main research approach that has been adopted is the Interpretivist approach because this approach focuses on different interpretations, multiple truths, viewpoints and meanings that begin to explain different behaviour (Lederman & Abell 2014: 7). This method had the advantage of finding common and different themes about how interviewees made sense of moral dilemmas, encompassing prohibitions in Islam.

The advantages of using a qualitative approach is that this approach enabled me to conduct an in-depth exploration into many aspects of the human experience, whilst encompassing all the contradictions, idiosyncrasies and differences that seem to be apparent from the responses analysed. This approach provided the respondents the opportunity to elucidate in their own words how they feel, how they interpret their own experiences, what they think and how they make sense of the world they live in (Hyde et al., 2004: 45). Using this approach resulted in the respondents addressing some topics that were not initiated by myself. This led to particular

conversations becoming either sensitive, controversial, or uncomfortable to discuss in detail. Such studies also serve to provide a voice to certain minority groups (Rubin & Babbie 2010: 34-35) as has been the case for the current project.

The focus of qualitative research is to develop an understanding of how particular meanings are constructed rather than generalising. Hence, it is not possible to form generalisations that concern a wider group based on a small qualitative study (Hyde et al., 2004: 45). However, in some scenarios the results of some qualitative studies that provide the social and historical context of a study may result in the data being transferrable to other situations or groups in different locations (Russell & Gregory 2003). Overall, the research questions for the current project were experiential and so qualitative research methods were the most appropriate means through which the depth of such experiences could be articulated and analysed.

Phenomenology

For qualitative research, it is important for me not to have entered the research with preconceived ideas, but rather to comprehend the phenomena. There are four main approaches to qualitative data that consists of; ethnography, phenomenology, field research and grounded theory. The current project will embrace the phenomenological approach. The three remaining approaches to qualitative research have not been employed because such distinct approaches are not suited for the current project. Take for example the ethnographic approach. The ethnographic approach has not been employed for the current project because in ethnography the emphasis is placed on studying an entire culture. In other words, I must immerse myself in the culture as an active participant (Kolb 2008: 168) which is impossible for the current project's framework. Field research is also not suitable to employ for the current project because the essential idea for the field research approach is to enter the field to observe the phenomenon in its natural state (Miller 2013: 111). The grounded theory has not been embraced for the present study because the grounded theory begins with the opposite approach. Instead of first establishing a theory and then observing the behaviour to determine if they are correct, I would have to observe the behaviour to determine the theory instead. Also, regarding the grounded theory, I would not be completely cognisant of what I am studying until I have completed a significant amount of analysis (Kolb 2008: 171).

After discussing the reasons for why ethnography, field research and the grounded theory were not employed for the current project it is comprehensible that phenomenology is the most appropriate approach to utilise as Moustakas (1994: 84) stated that 'evidence from phenomenological research is derived from first-person reports of life experiences'. This implies that I am heavily dependent upon the experiences of others and the meanings that is attributed by the respondents (May & Holmes 2012: 75). Phenomenology is a school of thought that accentuates a strong focus on the individual's experiences and interpretations of the world (Ary et al., 2014: 501).

To provide more detail on phenomenology, the phenomenological approaches stem from two prominent philosophers; Husserl (1859-1938) and his pupil Heidegger (1889-1976). Each philosopher embraced a slightly different approach. Husserl preferred to describe phenomena with absolute minimal interpretation, strongly believing that the purity of the account was mainly dependent on the researcher being able to put to one side (or bracket) their assumptions in affiliation to the area of exploration, thus articulating only the experiences of the participants. However, Heidegger, shifted away from this approach, and adopted more of an interpretive stance which focuses on not just description, but emphasised the importance of understanding and interpreting human experience (May & Holmes 2012: 75). The focal point of phenomenological inquiry is to comprehend the meaning of people's experience in relation to a phenomenon (descriptive phenomenology), and how those experiences are interpreted (hermeneutics) (Polit & Beck 2004: 253).

Further to this, phenomenologists ardently believe that lived experiences give meaning to everyone's perception of a certain phenomenon. There are four main aspects of lived experiences that are of interest to phenomenologists, which encompass; lived body or corporeality; lived time or temporality; lived space or spatiality and lived human relation or relationality. Phenomenologists further argue that human existence is meaningful and fascinating mainly because of individual's consciousness of that existence. The expression 'being in the world' or 'embodiment' is a concept that recognises the individual's physical ties to their world, which constitutes how an individual; thinks, hears, feels, sees and are conscious through their bodies' interaction with the world (Polit & Beck 2004: 253).

Sampling Strategy

When researchers want to conduct research, they do so with the intention of making the results apply to as many people as possible. The complexity of targeting everyone is that there are so many different ways in which people are distinguishable from one another when taking for instance certain variables, such as; status, gender, culture, age, intelligence level and much more into consideration, that it is merely impossible and impractical to have enough representatives of each type of person. To circumvent such issues researchers, select a certain population that is highly pertinent to their project (Blankenship 2010: 82). Consequently, the current project has focused on Muslim women representing varying levels of 'religiosity'. This category of Muslim women is the main target population for the current project that will facilitate the understanding of how living law is lived in their day to day lives.

Furthermore, sampling means to select a particular group or sample that represents the population. Sampling methods consist of two main categories; probability sampling and non-probability sampling. Probability sampling is a sampling technique in which the members of the population receive an equal opportunity to be chosen as a representative sample. On the other hand, non-probability sampling is a method of sampling wherein, it has not been identified which individual from the population will be selected as a sample. In other words, there is no particular probability of an individual to belong to a sample, hence individuals do not receive a fair chance of selection (Ellis et al., 2010: 153).

Snowballing sampling is a non-probability (non-random) sampling technique which was embraced for the current project. Snowballing sampling is adopted when certain samples are difficult and rare to find. To utilise the snowballing sampling, I started off with one participant and I used that individual's contacts to identify and secure other participants for the current study. The advantages of using this approach is that the number of interviewees increases, allowing the inclusion of multiple experiences and views (Macnee & McCabe, 2008, Page 121).

The next section of this chapter will define and discuss some key variables that inform the sample selection as well as explaining the rationale and purpose for the method that has been selected for the current research.

Religion

The current project will exclusively focus on Islam. It is crucial to acknowledge that religion and theology is a significant academic discipline to study as I am able to capture the participant's spiritual and religious aspects of life. To begin, there is no single definition of religion because the term is subjected to a range of different meanings and different values for different people. For instance, Asad stated:

My argument is that there cannot be a universal definition of religion, not only because its constituent elements and relationships are historically specific, but because that definition is itself the historical product of discursive processes (Asad, 1993: p.29).

However, the general principle of what religion may mean to most followers of a religion is that people in different times and places have understood and made sense of their surroundings, their living and the origins of the universe. Religion, at present has and continues to influence almost every characteristic of human civilisation in both negative and positive ways depending on one's interpretations. Many religions (such as; Buddhists, Hindus, Islam, Judaism, Christianity and others) reflect the significance of; good and evil, creation, compassion, tolerance, ethical relations, prayer, worship, and life and death (Levstik & Barton 2015: 75-76).

In addition, over the past several decades, and especially since the aftermath of 9/11, intellectuals and scholars have come to an understanding that questions surrounding religion are becoming increasingly unavoidable and complex (Ewing 2008: 2). Moreover, the secularisation of the world has been punctured by the increasing existence and persistence of religion in public and private spheres that have caused some thinkers to accept that religion will not dissolve (Norris & Inglehart 2011: 4). Generally, the main rules that inform and shape today's world, the rules that inform one's conflict and rules that order and guides people's lives are fundamentally religious rulings. Consequently, religion has become a subject of great fascination as both being necessary and valuable to an individual (Levstik & Barton 2015: 75-76). It is merely impossible to understand numerous aspects of human society (present or past) without comprehending the religious aspect.

After providing a very brief description of why it is crucial to explore religion and the significance religion has on individuals and on society, it is now important to delineate the reasons for why Islam has been selected for the current project. To begin, the *Shari'ah* encompasses both; the civil law and the criminal law. This indicates that the Islamic law prescribes and prohibits certain behaviour for Muslims.

Furthermore, Muslim women are increasingly acknowledged as a 'complex problem' in the political and popular discourse (Amiriaux 2003; Moors 2009; Salih 2009). The popular discourse focuses on one-sided portrayals of Muslim women in Europe, disregarding such individuals as 'European citizens' and rational beings. Muslim women are usually depicted as 'victims' of patriarchal culture and tradition of what is deemed to be a 'backward and oppressive' religion or of the prejudices and racism they are subjected to by the European society (Silvestri 2011: 1233). The current project will provide other portrayals of Muslim women by focusing on how they interpret and experience living law in relation to moral dilemmas, crime and deviance, rather than focusing on the political and popular discourse.

Moral principles of mainstream Islam has been well established in the literature review. It is comprehensible that Islam has taught Muslims how to enhance their personal traits with such acts consisting of; generosity, mercy, kindness and so forth. This approach helps individuals to work together to enhance not only their personality and attitude (Alpyagil 2014: 321), but also the society they live in. Unfortunately, this approach is not completely adhered to as presently some individuals take a literal stance of religious teachings. Such non-specialist interpretations can cause extremist and violent actions that have been perpetrated in the name of Islam. A relevant example that can be provided is that of ISIS as they misinterpret and select certain verses from the Qur'an to suit their own motives (Salfi 2016). This suggests that there are numerous interpretations of living law that can exist for Muslim women which can consist of; historical religious rulings, contemporary religious rulings, cultural rulings or/and secular rulings.

Also, all the current social concern about radicalisation and the attempts to prevent radicalisation underline that there is a great nervousness about social control in minority communities. The current research, however, will capture what informs Muslim women's day to day practice whilst making sense of moral dilemmas, crime and deviance rather than

adopting an essentialist perspective that will focus on radicalised Muslims. This results in a unique contribution that has emerged from the chosen topic as the research will illustrate the different beliefs that a Muslim woman has that informs her day to day activities and practices. Therefore, the recruitment strategy is open to all Muslim women, encompassing; practising Muslims, those who may have Muslim heritage but are not formally practising, some that were born into a Muslim household, those that converted to Islam and so forth. To summarise, a woman that identifies herself as a Muslim (over the age of 18) will fit the selection criteria for the current project as the different characteristics should come with the different cohorts selected to capture a variation of Muslim women, rather than focusing only on one category of Muslim women.

Religion: My Biography and Positionality

After comprehending the multiple reasons for the incorporation of religion for the current project it is crucial to incorporate a reflexive discussion about my biography and positionality of how I interacted with Muslim women within this research being a Muslim researcher. This critical analysis will also encompass how my beliefs were challenged and how Muslim women viewed me.

As mentioned in the prologue, there have been several incidents in Britain that have been aggravated by multiple local, national and international factors. I found to my disadvantage that there appears to be particular scrutiny of Muslim social research issues more than is often the case for other groups (Abbas 2010). It became problematic to conduct research on Muslims because I ascertained that the subject of “the Muslim” is attached to other terms such as; “the immigrant”, “the violent offender” or “the terrorist”. I did find that there are indeed complex sociological issues at the forefront of questions in relation to the willingness of allowing Muslims in Britain to integrate into majority society. This created additional dilemmas for myself (the researcher) and for the respondents (the researched) as both had to navigate the terrain of what is perceived to be or is literally part of the lived experience (Abbas 2010). A recent example can be provided of this.

For instance, Miled (2017) was questioned constantly about her research when she began her field work. Miled started communicating with Muslim students in the school and was asked multiple times if her research was for the Government and if it was conducted because of the

current problem of ‘terrorism’ or because of the Syrian refugee crisis and how this has had an impact on Canada (where the study was taking place). Similar to this, I also ascertained that after permission was granted to me to interview the willing respondents via organisations, then I was also questioned in a very similar nature to Miled as to what my research was focusing on. Some project leaders went as far as to imply in questions when asked of me, if my research would be utilised as a surveillance tool (Foucault 1980). I got this impression as they would recount narratives of Muslims conducting research on Muslims that depicted the findings in a negative light which did not portray the actual story.

It was made clear to me from the onset that the dependent variables of permission being granted to me to participate with certain organisations mainly consisted of; what the current research was about and what organisation I belonged to especially after acknowledging that I am a Muslim. However, this was not the only problematic factor which became a hindrance to potential interviewees from participating in the current project. The other challenging factor was that after permission was initially granted from one local school to allow me to conduct my interviews, it was then almost immediately denied because there was an incident of Islamic extremism which was associated with that school (see page 273 for a copy of the email which was sent from the head teacher to inform me that I am no longer able to conduct my research at their local school). This caused me to completely alter my sampling techniques of how I would have recruited potential respondents for the current project as I had to change how and where I would approach the respondents that have participated in the current study.

Further to this, the way in which I presented myself, by wearing the headscarf, I inevitably created a presentation of self (Stone 1962). By wearing my *hijab*, I was asserting to the respondents that I was one of them, a Muslim woman. When I entered the field wearing a headscarf, I found that I was challenged with the multiple complexities of the ‘insider and outsider’ position (Clifford and Marcus 1986; Chaudhry 2005; Young 2005) which had an impact on my research decisions, research process and research outcomes. I ascertained that by wearing a headscarf significantly altered the views and opinions of how some respondents discussed Islam when they participated in the interview.

I felt that the respondents within the current study that wore a headscarf felt at ease with me when discussing their moral dilemmas as they would constantly state throughout the interview,

'Well you know what I mean because we wear our scarves' or *'Well we're hijabis so what do people expect'*. Such generalisations portrayed the respondent's assumption of how I 'automatically' would feel the same and think the same because we dressed the same. The advantage of this was that such respondents felt that they could relate to me because of our attire. However, the disadvantage of this was that the respondents that I interviewed that did not wear a headscarf may have felt unsettled in some way because they would repeatedly state *'Well I know I get judged by hijabis because I don't cover myself properly'*. To overcome this inferiority complex I would have to constantly make such respondents feel at ease by stating that I have not judged anyone because of their dress code. This approach however, did take some time for such respondents to gain trust within me, but eventually I was able to gain the trust of all my interviewees. However, I acknowledged that the respondents did differ in their approach significantly when discussing their moral dilemmas with me because of our differing adherence levels within Islam.

Nevertheless, I came to the knowledge that by being a Muslim, eventually positioned me as 'an insider'. An advantage of being an insider is that the current research became exposed to inner meanings, insights and subjective dimensions that are most likely to be disregarded by outsiders (Hamnett et al., 1984). Moreover, by being an insider, I was aware of how to conduct the interviews, when to ask questions, when to interrupt, clarify, and confirm and how to interpret the responses that were provided by my research participants (Hamdan 2009). There has been much research on Muslims conducting research on Muslims, to name a few; Chaudhry (1997), Hamdan (2009), Zulfikar (2014) and Miled (2017).

I argue here that unlike Ghaffar-Kucher (2015), who commenced her research with a strong belief that she 'knows' her respondents, I was unable to claim such knowledge. This is because I have conducted research on Muslim women that belong to different ethnic, racial and linguistic backgrounds. Moreover, several identity markers such as age, marital status, socio-economic status, occupation and academic status for instance would push me to the 'outsider' position in some instances (Miled 2017).

Ethnicity & Profiles of the Sample

The current projects sample interviewed Muslim women from all backgrounds because this approach results in a greater understanding of the current social trends. The current study interviewed 30 respondents in total, all composed of different ethnic backgrounds. This consisted of; 17 British Pakistani respondents, 5 British Bangladeshi respondents, 4 White British participants and 4 respondents that did not wish to disclose their affiliation to their ethnic background due to personal reasons.

The complexity of encompassing ethnic minorities within the current project is that ethnic identity is not predefined or prefixed, but it in fact embraces different meanings, both, for different people and for the same individual in different locations and situations (Vickers et al., 2012). However, I wanted the respondents to discuss their personal experiences and relationship with Islam in an anti-essentialist way.

I have also discovered that the more diverse the participants are has resulted in more of a diverse and meaningful data being developed and there exists multiple interpretations of living law, irrespective of the fact that the current project is only focusing on one religion. Therefore, it is essential to include ethnicity because intersectional connections between different aspects of a person's identity could be explored.

Gender

The first reason for focusing on women is that there are certain religious injunctions that are restricted to women. For instance, Muslim women are restricted from marrying a non-Muslim man (Keshavjee 2013: 29). This suggests that living law is 'gendered' hence studying women is one way of studying how living law is constructed which informs their social behaviour and conduct. It is also practical to conduct research on Muslim women as the current research will accord with previous studies that have also exclusively focused on Muslim women (Bullock 2002; Bano 2012; Jouili 2015).

An example of gendered living law has been well illustrated by Marcotte in 2015 focusing on the dynamics of online discussions. Marcotte analysed sexuality related issues within the confines of marriage and sexuality-related issues outside of its confines and framed a number of complexities regarding Muslim women's sexual choice and their bodies in regard to;

wedding virgins, marital rape, the controversial hymen restoration surgery, masturbation, celibacy, premarital sex, extramarital sex and sexually transmitted diseases (STD). It was discernible from the Muslim-Village forums that many key issues that relate to; ethical, cultural, social, legal and even religious teachings have an impact on women's lives, women's sexual choices and women's bodies. Such contemporary values, realities and socio-sexual norms structure and informs Muslim women's day to day lives in Australia (Marcotte 2015: 81).

This suggests that Muslim women acknowledge, comprehend, negotiate and manoeuvre around certain rulings prescribed in Islam when concerning sexual values. This is a challenge that is proved to be much more difficult for Muslim women who embrace an Islamic pious lifestyle, in comparison to their Muslim male counterparts (Tong and Turner 2008; Ozyegin 2009:119; Sanjakdar 2011).

The positioning of Muslim women has transitioned somewhat in contemporary society as it has been evident that Muslim women have prospered significantly since the twentieth century. Until the twentieth century, Muslim women's leadership positions were very limited, so they were often restricted to the domestic and informal spheres. At present, Muslim women have proven to be creative, resourceful and innovative in different ways. Some Muslim women focus on providing social services to the most deprived within their communities, whereas other Muslim women prefer to play an active role in; reforming patriarchal structures, countering racial and religious prejudices and overturning institutionalised sexism. Such professional advancement and an increase in further education has added to the desire of Muslim women wanting to obtain leadership roles to gain further empowerment concerning the interpretation and practice of their faith (Khoja-Moolji & Lizzio 2013: 315). It is crucial to acknowledge that Muslim women should not be generalised as representing one group but are diverse as they have a sense of complexity which has been represented amongst the Muslim women that have engaged with the current study. This consists of both Muslim women that are prosperous and those that consider themselves to be marginalised in society rather than occupying empowered positions.

Currently, in contemporary society, Muslim women are active in Qur'an study circles, community services that are sponsored by religious organisations, Mosque-based activities,

and Islamic education, as both teachers and pupils (Mattson 2006: 615-618). There is currently an increase in the number of female Qur'anic reciters, female *imams*, and female professors of Islamic studies throughout the world (Malik 2016). Consequently, it has been acknowledged that Muslim women are increasingly embracing high positions of religious prominence, although, to date, only a few individuals hold significant positions that are held in the religious establishment as grand *mufti*'s (Elass 2009). The relevance of incorporating contemporary Muslim women's activism in claiming an interpretive role within the Islamic tradition is to understand how such activities makes a difference to one's interpretation and experience in relation to moral dilemmas, crime and deviance depending on whether the respondent affiliates herself to Islamic feminism or not.

Age

The current project has conducted research on a sample of University students and Muslim community members in the North West of England from the age of 18 and above. Although the research questions also apply to adolescents, the sample was contained to adults owing to; ethical issues approaching minors, with some of the questions that are also related to 'adult' themes and the experiential depth required. The questions that have been designed are far too intense and sensitive to question children on as the interview discusses the moral dilemmas and complexities that surround legitimate and illegitimate relationships underlined in Islam and much more.

Languages

The inclusion criteria for the current project was not restricted to Muslim women that speak only in English, but also to those that can communicate in either, Urdu, Punjabi or Hindi. This resulted in the accumulation of a wide-ranging sample which is diverse in terms of ethnicity, class, age, sectarian and cultural variety. It was made clear to participants that if they feel more comfortable to converse in any of these languages (Urdu, Punjabi or/and Hindi) then they are able to do so. I personally felt that such an option led to richer accounts and interpretations of experiences being captured by the research.

Sample Description of Participant's Background

30 respondents (all Muslim women) have participated in the current research. Before starting each interview I asked each participant for some background information. I felt that this was

essential to capture as additional information contributes to the understanding of how living law is composed and at times frequently changed for each individual. The background information was based on the respondent's; age, ethnic background, level of practicing, the area they reside in, level of education, marital status, how many children they have, occupation and which sect of Islam they belong to. I will briefly discuss how many respondents were categorised in which sub-categories.

Regarding age, 15 respondents were aged between 20-29 years; 11 respondents were between 30-39 years; 3 respondents fell between 40-49 years and 1 respondent was between 50-59 years old.

With regard to ethnic background, 17 respondents identified themselves as British Pakistani; 5 respondents recognised themselves as British Bangladeshi; 4 respondents identified themselves as white British and 4 respondents chose not to reveal their ethnic background.

Further to this, 19 respondents self-ascribed themselves to be practicing Muslims which included 4 coverts and 4 Islamic feminists. The remaining, 11 respondents self-ascribed themselves to be less practicing Muslims.

In addition, 12 respondents affiliated themselves to be Sunni Muslims; 5 respondents had identified themselves as Wahabi Muslims; 1 respondent recognised herself as an Ahmadiyyah Muslim; 5 respondents identified themselves as belonging to the Shiaa sect and the remaining 7 respondents chose not to affiliate themselves with a sect or particular branch in Islam.

All the respondents interviewed for the current project resided in different areas of Manchester and Greater Manchester.

In reference to education, 27 respondents have attained an educational qualification, with some respondents progressing on to further education. The remaining 3 respondents are currently in the process of obtaining Islamic education qualifications.

With regard to marital status, 12 respondents were single, 10 respondents were married, 7 respondents were divorced, and 1 respondent was a widow. Also, 14 respondents had no children and the remaining 16 respondents had children.

Additionally, 18 respondents had different professions which varied from being an; assistant manager, teacher, youth councillor, *alimaa*, IT consultant, driving instructor, bank assistance, project manager, researcher in Psychology, retail assistant, receptionist to manager in Accounting and Finance. In addition to this, 8 respondents were unemployed, and 4 respondents chose to be housewives.

All 30 interviews were held in local Mosques and community centres (cannot be identified to prevent recognition). Also, to attain a deeper understanding of the sample selection then a table has been provided in the appendix that provides a further breakdown (refer to page 274).

Research Strategy (Approaching Individuals)

A relatively diverse group of Muslim women has been captured for the current project which enabled comparisons between participants to be made, for instance, those attending the Mosque and those that choose not to attend the Mosque. Such comparisons have enabled me to make a comparative analysis as each respondent holds on to their own unique characteristics. Such comparisons have resulted in multiple interpretations being developed and an insight into how one understands, interprets and experiences living law.

The current project obtained organisational agreement from; two main organisations and one gender-neutral Mosque. Such organisations agreed to facilitate the current project by displaying a copy of the participant's information sheet (see page 269-270) and the participant's invitation letter (see page 271) on their bulletin board. The participants that were interested in being interviewed contacted me (my contact details were displayed on the information sheet) to confirm the interview date and time. In addition to this approach, I was able to attend some Islamic lectures that were held at one of the local Centres to increase my own knowledge in Islam as I felt that I should understand the fundamentals of Islamic teaching prior to interviewing Muslim women on Islam. Prior to the commencement of such lectures, I was able to obtain permission to speak to all the students, by inviting them to engage in my research. I was then able to disseminate copies of the information sheet and the invitation letter to each of the willing participants using the face to face method.

The previous draft sampling strategy that I had devised was not implemented for two main reasons. The draft sampling strategy was problematic in the sense that it was difficult to recruit participants and second, the current context in the UK was preventing this. For instance, I was going to recruit several Muslim women for the semi-structured interviews from a local Primary school after liaising back and forth with the head teacher to obtain permission to conduct the current research. After I obtained permission, I attended one weekly morning session that was held for women, arranged by an anonymous Project to discuss various issues in contemporary society that concern Islamophobia, domestic violence and so forth. I was invited to the focus group to speak about the aims of the current project and to invite potential respondents. After finalising the interviewees, the dates, the times and the location with the potential interviewees I received an email from the Head teacher to inform me that due to certain circumstances (see page 273) I was no longer able to conduct interviews in their school premises. Such setbacks

like this one led me to find no other alternative, but to settle with the final sampling strategy as it proved to be much more effective for the current research mainly for accessibility reasons and the time scale in which to complete the interview stage.

Time Period

The study was conducted over a period of seven months; it commenced in April 2017 and ended in October 2017.

Number of Interviews

The current project has conducted 30 semi-structured interviews. The current research elicited responses through a range of scenarios as such questions helped me to anchor the main discussion of how living law is interpreted and lived. I designed the interviews to last on average between an hour to two hours, which allowed the respondents to talk in depth about their experiences, beliefs and opinions on living law. This resulted in meaningful, valuable and rich data being developed. Also, the number of interviews selected for the current project (30) is similar to previous studies that have engaged with British Muslim women. For instance, Bano's (2012) research involved 25 Pakistani Muslim women focusing on their personal experience of using *Shari'ah* councils to obtain a *talaq* (Muslim divorce) (Bano 2012: 57). This demonstrates that the number '30' is feasible and practical for the current projects timeframe.

Semi-structured Interviews

The theoretical framework that has been adopted to anchor the current project is legal pluralism and living law. Ehrlich (2002) recommends that to better comprehend how living law is lived, an in-depth study should be conducted that will allow a clearer comprehension of how respondent's view their surrounding environment, social behaviour, habits and how moral codes are interpreted (Urinboyev & Svensson 2013). The current project will embrace a similar approach by embracing the qualitative approach, to critically explore and examine the normative codes people hold which relates to Urinboyev and Svensson's (2013) study. Consequently, semi-structured interviews are the most appropriate qualitative method that has been employed to explore and capture Muslim women's interpretations and views in response to moral dilemmas, crime and deviance in contemporary society.

In total 30 semi-structured interviews have been conducted to answer the research questions for the current project. I opted for semi-structured interview because this process permitted me to have a list of questions and/or specific topics that I wanted to address with the participants. However, the respondents had a great deal of leeway in how to respond to what was being asked of them (Merriam 2009: 90). This process benefitted me a great deal because this revealed how the respondents understand and make sense of what informs their 'living law' and how they differentiate, if so, between what is morally correct and incorrect which resulted in the development of many moral dilemmas being discussed. This I felt was the most appropriate method that was selected for the current project because certain scenarios that revolved around moral dilemmas evoked certain responses from the respondents causing them to elaborate on certain controversial topics that encompassed religious, cultural and secular norms and codes. This adds on to the understanding of; how participants were able to make sense of their belief systems, how they were able to explain their moral conduct and how they were transgressing norms.

The current project has proven that there are many strengths for embracing the qualitative approach as opposed to the quantitative approach to conduct the research on lived experiences of living law as has briefly been explained at the start of this chapter. One of the advantages is that in qualitative research the interviewee's perspective, interpretation and experience has been captured. To add on to this, one advantage of using qualitative semi-structured interviews is that some of the questions and responses that had emanated from the respondents were not

part of the semi-structured interview guide which suggests that such a flexible interview design led to an initiation of new themes that were beginning to emerge that were not thought of previously (Seliger & Shohamy 1989: 167). This led to an increase of flexibility levels in qualitative semi-structured interviews as I began to respond to the direction in which the interviewees had wanted the interview to take (Walsh & Wiggins 2003: 98).

Overall, the purpose of conducting interviews has been to capture and articulate how Muslim women interpret and experience their sense of living law, some of which would not have been possible if a focus group was conducted. Focus groups are not ideal to conduct as some scenarios and questions in the interview guide were highly sensitive which may result in some Muslim women finding it extremely dishonourable and shameful to answer in front of other respondents due to the complexities that surround anonymity and confidentiality.

Rationale for the Structure of Semi-Structured Interviews

Before the commencement of the semi-structured interviews, I asked some 'background participant questions' because I felt that this approach was useful to contextualise the interviewee's replies. It was also better in the long-run for myself to become cognisant of the participant's ethnicity, age, profession, what language they prefer speaking in, whether they have children, whether they have siblings and if they are currently in a relationship as such practical details facilitated me to comprehend the reasons for why participants have structured their living law in a certain way.

The semi structured interview was divided into three main sections. Before outlining what the three main sections focused on, I felt that it was important to first ask the respondents to delineate the five pillars of Islam and to describe their adherence or lack of adherence to the five pillars of Islam before proceeding onto the main interview. I ascertained that all the respondents were fully acquainted with the five pillars of Islam. I did come across a few language barriers with the participants as some were unable to identify the five pillars of Islam by name, but this was mainly because the respondents were not fluent in English. I asked the respondents to describe the pillars of Islam so that I was able to discern whether the respondents knew all five pillars or not. The respondents themselves went on to self-ascribe themselves as either 'more practicing' or 'less practicing' depending on their level of adherence to the five

pillars of Islam. This approach was far more beneficial as it prevented me from judging each respondent by categorising them in the 'more practicing' or 'less practicing' category.

The first section of the interview revolved around why and how participants consider themselves to be Muslims, how they make sense and adhere to (if so) the five pillars of Islam, how significant is Islamic knowledge in the UK and how the respondents interpret the Islamic criminal law (*Al-Uqubat*). The responses received from this section demonstrated; how participants live their life, whether and how Islamic rulings form a structure for their lifestyle and how frequently Islamic rules are adhered to (if adhered to for some respondents). Overall, the first section of the interview was able to define how Muslim women live their day to day life and what their lifestyle is constituted of. This mainly depends on how well acquainted (if at all) the participants are with Islamic prohibitions and prescriptions which inevitably illustrated the level of their adherence.

The second section of the semi structured interview is based on permissibility and impermissibility within the teachings of Islam. It is within this section I came to acknowledge how *haram* and *halal* are defined by respondents and most importantly to what extent are such rulings complied with within their day to day life. Such scenarios include; different types of profession that resulted in a for and against debate, the rulings for how Muslim women should dress in the public and in the private sphere, female *imams* and segregation rulings. Such responses manifested the level of morality respondents seem to be grappling with and to what extent this level of morality is adhered to. The middle section of the interview exposed the reasons for why participants felt that certain practices in Islam were compulsory or/and optional.

The last section of the semi structured interview heavily focused on relationships in Islam. Such scenarios encompassed; homosexuality, relationships before marriage, adultery, intermarriages and polygamy. Relationships in Islam is being critically discussed as one of the main points in the current project because relationships are perceived to be a contemporary issue as discussed in the literature review. This section exposes which interpretations Muslim women embrace and the reasons for why they choose certain Qur'anic interpretations over others to justify their actions.

Overall, the main purpose of conducting the semi structured interview is to answer the current research questions; to capture the interpretation and experience of living law amongst Muslim women in the UK. By conducting the semi-structured interviews, I have come to acknowledge the relationship the participants have with their religion, culture, or/and secular norms which informs their living law.

Before, During and After the Interview

Before the interview commenced I made sure that I had a copy of the interview guide to ensure that all the research questions were asked. I also made a conscious effort to note what type of language was used (for example; formal or informal language) by the respondent so I can adapt my way of speaking to suit them so the conversation between us was comprehensible and accommodating to their individual needs (Sorenson & Goldsmith 2009: 120). For instance, at times I had to use simple terms for when I was conversing with individuals for whom English was a second language.

Moreover, I felt that it was crucial to familiarise myself with the setting in which the interview took place as certain settings can have an influence in how the respondents reply to certain scenarios and questions (Sorenson & Goldsmith 2009: 119). For example, I found that the location of the Mosque triggered or evoked certain moral responses from certain Muslim women that had a guilty conscience about a certain moral dilemma, crime or/and deviance they felt that they had transgressed. I also found that such settings prevented some participants from speaking openly. Further to this, I made certain that the interviews were conducted in a private place (so that the respondents can talk openly without fearing that they might be overheard) and in a quiet area (so that no extra or unnecessary noise interferes with the recording of the tape recorder) (King & Horrocks 2010: 45-46).

The interviews were electronically recorded where permission was granted and contemporaneous notes were taken where permission was denied. The setback of not being able to audio-record the interview was that I was not able to capture the exact languages and phrases employed by the respondents which could have made some difference in how the responses were conveyed to me (King & Horrocks 2010: 45-46).

Nevertheless, this did not prevent me from becoming very attentive to what the interviewees were saying or even not saying, irrespective of not being tape-recorded as the researcher should always be alert and active without being too intrusive (Sorenson & Goldsmith 2009: 120). I was not only attuned and responsive to what the participants were saying, doing or acting, but I was also taking notes of the interviewee's body language as such additional information helped me to understand how nervous, fearful or confident the respondents were feeling in response to certain issues and scenarios. Moreover, during the interviews, I ensured that the respondents had ample time to respond to the questions being asked of them (Tenenbaum & Driscoll 2005: 598).

After the interviews were conducted, I made copious notes to inform and to remind me of the outcome of the interview. The note-making encompassed; the setting of the interview, the respondents, anything unusual, or problematic, or interesting that was derived from the interview and the interview surroundings as such additional information provided insights and added on to what the respondents have said or for that matter, at times, such additional information even contradicted what was discussed in the interview. At the end of each interview, I made it a routine to peruse the notes I made during the interview so that if there exist any ambiguities then I can follow it up almost immediately. Therefore, it is of great importance not to exclude any information, no matter how trivial it may seem as it may be crucial for the analysis of the data (Tenenbaum & Driscoll 2005: 598).

Thematic Phenomenological Analysis

The use of interpretive phenomenological analysis (IPA) for the current project was to scrutinise how the respondents make sense of their social and personal world. The phenomenological approach incorporates detailed analysis of the interviewee's life world by examining their personal experience. It is not possible to completely or directly get close to the participant's personal world, without the inclusion of my own conceptions as this is required to make sense of that other personal world through a procedure that encompasses interpretative activity. Hence, there exists a two-stage interpretation process, or a double hermeneutic that is generally involved; when the interviewee was trying to make sense of their world and when I was trying to make sense of the interviewees world (Smith & Osborn 2015: 25-26).

Analysis

The general analysis is that I was very interested in learning something about the respondent's social world. It is imperative to try to comprehend the complexity of those meanings rather than to measure their frequency. This required me to immerse myself in an interpretive relationship with the transcript. Whilst I was attempting to capture the interpretation and experience of the interviewees to learn about their social and mental world, it became clear that such meaningful experiences and interpretations were not readily available and must be obtained through a constant engagement process with the text which involved the analysis of interpretations (Smith & Osborn 2015: 27).

Data Analysis

Interview transcripts have been employed for the analysis of the current data. There are many advantages of tape recording and transcribing the interviews, some of which consist of facilitating the natural limitations of my memory. This enabled me to conduct a thorough examination of what the respondents have said and allowed repeated analysis of the participant's responses, to ensure that I do not exclude anything that may be of interest. However, tape recording and transcribing interviews also consists of weaknesses as the major limitation with tape recording was that some of the respondents found it very disconcerting to be audio-recorded as they became alarmed or self-conscious at the prospect of their words being preserved (King & Horrocks 2010: 45-46).

Moreover, the limitation of transcribing all the interviews can be very time consuming. It is easy to embrace the perspective that transcription is a relatively unchallenging translation of the spoken words transferred into written words. However, given the complete dependence on transcripts in qualitative research, inevitably it is required for the transcribers (myself in this instance) to be skilled and trained in how to transcribe the interviews. Even experienced transcribers can produce inaccuracies during the transcribing process. Poland (1995) has provided some examples of imprecisions that can occur during the transcription process that can be developed by multiple factors, such as; mishearing, fatigue, carelessness and so forth. But to ensure that such inattentiveness was not developed by myself, after transcribing the interviews, I re-evaluated the interview transcripts on a different day just to reassure myself that I have not excluded anything worth noting.

The type of method that has been used to analyse interview transcripts was the thematic analysis process. Thematic analysis discerned commonalities and differences in the interview transcripts enabling me to categorise similar and different themes from the responses received. This allowed me to capture the respondent's meaningful and lived experiences (Costa et al., 2017: 99) of living law.

Looking for Themes

The interview transcript was read thoroughly several times. The left-hand margin was used to annotate what is significant, interesting or unusual about what the interviewees have said. It is crucial in the first stage of the analysis to constantly re-read the transcript as closely as possible to familiarise myself with the detailed narrative. I also became cognisant of the fact that each reading provided new; emotions, interpretations, perspectives and experiences. This is closely related to a free textual analysis as there are no rules regarding what is commented upon. For instance, I divided the text into meaning units and delegated a comment to each unit. Some of the comments were attempts at paraphrasing or summarising and other comments were made for connections or association purposes. I also commented on the use of language used by the participants including the message the respondents attempted to convey to me, if the message was not expressed directly and openly. Moving through the transcripts, I ascertained the differences, similarities, amplifications, echoes, and contradictions in what the interviewees were attempting to or have said in comparison to other participants (Willig 2013: 60-62).

After this process, I then returned to the beginning of the transcript, and used the other margin to document emerging theme titles. It was at this point of the analysis; the initial notes were changed into specific phrases which aimed to capture the essential quality of what was discovered in the text. At this crucial stage, the entire transcript is meaningful data, with many emerging themes that reflected the richness and quality of the transcript under analysis (Willig 2013: 60-62). This method is the most appropriate method for the current project as there were several themes that can be compared to one another. Overall it is clear that by using the IPA and thematic analysis, it becomes far more practical to conduct comparisons between the themes that have emerged from the analysis.

Connecting the Themes

The emergent themes that have been discerned were listed on a plain piece of paper so that I was able to observe and note upon any connections that were beginning to develop between the themes. At the first stage, the themes were purely chronological and were based on the sequence in which the themes emerged from the transcript. The next stage involved a more analytical ordering as I attempted to make sense of the connections between the themes which emerged. Some of the themes did begin to emerge as main themes and some themes emerged as superordinate concepts and sub-themes. I then used my own initiative and drew on my own interpretations to make sense of what the interviewees were saying (Smith & Osborn 2015: 47-48).

Subsequently, a table of themes was produced. The themes that began to emerge were allocated a name to represent the superordinate themes. Each theme was distinguished by providing key words, line numbers and the page number of that specific transcript. During this process certain themes were discarded that were not very meaningful (Smith & Osborn 2015: 47-48).

Writing Up the Analysed Themes

The final section of the analysis process was the write up stage. At this stage I used NVivo as this software assisted me in identifying the themes so that they become more identifiable by; importing documents, creating nodes, browsing nodes, understanding what terms and words were mostly used by respondents, and so forth (see pages 275-277). Such themes, I then transformed into four main narrative accounts. It is imperative for me to not confuse my own interpretations with the participant's interpretations (Smith & Osborn 2015: 48-49).

The first narrative has discussed the significance of the moral compass. This consists of three main themes: *secular obligation, religious obligation and lack of religious obligation* all of which explain different levels of morality and how living law is lived on a day-to-day basis. The last theme within this narrative has been divided into two sub-categories; *not feeling guilty for the lack of adherence to the 'obligated' Islamic practices* and *having a guilty conscience for not adhering to the obligated Islamic practices*.

The second narrative has focused on how the respondents comply to the prohibitions and obligations which will highlight their compliance to religious, culture or/ and secular norms. This consists of five different themes; *introducing the concept of haram and halal from a young age; personalised definitions of haram and halal; Muslims categorising other Muslims as halal and haram; implications for loosely applying the term haram and halal and finding a balance between halal and haram*. The first theme within this narrative has been divided into two sub-categories; *a reasonable approach* and *an unreasonable approach*.

The third narrative has explored *fatwas*. The first theme within this chapter has critically explored *fatwa shopping* which constituted of one sub-theme, *fatwa shopping to clarify one's position*. The second theme this narrative has examined is *Sheikh Google* which has addressed six sub-themes consisting of; *legitimate or illegitimate information, conflicting opinions, competing in piety spheres, spiral of endless questions, the mannequin teacher and readily accepting fatwas*. The third theme has scrutinised the *issue of applying fatwas* and the fourth theme has discussed the development and meaning of *gendered fatwas*.

The fourth and last narrative has critically explored *Secularism and Islam*. This is comprised of three main themes. The first theme has discussed how *parents construct their child's living law* and the many different complexities that follow on from this which have been divided into three sub-themes. The sub-themes consist of; *the complexities of the hijab, suffering a loss of friends and family and becoming an 'extremist'*. The second theme has examined '*critical thinking in Islam*' with the following sub-themes; *harmless questions, harmful questions, harmful questions related to deism* and harmful questions that are based on whether Islam is the true religion or not. The third and last theme within this narrative will be referred to as *the complexities that are revolved around acquiring Islamic knowledge*. Three main sub-themes

follow on from this theme, consisting of; *confusion and doubts about the Qur'an, learning Islam via secular education and learning Islam via Imams.*

After the analysis I came to acknowledge what informs Muslim women's living law and how living law is applied amongst the different cohorts of Muslim women. All in all, the last stage facilitated me to answer the research questions and to capture Muslim women's interpretations and experiences of living law that is related to moral dilemmas, crime and deviance in Islam.

Ethical Issues

The ethics application and the risk assessment that was submitted for the current project was approved by the University of Salford's ethics committee (see page 268). In the ethics application, it was made clear that the current project would comply with the Data Protection Act (1998), ethical issues and confidentiality. But to provide more detail, the current section will discuss the Data Protection Act (1998), ethical issues, informed consent and confidentiality more fully in relation to the challenges encountered whilst conducting the interviews and how I overcame them.

Language Barriers

The language spoken by the participants is important to take into consideration in case there exists any language barriers. The information sheet, the consent form (see page 272) and the invitation letter could have been translated into the language the respondents converse in (languages that I can converse in are; Urdu, Punjabi, and Hindi) by myself verbally (if required that would enable a better understanding). The purpose of this is to avoid any language barriers that can become the main obstacle for Muslim women not to participate in the current research. Also, during the interview process, if the respondents preferred to speak in another language (Urdu, Punjabi, and Hindi) because they are not so fluent in English, which was the case for some Muslim women then I was more than willing to accommodate to the participants needs by allowing them to speak in their preferred language and by asking them questions in the same language.

Sensitivity

Secondly, there is the issue of sensitivity. At times, when the respondents described or recollected negative experiences and discussed certain information which caused distress to the participant or to myself, I made sure that this was minimised or prevented by concluding the semi-structured interview. Also, on the information sheet there were contact details that were provided for appropriate support services that are recommended to contact, if participants wanted to discuss issues further with a professional. It was made clear to the participants that if they have been a victim of crime or experienced abuse, it is their choice to report it (not mine). Information on how to report different forms of abuse has also been provided for participants to contact, if needs be.

It has been made clear that such ethical issues were minimised or prevented as outlined above to safeguard myself and the participants from potential or further harm. There are also other strategies that were adhered to, for example, providing a short break so the distressed participant was able to recover or by asking the respondent if they wish to conclude the interview earlier.

Informed Consent

According to Kvale and Brinkmann (2009: 70) informed consent simply means, all subjects that are participating in an interview must voluntarily consent to participate in the research. However, I found that there were different forms of obtaining informed consent from the participants, especially from some respondents that were ethnic minorities as they prioritised verbal commitment to be more meaningful than written agreements as they feared that their identity maybe revealed. Another issue that could have arisen, which did not was the reporting of certain participants to authorities if they were migrants with irregular or unofficial status (Culley et al., 2007; Johnson et al., 2009).

Irrespective of how informed consent was gained, it was my responsibility, as the researcher to ensure that all the respondents were cognisant of confidentiality prior to securing consent to make them feel at ease. By obtaining informed consent from each of the participants in the study, I provided all the participants a copy of the participant invitation letter, the participant information sheet and a participant consent form which was signed and returned by the participant.

The consent form was written in plain English (which excluded jargon) permitting participants to understand; the details concerning the research and its publication, the opportunity to ask questions in relation to the project, voluntarily providing their consent to participate, understanding how they can withdraw at any time without providing explanations and without penalty and understanding the procedures regarding confidentiality (generally involving their identity, use of names, anonymisation of the data and pseudonyms. See '*Confidentiality*' section for further detail).

In addition, the participant information sheet encompassed; the purpose of the research being conducted, benefits and risks attached to the research, what is involved in participating, how to

file a complaint and acknowledging the terms for withdrawal from the research if required. The usage of data section stated how I intended to store the data and how anonymity of the participants will be maintained especially in relation to data archiving. Also, my contact details, my supervisor's contact details, the British Society of Criminology Code of Ethics for Researchers contact details, the Research Centres Manager and the 24 hour Domestic and Sexual Violence help line was provided.

Confidentiality

Confidentiality is also another ethical issue. According to Kvale and Brinkmann (2009) confidentiality simply means that private data should not be disclosed which all the participants were made aware of. For instance, all the respondents involved were informed that their names will be substituted with pseudonyms and no possible likelihood of relating the data to them is possible. The participants were also assured that their anonymity would be safeguarded at all costs. Further to this, they were informed that the audio recordings of the interviews would not be listened to by anyone, excluding myself for transcribing the interviews. The interview transcript has been kept in a locked cabinet accessed only by myself. More information on how to maintain confidentiality and anonymity is mentioned under the *Data Protection Act (1998)* section below.

Consequences

Potential benefits and potential harm was also identified by myself that was conveyed to the interviewees. Kvale and Brinkmann (2009: 68-69) suggest that from an ethical perspective, the potential benefits and the significance of the knowledge gained should supersede the potential risk of harm to the respondent. Adding on to this, it is imperative to note that the potential risk of harm to the respondents in the current project may be heightened by the potential lack of understanding of what may cause or constitute harm for the respondent's especially ethnic minorities that have distinctive cultural differences from myself, whether socially, psychologically, emotionally or politically (Jumper-Thurman, 2003: 601). For instance, even representing ethnic minorities experiences in research can be considered as a general issue when focusing on the analysis and the interpretation of the data collected as it should be represented without any involvement of sweeping generalisations which can result in essentialising the cultural experience (Dhoest et al., 2012).

Data Protection Act 1998

Prior to conducting this study, it was essential that the data protection issues were addressed to ensure that confidentiality is well protected. It is also imperative that appropriate data security precautions and procedures were adopted. Therefore, it was vital to meet the following obligations under the Data Protection Act in 1998;

- The contact details and names of research participants are stored on a password protected computer (The UoS shared drives) that is only accessible by myself and others as appropriate.
- The data stored electronically is on a password protected computer. This is only accessible by myself. It is also highly recommended that the information is stored on a network drive (preferably the F drive or other shared drive) which is password protected.
- The data has been transported on computer discs, USB memory sticks and CDs that are anonymous and is identified by a certain code that has been encrypted for protection of loss data.
- The data has been collated by recording interviews and interview transcripts that have been coded and have been kept anonymous. Hard paper copies of data including the consent forms have been stored in a locked filing cabinet within a locked room, accessed only by myself.
- Provided all research participants with a research code, known to only myself to ensure that their identity is anonymous.
- Also, where practicable and appropriate, methods for preserving anonymity has been used including the use of pseudonyms and other technical means (use of password) that has been applied to distort the affiliation between the data produced and the identifiable participants.
- To maintain accurate data.
- For the data to be processed in accordance with the rights of data subjects, e.g. right to be informed about how the data will be utilised (intending to use it only for this study), stored, processed, transferred (for a minimum of 3 years after the graduate award has been made, to allow confirmation of data from external sources if necessary, or maybe used longer if used for further research) and destroyed soon after.

- All publications of the data will be written in a way to disguise the identity of the research respondents involved. Also, the data will not be used which can identify the respondent unless prior consent has been obtained from the participants involved.

Summary of Research Methodology

Islam as emphasised in the literature review has a structured and an established jurisprudence. Therefore, the current project is a very interesting qualitative study in the way it captures the way in which Muslim women are navigating between seemingly complex, at times contradictory, sometimes in conflict, principles and values that are and not related to Islam. Further to this, the research questions for the current project have attempted to capture how and why Muslims have transformed the views of Islam in contemporary society and how certain rulings within Islam are challenged. Therefore, it is significant to study Islam and to acknowledge what Islam permits and proscribes Muslims from doing. Doing this will facilitate the understanding of Muslim women's morality level in relation to crime, deviance and moral dilemmas in contemporary society. This will provide an idea of how Muslim women make sense of their belief systems and what living law means to them which draws back to the theoretical framework the current project has adopted, 'living law and legal pluralism'.

The current research will help to appreciate the various factors that intersect in the understanding and the 'lived' experience of Islam, and the multiple challenges of formulating research questions to acknowledge, accommodate and become culturally sensitive to the different local and national contexts explored. The current project also goes beyond the specificities of gender and Islam in Europe. Whilst illustrating the different practicing levels it is transparent that Islam has a continuing impact and pertinence in society which reflects the significance of different factors that can contribute to different levels of one's identification. Later in the analysis chapters, it becomes comprehensible that there are many different reasons for why an individual chooses to be a Muslim and why an individual does not want to be acknowledged as a Muslim (publicly or/and privately).

IV: RESEARCH ANALYSIS

PART I: Moral Compass

Introduction

Morality levels and the five pillars of Islam will be discussed throughout this chapter as they bring about the main emphasis on one's 'lived experience' of how living law is composed and what this is constituted of. At the beginning of the interview, I asked the respondents two basic questions about what Islam means to them and why they chose to be a Muslim. I found that by asking these introductory questions, the responses received began to formulate the themes represented here.

To further carve the themes within the first chapter, knowledge and compliance of the five pillars of Islam was asked of the participants to understand to what extent, if so, the five pillars of Islam inform and govern the individual's day to day life. The one common theme I encountered amongst both the less practicing and more practicing respondents was that some of the respondents in both the categories were reluctant to name the five pillars of Islam for different reasons. Some of the more practicing respondents were a little reluctant to identify the five pillars of Islam because they felt that once they became trying or/and more practicing Muslims, they would adhere to the five pillars of Islam so frequently that which out of habit, such actions became a part of their day to day life, which led some respondents to not perceive their actions to be an adherence to the fourth pillar or fifth pillar of Islam, for instance. So, in other words, such respondents would not label and distinguish their actions, but would perceive such actions to be an obligation in Islam. However, some of the respondents that belonged to the less practicing category were a little hesitant to describe the five pillars of Islam because they had commented on revising the five pillars of Islam when they first started Mosque from a very young age and they don't recall revisiting the five pillars of Islam since then, but eventually after many pauses and certain prompts from myself, the pillars of Islam were finally recalled by the participants.

The discussion concerning the adherence or lack of adherence to the five pillars of Islam facilitated me to allocate the respondents in the 'more practicing' and 'less practicing' category. Such responses emphasise the level of morality the respondents acknowledge that govern their lifestyle when affiliated to Islam. Three main themes emerged from the interviews that

interrelated with one's morality level: *secular obligation; religious obligation and lack of religious obligation*. All the themes were categorised according to a key word or set of key phrases that were mentioned in the interviews by the participants. Morality or lack of morality runs parallel to the identified themes which have been divided in this chapter.

To begin, morality is a set of rules, principles and values through which individuals choose to govern themselves. To further describe morality, what is right or wrong, what is acceptable or unacceptable, what is politically right or wrong, what should be done and what should not be done, what individuals can do and what individuals are supposed to refrain from varies frequently as is evident from the responses provided by the respondents. To be more precise, it is harmless to state that the definition of morality changes every year, never mind every century. As discussed briefly in the literature review, homosexuality for instance that was completely unacceptable in British society for the last 40 or 50 years is not only accepted by Society currently, but occasionally it is in fact celebrated. It is clear that morality changes frequently, for instance, what may be deemed as moral in Pakistan may not be deemed as moral anywhere else. Comparably, in the west, what is moral or immoral may be the opposite in the east. This feeds on to another question, who gets to determine whether an issue is moral or immoral? I will attempt to answer such questions throughout this chapter by providing references from several participants using interview transcripts. Such references will elicit what type of norms defines the respondent's living law and how this has an impact on their morality.

Before discussing the themes in depth, it is crucial to remain cognisant of the fact that each theme directly links back to the level of morality or lack of morality that was elicited through the responses provided by the interviewees. It became clear that there was a strong theme that emerged amongst the participants that undertook this research which illustrated that the respondents were not only cognisant of a sense of moral obligation, but there was an additional awareness of whether, as Muslims, they perceive their actions, behaviours and perspectives as a religious obligation.

Furthermore, one's own level of morality, sense of living law and moral dilemmas were at times directly and at other times indirectly linked to *Al-Uqubat* (Islamic Criminal Law). The relationship between the two has not been emphasised much in previous academic research. As discussed in the first chapter, the Islamic criminal law is not implemented in the UK.

However, this does not mean that Muslims do not adhere to the Islamic injunctions just because they are able to circumvent the *Shari'ah*. However, this made a colossal difference to the participants because when the question about wanting the *Al-Uqubat* to be implemented in the UK was asked of the respondents, I received mixed responses. Some positive responses and some negative responses were derived from the interviews. Before discussing the central themes, it is crucial to note how the lack of implementing *Al-Uqubat* in the UK makes at times no difference and at other times a colossal difference to the interviewee's lifestyle. I will provide an example below to demonstrate how one specific respondent was against traditional prohibitions within Islam.

Iram: *(Laughs) ... you know what, it's more of a problem walking out of a closet than it is being hidden. Like a sin is a sin. In the Qur'an, it says that homosexuals are sinful, but for crying out loud it doesn't actually say what to do with them in the Qur'an. Like stop killing them. Why punish them?*

AK: *Ok... just to emphasise on something you said earlier. Previously you said that you agree with the implementation of the Islamic criminal law. But, now you are saying that you don't really agree with the Islamic criminal punishment... because homosexuals get punished...*

Iram: *Do you know what... I think this is where I actually might be biased... sometimes I might agree with it... sometimes I might disagree with it. Like adultery then yeah fine, I am for the punishment [...] but for something like homosexuals... yeah, I don't agree. Like for example, if you've done something wrong then why are we the judges for the sin or crime. Why can't God deal with it?*

AK: *Why does your opinion change on the crime committed? Why should some sinners or criminals get punished whilst others shouldn't? What is it that is making you differentiate between the sin or crime committed?*

Iram: *[...] You know what I disagree completely. Like I'm not calling myself Islamic or as a humanitarian right or whatever it's called. Basically, if you kill someone, then I don't really believe in the whole eye for the eye thing. Why are we the judges of the outcome and why should we decide who should kill who? Remember it is not in our hands of how we should die. Why are we interfering in God's plan?*

(LPR 20: Iram. Age 34. Shia. Researcher in Psychology).

It is clear from this interview that Iram falls into conflict with the traditional prohibitions of Islam and with contemporary mores. Iram also seems to deny that the Qur'an states what the punishment should be for homosexuals, which is not a correct assumption on Iram's behalf (see page 34 for the Qur'anic basis for deeming homosexuality as *haram*). Moreover, when I provided Qur'anic *ayats* which convey that homosexuality is *haram* then Iram refused to accept this ruling. Another example of a respondent not agreeing with *Al-Uqubat* being implemented in the UK has been provided below.

Saba: *You know what... my answer would be that I agree for them to do it in their country because they follow the Shari'ah, but I would not agree for them to do it in England because England does not follow the Shari'ah. I would not live in that environment because I would probably be the first one to get executed. Yeah.... And I want a long life because I love going clubbing, sheesha and going out in general to spend time. But in their country, it works out for them... so I agree with that. So, if I was living in Saudi Arabia then I would follow the law of that land.*

(LPR 23: Saba. Age 30. Sunni. Manager in Accounting and Finance).

This illustrates that there are certain levels of accepting the *Shari'ah*. For instance, Saba agrees with the Islamic criminal law because it has a strong and positive impact on crime levels, but does not want the Islamic criminal law to be implemented in the UK as she is not prepared to undergo a morality transformation. This sort of response that was evoked by Saba was not expressed in any of the other sections of the interview apart from when the Islamic criminal

law was mentioned. It became clear that at this stage of the interview, the respondents were revealing their sin(s) and would emphasise the frequency of their sinning when discussing the Islamic criminal law as the respondents would pause to reflect on their character. As mentioned before, *Al-Uqubat* is an influential factor when individuals are forming their living law which is under-researched. Another example of the reasons for why some respondents are not keen for the implementation of *Al-Uqubat* has been provided below.

Sarah: *If there are feelings in that individual for the same sex then that is between them and God. It is for God to judge that person. We should not stone that person to death, we should not ridicule that person. It is not for us to make that person feel like they are inferior which is what happens a lot. If somebody has chosen to live a particular lifestyle, then we should leave that to the individual as it should be between them and God. It is between him and His Creator, not for me to belittle that person...*

(MPR 6: Sarah. Age 40. Ahmadiyyah. Supply teacher).

This indicates that some of the respondents strongly feel that it is for God to decide on the level of punishment and the level of mercy on the individual and that the State should not take it upon themselves to inflict any type of punishments. All of the respondents had strongly manifested that Allah always provides multiple chances of seeking His forgiveness so the infliction of certain punishments should not be implemented. Some of the respondents went on to say that it is not anyone's right to inflict punishment on others and that it is harmful to harm the body. So corporal punishments, such as; whipping, stoning, beheading, limb amputations are *haram* because the body is coming into harm and further argued that certain punishments were a contradiction to what Islam teaches Muslims about harming the body.

Overall, I felt that it was significant to broach the subject on Islamic criminal law prior to discussing the main themes because this topic causes a spiral of other conversations to develop which involves the discussion on the concept of sinning and the frequency with which a certain crime is committed in a secular State compared to a Muslim State. In other words, such conversations briefly exposed the respondent's morality level which needs to be explored

further by academics. Certain examples that have been provided all interrelate with the divided themes that are going to be discussed in depth within the current chapter; *secular obligation; religious obligation and lack of religious obligation*. For such themes to be divided into three main categories is interesting irrespective of all the respondents following Islam. The following themes will better explain the respondent's morality level and their sense of living law.

The Key Themes:

Secular Obligation

In this theme, it becomes quite evident that individuals do not have to be devout believers of a certain religion to have a strong sense of morality, but there is that universal common sense of acknowledging, understanding and accepting the universal law. For instance, murdering someone is a crime and is deemed to be highly immoral whether you are a Muslim, a Christian, a Hindu, a Jew or an atheist. Murdering someone is often referred to as one of the 10 commandments that have been transgressed. The 10 commandments are what is referred to as the universal laws that are acknowledged by all people irrespective of their religion, beliefs or/and creed. This is what results in individuals feeling inclined and obliged to adhere to the secular norms.

An example that is going to be provided will almost illustrate how entwined religion and secular values are. For instance;

Somaya: *Now being a teacher and a youth councillor in my High School and Sixth Form, I come across many Muslim students. These very students come to me and ask me, "What is the main issue with being homosexual? Are we allowed to take marijuana in small doses? Can we not drink alcohol but stop just before we get completely drunk? Why is sex before marriage so haram if your intentions are to marry that same individual? It's not that haram, is it?". They would ask me all these questions. Now I have been a youth councillor for so many years and I can say with much certainty that these questions were not asked 15 to 20 years ago, but such questions are on the rise today. Children want an explanation for everything... And because I consider myself to be a devout Muslim, the difficult part of all of this is not only to listen to such questions being asked by Muslims but to also answer these questions in such a way that is not only acceptable to the Muslims but also to the world outside the Muslim community because we want to be able to say that as Muslims we are also civilised... we have progressive values... we are up to date with the times. Like I can't just say oh homosexuality is haram...I mean*

I don't want to come across as homophobic after all... and I guess there's this thing inside me that wants to appease everyone just, so I don't offend anyone... I guess in a way when Society sways this way, we as Muslims want to sway this way too. And when Society sways that way, then we as Muslims want to sway that way too. If I am completely honest with you, I strongly feel that whatever is accepted and popular in Society at that time, whether Islam agrees with it or not... I feel the pressure to adhere to such norms then and my inner conscience says to me that I should go along with the flow because as Muslims we don't want to come across as being abnormal or weird. I guess because Muslims are negatively portrayed so much in the media, I feel as if I have to compensate for such negativity by blending right in at times...if that makes sense?

(MPR 2: Somaya. Age 55. Sunni. Teacher, Youth Councillor and Aalima).

This detailed response is extremely fascinating because it demonstrates first, how the students are in a moral dilemma by asking such questions and second, how Somaya has also fallen into a moral dilemma because of the ways in which she has to respond to these questions which fits in with the accepted level of morality of the Muslim community and that of Society (Buskens 2000). It also became clear that Somaya's morality level is shaped by what Society ordains which fits in with Somaya having to govern her norms by obliging to secular morals. Another example of acknowledging secular laws or/and norms can be provided:

Aleena: ... Also, we were learning about homosexuals in Mosque like you know the reasons for why it is forbidden in Islam, and my Mosque teacher did say to us that, "If I was heard saying this then I would go to prison because it is homophobic now and Society on the whole doesn't allow people to preach about something that goes against their beliefs even if it is in our religion" ... And I think this silence on homosexuality is also contributing to the level of acceptance amongst homosexuals... because the ulema (Muslim scholar) are not openly expressing their views and

its leading some homosexuals to think it is ok to be a Muslim and homosexual as there are not enough people speaking against this...

(MPR 3: Aleena. Age 20. Sunni. Student in Islamic education).

This moral dilemma which portrays the struggle of the *ulema* illustrates that she is not only torn between a religious obligation as she feels that she must preach that homosexuality is prohibited in Islam, but also feels a secular obligation simultaneously because preaching against homosexuality is deemed to be homophobic, irrespective of what the teacher taught her pupils in the end.

In this theme there is a strong emphasis on religious values that are entwined with secular obligations as has been briefly demonstrated above. However, it is also clear that because the *Shari'ah* is not implemented in the UK, some Muslims navigate around certain moral dilemmas by obliging with secular norms and laws before they comply with Islamic rulings. Nevertheless, there was a common theme which emerged that despite adhering to secular laws, high levels of morality did have an impact on crime rates and delinquency (Stark et al., 1982; Johnson et al., 2000; Herzog 2003; Chui & Wing, 2013; Mckay et al., 2013 & Ozbay 2015).

Religious Obligation

The Qur'an is a source of defining morality for Muslims. However, as discussed before, the definition of morality will get constantly redefined, which inevitably means that what is right and wrong is redefined on an ongoing process. The more practicing respondents had all commented on how they try to adhere to the Qur'anic rules to the best of their ability because they felt that it is much easier to adhere to the same definitions of right and wrong that Allah has defined in the Qur'an to withstand shifting morality (Ebaugh and Haney 1978; Thornton and Camburn 1989; Wilcox 1992; Greeley 1993; Spicer 1994; Manza and Brooks 1997; Meier 2003). I will provide a very brief extract of a conversation which will provide a helpful insight into why the respondents have self-ascribed themselves to be more practicing.

Humaira: *Obviously I do follow the five pillars of Islam. I am a Muslim after all. That shouldn't even be a question that should be asked of a Muslim if I'm completely honest. I pray 5 times a day you know and I fast as well, every Ramadan without fail.*

(MPR 1: Humaira. Age 31. Sunni. Part time Assistants Manager).

Tiaba: *You are not a Muslim if you don't follow all the pillars of Islam.*

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

Zehresh: *The Ummah is in such a state that when a Muslim sees another Muslim praying their 5 daily prayers they say, "Oh my God, when did you become so religious?". Praying 5 times a day does not make you pious, it makes you a Muslim if you don't pray then ask yourself, what are you?*

(MPR 5: Zehresh. Age 33. Wahabi. Part time teaching Qur'an, Arabic, Tajweed in a local Masjid).

Aleena: *I remember when I first joined the Masjid (Mosque), I asked my apaa (female teacher), "Which is the best day to pray?"... my apaa replied, "The best day to pray is the day before you die". I was astonished, so I*

asked, "How would I know the day of my death?" So, my apaa answered, "No one knows the day or time of their death, that's why we need to pray every day". Since that day, I have always prayed...

(MPR 3: Aleena. Age 20. Sunni. Student in Islamic education).

It is comprehensible how and why certain respondents adhere to the obligatory practices in Islam. Such conversation also provides the impression that such participants find it almost inconceivable to think of Muslims not adhering to the five pillars of Islam by using terms like "Well yeah" and "Obviously". It was further expressed by all the respondents in the more practicing category that such Islamic practices were in fact mandatory and not optional. For some, morality in other words, like religion, exists not just in discourse and doctrine, but also in the focal arena of everyday social practices (MacIntyre 1984; Taylor 1989; Bender 2003; Winchester 2008) which demonstrates that morality and religion, for some are strongly interlinked.

Lack of Religious Obligation

This theme is one of the most substantial themes in this chapter because I found that a considerable number of interviewees acknowledged that they had a religious obligation but chose not to adhere to such religious obligations for many different reasons. Given the different explanations from the respondents for failing to comply with religious obligations explains why the current theme is the lengthiest from the other two themes in this chapter.

But, prior to discussing the non-compliance regarding the obligated five pillars of Islam, some respondents felt that the five pillars of Islam were in fact optional and not mandatory. This adds on to the research that has been conducted on organised and non-organised Islam as some respondents adhere to Islam with a great level of leniency (Bullock 2002, Bectovic 2011, Jeldtoft 2011, Otterbeck 2011a: 1169, Otterbeck 2011b and Jouili 2015).

To provide a better understanding, a brief extract from one specific interview will be presented before moving on to why some respondents have chosen to dismiss obligated acts in Islam.

AK: *What does Islam mean to you?*

Ayesha: *[...] It is just a religion like any other.*

AK: *Why do you choose to be a Muslim?*

Ayesha: *[...] I didn't choose to be a Muslim [...]. I think all Muslims that are born into Muslim families... didn't really have a choice to be a Muslim... In certain countries, especially the Middle Eastern Countries, they are not allowed, based on the family law and the Government law to change the religion... and I think it is also based on the religion for Muslims not to have... a... erm... choice to come out of Islam [...].*

AK: *So, you feel that there is no escape from Islam once you are born into a Muslim family?*

Ayesha: *[...]. (Nods head). Yes. That is what it is.*

AK: *So now that you have migrated temporarily from your home country to the UK, do you want to move out of the folds of Islam given that now you have an option to do so?*

Ayesha: *It is not about freedom. It is totally subjective and depends on the person to remain... in the religion or not. Islam based on this religion, based on what it is saying in the whole world... that erm... how can it be the last one? It is in fact a combination of all religions... it includes other religions... like Christianity... like Judaism. How can Islam be the complete religion? Back to your question, whether I want to stay or I want out of Islam?... it is totally personal, you know, I can't say I am out of it because when you say that you are out of it then you are totally going against all the revelations... all the laws in this religion. I am not saying that all the laws are wrong based on my understanding. Some of them are right... some of them are the way that you should live. For me personally, I believe in God, but to believe in religion, it is subjective [...].*

(LPR 21: Ayesha. Age 25. Shia. Retail Assistant).

The above conversation is highly intriguing because the selection criteria for the current research was to recruit Muslim women, 18 or over. But when Ayesha was questioned as to why she is a Muslim, Ayesha did not want to provide any reasons for why she chose to remain as a Muslim.

Moving on to the central theme it will now be critically discussed why certain respondents chose to neglect the pillars of Islam. This theme is further divided into two sub-categories. The first sub-category has focused on how some of the interviewees feel guilt-free for not complying with certain Islamic practices. Whereas, the second sub-category concerns those that acknowledge that the five pillars of Islam are mandatory and feel guilty for not adhering to the obligated Islamic practices.

Guilt-Free for Not Adhering to the ‘Obligated’ Islamic Practices

To begin, the first sub-category involves those respondents that have transitioned from a more practicing Muslim to a less practicing Muslim, strongly arguing that the pillars of Islam are in fact non-compulsory (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009).

AK: *Ok, let’s start with the Shahada. Do you believe in the Shahada?*

Iram: *No.*

AK: *Why not?*

Iram: *Because ... my Belief has erm... changed... we are not living 1400 years ago. How can we believe that Prophet Muhammed is the last Messenger of God? [...] How, how, how can we prove that? You see I am not saying that I am a Muslim and I am not saying that I am not a Muslim. Anyone can be a Muslim. It depends... on your, erm your own belief.*

AK: *Ok, let’s move onto the second pillar of Islam, salah. Do you pray five times a day?*

Iram: *I used to... but if you mean if I pray five times a day now, then the answer is no... because I don’t believe in it anymore. Why should I pray five times a day? If you can give me a reason, one logical reason... then I will accept, and I will pray five times a day. To me [...] it just seems illogical. What is the point of praying? You are just saying God is great... for me, you can pray in anyway you want. There are different forms of prayer. Why should I pray in the language that is not my mother’s language? I do understand Arabic in terms of speaking and talking, but I don’t like to speak in Arabic [...]. Why should I do that? Also, why should we pray like this? Is it because of some man 1400 years ago? You know this person is not related to me, my country or my generation at all. I can’t see why people choose to pray five times a day.*

If I want to pray, then why am I going to go by a group of specific people that are saying that they have been chosen by God? If you are saying God is kind, God gives everything, and God is just...then why should He or She choose specific people and separate them from others? You think that is equality, then I don't believe in it. If I want to pray, then I will pray in my own way... I can pray when I want and... before I sleep you know... so I guess what I am trying to say is that I feel spiritually connected in my own way.

AK: *What about fasting?*

Iram: *I used to... but... the way that... Islam is saying fast... I don't think it is healthy for the body.*

AK: *Scientists have proved that fasting is very beneficial for the body...*

Iram: *I don't believe that. What I believe that is scientifically proven is called inter... interm... ah intermittent fasting [...]. But that one... also has it's own criteria. For example, here, in this country, in the UK, if you want to fast in summer time especially, then it is a contradiction to what Islam teaches. Islam says that your body is a gift and you should take care of it. So, when you are fasting for more than 12 hours then it is very harmful for your body. I don't believe in that.*

AK: *So, you mentioned earlier how you used to fast and pray when you were younger. What made you change?*

Iram: *From the beginning, there was something in my mind telling me... why am I following this? [...]. I couldn't find any logical reasoning behind this. It was like I was a parrot you know. Saying the same thing without meaning it. The words felt empty to me.*

AK: *Ok, moving on to the fourth pillar of Islam, Zakat, charity...*

Iram: *I believe in that.*

AK: *Ok, what about the fifth pillar of Islam...Hajj? You were saying that you have been for Hajj previously?*

Iram: *Yes.*

AK: *Ok, do you intend on going again?*

Iram: *Nope. Not at all.*

AK: *Do you regret going for Hajj?*

Iram: *[...] I would have to say 50/50. For me, I first went to Medina and then Mecca. I prefer Medina over Mecca much more. And the people in Medina are much more respectable than people in Mecca. I regret going because of how they behaved with my people... I did not understand it at all. If they are saying that they are Muslims, then why are they treating other Muslims in that way? You know my people, majority of them are Shia's. I am also a Shi'a, but most of them in other countries are not so that is why there is conflict... and also the only thing that I like about Saudi is the environment. So, for example, when you are in Mecca and you are doing tawaf (circumambulation of the Kabaa), it gives you a good feeling. Ok, I'll tell you, what I found there, was that well, from my belief and my understanding is that everyone there, you know going around the Kabaa (cubical stone building in Mecca) were giving this positive energy. You know this can be referred to as Einstein's law... the law of nature... when you give positive energy, then you will receive it. Everyone there was giving positive energy that is why you feel calm. But when you go out of that area then you will see how other areas in Mecca are different. This feeling about peace and calm was also felt in Medina. But saying that... I would... never ever go back. I don't want anybody from my country to go there.*

(LPR 20: Iram. Age 34. Shia. Researcher in Psychology).

I felt that it was crucial to incorporate a brief extract of the above interview because this illustrates the different explanations as to why Iram doesn't conform to the four pillars of Islam. To summarise, Iram did not accept the *Shahada* because she felt that it was outdated and required further evidence that Prophet Muhammed (ﷺ) was the final Prophet. Iram also emphasised that from praying five times a day, she has stopped completely because it seems illogical to her for several reasons which has been mentioned in the interview transcript one being that she is having to converse with God in Arabic, which is not her mother's tongue. Iram also prefers her own methods of praying as she feels more spiritually connected and does not feel as if she is neglecting any prayers because according to her she is still praying, but in her own way and in her own time.

Moreover, Iram did acknowledge that she used to fast but doesn't anymore because she fervently believes that it is very harmful to the body. Iram believes that Islam is contradicting itself because it ordains for Muslims to fast but then simultaneously, Muslims should not harm their body but fasting for long hours inevitably harms the body. However, when I did try to provide evidence that scientifically it has been proven that fasting is in fact healthy for the body (The Renegade Pharmacist [TRP], 2017), Iram quickly dismissed this factual statement and refused to shift from her opinion and instead opted for intermittent fasting because it has been proven to be healthy for the body. The fourth pillar, *Zakat* was not dismissed by Iram, but it was later revealed that Iram believes in this pillar because of her own good will as her good deeds informs her own levels of morality, rather than following or conforming to what Islam ordains. The last pillar of Islam, *Hajj*, Iram regrets performing. Interestingly, Iram did confess to feeling at peace but seems to justify the cause behind this by accentuating Einstein's law theory. To summarise, 'Einstein argued that the greater the mass of a body the greater the energy' (Topper 2013: 61).

Other respondents that belonged to this 'guilt-free' subcategory briefly expressed different reasons for their discontinuance in practicing obligated practices in Islam. A few respondents had stated that their discontinuance was mainly because Islam reminded them of their failed relationship with their so called 'pious' boyfriends or husbands. Other interviewees felt that

the *sawm* (fasting) pillar should be optional instead of mandatory because to them fasting just seemed illogical mainly due to the different conditions Muslims are fasting in (hot countries in comparison to cold countries) and the difference in time durations (short fasts in comparison to long fasts due to the different locations).

Moreover, some respondents who labelled themselves as Islamic feminists would feel that they were not keen to fast during Ramadan because they would feel uncomfortable and ashamed when they would consume food or drink in public when they were exempted from fasting. By this I mean that it is *haram* for menstruating women to fast. Due to this, it has led many Muslim women to not fast at all, so they could embrace the feeling of not feeling ashamed. Feelings of awkwardness from eating in public during Ramadan are in fact a common phenomenon amongst Muslim women (Moneim 2016; Supersisters 2017).

Lastly, a few of the respondents mentioned that they do in fact pray, but they pray in their own way and their own time as they also feel that praying five times a day seems illogical and inconvenient.

Guilty Conscience for Not Adhering to the Obligated Islamic Practices

The second sub-category involved respondents who had a guilty conscience for not adhering to the obligated pillars of Islam. Such respondents had different explanations as opposed to the respondents belonging to the first sub-category for not complying with Islamic practices. I ascertained that within this category *salah* (praying) and *sawm* (fasting) were least adhered to, in comparison to the remaining. Praying for instance, was not closely adhered to because when some of the respondents would break their *wudu* (ritual washing of the body parts that enables one to pray) in public they were not willing to remove their makeup, to perform ablution. They felt insecure to remove their makeup in public because they did not feel confident enough to allow the public see their natural skin without the application of makeup. The other reasons for not praying was that some of the respondents expressed laziness as a major attribute and other respondents even commented saying that it is just not possible to pray five times a day at the prescribed time as their work shift clashes with the time of prayer and they are not able to leave the shop floor unmanned at certain times for instance. Another reason for some of the participants to not pray was because there was a sense of hopelessness in their prayers not being answered by God, so this led to some of the respondents feeling despondent. I also found that

some of the respondents did not feel comfortable praying because they felt that they were not worthy of communicating to God through prayers as they felt that their sins were weighed much heavier in comparison to their good deeds. For example:

Saba: *I don't pray because erm... [...] I feel bad because I know I go out, chill, smoke sheesha... I feel like I'm being a hypocrite.*

(LPR 23: Saba. Age 30. Sunni. Manager in Accounting and Finance).

This goes to demonstrate that an individual cannot be generalised and assumed to not be doing something because of the same reasons of another. Nevertheless, I found that within this less practicing category, a strong theme emerged which demonstrated that such participants did conform to the *Shahada*, *Zakat* and *Hajj* out of the five pillars of Islam.

Ruby: *[...] The one that I follow the most after the Shahada is sadqa (charity). For me it is easy to put money into someone else's account. I'm not trying to say I don't follow the rest... I do. But I'm not completely practicing. I honestly do believe that as a believer, as a Muslim, I should never forget that my need to give charity will always be far greater than the need of the one receiving my charity...*

(LPR 22: Ruby. Age 27. Wahabi. Receptionist).

In other words, Ruby is stating that her need to give charity is much greater than the one receiving it as she believes that when you help someone in need then you are helping yourself by depositing your deeds with Allah in the afterlife.

Chapter Analysis - Conclusion

In this chapter we were introduced to three main themes: *secular obligation*, *religious obligation* and *lack of religious obligation* all of which explain different levels of morality and how living law is lived on a day-to-day basis.

Overall, the responses given from the interviews illustrate a distinct reasoning for different levels of morality. It can be assumed that because the current project recruited Muslim women that everyone's morality level will be on the same page as right and wrong has clearly been established in the Qur'an. The brief glimpse that was provided into the different types of living law that is currently lived by the interviewees demonstrates that the moral compass of the United Kingdom and by extension the world, is constantly shifting.

The Islamic Criminal Law was incorporated in the introduction because I felt that it was crucial to emphasise the difference or lack of difference the implementation of the *Shari'ah* would have had on the participant's sense of living law in the UK. I strongly felt that by accentuating the Islamic Criminal Law, the discussion that revolved around the concept of sinning and the frequency of sinning was exposed a lot more than it would have been if the subject on corporal punishment was not broached. This automatically led the respondents to reflect upon their character, their level of morality and to contemplate what norms inform their sense of living law. As mentioned previously, this area of research has been under-researched.

I found that there was no indication of a rising support for a religious State which implies that there was evidence that the participants were in fact comfortable to function simultaneously with the official law (secular law) and the unofficial law (Islamic law) Yilmaz (2002b: 113-118). There has been less research on Muslims wanting the unofficial law to become official as opposed to the emphasis that has been placed on local customs, Islamic law and the State law in contemporary Muslim States (Berger, Peters & Nefissa 1999; Buskens 2000; Welchman 2002; Bowen 2003; Agmon 2006; Lombardi 2006; Shahar 2008).

Further to this, the critical exploration on the five pillars of Islam resulted in the themes for the current chapter to be divided as they facilitated my understanding of which participants are more practicing and which participants are less practicing. The discussion of the five pillars of Islam built the framework of what constitutes morality (Yust et al., 2006). I found it particularly

interesting to discuss this topic because there was a range of emotions that was manifested from the respondents which ranged from willingness to hesitancy when they began to address how each pillar was neglected and/or complied with and how they felt about their level of adherence or lack of adherence for that matter (Mahmood 2005 & Winchester 2008). This central discussion enabled me to divide the themes in the current chapter which all interrelated with how morality is lived and how and why living law has been formulated the way it is.

The first theme labelled as '*secular obligation*' discussed how some respondents chose to prioritise secular norms in comparison to religious injunctions and laws and why certain overlaps between the secular and religious laws coexist (Buskens 2000). This theme automatically interconnects living law and legal pluralism as this evinces that some respondents were influenced by several multiple codes that navigate between the official and unofficial law as has been discussed in the literature review. I ascertained that some of the less practicing respondents did in fact neglect their religious and cultural codes in favour of secular codes and prefer the official law which for them supersedes the unofficial law (the *Shari'ah*) Yilmaz (2002b: 113-118).

The second theme which was referred to as '*religious obligation*' conveyed that the more practicing respondents all adhere to the five pillars of Islam with the best of their ability. I felt that it was significant to distinguish this theme from the other two themes because the consensus amongst the more practicing respondents was that in Islam it is not sufficient that the individual only becomes a moral individual, but rather the individual should also become an advocate of morality and they should understand how immorality should be tackled which is linked to *hisba* (Al-Ghazali 1058-1111; Kamali 2008; Pieri et al's., 2014).

This is an interesting issue, as Muslim women felt obliged to police or regulate fellow Muslims which contrasts with the Qur'anic notion of no compulsion in religion. This further supports what An-Naim (2009) had stated by arguing that the likes of coercive implementation promote hypocrisy (*nifaaq*), which is repeatedly condemned in the Qur'an. According to An-Naim, there should exist a separation between Islam and the State, referred to as, "the religious neutrality of the State" (An-Naim 2009: 4) which would result in individuals to accede to, oppose to, or modify any belief of religious doctrine (An-Naim 2009: 3-4).

However, the more practicing respondents in the current project viewed their obligations by becoming an advocate of morality by explaining to other Muslims to not transgress Islamic rulings. This is relevant to the research that has been provided in the literature review on *hisba* as Al-Ghazali (1058-1111) argued that *hisba* should be adhered to as without this, religion would be neglected. Kamali (2008) adds on to this by stating that *hisba* holds a significant role in safeguarding morality. An example of *hisba* is provided below;

Humaira: *I have served a lot of people that have come from European countries and when they first move here, they don't really know... or shall I say that they are not completely aware of what they are allowed to have, and by that I mean what they are allowed in Islam. Like for example, there was an Asian man and he had a kid with him and he was buying haram chicken. So I said to him... well to be honest a lot of people don't know that they are eating haram food. So anyway, when I did tell them it was haram, the kid turned around and said, "Well we've bought this a lot of times before and no one has said anything to us." So I said, "Well look, I've just told you it's haram, it's up to you if you want it or if you don't it." So I did you know... give options and tell them that Bird's eye one on the other section sells halal meat. So in the end, they chose not to buy the haram meat.*

(MPR 1: Humaira. Age 31. Sunni. Part time Assistants Manager).

The respondents belonging to this category strongly felt that ethics and morality is what should be adhered to when no one is observing one's action or behaviour to demonstrate the individual's true level of morality in the private sphere as well as in the public sphere.

The last theme within this chapter was referred to as, '*lack of religious obligation*' which was further divided into two sub-categories; *not feeling guilty for the lack of adherence to the 'obligated' Islamic practices* and *having a guilty conscience for not adhering to the obligated Islamic practices*. I felt that this theme was of paramount importance to encompass because this section demonstrates all the different levels of morality or lack of morality that is present in the individual's day to day life as the discussion on the five pillars of Islam illustrate whether it increases one's morality levels (Mahmood 2005 & Winchester 2008).

This section also provides a better insight and a much deeper understanding as to what less practicing means and how this term is differentiated from the more practicing cohort. This suggests that living law that is lived amongst the less practicing group all vary from each other within this category with an increasing level of leniency and flexibility, (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009) unlike the more practicing category that all adhere to the five pillars of Islam.

Hence, I felt that it was necessary to include both the sub-categories that further explain the deep emotions the respondents feel when they don't adhere to certain Islamic practices. I also found that Islam amongst some groups became more of an optional lifestyle rather than a religious obligation, making Islam deterritorialised in a sense (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009). To add on to this, the consensus of the less practicing respondents that fell under this theme strongly believed that it can be difficult and challenging to comply with every single Islamic injunction and prohibition there is in Islam which has been stipulated in the Qur'an.

PART II: Halal & Haram

Introduction

The second analysis chapter will discuss the concept of ‘*haram*’ and ‘*halal*’ and the complexities that are attached to these two terms. I felt that it is crucial to dedicate one complete chapter to the concept of *halal* and *haram* and how such terms are utilised, employed and lived in Muslim women’s day-to-day life as such a critical discussion will facilitate the understanding of living law. The term ‘*haram*’ and ‘*halal*’ was also mentioned multiple times in the interviews (see page 278), hence another reason for devoting an entire chapter to this topic.

It is best to discuss what determines something as *halal* and what determines something as *haram* as this will better prepare our understanding for the chapters to come. This will also contribute to the understanding of why Muslims formulate their living law in several different ways from one another. This inevitably also leads to an increased understanding of why there are different levels of morality.

In addition, many Muslims perceive Islam as being revolved around stringent laws and regulations. I found that when I was analysing all the interview transcripts, I encountered many common sub-themes that were derived from the more practicing and less practicing respondents that placed a profound emphasis on exactly how; one must perform prayer, emphasis on exactly how one must fast, emphasis on exactly how to purify oneself, emphasis on exactly how an animal should be slaughtered, emphasis on exactly what constitutes a good Muslim, emphasis on exactly what constitutes a bad Muslim and so on. The emphasis on ‘perfection’ is so overwhelming that for many Muslims, the entire religion begins to be perceived from the lens of prohibitions and obligations (Otterbeck 2011a: 1171).

To understand prohibitions and obligations on a deeper level from the respondent’s perspective, the current chapter encompasses five different themes; *introducing the concept of haram and halal from a young age; personalised definitions of haram and halal; Muslims categorising other Muslims as halal and haram; implications for loosely applying the term haram and halal and finding a balance between halal and haram.*

The Key Themes:

Introducing the Concept of *Haram* and *Halal* from a Young Age

This theme will be exploring the different ways *haram* and *halal* were introduced to the respondents from a very young age, given the exception of the convert respondents as they became Muslim at a much later stage in their life. I was able to divide this category into two sub-categories that I found were common themes amongst the more practicing and less practicing respondents; *a reasonable approach* and *unreasonable approach*.

A Reasonable Approach

The first sub-theme can be referred to as the reasonable approach. The below interview extract belongs to a more practicing respondent.

AK: *From what age did you properly adhere to all the five pillars of Islam? From the age it became compulsory or...*

Aaliyah: *Erm... [...] Regularly, but I remember when I was a kid, when I was 6 or 7 years old my grandparents would tell me what I should or should not do. Like, for example, "You have to fast, and you can't eat or drink anything". You know, teach me slowly slowly as the time goes on.*

AK: *When your grandparents would tell you what to do and what not to do, would they also inform you as to why you should or shouldn't do something?*

Aaliyah: *Yes, they would tell me the reason. They would also make me want to fast by telling me that I can go to Heaven if I followed the Islamic rules.*

(MPR 7: Aaliyah. Age 36. Shia. Housewife).

Another example will be provided, but from a less practicing respondent that will manifest how Islam was explained to her from a very young age.

AK: *Ok, so speaking of your parents... Will you say that your parents when telling you to obey the Islamic rules, were explaining the reasons for why you have to do something or were they just ordering you to follow the rules when you were a child?*

Maha: *[...] Erm... when I was told to follow something then a reason was definitely given so I understand the reason behind doing something [...] rather than just following Islam blindly. Like they would explain to me, why it was wrong to go against something and the implications for not doing as I was told... I wasn't forced or anything... It makes me want to learn more about Islam...*

(LPR 24: Maha. Age 32. Shia. Project Manager).

Both different conversations imply that irrespective of which category (more practicing or less practicing) the respondents belong to, the way Islam was taught from a young age has a positive impact on the child's upbringing. For instance, Aaliyah was more convinced and firmer in her beliefs in Islam due to her upbringing and similarly, Maha had a very strong intention to practice Islam properly in the near future as she felt that everything in Islam was explained reasonably to her that pulled her towards Islam rather than against Islam. In general, it is transparent that irrespective of which category, the more practicing or the less practicing category the respondents belong to, the imperative factor is that if the tenets of Islam are explained within context to children then this causes much appreciation and willingness of adherence to the rules in Islam. Analysis of the ways in which Muslim children have been raised can also be a contributing factor to living law, as is evident, which has not been emphasised in the academic field.

An Unreasonable Approach

The second sub-theme can be referred to as the unreasonable approach. This is when the concept of *haram* and *halal* has not been introduced to the children in the best of ways. For example;

Tehreem: *Erm... for example, when we were little, when our parents would explain something to us, they would say, “Don’t do this or you would go to hell because Allah will be very angry at you” and say stuff like, “You do know that Allah hates it when you do haram?”. There were no explanations behind as to why you should do something or follow something. They wouldn’t even go into detail as to why something is haram, they are just like... taught... to be very simplistic in their ways. And they always focus on the negative points so we can’t help but automatically assume that Islam is all based on the negativity and that everything is haram. I guess now... I have researched up on Islam and I now know the reasons for why something is haram and something else isn’t haram.*

(MPR 8: Tehreem. Age 22. Sunni. Part time in retail).

The above discussion suggests that there are many implications which could have affected Tehreem temporarily and in the long term in relation to Islam because of how her parents taught her about the prohibitions in Islam. It most certainly does not help that the fear of God was unjustifiably embedded in her from a young, sinless age.

After reading the above extract, it is easily assumed that going to Hell is easy and going to Heaven is extremely difficult. By relegating Islam to only its legal dimensions can have many short-term and long-term repercussions as has been briefly explored. This also suggests that there are Muslims that were raised recognising what is *haram*, but never actually understanding the reasons behind it. Such individuals came to know of a God that is easily displeased, keen to punish, and is extremely strict about the rules of prohibitions. There was a sense amongst the respondents that compliance with the Qur’anic injunctions is a noble obligation, whereas a lack of adherence to Islamic rulings is considered a grievous sin. Therefore, religion was perceived by most, until a certain age, to have been very influential on how living law is to be constructed (Mokhlis, 2009).

Nevertheless, Islam offers so much more than just a set of rules that Muslims must adhere to.

Some respondents had this negative perception about Islam which can be the case if a misinterpreted exposure to Islam was subjected from the parents. The parent and child relationship that has been exposed under the current sub-theme can be a potential reason for why Muslims are currently turning away from Islam (more information on Muslims turning away from Islam can be found in the fourth analysis chapter, '*Secularism and Islam*').

Personalised Definitions of *Haram* and *Halal*

I discovered that by conversing with the more practicing and less practicing respondents I found similar themes that described what *halal* and *haram* means to them personally. To sum up the responses, the consensus was that *halal* is something that a Muslim is permitted to do that does not contravene Islamic teachings and which is deemed to be beneficial for the individual. On the other hand, *haram* is described as something that goes against Islamic teachings and which is deemed to be harmful to the individual. The description of *halal* and *haram* that was provided by all the respondents ranged from minor activities to major activities. This encompassed many different contributing factors that constitute the level of *haram* and *halal*.

Such factors are composed of what food and drink they consume, the ways in which the animal is sacrificed for consumption purposes, covering one's hair, the company an individual decides to engage with, one's actions, one's character, one's behaviour, interest, hobbies and illicit relationships before and after marriage and relationships in general. Such religious practices, or religious prohibitions for that matter results in the increase of embodied practice amongst some of the respondents that concerns religious realities, morality and selves (McGuire 1990; Hall 1997; Mellor and Schilling 1997; Warner 1997; Ammerman 2003 & Neitz 2004).

Taiba: *At times... like I understood why you should or shouldn't do something... I guess it really does depend on the individual and the way they look at things... but I was brought up that way to think and to understand for ourselves... I don't know, the more you grow older, the more you realise why something is haram, the less you look at that thing as forbidden but you see it as beneficial for yourself if you stay away from that. You see the wisdom and the light behind the forbiddance if that makes sense? [...] Allah doesn't make something haram for no reason, there's always, always, always reasoning behind everything.*

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

I felt that the above conversation was vital to incorporate because this alone demonstrates Taiba's willingness to accept what is *halal* and *haram* that is at times not based on explanations.

However, I will not make the mistake in stating that such a response represents all other Muslims as has been presented in this interview transcript just because both types of respondents, more practicing and less practicing came to a consensus when describing the concept of *halal* and *haram*. Below is another short conversation between myself and another respondent which manifests the extent to how varied the term *haram* and *halal* is amongst individuals which is utilised in different ways.

Iram: *How many of us Muslims actually go by the Qur'an? [...]. Ok... what I am trying to say is that you can't find anyone who does follow the Qur'an completely. So, for example, alcohol is forbidden in my country, I was always interested in trying to understand why we are not allowed to drink alcohol... so when I grew up, well when I was at that age where I was beginning to go out... and let's say experiment... I explored it and I liked it. At that time, it was good for me. It wasn't like I was drinking every day, like I would drink on occasions, or I would drink once a month or twice a month. Maybe once a year. I would try a little bit, not like a lot, not like where I am hungover... but when I am here... I have access to unlimited let's say, alcohol. Any types of drinks. There was a time when I drank a lot. For example, one night I drank around 13 shots of tequila. Which was a lot! After that you know, I told myself what was the point of doing that? So, I don't drink that much now... but now to be honest I hardly every drink since I have started going to the gym. But sometimes I drink when I go to my friend's house or... once a month, or twice a month or something. The reason for why I have cut down on drinking is because I go to the gym now. Overall, I would say some of the rules I do follow and some of the rules I don't follow... but I am not going by what the Qur'an says, I have my own set of beliefs.*

(LPR 20: Iram. Age 34. Shia. Researcher in Psychology).

This conversation provides many different insights as to the many reasons for why Iram has developed her own moral reasoning of what constitutes moral and immoral behaviour. Firstly, Iram commented on the fact that not every Muslim conforms to the Qur'anic teachings, so in

her mind, she has justified her own actions by commenting on the noncompliance of other Muslims. The second reason for disobeying the Islamic rulings is that Iram wanted to explore the forbidden rules for herself but became addicted in the process to the consumption of alcohol. However, it was made abundantly clear by Iram that she has reduced the intake of alcohol, not because the Islamic rulings prohibit her from doing so, but because she visits the gym frequently and feels that if she was to continue consuming alcohol then this consumption will invalidate her efforts at the gym.

This is one example from all the other respondents that manifested her relationship or lack of for that matter with Islam and God. On the other hand, there are other respondents that commit sin, but still have the remembrance of God within them. This discussion complements contemporary work on 'lived religion' (Hall 1997; Orsi 1999).

Ruby: *[...]. Well, erm... like for example, when I have been lost... lost meaning when I am drunk, and I don't know what is happening and I say Ya Allah (Oh Allah) help me and honestly, I feel like I'm out of a tangled position you know. [...]. It's almost unreal. I feel then that Allah is always with me no matter what the circumstances are, if your intentions are right then there is no harm in clubbing. I mean you're not doing anything stupid, are you? For me like... religion is more like you do the right thing, you don't hurt anyone. Like when I go clubbing, I know I keep giving the clubbing example, but it's because I feel that it's very relevant, I'm not doing any harm, like even dancing some would say, "Oh what you are doing is wrong". But, how is it wrong when you are dancing amongst your own friends? And I see all my friends as more of a brother and sister sort of way, so you know instantly, like straight away that that barrier is in place, so I guess it's all good.*

(LPR 22: Ruby. Age 27. Wahabi. Receptionist).

Ruby has provided her definitions of what is *halal* and *haram*. According to Ruby having good intentions is important as this would prevent her from engaging in *haram* activities. This insightful discussion clarifies the level of religiosity Ruby is currently living by. For instance,

many of the respondents that I interviewed from the more practicing category, and even some from the less practicing category render certain activities, like going to a club, mixing in a crowd, dancing, consuming alcohol and listening to certain types of music as *haram*. But for Ruby, such actions were not *haram* because she wasn't directly harming anyone. This is one example of how an individual identifies with Islam in a conflicted way, Ruby expresses that Allah is always with her, but does not see a contradiction with her lifestyle and Islamic prohibitions.

Overall, there was evidence from the data that one of the common questions that arose from the respondents, when discussing the concept of *halal* and *haram*, was “what exactly constitutes *haram* and *halal*?”. It is clear from the above data that there currently exists a varied opinion of what constitutes *halal* and *haram*. This may be because cultural norms may have informed some moral dilemmas to an extent rather than religion being the priority (Ramadan 2009).

Muslims Categorise other Muslims as *Halal* and *Haram*

This theme will critically explore in detail how and why Muslims categorise other Muslims as *halal* and *haram*. I felt that this section should come after the previous theme which discussed the personalised definitions of *haram* and *halal* because how Muslims categorise certain individuals in certain groups strongly refers to how they personally define *haram* and *halal* which has not been explored in academic research. For example;

Sana: *I think people are quick to judge other people. And you should never judge a book by its cover... people judge me before they even get to know me. And people think I'm outrageous and wild when I'm not so it's not fair... I think halal and haram are grey areas. Liking someone is not haram, falling in love with someone is not haram, you know your heart can fall for anyone at any time at any age, whether you're married or not. I think Muslims put other people in a haram and halal category. I think what people have to remember is that you are not the judge... but Allah is the judge. So, you should never ever point your finger at anyone. Whatever they do, they will be accountable for their own actions... I think haram is when you are embarrassed from your own religion or drinking alcohol... and sexual activities. But, I think that Allah is the one to forgive. And you should never judge because even if you do haram activities then you can go to Hajj and Allah can wipe all your sins in one go. Which is what I intend to do.*

(LPR 25: Sana. Age 22. Sunni. Full time student in Nursing).

Sana manifests how quick people dictate what is *halal* and *haram*. This also goes to show that the ambiguity of the term *haram* and *halal* is not only open to so many interpretations, but the fact that Muslims easily place other Muslims in the *halal* and *haram* category can be disconcerting which can contribute to the inner and outer dilemmas that Muslims encounter. For instance;

Aroos: *Ok let me explain... in my country some girls are wearing the hijab and some girls are not covering their hair. So, if the hijab girl wears makeup*

and she has a boyfriend then she is a lot more criticised, whilst wearing the hijab because then you are seen as fake because you are doing all these 'haram' things. It's almost as if her hijab shows that she is a perfect Muslim, but in reality she has a boyfriend and she is wearing makeup. That girl is criticised a lot. But she is not saying that I am a perfect Muslim. She is doing more than you [...]. Another person that does the same things as her, but isn't covering her hair doesn't get criticised nowhere as near as the hijabi... For me, you would get rewarded for the good deeds but punished for the bad deeds. It's as simple as that...

(LPR 26: Aroos. Age 28. Sunni. Full time Student).

This conversation illustrates, according to Aroos, how people are quick to judge others and how easily people are placed in the *halal* and *haram* category. This conversation also goes on to convey a deeper meaning of what I previously highlighted regarding the inner and outer dilemmas that Muslim women encounter. Aroos recognised that we live in such a society where a Muslim gets judged easily by their outer appearance. This is not to say in any shape, way or form that a Muslim should not live up to the role they are trying to portray, but if Muslims don't adhere to all the Islamic rulings whilst their attire represents Islam then they will get judged harshly. For instance, if a Muslim woman wears a headscarf then she is expected to comport herself in society and to play the role of being a full practicing Muslim woman. The headscarf is acknowledged to represent a religious symbol but if the individual seems to contradict her role of wearing what she is wearing or contradicting her outer identity somewhat, a stigma seems to attach itself to her in comparison to another individual that does not wear a headscarf. The Muslim woman's attire will be discussed in much more depth in the chapters to come.

Implications for Loosely Applying the Term *Haram* and *Halal*

This theme inter-relates to the previous one because it is significant to understand how and why some Muslims are quick to label other individuals as *haram* or *halal*. After providing a brief explanation of the judging and labelling process, I will discuss the potential repercussions the labelling impact can have on the individual. This is the central focus of the current theme.

Prior to exploring the consequences of labelling individuals and understanding how they themselves deal with the labelling theory, I personally felt that it is important to first understand how individuals themselves deal with their own guilty conscience of indulging in *haram*. For instance;

Somaya: *I learnt to take a big step back when I first became a teacher. I was really strict. I took the approach that this should be done like this and that should be done like that. I was more taking a perfectionist role... but now I guess certain situations make you take a big step back and you have to realise that you have to be a bit more flexible to an extent.*

AK: *What situation, if you don't mind me asking made you change your approach?*

Somaya: *[...] I had this one student... she was smoking, she would secretly drink alcohol, she would occasionally go clubbing, she doesn't wear the headscarf, she has a few small tattoos on her body, she takes a rebellious approach when she talks to parents. Like she openly defies them. So, this student approached me at the end of my seminar and asked me questions regarding how haram her activities are. So, I told her simply, that you know drinking alcohol for example is very haram and I started to provide examples from the Qur'an and then narrated different Islamic historical stories to her so she feels inspired about transformation. I started to tick off the long list one-by-one she had presented of the haram activities she engages in, but after a few minutes she seemed so despondent in what I was telling her that she didn't even let me finish off what I was saying, she just interrupted me and said, "Well I'm*

already sinning so much and truth to be told I can't stop, I feel like an addict, what's a little more sinning going to do to me anyway?... A few extra days in hell I guess... Well you know what they say, you only live once, I might as well enjoy my life." And she just walked out of my class. I was so shocked. I felt really bad for her, I should have judged her as a person and my approach should have been different. Now that I look back, it was a pretty big step for her to have enrolled on to an Islamic session and then to ask me certain questions, which in a way shows that she does have a guilty conscience... I guess it really is a step at a time. My approach was wrong. But like I said earlier, you can't just use the term halal and haram so casually. I guess we are all guilty of this, we make the haram so wide and the halal so limited.

(MPR 2: Somaya. Age 55. Sunni. Teacher, Youth Councillor and Aalima).

This conversation represents the moral dilemma both; Somaya and the student were experiencing. Somaya, concluded that it is crucial to take in the individual's attitude, behaviour, attire, beliefs, and perspectives into consideration prior to lecturing them about what is forbidden in Islam. In other words, Somaya felt that it is crucial to accommodate everyone's individual needs before explaining the solution to their predicament. Somaya also felt that the approach of explaining how *haram* something is should be explained uniquely, catering to the needs of that individual.

Zehresh: *It is such a major responsibility when you are telling your students that this is haram or that is halal. You really must know what you are talking about. The Scholars and Fukahaa [Jurists] who know, like I mean know a lot more than I do, they would think a million times before they would determine something as halal or haram. So, who are you and me to say that this is haram or halal?*

(MPR 5: Zehresh. Age 33. Wahabi. Part time teaching Qur'an, Arabic, Tajweed in a local Masjid).

This implies that there is a heavy weight on individuals when utilising the terms ‘*halal*’ and ‘*haram*’ and such terms should not be employed heedlessly and inattentively. However, this does not seem to be the case when I conducted my interviews because I encountered some respondents that would term certain activities as *haram*, certain actions as *haram*, certain behaviour as *haram*, certain accessories as *haram*, certain clothing as *haram*, certain entertainment as *haram*, befriending homosexuals as *haram*, mixing with non-Muslims as *haram* and so forth are all examples of how wide the term ‘*haram*’ was construed.

Further to this, other examples can be provided that will increase the understanding of how harmful it is to the individual and in Islam to utilise the term ‘*haram*’ so lightly and at times carelessly. Some of the Muslim women in this study were not only quick to judge others as illustrated in the previous themes, but also provided examples where they had witnessed such judgements.

Sana: *Ok I will give you an example of how easy it is for Muslims to dictate what is considered to be halal and haram in today’s society. I was in Costa chilling with my friends just after my exam one day. So, one of my friends, Ali, has a long beard and my other friend, Bilal, has a short beard. Ali says to Bilal “Akhi (brother) your face is haram” ... I was just shocked listening to this. Like it is so common now amongst Muslims to quickly point out that you are full of haram ... So, anyway, the conversation between both my friends just continues and then the hadith gets thrown in to the argument about who is right and wrong and then evidence from the Qur’an also gets thrown in to the argument and then what the Sheikh says also gets thrown in... the argument was getting out of hand so I had to say to both of them that look none us are learned in this matter so it is best for us to be quiet than to argue. It was the only approach I could actually take... I was actually shocked [...].*

(LPR 25: Sana. Age 22. Sunni. Full time student in Nursing).

This short conversation that was recalled by Sana manifests how individuals are quick to emphasise what they consider to be *haram* and *halal*. It is crucial to understand that when it

comes to matters of 'fiqh', then individuals should not express their opinions because they are not a 'fiqhi' as Hashim Kamali (1999: 108) states that "Fiqh is a rational endeavor and largely a product of speculative reasoning, which does not command the same authority as Shari'ah". It should also be understood by all Muslims, specifically those that are learned in Islam, that it is a big responsibility to dictate whether something is deemed *halal* or *haram*.

Furthermore, the individual should have extensive knowledge in regards to the *hadith* of what they are narrating, who the *hadith* was narrated by, who was it narrated to, how was the *hadith* understood by the *Sahaba* (a companion of the Prophet Muhammed ﷺ), how was the *hadith* understood by the first generation and should be cognisant of the other comments from the other remaining Schools of thought on that particular *hadith*. It was clear after talking to Sana that none of her friends involved in the scenario were *fiqhi*'s, yet it was so easy for her friends to render something as *halal* and *haram* as Kamali states (1999: 109); "The practicalities of conduct are evaluated on a scale of five values; obligatory, recommended, permissible, reprehensible and forbidden (the five categories of ruling).

However, I am not trying to convey the message that all my respondents were needlessly categorising individuals in *halal* and *haram* categories or that my respondents were carelessly using the term *haram* and *halal* without the proper Islamic knowledge irrespective of whether the respondents belong to the more practicing or less practicing category. I did encounter some more practicing and less practicing respondents that were extremely cautious when referring to Islam. The below conversation belongs to a less practicing respondent to illustrate an example of how cautious some individuals are when speaking about Islam.

AK: *To begin, let's discuss homosexuality. Many Masjids are endorsing LGBT rights. What do you think about this?*

Aroos: *God created Adam and Eve and not Adam and Steve. That's it! Simple. I will give a simple example, it says in the Qur'an, actually it doesn't say in the Qur'an, actually it does say it in the Qur'an. Actually I'm not going to make it up and say it says in the Qur'an when I am not sure. I'll find out for you yeah...*

(LPR 26: Aroos. Age 28. Sunni. Full time Student).

The below examples belong to two more practicing respondents that also emphasise that if an individual is not certain when speaking about Islam, then it is much preferred to remain quiet in relation to that subject than to speak about it.

AK: *So would your personal definitions of haram and halal guide you when choosing a certain profession or/and will it prevent you from applying for certain positions? For example, if you wanted to become a tattoo artist or a bartender...*

Humaira: *No definitely not, I am a Muslim afterall.*

AK: *So if you had no choice and you were financially struggling then...*

Humaira: *In that case... then there are controversial sayings. Some scholars say depending on your situation... then a fatwa is released you know. So, I would not be able to answer this question as I am not able to give fatwas on any of the Islamic issues.*

(MPR 1: Humaira. Age 31. Sunni. Part time Assistants Manager).

Aleena: *Generally speaking, that would be haram, you know being around alcohol and selling alcohol... but that is a fiqh question which I can't answer, it is something that a scholar should be able to answer. So, I don't know if it's based on your circumstances, but that is something for a scholar to decide, generally speaking [...] that would be haram. But, I don't know how the scholars will interpret the situation and make it halal for her. Basically, it is a fiqh question. Fiqh is very deep. Fiqh takes years for people to understand and for them to give fatwas on. So, I can't give any fatwas on that.*

(MPR 3: Aleena. Age 20. Sunni. Student in Islamic education).

The above conversations that belong to both; the more practicing and the less practicing category illustrate that some interviewees were in fact cautious when they could not recall something for certain that had an Islamic reference to it, so they preferred not to comment on that or they chose to contact me after the interview was concluded on a later date to complete the discussion on what they originally were uncertain on. This is because they felt that they can discuss the matter with certainty and confidence after conducting their research by contacting various scholars and by conducting their own independent research (the subject on acquiring Islamic knowledge will be discussed in much more depth in the fourth analysis chapter). This demonstrates that not all the research participants were quick to highlight what is *haram* and what is *halal* without the proper knowledge (Jouili 2015).

There is a lot of information and thought process that goes into one issue prior to stating whether Allah has forbidden that something as *haram* as it is not and should not be perceived as a minor issue. This sub-theme made it clear that there are many Muslims at present that tend to issue the *haram* and *halal* term and feel as if they are able to decide which Muslim is guided and which Muslim is misguided. Overall, it is transparent that certain individuals are making life difficult for others around them. For example, some Muslims are making more things *haram* than what Allah has made *haram* for Muslims.

Finding a Balance between *Halal* and *Haram*

The last theme within the current chapter will critically examine how some Muslim women have found a balance between *halal* and *haram* according to their own personalised definitions. This theme is vital to incorporate as it will discuss how some respondents have fallen into moral dilemmas and how they eliminate certain moral dilemmas by prioritising certain norms and values that according to them are ‘Islamic’ (from a religious perspective). This section describes the respondent’s living law and how they disentangle themselves from moral dilemmas by utilising certain definitions of *haram* and *halal*. An example can be provided;

Lareb: *[...] Prayer, I don’t really follow... Fasting like because obviously due to some circumstances my fast isn’t counted until today... so from today my fast is counted I guess.*

AK: *Ok, I will ask why you don’t pray afterwards... but for now, I want you to elaborate and explain what you mean when you say ‘due to some circumstances’ that your fast isn’t counted?*

Lareb: *So, say for example, if you went drinking or something like that... And you forgot that Ramadan is coming. And then it overlaps with the time duration of the 40 days... Look what I am saying is, for example, Ramadan started on the 26th and I drank on the 25th ... I am saying that because I was drinking until whatever day yeah, that 40 days before fasting I was supposed to stop so it cleans my system out because when something is inside your system then it is inside for 40 days... and some say that when you die during this period then you die as a kaafir (non-Muslim)...*

AK: *So, are you saying that in your 40 day ‘wait period’ you don’t fast or pray?*

Lareb: *[...] Yeah, I just don’t feel right to be honest. I feel dirty. Like there is a hadith that says if you don’t give up evil and bad actions then Allah has no need of his fast... So, I’d say I’m at that stage where I’m trying to*

change myself before I start to fast because I would want it to get accepted if you know what I mean?

AK: *So, your fasting is on and off?*

Lareb: *Home and away...*

AK: *What does 'home and away' mean?*

Lareb: *Home and away means you fast at home... but when you're away from home... then you're not fasting.*

AK: *Ok, so about 'home and away'... do you make up your missed fasts when you are able to?*

Lareb: *So, for example, like sadqa (charity)... I'll do it in that way... Like when I go to the Mosque then I always put money in. Like they say if you miss a fast or break it deliberately, then you have to fast for 60 days straight... and if you're not able to do this, then you can give money to charity. So for example, my mum sends money to Pakistan... so then I will say ok send this amount on my behalf [...]. I would also tell someone to keep my fasts for me and I will pay them.*

AK: *Ok... So according to you, you have done your part?*

Lareb: *Erm... not really. For me it's just doing something than not doing anything [...].*

AK: *You mentioned earlier that you live with your parents... Are your parents under the impression that you fast on all the days during Ramadan?*

Lareb: *Yeah... (laughs)*

AK: *If your parents were to find out... how do you think they would react?*

Lareb: *[...] To be honest... I prefer not to think about it. I think I would die in shame if they were to find out before they get a chance to act upon this news...*

AK: *Ok, so currently, how many fasts have you missed?*

Lareb: *I missed 18. And today is my first one. But there is a chance that I might break it half way through the day (laughs a little to herself).*

(LPR 20: Lareb. Age 21. Doesn't follow a sect. Unemployed).

The above interview transcript portrays the different moral dilemmas Lareb is constantly finding herself in and provides an insight into how Lareb navigates around certain moral dilemmas. For example, Lareb expressed that she is concealing the fact she is not fasting in front of her family and preferred not to go into detail at the time I asked her because the tape recorder was switched on. However, when the interview was concluded, Lareb broached the subject herself of the potential punishments her parents would mete out if they were to acknowledge that she doesn't fast and stated that she didn't feel comfortable that all her conversations were recorded. So, when the tape recorder was switched off, Lareb informed me that there are high chances of her being disowned by her family because her family takes Islam very seriously. Lareb is also the eldest child so she feels that her parents will mete out such punishments just to set an example in front of her younger siblings in order to dissuade them from attempting to emulate such examples of disobedience in Islam.

In addition, Lareb is cognisant of what is accepted and unaccepted in Islam, however irrespective of the official rules in Islam, Lareb has acquired her own sense of morality. This is an important issue which is at the core of my study which reflects on human agency and individual interpretation. For instance, by giving money to charity or by asking others to fast on her behalf is not accepted in Islam if that individual who is not fasting is completely able and healthy to fast. Such payments to charity is only made if for instance, certain stipulations are fulfilled. By this I mean that if that individual is exempted from fasting, say for instance

due to an illness. Interestingly, Lareb is acting upon her own accord as to what acts can be compensated and in what way irrespective of acknowledging that such neglected acts are in fact mandatory in Islam. I felt that Lareb is attempting to justify her actions of her disobedience as she is so used to living this lifestyle. Lareb clearly believes that her good deeds supersede the bad deeds that she perpetrates to serve her sense of morality which makes her feel somewhat better.

Such morality has also made Lareb become selective concerning Islamic ruling which has resulted in her to take a literal meaning of the *hadith* she referred to. The *hadith* Lareb was referring to was narrated from Abu Hurairah (May Allah be pleased with him) that the Messenger of Allah (ﷺ) said: ‘Whoever does not give up evil and ignorant speech, and acting in accordance with that, Allah has no need of his giving up his food and drink’ (*Sunan Ibn Majah, Vol. 1, Book 7, Hadith 1759*). However, Lareb mentioned not performing the obligatory Islamic practices for 40 days because she consumed alcohol and does not feel clean is most likely misinterpreted on her part. To make it clear, the *hadith* on this issue states that the prayer for instance should still be adhered to as it is an obligatory act, but for 40 days the individual will not get rewarded for his prayer as a punishment for drinking alcohol (Ibn Maja, Ashriba, 9; Nasai, Ashriba, 45, 49; Ta’zeem Qadr al-Salaah, 2/587, 588; Tirmidhi, Ashriba, 1). Lareb has applied this *hadith* to herself with regard to fasting and feels that the alcohol she consumed has to literally be out of her system before she performs the obligatory Islamic practices.

Lareb has chosen it upon herself to choose and select what she prefers from the Qur’an and the *hadith* that makes it convenient to live her lifestyle with an increasing level of leniency and flexibility, making Islam deterritorialised in a sense (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009). Such Islamic sayings and rulings then seem to govern and navigate certain predicaments that Lareb seems to fall in. This indicates that Lareb is quite knowledgeable in Islam but disregards the rulings of certain applications and has developed her own definitions of what is *halal* and *haram*. I also ascertained that Lareb wants to acquire a complete character transformation before she decides to fast. Another example of wanting to acquire a complete character transformation prior to practicing the obligated Islamic practices is provided below;

Saba: *I don't pray because erm... [...] I feel bad because I know I go out, chill, smoke sheesha and I just feel bad. But, then I feel like I'm being a hypocrite if I pray whilst doing all of this. So, I don't want to feel like that. To be honest, the real thing is that if I do start to pray then people are like, "So have you stopped your bad habits? Are you on the right path now?" It makes me feel proper guilty inside you know... Like it is my intention to change... I guess I'll change... soon [...].*

(LPR 23: Saba. Age 30. Sunni. Manager in Accounting and Finance).

This gives the impression that such respondents feel that if they do begin to practice the obligatory practices in Islam, then such acts require a complete transformation of their characters which according to them means that such Islamic practices cannot in anyway coincide with bad deeds. The concept of a slow transition to such respondents seems almost inconceivable. For some, religion did indeed have a very influential impact on how living law is to be constructed (Mokhlis, 2009).

However, I came across one respondent from the more practicing category that embraced an entirely different approach from the rest of the interviewees belonging to this category.

Tehreem: *I pray 5 times a day... but I still commit a lot of sin. I would say that majority of the people that know me would not even begin to imagine what sins I commit because according to them I pray 5 times a day so automatically I am considered to be a 'perfect' Muslim, but I'm not... I'm far from that. I sin a lot... I'm not going to lie to you, I commit different forms of zina, but for me, my salah is stopping me from committing actual zina, if that makes sense to you?. So for me, this is important because on the day of Judgement, the first thing we are going to be asked on will be our salah. If you can answer that, then everything else after that will become easy for you. It is hard to take on this approach like sinning whilst praying, I do feel bad, but I was really inspired from watching Mohamed Hoblos lecture on Youtube on the*

importance of salah...

(MPR 8: Tehreem. Age 22. Sunni. Part time in retail).

I felt that it was crucial to incorporate the above example because this is yet another unique example of how Tehreem is balancing her good and bad deeds. Tehreem is evading her frequent moral dilemmas by adhering to her five daily prayers. It is also crucial to acknowledge that Tehreem has admitted to committing major sins, but prayer is preventing her from committing ‘major to major sins’ (actual *zina*). When I asked what Tehreem means by ‘major to major sins’ Tehreem elaborated her response by categorising her sins in degrees. For instance; having bad thoughts or intentions rather than perpetrating a sin is still considered to be a sin for Tehreem. This elaboration reflects her level of piety in terms of her awareness of the gradations of prohibited behaviour within Islam. Tehreem also mentioned that she was deeply inspired by the words of Mohamed Hoblos, hence I felt that it was important to encompass a brief extract from his lecture to fully appreciate why Tehreem has taken this unique approach as I have not encountered this approach and outlook in the other interviews.

My brother and my sister. Pray. No matter what’s happening in your life. Pray. No matter what sin you’re committing and how much of it you’re committing. Pray. No excuses. Sister tells me “brother I don’t wear Hijab”. I tell you pray. She tells me “look you know my dress code is not the best”. I tell you pray. Brother “I drink alcohol”. Pray. Brother tells me “I sell drugs”. Pray. “I take drugs”. Pray. “I have a girlfriend and I’m sleeping with her”. I tell you pray. No matter what’s happening in your life. Pray. “But brother, how can I be committing all these sins and pray?. That’s disrespectful, that makes me a hypocrite”. I tell you no! That’s why we pray. Because we’re not perfect. We’re sinners. We do wrong. Pray. Allah says “The prayer will take you away from sin”. Pray. (Recites Qur’anic verse, 29:54: “Indeed, prayer prohibits immorality and wrongdoing”).

(Hoblos, 2016).

To summarise, the impression one gets after reading the interview between myself and Tehreem is that if individuals are adhering to the obligatory practices in Islam, then it is almost

automatically assumed by others that that individual is not indulging in any other form of *haram*. Also, when talking to the less practicing respondents, it became evident that when they began to discuss, their neglect to an extent regarding certain Islamic obligatory practices and the frequency of their sinning, they had a strong conscience which facilitated them in wanting to transform for the better to become more adhering Muslims (Ebaugh and Haney 1978; Thornton and Camburn 1989; Wilcox 1992; Greeley 1993; Spicer 1994; Manza and Brooks 1997; Meier 2003).

In comparison to the less practicing respondents, it became evident that the more practicing respondents were a lot more rigid and firm in their beliefs when it came to Islam and made a conscious effort to stay well away from sinning, given the exception of Tehreem (as briefly discussed above). Such practicing respondents felt that the individual should prevent themselves from indulging in sin as the prevention of sin from the beginning prevents such actions from becoming a regular habit. For instance;

Taiba: *[...] People normalise sins. For example, people commit sin so frequently, they stop seeing it as a sin. For instance, zina of the eyes... like checking people out. That is a sin. But, we don't really see it as a sin anymore and I think the reason for why it is more accepted is because television and stuff like porn have become more common and people have become normalised to it all... porn is so readily available and people can easily hide their histories on their phones and on the computers or even go into incognito mode. It's almost an encouragement. It's easy for people to fall into that trap and people aren't really reminded of such sins. Like the logic is if I can get away with it then I can get away it. But can you get away from it is the question? [...]. And another thing is that people have this mentality where they are saying well we're not committing that sin, so we can commit this sin. So for example, you have people say that, "We're going clubbing but we're not drinking anything". It is still haram whichever way you look at it. For these people it's like a lesser evil of the two, so they think its ok. Instead of looking at how can I stop this? People take on the approach that "Well, I'm not doing this". Perspective and*

mentality needs to change because you look at what you are doing, even if it is small. That is where it stems from. And then people are like well we only done it once, but if you have had it in you to do it the once then what's stopping you from doing it a second, third, or fourth time because if anything it will only get easier.

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

The above conversation manifests the extent to how seriously Taiba approaches Islam when it concerns transgressing Islamic rules. The approach Taiba has embraced is that it is best to stay well away from sinning right at the beginning because once an individual succumbs to the temptations of or indulges in sin, then such predicaments which the individual is encountering is not perceived as a predicament anymore. But is rather viewed as a “*temporary deception*” which is experienced as a “*temporary enjoyment*” in the *dunya* (refers to the world ‘Earth’) as described by the more adhering respondents. Hence the use of double quotation marks which indicate that such phrases are direct quotes derived from the interview transcripts. I found that the consensus amongst the more adhering respondents was that balancing the *haram* and *halal* is completely inconceivable.

Chapter Analysis - Conclusion

In this chapter we were introduced to five main themes: *introducing the concept of haram and halal from a young age, personalised definitions of haram and halal, Muslims categorise other Muslims as halal and haram, implications for loosely applying the term haram and halal and finding a balance between halal and haram*. All five themes contribute to the central theme which explains the concept of *haram* and *halal*. This brings about a nuanced understanding as to how exactly respondents construct their sense of living law and why their morality is at different levels as opposed to others. The current chapter is extremely significant to encompass within the current project because the themes that have been emphasised all simultaneously refer to and provide a deep insight into many of the sensitive issues the respondents are currently encountering and are at times, attempting to overcome.

The first introductory theme within this chapter highlighted how the concept of *haram* and *halal* were introduced to the respondents from a young age. Within this theme it became clear as to why some Muslims are averse to Islam, why some Muslims take a strict approach in certain Islamic matters and why some Muslims have an inclination for wanting to increase their knowledge in Islam. I also found that within this theme there was a mixture of responses that emanated from both the categories; more adhering and less adhering respondents, so generalisations for this theme are difficult to make. However, it became clear that each individual, irrespective of which category they belong to, all took a different approach mainly due to how they were raised. This theme has contributed to the knowledge of why and how individuals are in their current mind-set which has not been explored previously in relation to living law.

This brings me to discuss the second theme which goes onto critically explore the personalised definitions of what *haram* and *halal* means to the respondents. I found that irrespective of which category the respondents belong to (more practicing or less practicing), all the interviewees had their own meaningful interpretations of what *haram* and *halal* means to them and their own ways of applying these terms to their everyday life. I was able to establish that when the respondents were placed in a moral dilemma then they were easily able to relate to *haram* and *halal* codes but not one respondent had mentioned the other three remaining categories of Islamic rulings (*mustahab*, *mubah* and *makruh*) when placed in a moral dilemma. This discovery has been under-researched in previous research which needs to be explored in

more detail as Kamali (2008) emphasises that *halal* and *haram* have their legal implications, but the three remaining intermediate concepts; encouragement of the recommended, neutrality and avoidance of the reprehensible, essentially lie in the realm of ethics and morality which cannot be adjudicated as laws.

It is clear by this that the respondents were mainly fixated on what they are prohibited from doing and what they are permitted to doing rather than focusing on the in between. Nevertheless, such a simple definition of what is *haram*, and *halal* should not by any means place anyone under the assumption that this does not encompass any sort of complexities when critically exploring what exactly constitutes *haram* and *halal*. This theme has added on to the understanding of why some Muslim women develop and employ their own 'personalised' definitions of what *haram* and *halal* is. This also contributes and adds on to Pieri et al's., (2014) study not only by exploring how certain Islamic prohibitions, when transgressed demonstrate how one's level of morality begins to destabilise, but by also understanding how such prohibitions causes one's religiosity and theory of living law to change drastically.

According to the data, Muslim women interpret what is *halal* or *haram* along a varied spectrum dependent upon their socialisation to Islam and interaction with other Muslims (McGuire 1990; Hall 1997; Mellor and Schilling 1997; Warner 1997; Ammerman 2003 & Neitz 2004). The data illustrates some conflict in the lives of some Muslim women between their awareness of prohibitions in Islam and their lifestyles and often secular values, pastimes and socialising.

The second theme is directly linked to the third theme because personalised definitions of *haram* and *halal* do not just pertain to that individual, but such definitions are applied to other people. This theme solely focused on the critical exploration of an individual's reaction to being judged. I found that the judged respondents did not appreciate being labelled in a negative manner.

This brings me to the fourth theme which examines the potential implications and actual implications for applying the term *haram* and *halal* to individuals. There was evidence that some of the more practicing respondents and some of the less practicing respondents were quick to label individuals as *haram* rather than labelling them as *halal* and if individuals were

termed as '*halal*' then it almost became inconceivable to even contemplate that they must be indulging in *haram* acts simultaneously with the *halal*. This developed the next and last theme.

The fifth and last theme of the current chapter discusses the balance between *haram* and *halal*. This involved a critical exploration on whether such a balance between both ends of the spectrum is possible and if so, how so? The previous four themes are interconnected with the final theme because it is within this theme that accentuates how an individual personalises their level of *haram* and *halal* which leads to a much better understanding of how and why they balance *haram* and *halal* in their life the way they do. This is one of the many unique and original findings from a qualitative perspective.

PART III: Fatwas

Introduction

The previous chapter critically explored the different levels of complexity which revolved around the concept of *haram* and *halal*. The current chapter is highly interlinked with the previous chapter because the current chapter will examine the importance a *fatwa* has on an individual and in what way, if so, is the individual's informal law comprised of *fatwas*? I found that when *fatwas* were mentioned in the interviews, the respondents belonging to both categories did discuss *fatwas* in relation to many diverse subjects that they were interested in for their own personal reasons which ranged from; inheritance/ will, abortion, mortgages, student loans, general *fiqh* of purification, transaction, verbal or written *talaq* (divorce in Islam), music, insurance, validity of *nikaah* (a Muslim marriage), *halal* food, attire, medicine, the five pillars of Islam and so forth. Hence, I felt that it was crucial to dedicate an entire chapter to *fatwas*. This chapter will consist of four main themes; *fatwa shopping*, *Sheikh Google*, *applying fatwa issues* and *gendered fatwas*.

The first theme that is entitled as '*fatwa shopping*' is crucial to highlight. This is because the more I interviewed the respondents I found that the reality was that at times they felt that they were coerced into undergoing some form of *fatwa* shopping. The research participants felt that at times the lack of access to scholars and at other times the environment they currently live in resulted in them being forced into a certain situation where they feel that they have no other alternative but to *fatwa* shop. I used the terms '*fatwa* seekers' and '*fatwa* browsers' interchangeably within the current chapter which holds the same meaning. This is when the respondents are *fatwa* shopping. This theme is composed of one sub-theme which consists of; '*fatwa shopping to clarify one's position*' which will illustrate how living law is constructed and most importantly how respondents navigate their living law to fit around their day-to-day life.

The second theme will be referred to as '*Google Sheikh*'. This will demonstrate how the digital age plays a significant role in reshaping and restructuring religious authority amongst Muslims (see Bunt 2000, 2003 and 2009). This theme will focus on how the internet has changed the standard way religious teachings have been disseminated and the ways in which religious disputes are projected to an entire audience. Although this is an advantage to easily access

Islamic information, this does not come without any disadvantages. The disadvantage to this is that *Google Sheikh* has many complications that the respondent is confronted with because electronic sermons and *fatwas* struggle to define a particular audience, so the individual's needs, the location and the time of when certain *fatwas* are sought are neglected because scholarly writing online speaks for every Muslim and fails to cater to particular needs which ultimately results in several repercussions. This needs to be addressed in order to be most-effective for the audience. Such repercussions have been divided into six main sub-themes. This is comprised of; *legitimate or illegitimate information, conflicting opinions, competing in piety spheres, spiral of endless questions, the mannequin teacher* and *readily accepting fatwas*. The common theme I discovered amongst *fatwa* seekers was that whilst their disagreements of opinions concerning several *fatwas* helped to define the scope of public debate, equally such *fatwa* seekers simultaneously exerted a considerable large amount of influence too which is developed by further enquiring into certain subjects. Hence, ultimately having the power to create the agenda, results in the establishment of a platform of several Islamic discussions to take place amongst the scholarly and non-scholarly. Such religious debate is essentially conducted through the social media as it is more accessible to reach a larger audience than through the traditional face-to-face approach.

The third theme that is based on '*applying fatwa issues*' will explore the willingness and the different ways in which participants accept *fatwas* and how they apply this to their current moral dilemmas. This theme will also go on to address why respondents embrace an eager attitude when applying *fatwas* and how and if the context and author of such *fatwas* makes a vast difference to their lives. There has been little to no research in the area of limitations of applying *fatwas*.

The fourth and last theme will examine how the term *gendered fatwas* came about which is related to Islamic feminism. The *fatwa* themes that were presented in the first paragraph within this chapter are uniquely distinct from the themes that have emerged from four specific respondents (Islamic feminists) that have carved the current theme. The themes that have emerged from Islamic feminists (within the current project) focus on living law being 'gendered' which simply means that such respondents are relying on *fatwas* to inform them on how to live their lives as women.

This unique originality will explore Islamic feminist's issues that consists of; praying, female *imams*, attire, marriage to non-Muslims, marrying multiple times at the same time, mixed Mosques, LGBT rights and the rights of being able to officiate a marriage will all be discussed in this theme. The focus here is not to focus on whether such rulings should be approved or disapproved, but the emphasis is on how living law is lived by such individuals and how they navigate their way around certain moral dilemmas.

The Key Themes:

Fatwa Shopping

The current theme will define what meaning is conveyed when ‘*fatwa shopping*’ is mentioned and I will provide detailed accounts of the implications of undergoing *fatwa shopping*. I felt that these two key factors should be emphasised because it is important to comprehend what *fatwa shopping* means which will lead on to a much better understanding and appreciation of the potential and actual repercussions of *fatwa shopping*.

To begin, I decided to refer to the first theme as ‘*fatwa shopping*’ because I felt that this was a common theme amongst the research participants that described themselves as ‘browsers of *fatwas*’. Not in this literal way but I termed it as such because their description of being caught up in a moral dilemma and not really knowing how to circumvent the situation did at times leave the respondents to *fatwa shop*. This automatically renders the interviewees as ‘*fatwa seekers*’ or ‘*fatwa browsers*’. I will henceforth use these two terms interchangeably because for me personally it holds one unique definition.

Fatwa shopping represents a colloquial expression which I am going to utilise to describe how some of the respondents travel between one scholar to the next, or one individual to the next to seek a form of *fatwa*. A *fatwa* is sought for one’s practices or transactions which will facilitate that individual in their current moral dilemma or query. A *fatwa* acts as a rectification to a problematic situation by settling on something that according to the individual caters to their needs and that particular time.

To critically examine the complexities around *fatwa shopping*, I have developed a sub-theme called; ‘*fatwa shopping to clarify one’s position*’.

Fatwa Shopping to Clarify One’s Position

This sub-theme examines how individual’s *fatwa shop* to clarify their position. The factor I will make explicit reference, to gain a better understanding of this sub-theme will be ‘fear’. I discovered that during the interviews, the more practicing respondents had manifested a level of perseverance with almost anything that they are confronted with and have acknowledged to

an extent that certain conflict regarding certain *hadiths* does not provide the respondents with the justification to neglect Islam altogether.

In order to adopt more of an angled focus, the question that should be asked for further clarity on 'fear' is to ask, 'how is fear quantified?'. Fear is difficult to quantify, not that the current project is focusing on fear, but one of the angles to better understand *fatwa shopping to clarify one's position* is to make direct reference to fear. After analysing the interviews thematically and with the help of Nvivo I discovered that harm itself comes in different levels, shapes and forms for all the participants. The second question that follows on from the first question that was asked by many of the more practicing respondents is to ask, 'at what level or to what extent can an Islamic obligation be forsaken for the sake of fear?'

Maryam: *I still remember everyone's reaction towards Muslims after the Manchester bombing...a few days later... all the acid attacks started happening... targeting Muslim women wearing headscarves specifically. I don't mind the negative looks or the verbal abuse from people, I can take all that, but to disfigure my face and live with that for the rest of my life. I can't deal! I'm already so insecure about my looks, I don't leave the house without wearing makeup... and then for there to be a chance for this to happen like I started to fear for my life... As it was, I found that I wasn't alone in this. So, my friend asked a Sheikh on behalf of; me, my friends and cousins asking if we are able to remove our headscarves until we feel comfortable again to wear it... so when the acid attacks have pretty much stopped. The fatwa that was given was that we can in fact remove our headscarves until situations improve. So, I did take off my scarf then but I have now started to wear like hoodies and caps in some places, so I am still embracing the rules of Islam... but I am hoping it is only a matter of time before I start to wear it full time again... I just feel naked without my head scarf. Like I have been wearing it for I don't know how long now [...].*

(IFR 16: Maryam. Age 33. Doesn't follow a sect. Self Employed).

This conversation illustrates that when there exists a level of genuine fear of being attacked for being affiliated to Islam or being identified as a Muslim then Maryam felt as though the only other option was to seek a *fatwa*. This comes with the understanding that the *fatwa* should be interpreted by competent learned scholars. “Islamic law is thus also characterized by legal pluralism”, asserts Hallaq in his *An Introduction to Islamic Law*. “Not only because it acknowledges local custom and takes it into serious account,” he explains, “but also because it offers an array of opinions on one and the same set of facts” (Hallaq, 2009:27).

By becoming a *fatwa* seeker Maryam accepted what was given, but it should also be noted that when Maryam felt that she could wear something else that is not as conspicuous as wearing a head scarf, then she opted to wear a cap or a hoodie as a temporary headscarf because she wanted to, whereas she could have chosen to discard the headscarf completely, of course on a temporary basis, as the *fatwa* provided would have exonerated her from wearing anything at all to conceal her *awrah* (intimate parts of the body, for both men and women, must be covered with clothing) until the acid attacks have subsided (Dr Zaki Badawi 2005). Consequently, such scenarios led the deconstruction of the *Shari’ah* that contributed to a perception of Islamic ruling or *fatwas* for that matter to be timeless (Hallaq, 2009:27).

Another very interesting example that can be provided to better understand *fatwa* shopping to clarify one’s position is provided below.

AK: *The last question in the last section of the interview is about polygamy. In Islam a Muslim man can marry up to 4 women at the same time. However, Muslim women are not allowed to get married twice at the same time. Do you think this Islamic ruling is currently being challenged in contemporary society?*

Humaira: *Yes, this situation is increasing in contemporary society. My sister from back home, you know Bangladesh, she came to England and got married to this very old man. She has had three children with him. As the years went on, her husband was not able to perform an erection. This resulted in my sister’s sexual desires not being met so she wanted to get married again.*

AK: *Did she get married again?*

Humaira: *Yes, she got married again. Her husband agreed to this, as he felt that he is the cause of her sexual needs not being met.*

AK: *Who did she get married to?*

Humaira: *Well, her husband agreed to the idea of her having a second marriage as he felt that he is the cause of her sexual needs not being met. So he arranged for his wife to get married to his business partner. But, this business partner is already married to someone. So, this is the business partner's second marriage and my cousin's second marriage. They have now had a baby boy from their second marriage.*

AK: *Did she divorce her first husband?*

Humaira: *No.*

AK: *Oh, ok so how did your sister interpret the Islamic scriptures that supported her action?*

Humaira: *She approached a Muslim scholar for a fatwa... [...]. And then she was able to you know gain permission and she got married again. The thing is she got married again because she was young and her first husband is old. And he couldn't you know... So, I guess she got married again because of this. I also don't think people should judge her. She will be judged by Allah when she dies so let's just leave it as that... she did after all listen to the Sheikh's advice. We should realise that Allah is the only judge over our affairs and Allah is the only judge of what we do. So, I shouldn't put myself in that position where I am able to judge a different person whether this person is practicing or non-practicing Muslim as most people do.*

(MPR 1: Humaira. Age 31. Sunni. Part time Assistants Manager).

I felt that this conversation with myself and Humaira was of high significance to incorporate within the current sub-theme because this implies that Humaira's sister had settled with the *fatwa* that she felt catered to her moral dilemma which further clarified her position. I also asked Humaira if it was possible to personally interview her sister for additional and verifiable information, but I was politely informed that I was not able to do so because this is a very sensitive topic for her sister and she has more of a reserved attitude in comparison to Humaira's. Contemporary understanding of the *fatwa* that has been provided for the above scenario has been based on control and codification with the politicizing of the *Shari'ah*. This has been perceived to be a recent phenomenon, being coalesced with *fatwas* (Hallaq, 2009).

Another example of *fatwa* shopping to clarify one's position when placed in a moral dilemma is provided below.

Saba: *One time me and my husband had an argument at night. Like it was a major argument and my husband is very temperamental and says so many stuff irrationally and at times in anger. Stuff that he doesn't mean you know? So out of anger, my husband decided to divorce me 3 times in a row. And then when the words came out of my husband's mouth, I knew that me as a wife, I now become automatically haram for him. But, then after like a minute's worth of silence because we were both too shocked to speak, I knew that he instantly regretted his words. And then he began to placate me because I began crying you know saying that our marriage is now over and over what? A silly, minor argument. And then my husband began to say that our marriage is not over because he did not mean what he said to me... and the thing is, that my husband nor I are very practicing in Islam. So I said well you have to get this checked out so then we both tried to listen to different Youtube clips of lecturers and began to read lengthy articles on Google about what certain Sheikhs have said about this issue... we spent a good few hours doing this... eventually we gave up because we just did not know which Sheikh to follow... So, I said to my husband just speak to some Sheikh or Imam regarding our situation and ask them to determine whether we can live together. So, my husband rang the Sheikhs, I think like at 2:30am it was*

and retold the entire story from a-z and asked if 1) Does this divorce count as the first divorce? 2) Is this the final divorce? 3) Or is this an irrevocable divorce? The answers we got were very different from each of the Sheikhs my husband spoke to... In the end, we decided with the help of one of the Sheikhs that the divorce is counted as one divorce. I mean at the end of the day, it's our intentions that count... I mean why make Islam difficult for yourself? Of course, this is a warning for me and my husband not to overstep our boundaries again...

(LPR 23: Saba. Age 30. Sunni. Manager in Accounting and Finance).

This conversation was specifically insightful as the reader can begin to comprehend how and why individuals choose to become *fatwa* shoppers. Saba's experience also results in a deeper understanding of which norms her living law is composed of. Saba did mention that neither she nor her husband are much practicing Muslims, hence for them the different perspectives and opinions they were receiving from the *Sheikhs* became incomprehensible as they found certain *hadiths* to be conflicting and felt that it was best to go for the one that was most convenient for them at that time. This goes to the heart of legal pluralism as there are often multiple interpretations of what constitutes permitted or prohibited behaviour.

Furthermore, this provides an insight into the diverse ways in which Muslim women utilise *fatwas* and whether they do this online or via individual *sheikhs* or *imams*. The current theme contributes to the understanding of how Muslim women interpret and use *fatwas*. This also results in some Muslim women proselytising to others based on their new-knowledge about certain *fatwas* (which can be further explored under the section '*Competing in Piety Sphere*') (Jouili 2015).

Sheikh Google

The second theme within the current chapter will go on to explore what is meant by the term '*Sheikh Google*' and the multiple implications that are attached to this that can and have taken place for *fatwa* browsers. But, prior to delving into the definition of '*Sheikh Google*', I am going to refer to the previous chapter which will bring about a better understanding of how and why '*Sheikh Google*' has become so prevalent. There was a strong theme that emerged amongst

the participants that were not in other words authorised to term something as *halal* or *haram* in comparison to their *aalima* (scholar of Islam) counterparts. To elaborate on this point, I mean that such participants had no hesitation and took it upon themselves to easily term something as *halal* or *haram* without the proper Islamic authentication. I felt that such participant's default position was currently *haram* until proven otherwise.

Interestingly, I discerned that the discussions that revolved around defining *haram* and *halal* from the average respondent was not derived from deep Islamic knowledge. Such respondents did not have a deep and meaningful conversation with a *faqih* (Islamic jurist), but such knowledge was instead originated from Google (see Bunt 2000, 2003 and 2009). Further to this, an example of gendered living law has been well illustrated by Marcotte in 2015 focusing on the dynamics of online discussions.

Before discussing the numerous implications of '*Sheikh Google*' I will go on to define this. The term '*Sheikh Google*' is an informal way of referring to the study of Islamic law (*fiqh*) and theology ('*aqīda*) that is found on Google. I am in no way attempting to suggest that studying Islam online is negative overall, but there are several drawbacks and difficulties that individuals have been confronted with whilst perusing Islamic law or theology by themselves and using Google as a substitute of a *Sheikh*. Such browsers began to feel that they have become an 'expert' in *fatwa* browsing which became discernible amongst both categories of respondents (more practicing and less practicing). This is also an under-researched area in the academic field.

To begin, I will discuss the many repercussions I discovered that the research participants were confronted with whilst engaging with *Sheikh Google*.

Legitimate or Illegitimate Information

The first issue was that the respondents (mainly from the less practicing category) did not complete their independent research online because they felt that by coming to the 'relevant' information to support their argument was sufficient. So, the complete article or webpage would not have been perused thoroughly by such respondents. Moreover, when I asked the respondents if this was legitimate information and from whom or which scholar was such information published by, then there was a strong sense amongst the respondents that were not

certain of whether the information publicised was legitimate and also remained incognisant of the author, but because at the bottom of the webpage it would say *Sheikh*, they automatically assumed that the information provided would be legitimate. I found that this was more of a functioning way in which such respondents made sense of religious obligations.

Conflicting Opinions

The second common issue that I found amongst the less practicing category was that conflicting opinion online was a major problem. For instance, *fatwa* websites are highly remarkable for the student of knowledge, in other words for some of the more practicing respondents, but for the laymen (less practicing respondents) they are confronted with many endless problems when they are trying to search about Islam. Web browsers are presented with at least 4 different opinions (for example, from the different schools of thought under the *Sunni* sect) and the evidence after these opinions have been provided online. At the very end of most webpages, the correct opinion is provided according to the author(s) of the webpage.

I ascertained that for some of the less practicing respondents they became inundated with the amount of information that was provided online (see Bunt 2000, 2003 and 2009) which caused more confusion. Not only is there a lot more information, but there is a high possibility that on other web pages for the same issue the *fatwa* browser would read conflicting opinions which would add on to their confusion even more so because they would not know which answer is the most correct one which can then lead the individual to have doubts about Islam. For example;

Ayesha: *It's just so confusing... like I don't know which fatwa I should accept. It's like one website will say this is permissible, but when I browse other websites just to confirm what I have read on the first website then I find conflicting information. Instead of saying this is permissible, other websites would say, this is impermissible and not just that it is impermissible, but that such an action is a grave sin too!*

(LPR 21: Ayesha. Age 25. Shia. Retail Assistant).

It became clear that when the less practicing respondents did not understand how certain rulings were derived and were subjected to opposing views, some respondents began to think that well maybe the problem lies with Islam or maybe Islam is based on contradictions which results in major doubts being formed in the individual's heart (more information on confusion and doubts will be discussed in the fourth analysis chapter). The vast difference between the more practicing respondents and the less practicing respondents for this sub-theme is that the student of Islamic knowledge can use their intellect and understand why there are conflicting opinions and seemingly opposing evidences as oppose to the laymen (the less practicing respondents) (Bullock 2002, Bectovic 2011, Jouili 2015).

Competing in Piety Spheres

The next sub-theme that became apparent amongst the more practicing respondents was that the respondents were very adamant that their perspective was the correct perspective and would not shift or lean towards another perspective which inevitably led them to embrace the approach of discrediting the views of others. This approach inevitably resulted in the respondents to become narrow-minded and refused to acknowledge the perspectives of others. Moreover, such intolerance can be further compounded by the fact that arguments were at times presented purely based on 'piety' hence one view is presented as more pious than the other, so called, less pious argument.

Tehreem: ... Issue number one is taking Islam lightly. For example, let's talk about medicine. If I had a medical issue and I had to go to the doctors and the doctors tell me that I need to have an operation... then you're only going to feel comfortable if the doctor is fully qualified. You wouldn't be comfortable being operated on if it was let's say a student trainee doctor because an operation is a big thing so it is normal to want someone that has a lot of experience in the field to operate on you... The second issue is that when you are in a group of people and Islam gets brought up... then everyone feels as if they are entitled to an opinion on Islam, even if they don't know what they are talking about. People literally take out their phones to get to the most accessible and closest fatwa for the discussion that is taking place. I have also noticed, which is very common, that a lot of the time, it's not even something that the person

has researched or talked about, it's like "Oh I heard", now that is not even legit information. But people speak about Islamic matters with so much conviction when the matter of the fact is that even the scholars should be careful when speaking about Islam. Even the students of knowledge that are fully qualified in certain Islamic areas should be careful when they are talking about Islam because it is a major responsibility. Similar to doctors you know, if a medical issue got brought up, then even the doctor that would be sitting there would be hesitant to give the wrong advice because they would not want that responsibility, as there are high chances of getting sued. But this is not the case unfortunately. The main concern for people is to get their opinion in their somewhere and then debates start and then taking sides become common. I mean people literally stop talking to people because they feel that they are right and everyone else is wrong. I mean, if everyone is going to have this attitude, then where does it take us?

(MPR 8: Tehreem. Age 22. Sunni. Part time in retail).

I strongly felt that such approaches facilitated the respondents to have a very inflated ego and it became clear which respondents were obtaining information to either; increase their own knowledge in Islamic matters or to feed their egos. It is crucial to understand that when dispersing Islamic information then the *fatwa* giver for instance, should view the dissemination of Islamic information as a colossal responsibility and not as something trivial. This is very similar to the research that has been conducted by Marcotte (2010), as it was noted that online forums enabled individuals to submit their views that contest, challenge and even transgress Islamic gender and sexuality norms.

Spiral of Endless Questions

Another sub-theme that was generated amongst the respondents belonging to both the categories was the issue of misinterpreting the text and not actually understanding the original message that was attempted to be conveyed by the author. This problem leads on to another problem which is when the individual begins to generate additional questions in comparison to their initiation of their independent research. The disadvantage of the online method is that it

is not a wise decision to allow someone else's views to have an unrestrained influence on an individual's understanding, without the individual engaging in the material critically. This area on *fatwas* is also under-researched.

The Mannequin Teacher

The previous sub-theme leads on to the development of the current sub-theme which will focus on how limited the *fatwa* browsers are with the teacher being absent hence the current sub-theme is referred as '*the mannequin teacher*'. For example, it became clear that when the respondents were browsing online then this implied that they were in dire need of an answer to a pressing situation, in other words, to their moral dilemmas. I ascertained that when *fatwa* browsers began to browse online, it became glaringly obvious that the respondents were not taking the critical approach of clarifying their questions or to make further enquiries with their local teacher of what they have read online. The respondents that I was conversing with belonging to both categories felt that it became awfully difficult to embrace this critical approach because the approach they preferred to embrace was to; read what the author has publicised, process that information, and then eventually determine what to accept or decline from the information that has been accessed using their own intellect and rationality. The only opportunity the *fatwa* browsers can engage in critically which also has its own limitations, comes in the form of adding on to and reading the comments below the given *fatwa*. Nevertheless, such respondents were not able to engage in critical dialogue with the online author and were unable to ask further questions to seek clarification which would have facilitated the individuals to refine their understanding.

Aleena: *I am a learning student and I honestly don't know where I would be without my teachers. I truly believe that when we learn from real people, we don't just learn knowledge, but we learn manners as well. So, for example, my teacher disciplines us if we raise our voices or if we act in an arrogant way... all this discipline and guidance helps us to refine our character and to become a better person. This I personally would say is the most important objective of learning.*

(MPR 3: Aleena. Age 20. Sunni. Student in Islamic education).

The above example suggests that having the teacher present is significant for the learning process of understanding *fatwas* and how it should be applied. It is also the responsibility of the layman to ask someone who is knowledgeable, trustworthy and the most qualified to provide *fatwas*, ensuring that that someone would not hesitate to convey the correct message no matter how inconvenient it would seem to be for the *fatwa* seeker. However, when seeking *fatwas*, not all *imams* and *sheikhs* are easily available and accessible, hence this leads to *fatwa* seekers browsing the internet which leaves them forced into a situation where they must ask random people, if they choose to ask.

Readily Accepting Fatwas

The last sub-theme will address the complications of how *fatwa* browsers easily accept *fatwas* they read online without clarifying to see if such *fatwas* that are published are authentic or inauthentic which is under-researched in the academic field. I also found that many respondents, belonging to both the categories (more practicing and less practicing), would in reference speak of celebrity speakers quite often when speaking about Islam.

Ayesha: *Like I love listening to Nouman Ali Khan, Bilal Philips, Mufti Menk, Yasir Qadhi and Dr Zakir Naik... to be honest I listen to them all...*

AK: *All these people that you have just named... are they actual Muslim scholars or...*

Ayesha: *Well to be honest, now that you say it like that... I don't really know. But does it matter? Like, what I'm trying to say is that they all have such a huge following. So, they must know what they are talking about right?*

(LPR 21: Ayesha. Age 25. Shia. Retail Assistant).

This suggests that such respondents that hold this perspective find it difficult to distinguish between a scholar and a *da'ee* (a person that gives *da'wa* which means inviting someone to Islam). The boundary between celebrity speakers and celebrity *Sheikhs* is becoming increasingly blurred and indistinguishable in contemporary society for some individuals. I am in no way attempting to say that celebrity speakers should not be listened to, but the common

problem is that when it comes to the online world and people are tuned into Youtube then the distinction becomes extremely difficult to make because I established that when I was interviewing the respondents, they had the approach that if the individual is popular and has a large following then they must know what they are talking about. Equally important, even when it comes to qualifications, individuals must understand who to ask what questions to which needs to be explored in depth by the Muslim community, Islamic scholars and academic researchers.

Safia: *Ok, I will give you an example, if I have a problem... let's say if I have financial issues then I will approach a scholar that is qualified to speak in the financial matter. If I have marriage issues, then I will approach a scholar that is qualified to speak about marriage issues. If it was to come to fiqh issues, then I would contact a certain sheikh. If you were to ask me why? I would say it is because I feel more comfortable approaching scholars that are qualified in certain matters of Islamic jurisprudence...*

(CR 12: Safia. Age 35. Wahabi. Housewife).

It is highly significant to understand that individuals must know who to seek *fatwas* from. It is clear from the *Sheikh Google* theme that when *fatwas* are required or when a clear answer is required for a pressing situation then individuals become *fatwa browsers* and readily accept the first answer that is given unless they are not satisfied with that response and begin to *fatwa shop* as discussed in the first theme (depending on the individuals circumstances).

The fact of the matter is that the respondents feel relieved when another individual prior to the research participants predicament already discusses their concern or moral dilemma for that specific matter and publishes their questions and answers online for others to read and act upon. This saves the research participants ample time of having to seek a solution to their predicament if something has already been posted on this subject. For instance, the internet creates a new “e-public space” where Muslims can explore, understand and familiarise their own cultural beliefs related to Islam and other beliefs that other Muslims bring forward to such online Islamic environments (Dawson 2001; Helland 2002: 297; Karaflogka 2006). The summary of

the current sub-theme is that individuals must acknowledge that they have a responsibility of ensuring that the answers they receive are retrieved from authentic sources.

Applying Fatwa Issues

Moving on from the previous theme which explored the ins and outs of *Sheikh Google* and how individuals readily accept the *fatwas* they encounter, the current theme will go on to examine how exactly and in what ways are *fatwas* applied in the individual's day-to-day life. Applying *fatwas* has also become a major issue which is again downplayed according to the respondents in the current research as they did not see any major issues with this. When applying *fatwas*, I found that the current issue for applying *fatwas* should be referred to as the 'haram police' which simply means that people issue their 'fatwa hammers' without any hesitation when they see people transgressing Islamic rules. This adds on to Kamali's (2008) work on *hisba* which highlights that in the historical background of Islamic societies, there was in fact another institution that played a significant role in safeguarding morality, namely the institution of *hisbah*. For the current sub-theme, *hisba* has adapted the contemporary form of *fatwas* as has been described by the respondents.

Zainab: *To be honest I never used to pray five times a day... but then one day I got this feeling inside me about praying... like it's something that I should be doing. So, I decided to go to the Masjid (Mosque) for the first time after like 20 years. So I was sitting down in the Masjid waiting for the adhan (the Muslim call to prayer) and I had this lady approach me and she began to criticise me for wearing nail polish and started saying that I have to remove it for my prayers to be accepted and because I have already done wudu (ablution) with nail polish on, my wudu is not accepted... to be honest I just thought to myself that I'm never going to return to a Masjid again. Like to be so strict, I don't know. I just wasn't ready for the full on change you know.*

(LPR 28: Zainab. Age 45. Doesn't follow a sect. Unemployed).

This illustrates that when individuals feel the need to apply their interpretation of Islamic dress or deportment views on others, in particular, people they don't know as they are not aware of their spiritual state then there can be many complications that can follow on from this as such *fatwas* can have damaging affects which can be ever-lasting at times.

Also, the individual's situation should be analysed and addressed before applying *fatwas* rather than to provide a generic answer as is the case most of the time. Even if the individual comes from a different cultural community in comparison to their counterpart, then this should also be taken into consideration because even within that same culture every individual is so diverse (Ramadan 2009). Moreover, when discussing the concept of diversity, I found that the respondents that belonged to the same ethnicity, the same culture and the same background as one another were also different from one another. A general *fatwa* can be applied to such individuals, but the very fact that such individuals were raised in different household also means that they have a different culture to one another as well. Therefore, when individuals are seeking *fatwas* then such *fatwas* should be sought out on a personal level and it should never be sought out on a general level as is prevalent amongst online browsers.

In addition, the culture individuals live in does bring about some form of difficulty when discussing the application of *fatwas*. For instance, how do Muslims apply that specific ruling in the context that they are living in? I will refer to the example of music which was emphasised in the previous chapter to provide a better understanding of how Muslims navigate around this. What do Muslims do when they go shopping, or attend a wedding, or go to someone's house and they have music playing in the background? Such responses to such questions depend on the individual themselves and the location. This indicates that aside from culture, there are other contributing factors that should also be taken into consideration when certain *fatwas* are being applied in contemporary society. So, for instance, if online, it was stated that listening to music is *haram*, then this statement can easily be misused and misapplied as this is not a personalised response. This is not a response that can be applied effectively.

Somaya: *To be honest, I have had a lot of questions from students asking me if this is halal or if this is haram, I just say... ok let's give the example of music. I will look at this individual, I will try to analyse them, I will try to gain a better understanding of the sort of person they are. Like for example, I know there are certain people that are out of place in their life and they know that their imaan (faith) is suffering and I can tell that they are willing to take on board what I say to them as they probably don't listen to much music anyway... then I would probably say to them to start off with cutting out the haram music, not to say that the*

remaining is halal. But, at times, you start with small steps. You can't just rush into it at once. The second type of person that would approach me is probably entrenched in so much sin... they probably don't pray, in fact they probably don't know how to pray their daily prayers and are having major issues with their imaan and are probably doubting the existence of God... I would say, ok, let's pause, there's much bigger issues that we need to address first. And I'm not trying to say that this is the best approach or the most correct approach. I don't even know if I'm right by doing this, so I don't want you to take this opinion aboard and assume that all scholars or imams or sheikhs go about answering such questions like this. This is just how I personally see this. What I am trying to say is that we should be pragmatic... you must be realistic. Of course, there is going to be the fatwa that says this is what you should do or shouldn't do, but I observe the situation of that individual who has come to me for my opinion. For me, I look at the individual I am replying to. At times answers vary... I mean this is almost inevitable because of the approach I take.

(MPR 2: Somaya. Age 55. Sunni. Teacher, Youth Councillor and Aalima).

This conversation between myself and Somaya reveals the complexity of how the term *halal* and *haram* are utilised which specifically cater to the individual's situation and needs. However, stating this, it is vital to note that the above conversation between myself and Somaya should not be generalised as to what every teacher says to their students in times of student's seeking advice as Somaya stated countless times that this is her own specific approach. Somaya also felt that it is crucial to take small steps and emphasised the importance of addressing bigger issues than to address the smaller issues. This conversation should not only be analysed from Somaya's perspective, but it is in fact a two-sided coin which also reveals the student's eagerness and enthusiasm to acquire more Islamic knowledge. However, this does not apply to all individuals as discussed in the previous themes, hence the development of the term '*Sheikh Google*'.

Gendered Fatwas

The last theme within the current chapter is going to focus on how and why ‘gendered fatwas’ have been established and the pertinence this holds for the current project. The current theme anchors down to Islamic feminism which is one of the originalities of the current project. To clarify, living law is gendered, but in what way and why, will all be explained within this theme.

The current project interviewed four respondents that affiliated themselves to Islamic feminism. Such practicing Islamic feminists were all found in one particular Mosque (will henceforth be referred to as ‘the gender-neutral Mosque’. This conveys that equality in Islam does exist between men and women, not believing that one is superior than the other). The gender-neutral Mosque is not in Manchester which I am not able to identify to prevent recognition. After discovering the existence of this particular gender-neutral Mosque I advertised my research and was immediately in contact with one willing participant. This participant put me in touch with three more enthusiastic participants which led me to successfully interview four participants in total all manifesting their over-zealous attitude towards Islamic feminism. These interviews were an eye-opener for me as the semi-structured interview guide consisted of a few questions that revolved around the theory and standpoint of Islamic feminism which I was not able to successfully extract from the other respondents because they were completely opposed to Islamic feminism for many different reasons. Below is a conversation between myself and one practicing respondent conveying her perspective on Islamic feminism;

AK: *Do you agree with Islamic feminism?*

Taiba: *No. they are just trying to compete with men every step of the way... it’s just sad because complimentary roles have been given to men and women. Well I don’t agree with Islamic feminism in contemporary society. Well what I am trying to say is that in Islam, women have been given so much respect. Like for example, the first University that was opened was by a Muslim woman. The biggest scholar was a Muslim woman. The individual that helped Prophet Muhammed (ﷺ) when he was under financial constraints was a Muslim woman. So, I think*

Islamic feminism has always been there to an extent but at present it has just been distorted. It's always been there, Islam doesn't and hasn't ever stopped women from succeeding. If anything, it encourages you to do good. So according to me, Islamic feminism has always been there, but people have just given it a different name and definition now. In Islam, women have more rights than other non-Muslim women, even in the Western society for example, if women don't work, then it is frowned upon. But in Islam, it is optional for women to work or not to work. It's your husband's duty to provide for you. Islam has just made it easier for women more than anything.

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

Such explanations are a portrayal of the other respondents that are against Islamic feminism. Similarly, to the *Sunni* and *Shia* respondents (from both the more practicing and the less practicing categories), the *Ahmadiyyah* respondent also manifested her disapproval of Islamic feminism for similar reasons and felt that women should not develop this inferiority complex within themselves and should not attempt to prove themselves as 'worthwhile' because they feel inferior to men (Moghissi 1999). Thus, Islamic feminism is seen as a fight against patriarchy. In essence, according to some respondent's, Muslim women do have equal rights although different roles are ascribed to them from men which suggests that there is no real requirement for the establishment of new feminist movements and that such rights have come about either because women themselves have not understood their rights, or they are not being implemented correctly in the society they live in (Moghissi 1999, Moghadam 2002, Tohidi 2003).

Nevertheless, not to digress from the current theme, the remaining four respondents strongly approved of the Islamic feminist movement for different reasons.

Sehrash: *I think it is a good thing that Islamic feminist exists. For example, look at Christianity... the old Testament and the new testament... the difference between the old and the new is that the new one is trying to make it smoother, and I think Islamic feminists are also trying to*

modernise Islam which is a good thing. And I think if you are trying to stick to something that was written 1400 years ago, and you are trying to follow it, then that doesn't really make sense. Basically, you are living in the past. What is the point of living? Why will you want to go back in the past?

(IFR 17: Sehrash. Age 28. Doesn't follow a sect. Project Manager).

Such conversation manifests Sehrash's reasons for supporting Islamic feminism because of the belief that Islam is in dire need of modernisation that results in a more feasible approach of living Islam in contemporary society (Ali 2010, 2012; Mir-Hosseini 2003, 2013). Other explanations for adhering to Islamic feminist codes are because Islamic feminism provides the visibility and voice in their lives which informs them of how to construct their living law by teaching others about the 'real Islam'. I have placed single quotation marks around the term '*real Islam*' because all the respondents I conversed with had their own unique interpretation of what 'real Islam' means. Nevertheless, the four respondents felt that Islamic feminism should be adhered to as they are reviving the ancient tradition by emphasising that most women in Prophet Muhammed's (ﷺ) lifetime were teaching everyone about Islam, so this should encourage Muslim women for that matter. Such Islamic feminists also feel that by being highly educated in Islamic matters can lead to a lot more control over their lives, within the constraints of their religion of course (Mernissi 1991; Wadud 1999).

Moving on, the four respondents chose to turn to a *muftiya* or *sheikha* (female counsellor well informed on religious matters) for *fatwas* because they felt that the significance of being able to communicate to a woman about a specific problem helps them a great deal as the solution they receive should not just be seen as advice that has been given by an educated woman, but advice that is given without the fear of being heavily judged by a man. I discovered that for these respondents, they graded their human behaviour into five categories; prohibited, obligatory, recommended, discouraged and neutral (refer to page 46 for further exploration on this issue) unlike the other more practicing and less practicing respondents that only emphasised *haram* and *halal*. *Fatwa* browsers within this category felt comfortable saying that a *fatwa* is not legally enforceable and if the ruling of one *fatwa* is not liked by the *fatwa* seeker then they can become *fatwa* shoppers by settling on another *fatwa* that is more convenient for

them. Either way, the respondents felt much better when they were able to approach a *muftiya* or *sheikha* because they would receive erudite religious and cultural advice on certain matters from other women pertaining to other women. This new-found knowledge needs to be explored in more detail as there is scant literature in this area.

Furthermore, I found that whilst talking to the four respondents the *fatwas* that they approve of were not approved by the other remaining respondents that do not affiliate themselves to Islamic feminism. The Islamic feminists within the current project believed that a *fatwa* is just merely an opinion but an opinion that is based on either the verses of the Qur'an, or the *hadith*, or the opinions of previous generations of Muslim scholars (Ali Abdel Razik 1888-1966). However, in exceptional circumstances, when such sources do not provide any answers, then a sound and logical argument can be settled on to develop a completely new ruling. Examples of the new rulings consisted of; the permissibility of female *imams* being able to lead a mixed congregation, the option to wear a headscarf as it is not deemed to be compulsory, endorsing LGBT rights in Mosques, endorsing mixed Mosques, a woman being able to wed more than once at the same time, a Muslim woman being able to marry a non-Muslim and a woman being able to officiate a *nikaah* (a Muslim marriage). Such rulings were highly disapproved of by the other respondents, including some less practicing respondents because they felt that such rulings are a deviation of Islam, hence such rulings have no basis in Islam.

I am not going to provide masses amount of detail as to the reasons for why a certain ruling is permissible and impermissible to certain individuals irrespective of being a Muslim as that is not the focus of the current project. But the main crux of the current theme aims to illustrate how Islam's modernity helps; to construct one's living law which facilitates the individual to live their life and to comprehend how living law is lived daily with the understanding of how certain moral dilemmas are avoided. Such *fatwas* are referred to as 'gendered *fatwas*' because the *fatwa* seeker is seeking information to solve her living law that is 'gendered'. It is important to acknowledge that I am in no way attempting to generalise and state that all Islamic feminists are *fatwa* shoppers and the moral dilemmas outlined are the only concern points in their life. I am merely just providing a few examples of the moral dilemmas that some Islamic feminists are currently encountering and the ways in which they have decided to overcome such predicaments is by leaning towards 'gendered *fatwas*'. 'Gendered *fatwas*' needs to be explored

and addressed in more detail as there is insufficient research on this subject in the academic field.

Chapter Analysis - Conclusion

The current chapter has solely focused on *fatwas* to explain how and in what ways *fatwas* shape, reshape, negotiate and inform the respondents living law. In this chapter we were introduced to four main themes: *fatwa shopping*, *Sheikh Google*, *applying fatwa issues* and *gendered fatwas*. These themes all add on to the understanding of how and in what ways do respondents go about disentangling themselves from their predicaments. The current chapter also addressed the many different implications that follow on from how *fatwas* are retrieved, understood and applied by the respondents. This was important to encompass because the sub-themes that address the repercussions for accessing *fatwas* in certain ways indicate the level of peril the respondents are in and if they are cognisant of this fact or oblivious to such ongoing consequences.

The first theme within the current project has critically explored *fatwa shopping* which consists of one subtheme which is referred to as, '*fatwa shopping to clarify one's position*'. This theme discussed the reasons for why the respondents chose to become *fatwa* browsers and the core essentials of *fatwa* shopping. It was ascertained that the respondents (more practicing and less practicing) were engrossed in the subject as to *why* a particular thing is considered to be *haram* within this theme. A point to be noted, just as the participants were questioning why something in Islam is *haram* and *halal* prior to verifying the information online, the participants, were not questioning their own paradigm from within which such endless questions were originating from. For instance, just as the respondents were asking why something is prohibited in Islam, then such respondents should also take it upon themselves to challenge the dominant narrative they have been born into. Moreover, the understanding of being cognisant of the effects of being born at a particular time, in a particular culture, in a particular society, in a particular civilisation and the absorption of certain values through the different levels of interactions may result in certain values to be inauthentic, that may not be attached to Islam.

The second theme the current chapter focused on was *Sheikh Google* which addressed six sub-themes consisting of; *legitimate or illegitimate information*, *conflicting opinions*, *competing in piety spheres*, *spiral of endless questions*, *the mannequin teacher* and *readily accepting fatwas*. It was easily discernible that whilst conversing with the respondents (the *fatwa* shoppers) they strongly felt that the internet highly facilitated them to access Islamic knowledge (Cherribi 2006). It is distinguishable that research online is useful for answers for a particular

predicament (see Bunt 2000, 2003 and 2009), but it is essential to remember that whilst specific answers can be highly facilitating for one's immediate predicament, it should not in any way be utilised as the only source or the main source of a solution without any further clarifications from a local *imam* or a *Sheikh*. Many different *fatwas* that have been published online for the same topic or question can result in scattered knowledge, which without proper supervision and guidance from a *Sheikh* or *imam* can add on to one's confusion and cause an imbalance in one's behaviour and attitude towards Islam as has been discussed in this theme which has not been addressed previously by academics.

The third theme revolved around the *issue of applying fatwas*. I found that because of the different sectarian groups, there exists many different *fatwas* which can become problematic because there are so many different versions of Islam. Some of the respondents belonging to the less practicing category were perplexed as they were uncertain as to which *fatwas* they should adhere to.

To summarise, the less practicing respondents did describe the many different *fatwas* difficult to select from as quoted that; "*This Sheikh gives this fatwa and that Sheikh gives that fatwa, or someone says this is haram whilst others say that that is not haram but in fact it is halal... or should we adhere to this ruling? Or should we adhere to that ruling?*". Overall, there are so many different variations within Islam, it becomes difficult when trying to select one *fatwa* from the many *fatwas* as some *fatwas* contradict other *fatwas* which is a limitation to *fatwa* browsing. All in all, *fatwa* browsers did feel inundated because they felt that there was just too much information online (Cherribi 2006).

The fourth and last theme discussed the development and meaning of *gendered fatwas*. *Gendered fatwas* provide a religious or Islamic feminist perspective on many issues to solve the predicaments individuals have encountered and are encountering in contemporary society. The point of originality for the current project is that I have related Islamic feminism to gendered *fatwas* which has not been previously emphasised. This theme made it clearer to understand which respondents will be utilising the framework of Islamic feminism and which respondents are opposed to the work of Islamic feminism which captures how participants interpret their moral codes in contemporary society.

All in all, the current chapter has ascertained that we are currently living in an era where there is an information overload as individuals are bombarded with so many different perspectives all claiming that their perspective is the legitimate one (Cherribi 2006). It became discernible that all the respondents that were involved in the current project were different from one another, as they all learnt Islam in different ways which also suggests that many sought out *fatwas* in different ways from one another aswell. Even the Islamic lessons and the teachers the respondents were exposed to were very distinct from one another which all combined makes it much easier to comprehend why then, maybe, different variations of Islam exist.

PART IV: Secularism and Islam

Introduction

The fourth and last chapter of analysis has explored in different ways some of the challenges that Muslim women encounter when wanting to practice Islam in the public and private sphere. Prior to explaining the many different themes and sub-themes that have emerged within this chapter it is first significant to draw upon Charles Taylor (2007) work on secularism and religion.

As explained in the '*Legal Pluralism in a Secular State*' section, Taylor has provided three main definitions of secularism. To reiterate briefly for the pertinence of the current chapter of analysis, the first stage is distinguished by the withdrawal of the religious worldview from the public sphere. The second stage is characterised by the decline in personal religious commitment and practice. In other words, an individual's withdrawal from the community. Moving on to the third stage, the most recent development, which focused on causing a fragmentation of ideas impacting the social order.

The third definition that has been provided by Taylor is relevant to the current chapter of analysis as the condition of faith seems to be challenged, living in a secular society as Muslims. To elaborate on this, it is the shift in the culture away from believing and having faith in religion as the norm, or the default expectation of how an individual should live their life. Believing and having faith is currently one option amongst many which seems to have an impact on religious performativity amongst Muslim women as is evident in the below scenarios of how and why religion is interpreted and adhered to the way it is.

Moving on to the first theme within the current chapter, it will explore how parents have a colossal impact when constructing their child's living law and the many different complexities that follow on from this which have been further divided into three sub-themes to better explain *Secularism and Islam*. The sub-themes consist of; *the complexities of the hijab, suffering a loss of friends and family and becoming an 'extremist'*.

The second theme will emphasise the different ways in which some respondents indulge in critical thinking in Islam. This theme is referred to as '*critical thinking in Islam*' consisting of

the following sub-themes; *harmless questions, harmful questions, harmful questions associated to deism* and *harmful questions that are based on whether Islam is the true religion or not*. I felt that it was significant to explore the depths of critical thinking because this depicts the level of predicament the respondents are in and the ways in which they overcome such obstacles if they choose to overcome them. This theme is imperative to incorporate as it will manifest the numerous ways in which living law is uniquely constructed and reconstructed. This theme will encompass a range of critical questions that have emanated from the respondents which encompass; Why should Muslims accept Allah? Why must Muslims ask intelligent or critical questions? Why must Muslims accept the Qur'an? Such questions result in the development of the third theme as the participants want to acquire Islamic knowledge for their own unique reasons.

The third and last theme within this chapter is referred to as '*the complexities that are revolved around acquiring Islamic knowledge*'. Three sub-themes follow on from this theme which consists of; *confusion and doubts about the Qur'an, learning Islam via secular education* and *learning Islam via Imams*. The third theme is crucial to encompass because it manifests the different ways in which Muslim women are confronted with an identity crisis as they begin to doubt the true existence of Islam which generates mounting confusion. When the rationality process begins, in other words, when individuals want to dispel certain doubts and confusion, they either completely turn away from Islam or they want to acquire more Islamic knowledge. It is the process of acquiring Islamic knowledge which can result in the destabilisation of Islam instead of bringing individuals closer to Islam. To add on to this, it will be revealed if the participants perceive their situation to be that of a moral dilemma or not.

The Key Themes:

Parent's Constructing Their Child's Living Law

The current theme will critically explore the different ways in which parents construct their child's living law which has many implications that follow on. The implications have been further divided into three sub-themes: *the complexities of the hijab issues, suffering a loss of friends and family* and *becoming an extremist*. The sub-themes that have been identified all interconnect with the main chapter which adds on to the understanding of how secularism and Islam is challenged at times.

The Complexities of the Hijab

The first sub-theme will explore the different complexity levels some of the more practicing and less practicing respondents encounter in their day-to-day life which focuses on the *hijab*.

Sana: *I come from a Muslim family... they are not so practicing. I have this very close friend and she practices Islam completely. The more I began to talk to her about Islam the more I wanted to practice Islam. I'm not sure if that makes sense to you but it does to me... One day I decided to buy lots of different scarves. I got really excited you know... experimenting the different ways of wearing all these colourful scarves that match your outfit and stuff. Well one day when I decided to wear it for the first day of Ramadan, I came downstairs to kind of get my mum and dad to approve of it as weird as it sounds. I don't know why but their approval meant a lot to me even though it's in our religion to wear it from a certain age... so yeah, like, my parents were acting really weird about the whole thing... and told me it doesn't suit me... and that I look way better with my hair out, so I might as well take it off...*

(LPR 25: Sana. Age 22. Sunni. Full time student in Nursing).

Lareb: *I've actually had my parents say to me if I don't take my hijab off then they won't be paying for my tuition fees and I won't be able to have such a grand wedding. They pretty much said to me that until I don't take it*

off they won't accept me as their daughter...

(LPR 29: Lareb. Age 21. Doesn't follow a sect. Full Time Student in Arabic Studies).

Taiba: *I know some friends that have their parents say to them that they don't want to be seen in public with them because of that 'thing' they are wearing on their heads. My friends cry to me and say they don't want their parents to feel embarrassed or upset so they feel forced to take it off [...].*

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

The three insightful interviews belong to more practicing and less practicing respondents which illustrate how certain respondents feel pressurised to not practice Islam. The above extract also gives the impression that such individuals belong to very contemporary Muslim families and don't want to be seen as '*Muslims Muslims*' as quoted from another less practicing respondent. The respondents that are placed in such predicaments are torn as they are subjected to two different types of living law; that of their parent's desires and that of Islam. This is similar to the '*hijab-dilemma*, where some Muslim women have been requested by family members and friends not to wear a headscarf in public due to fear of assaults since Donald Trump became the President of United States of America (Bondok 2016).

The scenarios regarding the headscarves is a relevant example enabling one to understand the culturalist perspective when interpretations of Islam are provided when the headscarf is taken as the outward sign of a belief or an identity. As mentioned in the literature review, within the '*Legal Pluralism in a Secular State*' section, the headscarf in France was received as a *signe religieux ostensible*, while the Muslim women, wearing the headscarves, also in the French context, often interpret the headscarf in phrases similar to the ones used by Mahmood in her research when studying pious women, as a religious duty constitutive of "a way of being" (Asad, 2006: 502).

Furthermore, when Mahmood conducted her research amongst women respondents in the Egyptian Mosque Movement (which is understood to be one of the most vital organisations in the Islamic Revival), Mahmood encountered self-interpretations in referencing *da'wa*, which Mahmood interprets as 'piety'. According to the respondents in Mahmood's study, the women that were inspired by *da'wa*, believed vehemently that Islam is not a belief or a set of dogmas. Such women argued that the headscarf should not be perceived as an identity nor a symbol of anti-westernism. Rather, religious practices and rituals, are performed as "a means to the training and realization of piety in the entirety of one's life" (Mahmood 2005: 48).

Consequently, Mahmood (2006) and Asad (2006) argued that contemporary understandings of normativity and religion, Islam in this example, form the philosophical kernel of secularism as is evident in such relevant examples. This has resulted in both a profound misinterpretation of Islamic performance and in a contestable, interiorized conception of morality for some Muslim women as is evident within the current study.

Nevertheless, it is vital to note that such scenarios should be recognised by; the media at large, intellectuals, academics and scholars in the Muslim and non-Muslim community because it seems as if there is currently a lot of attention on how Muslim women when seen wearing the headscarf are automatically assumed to be submissive as they are 'coerced' into wearing the headscarf. I also noted that no sufficient form of moral support has been provided to such vulnerable women in the above scenarios as they are alone when confronted with such dire predicaments. I ascertained that after conversing with the respondents, some chose to listen to their parents and removed their headscarves, whilst the remaining were still puzzled about what steps to further embrace. Such disapproval from the respondent's parents is extremely detrimental and should not be perceived as a trivial ordeal.

Suffering A Loss of Friends and Family

The second sub-theme is interrelated to the previous theme as it will discuss the ways in which certain individuals undergo a somewhat 'religious' transition which at times causes them to either lose their friends and family or it will weaken and destabilise their relationship with their loved ones that don't hold a keen interest in Islam which has not been emphasised previously.

Aisha: *I can't explain it... One day I just got this feeling inside me you know?... it's time to change... So, I started to listen to some lectures on YouTube about how easy it is to follow Islam and the many rewards you get for travelling on the right path. Like me and my friends would always be chillin' in Sheesha bars, the whole mixed environment you know, we would get a buzz... flirting with the guys harmlessly... I just wanted to stay away from it all [...]. So, I tried to get my friends to listen to the Islamic stuff that I was listening to, but they just weren't interested.*

AK: *What was your families reaction?*

Aisha: *... My family weren't happy. They were like, "You need to stop becoming an extremist" and overall they stopped supporting me in whatever I was doing...*

AK: *So, what did you choose in the end?*

Aisha: *... To be honest, I really tried I did... I was able to stay away from my friends, but my family... I just couldn't bring myself around to it. They pretty much said to me if I become 'religious' then they would disown me. I am not financially stable, I am still studying at Uni. So, I had no choice. I guess it took longer to change when I wanted to come towards Islam than it was to change to my old self. So yeah in the end I just listened to my parents. What choice did I have really?...*

(CR 13: Aisha. Age 22. Sunni. Full Time Student in Engineering).

The above interview between myself and Aisha provides another deep insight about the different ways in which parents influence their child's living law. It is apparent that Aisha felt pressurised by her parents as she succumbed to their desires by not adhering to Islam as much as she wanted to, albeit temporarily. The lack of understanding between the newly transformed individual and their friends or family can cause conflict.

It was also ascertained amongst the less practicing and more practicing respondents (specifically the converts) that when they began to adhere to the Islamic rules more closely, it was first the family that noticed the change almost immediately. The family did in fact begin to comment on how the transitioned individual doesn't act the same anymore, doesn't talk the same anymore, doesn't go to the same places anymore, doesn't have the same hobbies anymore, doesn't have the same friends anymore and so forth making it clear that the transition is discernible (more information will be provided in the next sub-theme).

The emotion that was mainly expressed from the transitioned respondents that refused to succumb to their parent's desire was that of despondency at not being morally supported by their friends and family at the most difficult time in their life. This goes to show that when parents construct their child's living law then there are deep repercussions for the child as they are not able to construct their own sense of living law which at times results in some sort of permanent moral dilemma. Additional research needs to address such issues to demonstrate the different ways in how parents resist and challenge the religious performativity of their children.

Becoming An 'Extremist'

The last sub-theme within the current theme will critically describe and explore how and why parents were beginning to label their own child as '*extreme*'. The reason for why I have used single quotation marks on the term '*extreme*' is because this is the respondent's parent's interpretation of what is constituted as extremism rather than going by other definitions.

Tehreem: *My own dad says to me that he refuses to sit in the car with me when I wear my abaya (a full-length outer garment that is worn by some Muslim women). And then I get weird comments from my parents like, "Who died and made you Sheikh?" and "Why are you acting as an extremist suddenly?". Like what are you really supposed to say to that?...*

(MPR 8: Tehreem. Age 22. Sunni. Part time in retail).

Haleema: *Do you know what I've noticed? The more you turn towards Islam, the harder it becomes because of how people act towards you. It hurts more when these people are your family. It's as if they can't help but*

constantly refer to your past when they see that you are trying to change and come out with stuff like “I wonder how long this is going to last?” and “We know what you are really like” ... There’s just no need for it... These comments stop you from acting who you want to be. You’re just not yourself anymore.

(MPR 9: Haleema. Age 26. Sunni. Unemployed).

Aleena: *Once, I decided to pray in the Masjid (Mosque) at uni because I had atleast a three-hour gap between my lecture and seminar... I was really proud of myself that I prayed because I never pray so I decided to tell my family that there is a Masjid and I went to pray Zohar (second prayer of the daily prayers) and my dad was like “You’re becoming an extremist and if you continue then I have to send you back home to a boarding school because I don’t want you to get influenced by such stuff” ...*

(MPR 3: Aleena. Age 20. Sunni. Student in Islamic education).

It is transparent from the above conversations that family members, in particular parents, have the least hesitation to express their feelings about their children to their children even if it involves criticism. So not only have certain individuals become detached from their family but due to their transformation, they get to hear the most unpleasant criticism and sarcasm constantly. The parent’s criticisms encompass comments on; attending Islamic events, the *hijab*, the *salah*, change of attitude, about them putting their children into an Islamic school, the frequency of attending the *Masjid* for the daily prayers, about spending time with ‘religious’ people and so forth.

Western debates that surround secularism also have an implicit relationship between piety, orthodoxy, and fanaticism that at present haunt contemporary political thought. It should be made clear that for many secularists, neither the free exercise of religion for the members of religious groups, nor the appearance of religious performativity in the public sphere, nor the religious talk in public deliberation is the issue. Rather, it is the idea that some forms of

religiosity can be associated to religious fanaticism, which can encourage violent political action. Consequently, it is mainly about politics becoming ‘devoted’ in a specific sense that European intellectual traditions have mostly contemplated in terms of fanaticism (Asad 1993, 2003, 2006; Mahmood 2005, 2006).

For instance, an implicit link between, on the one hand, pious religious performativity and, on the other hand, the potential for violent behaviour, has played an imperative role in the context of the French headscarf debates than is usually developed. The intention that constituted the broad consensus for prohibiting the headscarves from school was not a desire for a general prohibition on religious expression in the public sphere, even though this was the intention for some secularist ‘diehards’. The agreement, however, was based on a mutual suspicion of the politics that may possibly be ‘behind’ the headscarves (Jansen, 2010).

Similarly, I established that amongst the more practicing and the less practicing respondents, their parents were becoming increasingly paranoid and fearful (as interpreted by the respondents) when they manifested their enthusiasm for religious performativity in the public and private sphere. Some respondents also mentioned that as and when their parents would use coercive control then it was becoming rather difficult to adhere to Islam. Again, such examples within the current sub-theme demonstrates the different ways in which parents influence their child’s living law via coercive control and constant disapproval of their religious performativity which has not been addressed much in the academic field.

To summarise the current theme, there are many temporary and permanent implications that can follow on from parents constructing their child’s living law. It is necessary that the situation of an ethical character reform should be addressed to its core and the dire need for a platform should be provided for certain individuals that require some form of moral support. The discussion of the first theme will equip oneself to understand how critical thinking (the second theme within the current chapter) is developed. As constructing one’s own or others sense of living law can lead to critical thinking for some Muslim women.

Critical Thinking in Islam

The second theme is going to critically explore the extent to how questioning something in Islam is detrimental for the individual and the reasons for why individuals have chosen to become critical of Islam Otterbeck (2011a). This I felt was significant to critically explore because this theme provides an explanation as to why; certain moral dilemmas begin to generate, the different spiritual levels the individual is currently undergoing and in what ways are the more observing and the less observing respondents combating such moral dilemmas.

Moreover, the more I interviewed participants for the current project, the more I encountered common themes that became prevalent amongst both the more practicing and the less practicing respondents. This was ‘the level of confusion’ amongst the respondents when conversing about Islam (Jacobsen 1998; Keaton 2006). I have further divided the current theme into two sub-themes to gain a better understanding at the different levels of moral dilemmas that are common amongst the participants belonging to their category (more practicing and less practicing). The two sub-themes will explore; ‘*harmless questions*’ which will incorporate the attitude of the more practicing respondents and the second sub-theme entitled, ‘*harmful questions*’ will encompass the perspective of the less practicing participants. The reason for why the sub-heading is referred to as ‘harmful’ and ‘harmless’ is because the respondents placed in those categories felt that if something was turning them away from Islam then this became ‘harmful’ for them and if something was making the respondents become closer to Islam then this was described as ‘harmless’.

Harmless Questions

This sub-theme will explore the ways in which the more practicing respondents have been questioned by non-Muslims that are enquiring about Islam. I found that some of the questions the more practicing respondents knew the answer to, but at other times, some of the questions were more difficult to answer. Not knowing how to go about answering the difficult questions is the core focus of the current sub-theme. I ascertained that the reasons for why the more practicing respondents were not cognisant of all the answers to the questions being asked of them was because they would out of habit, practice or adhere to Islamic rulings so frequently without requiring an explanation as to why they should adhere to certain rules prior to practicing the tenets of Islam (Bectovic 2011; Jeldtoft 2011; Otterbeck 2011). Such frequencies

developed lines of blurriness as to the reasons for why one should adhere to certain Islamic practices. For instance;

AK: *Do you think it is important to be knowledgeable in Islam especially living as the minority in the UK?*

Taiba: *Yeah definitely, I think more so than in an Islamic country... So, if a non-believer for example, asks me some questions about Islam, then you're not put on the spot, you sort of know how to answer them and what you should say. Because I think Islam is a beautiful religion, but we don't really know it. Like for example, when you listen to scholars and lecturers talking about Islam, it makes you want to learn more about Islam and you want to be more on the right path. So, if a non-Muslim was to ask me some questions then I would want to answer the question in such a way that is more factual based rather than opinion based.*

AK: *Has a non-Muslim ever asked you questions about Islam?*

Taiba: *Yeah, of course, I have English neighbours and they do ask me questions... it's something like fasting. We have been doing it our entire life, so after a while you kind of stop questioning why you are doing it because it becomes a habit of some sort. It's like an act isn't it? So, if someone asks me why I am doing it, then I sort of be like I'll get back to you. Obviously, I know the general outline. Like we fast because they say it takes 21 days to break a bad habit, so when you're staying away from all sins for a full 30 days then I guess Ramadan is there to help you break away from your bad habits. But I guess what I am trying to say is that when a non-Muslim asks I can give more of a rounded answer. You have to know what you are talking about more, especially with what is happening around the world, you get judged more. You need to be on it more than ever before...*

(MPR 4: Taiba. Age 25. Wahabi. Housewife).

The above conversation is very insightful because it portrays what sort of moral dilemmas Taiba was experiencing and in what ways she is overcoming such predicaments. I also discovered that such trivial questions that were emanated from non-Muslims or Muslims alike begins to shake the foundation of one's belief of the believer, whether they practice Islam or not as they begin to question the reasons for why they are adhering to certain practices rather than just following the faith blindly. This is a positive approach the more practicing respondents have decided to embrace as their intention is to learn more about Islam to appease not only the non-Muslims curiosity, but to also clear their own mounting confusion about Islam (Shukri & Owoyemi 2014).

This research adds onto Mahmood's research as Mahmood came across multiple self-interpretations in reference to *da'wa*, which she interpreted as 'piety' amongst women participants in the Egyptian Mosque Movement. The women that were motivated by *da'wa* in her research, did not perceive religion as a belief or a set of dogmas nor did they perceive it as an identity or a sign of anti-westernism. Rather, religious rituals and practices are performed as "a means to the training and realization of piety in the entirety of one's life" (Mahmood 2005: 48). Like Mahmood I also ascertained that some of the more practicing respondents perceived religious duty in the form of *da'wa*, urging themselves to greater piety (Mahmood 2005: 57) as is apparent in the interview transcripts.

Harmful Questions

This sub-theme will focus on how the less practicing respondents deal with certain questions that are asked of them and how they react to such questions. It is significantly different from the approach the more practicing respondents have adopted, hence the development of the current sub-theme. To attain a better understanding of the extent to the harmfulness of certain questions, I have further sub-divided the current sub-theme into small categories that will further explain in more detail the common critical questioning themes I encountered whilst conversing with the less practicing respondents. Such sub-divisions consist of the discussion which focuses on; deism and a critical discussion focusing on whether Islam is the only truthful religion.

Harmful Questions: Deism

Another common factor I encountered amongst some of the less practicing respondents was the deism approach. Within this category I will describe such respondents as deists. Such deists refer to themselves as spiritual, but not religious.

AK: *Do you feel that there are certain contributing factors that have led to a decrease in your imaan (faith)?*

Iram: *Many things, like most of my friends are atheists... I do understand that I have my own beliefs... they can't change my beliefs in the same way I can't change their beliefs... there was a movie called Saving Private Ryan or something like that. It is an American movie. In that movie, there was fighting you know between Americans and Germans. The soldiers that were attacking Germans, he told his senior soldiers "Don't worry, God is with us". He replied, "If God is with us then that means that God is not with us". So, if you are saying that God is closer to our body, to our soul... and if you are saying that God is with everyone, then that is difficult. How can you justify that? Like for example, I will give you an example... like look at what is happening in Syria? What is happening now in Yemen? Why is all this killing taking place? Why is this war taking place? Why is God not doing anything about it?...*

(LPR 20: Iram. Age 34. Shia. Researcher in Psychology).

The above conversation emphasises the ways in which Iram simultaneously believes in the existence of God, but a Creator who does not intervene in the Universe. The approach Iram has embraced is causing her detachment and increasing objectivity towards Islam. This adds on to the research that has been conducted by Jacobsen (1998) and Keaton (2006) as they also established that when Muslim youth are no longer engaged in a process of Islamic resurgence then other results become discernible as is evident in the above interview transcript.

This process has also been described by Taylor (2007), arguing that part of the secularisation process results in human flourishing which becomes reduced to a simple code. In other words,

God can be dismissed out of the rationale for the code. As God becomes less of a personal reality or a philosophical category, there are many more alternatives to select from beyond the simple belief-unbelief dichotomy. At present, there are many moral options as a result, and Islam for that matter is not the default option. The concept of the sacred no longer exists as the foundation of the political or social order. This is described as the third stage of secularism, the fragmentation of the common order.

In addition, Taylor describes the current complications with theodicy as being one of secular thinking, resulting in individuals asking the wrong type of question. For example, the rational thinker asks, “Why did this terrible thing happen?”. An exploration of logical reasoning begins. When logical reasoning fails the human mind, individuals then become enraged with God. Taylor argued that the real question of theodicy that should be asked is, “Something terrible has happened, so what will our response be?”. Interestingly, the human mind will be able to select from a range of emotions encompassing; forgiveness, revenge, reconciliation and so forth. It is crucial to incorporate Taylors description of secularism as it assists in comprehending some of the reasons for why Iram (in the above scenario), finds Islam to be highly illogical and the reason for why she reacts to Islam the way she does.

Harmful Questions: Is Islam the Only Truthful Religion?

I also came across another common theme amongst the less practicing respondents that came to acknowledge that there is a God but were uncertain that Islam is the correct religion. I discovered that amongst the less practicing respondents they began to question their identity by thinking that maybe they are Muslim purely because their parents are Muslims and no other reason (Bectovic 2011; Jeldtoft 2011; Otterbeck 2011). This uncertainty developed other questions that focus on whether Islam is the true religion. For instance, how can Muslims be completely certain that the God they worship is Allah? I found that such respondents were beginning to question the authenticity and legitimacy of Islam.

Overall, within this theme, the more practicing respondents and the less practicing respondents were increasingly asking more and more questions about Islam. It became clear that the interviewees were confused about why does Islam prescribe this? Or why does Islam forbid that? (more information on *haram* and *halal* has been discussed in much greater detail in the second chapter of analysis). This adds on to Otterbeck’s (2011a) research as it was also argued

that for some Muslims, religious practices are not actually considered to increase one's moral disposition, but discovered that the Muslim youth were in fact beginning to question the morality and prohibitions of Islamic teachings (for example, the relevance of wearing Islamic clothing, abstaining from alcohol, eating *halal* food, observing fasts, attending the Mosque and so forth).

I established that the level of critical questioning for respondents that are categorised within their groups (more practicing and less practicing) are based on two different ends of the Richter scale. For instance, the more practicing respondents were well-acquainted with Islam to understand the basic questions that were asked of them and if not, they had the intention to learn more about Islam to appease the questioners and their own curiosity. However, the less practicing respondents when confronted with questions led them to crumble within their own faith as they were not well-acquainted with Islam to begin with, hence were finding it much harder to find an answer to certain questions.

Furthermore, I was able to discern that when the respondents had questions that were based on Islam, they required a reference from the Qur'an or required other parts of evidence from the *hadith* to support the answer that was provided to answer that particular question. This led to the respondents from both, the more practicing and less practicing categories to question the religious scriptures by asking, "*I don't understand why the Qur'an would say this?*" or "*I don't understand why the Qur'an would allow this and not allow that?*". The core of the next theme is going to explore the different complexity levels that are revolved around acquiring Islamic knowledge to attain a greater understanding and an appreciation of how complex living law is.

The Complexities that are revolved Around Acquiring Islamic Knowledge

The third and last theme within the current chapter is directly related to the previous theme as it will explore *the complexities that are revolved around acquiring Islamic knowledge* for both the; more practicing respondents and the less practicing respondents. A strong theme that emerged amongst the interviewees was that the respondents did have the intention to learn more about Islam, whether the information they received was utilised to gain more knowledge (Rozario 1998; Bunt 1999; Brouwer 2004: 47) or if the information they learned was misused or deliberately misrepresented. Such different approaches for acquiring Islamic knowledge will be depicted in the current theme.

Somaya: *Take for example the story of Prophet Ibrahim ‘alayhi as-salam (may peace be upon him ﷺ). He did not just ask people around him certain questions that were pertaining to Islam, but he even asked Allah. He asked Allah to show him how life is given to the dead so Allah asked him “Don’t you have imaan (faith)? Don’t you already believe?”. So Prophet Ibrahim ‘alayhi as-salam said, “No, it’s just because I want to satisfy my heart”. This for me is a lifelong lesson. In fact, all Muslims should take this as a lifelong lesson because Allah is teaching all Muslims from the legacy of Ibrahim ‘alayhi as-salam that Muslims should ask questions, until the heart is satisfied. Islam should be explored and critical thinking must be embedded from a young age. I am 55 years old and I have taught tajweed (a set of rules that govern the ways in which the letters and words are pronounced in the Qur’an during recitation) for over 20 years now... It’s pretty safe to say that Islamic education or even religious education is not about thinking with a clear rational mind. Majority of my students and in fact my colleagues as well have this mentality where if you know how to make wudu (ablution), if you know how to perform salah (prayer), if you know how to recite with tajweed, and if you memorise the Qur’an then you are DEFINITELY going to Heaven. I am not saying that that is not a right approach, of course a Muslim should do everything with the best of their ability, but the question is how many of us Muslims are actually pondering over a single ayat (verse) in the Qur’an?...*

(MPR 2: Somaya. Age 55. Sunni. Teacher, Youth Councillor and Aalima).

The above conversation illustrates the emphasis for all Muslims, whether they are more practicing or less practicing to inculcate thinking into their mind when Islam is discussed, explored, dissected and adhered upon (see Bunt 2000, 2003 and 2009). In other words, learning how to question the reasons for why living law is constructed the way it is can be performed by sensibly explaining the reasons behind Islamic norms and values.

The last theme will explore the different ways in which Islamic knowledge is currently acquired from both, the more practicing and the less practicing respondents. Within this theme, I will further sub-divide the current theme into three sub-themes so that the advantages and disadvantages of the ways in which Islamic knowledge is acquired will be discerned upon. The three sub-themes are entitled as follows; *confusion and doubts about the Qur'an, learning Islam via secular education and learning Islam via Imams.*

Confusion and Doubts About the Qur'an

After interviewing the respondents, it became clear that the first point of contact the participants in the current research turn to when in doubt or are confused regarding a certain matter in Islam is the Qur'an. This is because the respondents felt that by seeking Qur'anic evidence can either verify or falsify their belief or argument.

To begin, some of the less practicing respondents that were discussed in the previous theme (that were categorised under the 'harmful questions' sub-theme) had some issues about the authenticity of the Qur'an.

Iram: ... According to me, the current Qur'an that we have right now is not the same Qur'an that was written 1400 years ago. The latest Qur'an has been revealed in the University of Birmingham... and that one is totally different from this one. Look, for example, in English alphabets they don't have dots, but in Arabic it does have dots. The latest one that they have found, doesn't have any dots... at all. For your knowledge, I don't

know if you know much about the Arabic language, but for some reason Arabic and my language are almost the same... the alphabets, but we have like 4 more alphabets than the Arabic alphabets. The way that you pronounce a word, the pronunciation can change the meaning of a word... totally different pronunciation and the meaning becomes completely different from what was originally intended... so what I am trying to say is that the Qur'an can easily be changed. So, if the average person was to stop and question themselves about this... Who follows the real Islam? What is the real Islam? For me there are too many conflicts in the Qur'an. How can you defend it? How can you say that the copy of the Qur'an you hold is the exact same copy 1400 years ago? But some people do believe in this as they have been brainwashed from a very young age. They can't let themselves open their minds to think about these questions...

(LPR 20: Iram. Age 34. Shia. Researcher in Psychology).

This exemplifies that due to the struggle of contemplating whether the Qur'an is legitimate or not, I discovered that such respondents were not seeking Qur'anic references to solve their moral dilemmas, if in one.

However, this is not to say that all the respondents have embraced this approach regarding the Qur'an. It became evident that the more practicing participant's first point of contact when in a moral dilemma was to refer to the Qur'an to disentangle themselves from their predicament (Shukri & Owoyemi 2014). The respondents that fell under this category were not well-acquainted with Arabic as it was not their first language. However, saying this, by not properly being acquainted with Arabic can result in many different repercussions as discussed in the first theme when Islam begins to appear confusing and daunting to the layperson.

AK: *You mentioned earlier how you used to fast and pray when you were younger. What made you stop?*

Sana: *From the beginning there was something in my mind telling me... why*

am I following this? Truth to be told... I couldn't find any logical reasoning behind this. It was like I was a parrot you know. Saying the same thing without understanding it...

(LPR 25: Sana. Age 22. Sunni. Full time student in Nursing).

Some of the respondents belonging to the more practicing category have started to learn Arabic by attending Islamic courses or Arabic courses so that they can comprehend the meaning of the Qur'an (Cesari 2006; Silvestri 2011: 1231). It is crucial to understand that there is a differentiation between understanding what the Qur'an states (which can be interpreted and translated in many different languages) and understanding the meaning of the Qur'an. However, such a distinction is blurred when the respondents were discussing their relationship with the Qur'an. Some of the interviewees commented on the fact that the underlying meaning of the Qur'an is not important to comprehend. This is an erroneous approach to embrace according to some of the more practicing respondents.

Haleema: *Allah has made it very clear to all humankind that the Qur'an has been revealed in order for the readers to contemplate very deeply over its verses. But this is not the approach Muslims take. I mean I have even heard some Muslims saying that the Qur'an is not for the layman and it is only for the very knowledgeable. This is ridiculous. Like how can the Qur'an only be for a group of elite and knowledgeable people? It is in fact through the Qur'an individuals can achieve knowledge. How then can people say that they are knowledgeable without the help of the Qur'an? It is through the Qur'an Muslims can become knowledgeable. If you think about it logically, if the Qur'an was only for the knowledgeable then where would they have gotten the knowledge to begin with? When people begin to take this approach about how the Qur'an is not for the layman then this often results in confusion between the culture and the religion as people start mistaking culture to be part of religion.*

(MPR 9: Haleema. Age 26. Sunni. Unemployed).

It became evident that the more adhering respondents and the less adhering respondents were currently experiencing the lack of wisdom purely because they don't completely understand the Qur'an. I felt that some of the more practicing and the less practicing respondents were only concerned with the outside than they were with the inside. By this, I simply mean that they embrace the approach that even by reciting the Qur'an it is sufficient, but when it comes to acting in accordance to what the Qur'an ordains then there exist different morality levels which I strongly feel comes down to the individuals lack of relationship with understanding the meaning of the Qur'an.

Furthermore, it is also believed that once European Muslims interpret the Qur'an based on independent judgment (*ijtihad*) rather than following Islam 'blindly' and becoming a mindless obedience to authority then compatibility with the Qur'an is likelier. It is assumed that this would result in European Muslims to survive and thrive in a culture, such as Europe's, that celebrates free choice. Overall, Euro-Islam aims to represent, a largely depoliticized Islam that seeks to reinforce and accommodate rather than challenge, question or disrupt the perceived European secular order (O'Brien 2013).

However, by not understanding the Qur'an can result in many repercussions for the individual as I ascertained that one of the common issues in contemporary society amongst many Muslim women is that they begin to merge culture with religion when they are unable to differentiate between the two (see Ramadan 2009 for the coalescence of religion and culture). The other complexities have been highlighted in the previous themes and chapters, but to draw more emphasis on culture and religion I will explore this in the proceeding sub-theme. Not to digress from the current theme, it has been made clear that some respondents question the legitimacy of the Qur'an whilst the remaining respondents rely heavily on the Qur'an, irrespective of not understanding the meaning of the Qur'an.

Learning Islam via Secular Education

The lack of relationship the respondents have with the Qur'an and their level of understanding (as has been discussed in the previous sub-theme) led some participants to seek formal Islamic education by attending Universities and by enrolling onto Islamic courses. This resulted in numerous implications which the current sub-theme will critically explore. Below are two very

detailed and insightful examples of interview transcripts that have been incorporated to attain a better understanding of the implications some respondents are currently experiencing by *learning Islam via secular education.*

Tehreem: *Like I remember when I was studying R.E. in College. I got really excited because one of the modules I was going to learn more about was Islam. The other module we had to take was a philosophy module. I still vividly remember that majority of us in our R.E. class were Muslims, so according to us because we come from Muslim families we knew quite a bit about Islam, so we felt as if we were prepared to go in the philosophy lesson, fully equipped you know, being able to argue against every point with an Islamic reference... But, as the lessons went on... honestly the philosophy lessons shook us all to the core, and when I say 'all' I mean ALL the Muslims in the class because the truth is that we weren't up to scratch with Islam and when you have to study theories and theorists in the philosophy lesson like; Richard Dawkins, Darwinism, Bertrand Russell, Sigmund Freud, Immanuel Kant... there's so many and you have to write essay questions on the existence of God and how God was created... then in all honesty it threw us off. Like at first you're only memorising the theories and theorists to gain a good mark in your exam, but slowly these questions begin to sink in subliminally and it's literally like you are learning certain things that contradict what Islam says. You start to question yourself. You start to ask if Islam is the true religion? Something you have been believing in your entire life gets swept away within days. I don't know to be honest. To keep my faith... I've stopped thinking about Islam... I've also stopped praying my daily prayers as well. I don't know, I guess in a way I have kinda just let go of Islam...*

(MPR 8: Tehreem. Age 22. Sunni. Part time in retail).

The attitude Tehreem has developed and embraced is a dual personality which means that Islam makes no sense to her, so she has stopped practicing Islam and has stopped thinking about it

but simultaneously chooses to remain as a Muslim. Tehreem has mentioned that she fears of possibly becoming an agnostic or an atheist if she starts to think about Islam ‘reasonably’. I have placed quotation marks around the word ‘reasonably’ as other more practicing respondents have strongly emphasised that Islam must make sense to the individual as there is no such thing as ‘*blind faith*’ in Islam so thinking and understanding about Islam reasonably is imperative.

Another example to illustrate the daunting relationship between Islam and secular education amongst one complying respondent is provided below;

Somaya: *[...] Ok... I will give one example. This one brother I know personally went to Harvard University. He enrolled on to an Islamic Studies Programme for Masters... so, he is in semester 2 and he rings me one day saying that he’s lost his faith in Islam so after talking to him for like 4 hours to bring him back to Islam, he decided that he can continue to be a Muslim if he stops thinking about Islam. When I spoke to him about what he learnt so far he gave me a description of the Programme curriculum for semester 1. One module for semester 1 is called ‘Science of Hadith’. So, I, myself have been taught you know in order to qualify for the aalima course that the stronger the hadith is the more authentic the hadith is... I went to a University in Medina to study the Islamic Programme, so I am not going to refute the teaching of what I have been taught because the curriculum has been taught to many well-known scholars before me. But I found that as I was speaking to him, their curriculum had reversed the whole thing. In seminars, the lecturers would present a theory where the stronger the hadith narration means the more Muslims had to come up with some sort of fabricated chain of hadith narrations to ensure that Muslims follow such texts. So, by that I mean, the stronger the list of narrations, the more distrustful and doubtful the hadith becomes. In this brother’s seminars; the papers, essays, articles and the discussions were all based on this. My personal opinion is that if you don’t have much Islamic knowledge to begin with,*

then you will definitely get blown away real fast because you won't know how to defend Islam against such secular teachings.

(MPR 2: Somaya. Age 55. Sunni. Teacher, Youth Councillor and Aalima).

I am in no way attempting to generalise by saying that when Muslims enrol onto an Islamic course via the secular route then this causes a destabilisation within their faith. However, stating that, the reason for emphasising the current sub-theme is to emphasise that; how one learns about Islam, how they critically think about Islam and what the curriculum teaches them about Islam and against Islam can cause one to have doubts about Islam. Such detailed conversation between myself and Somaya portrays the different spiritual and intellectual levels both her and this brother were experiencing. I have discerned that prior to enrolling onto certain Islamic courses within the secular system then basic knowledge on Islam is required. But, how then should that basic Islamic knowledge be obtained?

Overall, it became clear that some of the less practicing respondents felt more inclined to lean towards atheism because certain subjects such as; Science, Psychology and Philosophy causes the human mind to think reasonably, whereas Islam, according to them, is more referred to as a '*blind religion.*' It is crucial to note that the intellectual predicament that the average respondent encounters is very serious and does need to be addressed as there is scant literature on this topic.

Learning Islam via Imams

The last theme the current chapter is going to discuss will be a critical exploration of how some *imams* react (according to the respondents) when they are subjected to critical thinking and critical questioning in Islam by their students or by the layperson. This sub-theme is discussed at the end of the current theme because the current sub-theme is strongly interlinked to the previous themes and sub-themes which focused on whether Islam permits critical thinking or not.

To begin, I ascertained that the less practicing respondents had two main approaches that they would embrace when they wanted to ask the *imam* something they were confused about in

Islam. The first approach some of the less practicing respondents had embraced was that they had become reluctant when they wanted to communicate with an *imam* concerning a certain issue as they felt that they would get judged for asking about something they should ‘already be aware of’.

Ayesha: *Like I don't understand certain stuff about Islam... Like I've wanted to ask my local imam so many questions, but I just can't...*

AK: ***What sort of questions?***

Ayesha: *Like for example, why are homosexuals not allowed in Islam? Why can't we have sex before marriage? Like what's the big deal? Why are we not allowed tattoos in Islam? How come a woman's testimony is only half of that for a man? Why do we cut the hand of a thief? How come a man can marry 4 women? I don't even understand the Qur'an. It's back to front anyway. What's all that about? And why does the Qur'an repeat itself so many times? There's like so many contradictions in the Qur'an. You end up more confused reading the Qur'an then you did to start off with... Like is it only me that is so confused and bothered by all this? Or is it more on the terms of you should only 'believe' and not 'question'.*

AK: ***So why don't you ask your local imam these questions?***

Ayesha: *(Scoffs)... Well you know what will happen if you ask the imam. He will look at you as if you are the enemy of Islam. Forget that...*

(LPR 21: Ayesha. Age 25. Shia. Retail Assistant).

It becomes discernible from reading the above conversation that many of the less practicing respondents have many unanswered questions which they hesitate to ask the *imam* for many different reasons. The above example conveyed that Ayesha is under the impression that once she asks the questions then she will get critically judged for asking certain types of questions. The other responses that emanated from the less practicing respondents for not approaching

the *imam* was that the very verbalisation of such ‘scandalous’ questions is completely heretical. Out of fear, out of hesitation and out of being judged are the main reasons for not wanting to approach the *imam*.

Some of the respondents felt that some of the questions they wanted to ask the *imam* was based on how to reform Islam from the orthodox teachings. A relevant example demonstrating the conflict between the contemporary Islamic movements and liberal democracy that is related to the above interview transcript can be provided for a better understanding. Influential American policymakers for instance, assume that conflict between contemporary Islamic movements and liberal democracy arise because these movements do not adhere to the ‘historical-hermeneutic’ methods of Qur’anic interpretation. These policymakers believe that traditionalists in the Muslim world vehemently believe that the Qur’an is the literal word of God and want to preserve conservative behaviour and orthodox norms and values which is assisted by observing Islamic rituals closely (Mahmood 2006).

Another approach some of the less practicing respondents had embraced when they had some questions concerning Islamic ruling differs from the first approach as some preferred to speak to the *imam* face to face.

Lareb: *“I don’t understand how God came into existence”. Such statements and questions were coming from my R.E. teacher... everyone would be involved in the discussion... but we kind of had no answers to give. Well no Islamic ones anyway. So, I decided to ask my local imam. A great mistake that turned out to be. My imam was like “Just say Astaghfirullah” (seeking forgiveness from Allah) and that “We should all make duaa (invocation, is an act of supplication) for guidance from Allah because such questions can only come from Satan”. [Begins to scratch her head]. Like seriously, these questions were coming from my teacher, not Satan...*

(LPR 29: Lareb. Age 21. Doesn’t follow a sect. Full Time Student in Arabic Studies).

It is significant to note that by including the above interviews, I am by no means trying to generalise all *imams* under this category. However, it should be noted that Lareb's questions remain unanswered which can have many repercussions for Lareb. It is possible for Lareb to walk away from her moral dilemma by assuming that the main problem lies within Islam. Consequently, it is vital for the needs of the Muslim community to be addressed by placing Muslim intellectuals, Muslim scholars, and Muslim academics on a platform that focuses on Islamic matters, preferably an anonymous one (Piela 2011; Piela 2012) to evade the identified multiple implications that have been raised here.

Chapter Analysis – Conclusion

The current chapter is entitled as '*Secularism and Islam*' which consists of three main themes. To summarise, the main themes within this chapter are all interconnected with the challenges of how 'faith crisis' exists amongst Muslim women. It is clear after the fourth analysis chapter that people live in an expressive age, where personal lived experience is the foundation of people's moral systems. Islam is one factor among many in those moral systems. Islam at times, as was evident after interviewing some of the respondents, is not only a religion which relies upon its doctrines, but also relies upon personal spiritual experience as the foundation for its moral claims.

The first theme is referred to as *parent's constructing their child's living law*. This consists of three sub-themes which is comprised of; *the complexities of the hijab, suffering a loss of friends and family* and *becoming an 'extremist'*. It is within this chapter it became clear that as and when the respondents were wanting to become more pious and were beginning to embrace the obligatory practices within Islam then there existed obstacles. For example, parents utilised coercive control on their children, preventing them from not wearing the headscarf in the public sphere (Dr Zaki Badawi 2005; Bondok 2016).

The current chapter has also revealed other dimensions for why some individuals refer to themselves as Muslims but don't practice the obligatory rules in Islam, despite wanting to (Bectovic 2011; Jeldtoft 2011; Otterbeck 2011). A few comments were made by the respondents that they were aiming to eradicate the negative stereotypes that have proliferated in the media about Muslims that relate to radicalisation. However as has been exposed, some Muslim parents are not allowing their children to practice Islam in fear of radicalisation rather than fighting against such discrimination and stereotypes as is depicted in the media. So not only are some Muslims feeling as 'outsiders' in the Industrialised West, but some Muslims are also feeling as 'outsiders' within their own community because of 'the Islamic threat' from within or because of the fear from being associated to the 'within' (Mahmood 2005, 2006; Asad 1993, 2003).

The second theme is labelled as *critical thinking in Islam* which is further divided into four sub-themes which encompassed; *harmless questions, harmful questions, harmful questions: deism* and *harmful questions: is Islam the only truthful religion?* It is within the second theme

it became clear that Muslims (more practicing and less practicing) are beginning to question Islam, whether these questions are categorised under harmless questions or harmful questions. Similar to what Taylor (2007) described, I also ascertained that for some respondents, God was becoming less of a personal reality, as they felt that there are many more alternatives to select from beyond the simple belief-unbelief dichotomy. Some of the respondents established that there are many moral options as a result to choose from, and Islam for them was no longer becoming the default option. This secularisation process is resulting in some Muslim women to increasingly ask questions related to morality and prohibitions of Islamic teachings. Such endless questions provide an insight into the moral dilemmas and how they become aggravated (Otterbeck 2011a: 1171).

The third theme has focused on *the complexities that are revolved around acquiring Islamic knowledge*. This has been divided by three main sub-themes, which consists of; *confusion and doubts about the Qur'an, learning Islam via secular education, and learning Islam via imams*. This theme explains that just by acquiring Islamic knowledge, one's moral dilemma is not dispelled but can result in additional dilemmas. This is significant to encompass as it is assumed by many respondents that to disqualify certain moral dilemmas then Islamic knowledge is required. Moreover, it has been discerned that during the learning process a new set of living law codes has been required to get that individual to complete their Islamic course via the secular system (Rozario 1998; Bunt 1999; Brouwer 2004: 47).

To summarise, it is apparent that the moral dilemmas that existed for Muslim women within the current study, were at times conflicted with patriarchal traditions and with the Western world's increasing criticism of Islam.

Conclusion

The aim of the current project has attempted to capture how and why Muslim women have transformed the views of Islam in contemporary society and how certain rulings within Islam are challenged. Islam as emphasised in the literature review has a structured and an established jurisprudence. Therefore, the current project is a very interesting qualitative study in the way it has captured the way in which Muslim women navigate between seemingly complex, at times contradictory, sometimes in conflict, principles and values that are and not related to Islam.

Further to this, the current project has addressed the five main questions that have been established before the commencement of the literature review and has attempted to answer them. What are Muslim women's views and experiences in response to transgressing Islamic prohibitions? How do Muslim women respond to moral dilemmas that are revolved around the prohibitions in Islam? What are the moral codes that inform Muslim women's decision to disentangle themselves from moral dilemmas? How and why do Muslim women prioritise and deprioritise certain religious, cultural and/or secular norms when making up their living law? And lastly, why, if so, is living law modified, strengthened or weakened?

What can be gained from this study is that morality itself changes from; society, to time and from place to place. A brief example that can be provided which was presented in the literature review is how homosexuality was not accepted a few years ago, but currently homosexuality has become accepted (Mayer 2012). Adding on to the complexity that surrounds the level of acceptability concerning homosexuality, it has been made clear through the literature review and the interview analysis that; a Christian speaker, or a Jewish speaker, or a Muslim speaker are not able to preach against homosexuals because then the preacher is deemed to be homophobic as they are discriminating against such people. Such examples illustrate that the nation itself keeps changing the definition of what is good and what is bad. This constant evolvement in society and culture depicts that morality constantly changes, however religion has a prefixed definition of morality. But, in contemporary society, the definition of morality that is referenced to religion also keeps changing for different reasons as has been evinced in the four main analysis chapters. Morality is not just about its causes, but it is also about how those involved, whether directly or indirectly, feel about it; how it is perceived as a social phenomenon; how it is experienced; and finally, how morality is constructed in terms of the religious, secular and cultural context.

The idea of using religion, Islam in particular, to focus on the current project provides the general idea that the belief in God has anchored one's thinking and rationality about the world. Such anchoring has laid the establishment of morality. The standard moral principles and values that prohibit a follower from not doing something or permitting them to do something was originally expected to be under the influence of religious teachings. It is worth alluding to one of the earliest studies in sociology that draws on the concept of morality. Classical theorists, such as Durkheim ([1897] 1951), Marx ([1844] 1978), and Weber ([1904-5] 1958), claimed that religiosity, is an agent of social control that encourages conformity and reduces the level of deviancy by accepting social norms and internalising moral values. Similar to this, I also found that religion provides many motives to a follower to abide by certain rulings since it was conveyed that virtue would be rewarded and vice punished. But, when the religious foundation begins to dissolve, then the concept of morality inevitably begins to change.

Another example that can be provided that explains the connection and the lack of connection between morality and religion is by drawing on the author, Nietzsche (Nietzsche [1844-1900] 1974). Nietzsche discussed the 'death of God' in his famous book, 'Thus Spoke Zarathustra'. The synopsis is that he predicts that if individuals are going to eradicate God and religion, then there exists no morality. But it is crucial to acknowledge that Nietzsche implied the phrase figuratively when referring to the impact of the European Enlightenment upon religion. Interestingly, in the current thesis, I was able to capture some Muslim women that were beginning to turn away from Islam and were inclined towards atheism or agnosticism. I discovered that the respondents under this category had reconstructed their own definitions of morality and the blurred boundaries of what constitutes morality and immorality led to many unending and restless questions about the overall authenticity of Islam. In relation to this I also ascertained that high levels of religiosity were in fact a form of social control as it endorses conformity and results in the acceptance of social norms which inevitably reduces deviancy through the internalisation of moral values. Other researchers have also drawn similar conclusions that religious practices have an impact on the moral self (Ebaugh and Haney 1978; Thornton and Camburn 1989; Wilcox 1992; Greeley 1993; Spicer 1994; Manza and Brooks 1997; Meier 2003) which results in the increase of embodied practice that concerns religious realities, morality and selves (McGuire 1990; Hall 1997; Mellor and Schilling 1997; Warner 1997; Ammerman 2003 & Neitz 2004).

I ascertained that the different levels of religiosity demonstrate the different levels of morality and the ways in which different interpretations in Islam are played on and acted upon when concerned with crime, deviance and moral dilemmas.

It is transparent that the current project has conducted a study on organised and non-organised Islam similar to the work of; Bullock 2002, Bectovic 2011, Jeldtoft 2011, Otterbeck 2011a: 1169, Otterbeck 2011b and Jouili 2015. A related finding of interest from the present study is the considerable similarity I encountered whilst interviewing different types of Muslims that consisted of; organised-Muslims, non-organised Muslims, Muslims 'just by name', converts to Islam and individuals who do not belong to any jurisprudential school of thought. Nevertheless, by conducting the current research I ascertained three additional categories that were not emphasised upon in greater deal. The additional categories I encountered encompassed; Islamic feminists, individuals who are not completely certain as to why they are Muslims and individuals that are wanting and are currently in the process of turning away from Islam. Another related finding of interest with the above studies and the current project is that we have critically engaged in the discussion of what it means to be a Muslim, the Muslim's perspective and understanding of Islam as well as exploring the impact Islam has on the lives of Muslims living in a non-Islamic State or a secular State. To summarise, it has been made abundantly clear that the level of religiosity affects the level of adherence and practice towards Islam, albeit in different ways as has been emphasised in the four main analysis chapters.

It is crucial to draw on the importance of the theoretical framework that has been adopted to better understand how and why the methodology was framed the way it was for the current thesis. The literature review presented in this thesis has added on to the understanding of how Muslim women make sense of their belief systems and what living law means to them which draws back to the theoretical framework the current project has adopted, 'living law and legal pluralism'. To further understand the concept of living law, it is worth alluding to the latest study in sociology that is based on living law as exemplified by certain studies, such as Urinboyev and Svensson's (2013) study. A related finding of interest in both, Urinboyev and Svensson's study and the current project is that every individual has their own set of living law which is constituted of different norms and codes that influences one's social conduct and everyday life beyond the laws of the State. This has been evinced in the current thesis with the incorporation of; secular, cultural and religious norms.

Additionally, similarities have also been made in the current study with existing academic literature, to see whether there are contexts unique to 'legal pluralism' which is the second theoretical framework that has been selected for the current project. Haller and Shore (2005), Nuijten and Anders (2007), Menski (2013) and Urinboev and Svensson (2013) all draw on the concept of legal pluralism. The current thesis has explored the impact legal pluralism has had upon 30 Muslim women attempting to understand how they adhere to certain laws and simultaneously how they navigate around more than one legislative structure, such as the *Shari'ah* and the English civil law in the UK. Overall, the current project has attempted to understand what 'living law' is, why it is interesting and what informs 'living law' in certain situations which indirectly emphasises and develops a relationship with legal pluralism.

The current chapter has discussed the rationale for why; Islam was selected, why the attention of the current thesis was based on morality, crime and deviance and why the theoretical framework has been selected with the support of many theorists that were drawn upon for a better understanding of why certain methodological approaches have been employed to answer the research questions. The research methods that have been employed permitted me to better acquaint myself with how 'morally culpable' the respondents were by allowing them to articulate their norms. However, I found that some respondents; did not even moralise over certain issues, whilst others perceived certain moral dilemmas as condemnable, whereas other respondents fell into contradictions without even realising it and articulated conflicting visions of what is wrong and what should be done to rectify such 'moral dilemmas'. Such responses conveyed different interpretations, at times embracing a liberal approach, whilst others embraced a conservative approach.

The analysis of this study was presented in four main chapters. I am going to briefly outline the themes in each narrative to draw back to the current projects main aim, research questions and the theoretical frameworks that are interrelated with each other. The first chapter of analysis discussed the role of the moral compass. This consisted of three main themes: *secular obligation, religious obligation and lack of religious obligation* all of which explain different levels of morality and how living law is lived on a day-to-day basis. The last theme within this narrative was divided into two sub-categories; *not feeling guilty for the lack of adherence to the 'obligated' Islamic practices* and *having a guilty conscience for not adhering to the obligated Islamic practices*.

I found that the five pillars of Islam did form the foundation of Islamic ritual duties for the adhering respondents (Yust et al., 2006) which increased their level and conscience of morality (Mahmood 2005 & Winchester 2008). The current research confirms that certain religious practices, such as praying and fasting fundamentally increases their level of morality and found it much easier in comparison to their less practicing counterparts to navigate around certain moral dilemmas. However, I ascertained that the level of morality for the less practicing respondents vastly differed from the more practicing respondents as they chose to adhere to the five pillars of Islam, if so, with an increasing level of leniency and flexibility, making Islam deterritorialised in a sense (Roy 2004; Silvestri 2005; Rohe 2006; Soper and Fetzer 2009). This is because some respondents felt that fasting and praying for instance, was considered to be an optional lifestyle rather a religious obligation and other less practicing respondents chose to neglect the Islamic obligatory practices completely for different reasons (as discussed in the analysis chapter).

A significant finding of this theme was that high levels of morality amongst the respondents illustrated that it did indeed have an impact on the level of frequency of crime rates and delinquency that related to Islam and other secular laws (Stark et al., 1982; Johnson et al., 2000; Herzog 2003; Chui & Wing, 2013; Mckay et al., 2013 & Ozbay 2015).

The second narrative focused on how respondents adhere to certain prohibitions and obligations which accentuated different religious, cultural or/ and secular norms. This narrative consisted of five different themes; *introducing the concept of haram and halal from a young age; personalised definitions of haram and halal; Muslims categorising other Muslims as halal and haram; implications for loosely applying the term haram and halal and finding a balance between halal and haram.* The first theme within this narrative was divided into two sub-categories which is comprised of; *a reasonable approach and an unreasonable approach.*

The current research confirms that morality, crime and Islam are strongly interlinked after exploring how certain Islamic prohibitions have been defined by all the participants. For instance, the current thesis contributes and adds on to Pieri et al's., (2014) study not only by exploring how certain Islamic prohibitions, when transgressed demonstrate how one's level of morality begins to destabilise, but by also understanding how such prohibitions causes one's religiosity and theory of living law to change drastically. I discovered that within this theme

amongst the more practicing respondents, their living law was mainly composed of the rules that related to the prohibitions within Islam which informed them how to live their day-to-day life by not transgressing certain Islamic rules. In contrast to this, I discovered that amongst all the less practicing respondents, the rules relating to the prohibitions within Islam informed majority of their living law as they transgressed such rulings for different reasons and justified their actions for doing so. A significant finding of the current theme was that the prohibitions of Islam constructed majority of one's sense of living law, by adhering to or neglecting such rulings.

The third narrative explored *fatwas*. The first theme critically explored *fatwa shopping* which is composed of one sub-theme. This sub-theme is referred to as, '*fatwa shopping to clarify one's position*'. The second theme this narrative examined was *Sheikh Google* which addressed six sub-themes consisting of; *legitimate or illegitimate information, conflicting opinions, competing in piety spheres, spiral of endless questions, the mannequin teacher* and *readily accepting fatwas*. The third theme scrutinised the *issue of applying fatwas* and the fourth theme discussed the development and meaning of *gendered fatwas*.

It became clear from the first and second theme within this narrative that *fatwas* in general were heavily relied on by both; the more practicing and the less practicing respondents because they required a solution to their moral dilemmas. I found that Google browsing inevitably meant that almost all the *fatwa* browsers had different conclusions from others that were in a similar situation because they have ultimately relied on different sources to obtain their answers. However, the advantage of online *fatwas* was that this led to the establishment of new online Islamic environments (see Bunt 2000, 2003 and 2009) as the respondents felt that online Islamic information was more accessible (Cherribi 2006) in comparison to approaching an *imam* for a certain issue (as described in the fourth chapter of analysis).

Moreover, the fourth theme goes on to discuss *gendered fatwas* which is directly linked to the development and contribution of Islamic feminism. I found that within this theme all four Islamic feminists self-declared themselves as more practicing in Islam because they felt that rather than neglecting Islam as an oppressive institution, they wanted to emphasise the significance of religious identities and most importantly the empowerment of Muslim women through a female-centric 're-interpretation' (placed in speech marks because the other more

practicing and the less practicing respondents opposed to the very idea that Islamic scriptures can be reinterpreted) of classical Islamic jurisprudence (Silvestri 2011). Islamic feminists strongly contended that by adhering to Islam, Muslim women can confront orthodox and patriarchal teachings (Lang & McGarvey 2009).

Further to this, Islamic feminists fervently believed that the Qur'an should not be taken so literally and irrevocably, but rather as a book of guidance that has multiple interpretations (Lang & McGarvey 2009). A significant finding amongst the Islamic feminists was the development of gendered *fatwas*. The theme within this chapter emphasised how Islamic feminists construct and navigate their day-to-day norms to evade certain moral dilemmas. Similar to Marcotte's (2010) research, I also found that online forums enabled Islamic feminists to submit their views that contested, challenged and even transgressed Islamic gender and sexuality norms. Islamic feminist respondents that self-declared themselves as highly practicing concurred with Marcotte's theory by commenting on the belief that online forums were much safer to broadcast their perspectives due to anonymisation (Piela 2011; Piela 2012).

Another significant finding within this theme was that gendered *fatwas* led to Islamic feminists to contribute towards gender inclusiveness. This is crucial to encompass as this is one way of understanding how living law is constructed via gendered *fatwas*. Moreover, I concluded that all the Islamic feminists did comment on the strong urgency and the dire need to comprehend why there exists, so many gender specific rules? For example; why are Muslim men allowed to practice polygamy but not Muslim women? Why is inheritance different for Muslim women and Muslim men in Islam? Why is it that Muslim women must wear a *hijab* and not Muslim men?

There were many contemporary scenarios that illustrated how gendered-specific rules were challenged (This issue has been explored in further detail within the literature review under '*Islamic Feminism*') that led to the discussion by Islamic feminists that certain actions and activities should be accepted not just by Islamic feminists but by all Muslims. Such contemporary examples consisted of; female imams leading mixed congregation, being able to remove headscarves, the acceptance of homosexuality in Mosques and Muslim women being able to intermarry non-Muslims. Such unending different contemporary examples have demonstrated the ways in which such movements of modern Islamic feminists come to define

living law. Speaking of moral dilemmas, I discovered that such contemporary examples (as has been identified) that are currently being performed by Islamic feminists are in a sense their solution to their moral dilemmas. However, the other more practicing respondents and the less practicing respondents (that chose to not identify themselves as Islamic feminists) perceived such acts not as a solution, but as a cause of such moral dilemmas, considering such acts to be a deviation in Islam arguing that such teachings are not based on Islam and Islamic feminists are in fact misinterpreting Islamic values.

Nevertheless, the current project is not attempting to promote what the 'real Islam' is constituted of, but rather how and why such predicaments are developing amongst Muslim women that have different levels of religiosity and how Muslim women are attempting, if that, to overcome such predicaments. Another significant finding of the current study was that I encountered countless forms of perspectives that all contribute to the understanding and level of appreciation that living law is lived differently by everyone (even amongst the more practicing respondents as has been discussed) and should not by any chance err in branding all followers of Islam under the umbrella of adhering to one set of codes that compose one's living law.

The inclusion of Islamic feminists and the countless contemporary examples that have not only been provided throughout the current chapter, but also throughout the entire thesis conveys that moral predicaments differ from each respondent as certain moral dilemmas are developed due to gender-specific rules. Such gender-specific rules are currently one of the most intriguing factors the current thesis has dealt with as such moral dilemmas are caused because of the 'interpretation' of certain Islamic rulings and the solution to such predicaments according to Islamic feminists is that everyone wholeheartedly should accept the new rulings to gender-specific rulings by adhering to the new changes.

The fourth and last narrative has critically explored '*Secularism and Islam*'. This was comprised of three main themes. The first theme discussed how *parents have constructed their child's living law* and the many different complexities that follow on from this which has been divided into three sub-themes to better explain '*Secularism and Islam*'. The sub-themes consisted of; *the complexities of the hijab, suffering a loss of friends and family and becoming an 'extremist'*. The second theme examined '*critical thinking in Islam*' with the following sub-

themes; *harmless questions, harmful questions, harmful questions related to deism and harmful questions that are based on whether Islam is the true religion or not.* The third and last theme within this narrative was referred to as *'the complexities that are revolved around acquiring Islamic knowledge'* which consisted of three main sub-themes, consisting of; *confusion and doubts about the Qur'an, learning Islam via secular education and learning Islam via Imams.*

It became clear within the first theme of the fourth analysis chapter that several of the more practicing respondents were embracing a zealous attitude when turning towards Islam. Hussain (2006) argued that there is *'a growing confidence in the manifestation of one's faith'* and that Muslims in general will come to terms with their identity in non-Muslim societies, aiming to eradicate the negative stereotypes and images that have proliferated due to certain terror related incidents (Cherribi 2006). However, I cannot concur with Hussain because I encountered a different perspective that some Muslim women embraced which manifested the lack of confidence they felt when they were publicly affiliated to Islam. I also discovered that it was not the less practicing respondents that had shaped their own sense of living law, but it was in fact their parents that had a major input in shaping and reshaping their child's sense of living law. Most importantly, it is crucial not to lose sight of the fact that some of the parents (from the perspective of the respondents) shaped their child's living law based on the negative images and stereotypes that have become prevalent in the media that associates Islam to such negativity resulting in the acceptance of a self-fulfilling prophecy (Becker 1963) albeit to an extent.

The second theme within the last analysis chapter discussed the significance of critical questioning in Islam. A significant finding of this theme led to the distinction between how the more practicing and the less practicing respondents approach critical thinking in Islam. It became evident that when the more practicing respondents had questions on Islam, then this almost became an *'attractive factor'* for them as they wanted to acquire more knowledge on Islam. On the other hand, when some of the less practicing respondents had questions based on Islam, then this became a *'repellent factor'* as they were beginning to turn away from Islam and began to lean towards atheism or agnosticism. Becoming an atheist did appeal to some of the less practicing respondents as they commented on having unaccountable freedom if they turned away from Islam. They felt that it is their choice to become responsible for their own actions and behaviour as the concept of becoming non-accountable to God and the concept of not getting punished for transgressing certain sins became awfully appealing to such

respondents. Adding on to this, such participants felt that by turning away from Islam, ultimately towards atheism suggests that they don't have to have a pre-ordained set of ethics and are then able to construct their own sense of living law from scratch, detaching all norms completely from Islam. But how then are individuals 'immoral actions' decided upon? Who can rightfully define what is right and what is wrong when detaching accountability to God?

The last theme focused on the complexities that are revolved around obtaining Islamic knowledge. I found that similar to Jeanette's (2015) research, a strong theme that emerged amongst the more practicing respondents was that they had wanted to and were currently striving to acquire more Islamic knowledge (mentioned in the second theme) because they felt that they were otherwise following Islam blindly. Interestingly, when some of the respondents were describing their journey of acquiring more Islamic knowledge then this did unexpectedly lead to a spiral of added confusion to one's knowledge than they originally had prior to entering the process of acquiring more Islamic knowledge. When such unique experiences were revealed, it became comprehensible how moral dilemmas are developed and what causes one's living law to change as frequently as it does.

The next segment of the current discussion is going to anchor and draw in the current projects main aim and research questions to completely comprehend how respondents find themselves in a moral dilemma, what norms they heavily rely on to disentangle themselves from a moral dilemma and why a certain moral dilemma is a moral dilemma. Supporting Yilmaz's (2002b) research, I also discovered that all the self-declared more practicing respondents (including the four convert respondents and the four Islamic feminist respondents) relied heavily on religion when placed in a moral dilemma simply arguing that cultural and secular norms can in no way supersede religious norms. However, stating this, some of the respondents belonging to the more practicing category and the Islamic feminist respondents did also comply to secular norms but out of obligation as they were UK citizens, so felt it necessary to comply with the secular law when secular and religious laws were in confliction. Cultural norms was not relied upon for the more practicing respondents as they strongly felt that religion is able to teach them everything that they should know to solve the predicaments they were in.

On the other hand, the less practicing respondents were all divided into three categories. Some respondents felt that religious norms informed their decision making as they felt that when they

needed an answer from God, then their prayers were always accepted. However, other respondents prioritised culture because they felt that religion to an extent, completely brainwashes the individual and felt that with culture they have that capacity and flexibility to form their own decisions to an extent. The remaining respondents within this category decided that their first point of call is to lean on secular norms and not religious or cultural norms because they felt obligated to abide by their State law before abiding by religion or culture.

Similar to this, Buskens (2000) theory which is related to the 'Islamic triangle model' suggests that there is an interconnection between the *Shari'ah*, customs and the State law which I also found was the case for the less practicing respondents as to an extent they relied on all norms, albeit some more than others. There has been much emphasis on local customs, Islamic law and the State law in contemporary Muslim States (Berger, Peters & Nefissa 1999; Buskens 2000; Welchman 2002; Bowen 2003; Agmon 2006; Lombardi 2006; Shahar 2008), but the emphasis was not highlighted in the Industrialised West amongst the Muslim communities which the current thesis has focused on.

Another significant finding of the current study was that apart from some of the less practicing respondents that consciously leaned on cultural norms to inform their living law, the remaining respondents did not draw a strong connection between religion and culture. However, I did feel that cultural norms at times did inform each moral dilemma to an extent, albeit unconsciously because such respondents spoke of religious norms that were inexplicably related to cultural norms. As Ramadan (2009) noted '*religion does not come without culture and that, conversely a culture does not come into existence without the intervention of religious practices of the social group that constitutes it*'. Due to the similarities between religion and culture, I did find that such respondents were unable to differentiate between the two when both religion and culture would concur on the same issue, but for different reasons. Some of the less practicing respondents conformed to and acknowledged that culture was informing their living law and were, in fact able to differentiate between religion and culture because their cultural norms vastly differed from their religious teachings.

Another significant finding of this study was that the less practicing respondents, particularly those that leaned on cultural and/ or secular norms, were completely oblivious of the fact that they were even in a predicament. The more practicing respondents and the respondents that

relied and prioritised religious norms that belonged to the less practicing category were cognisant of being in a moral dilemma. I felt that this was because the moral dilemmas they were in mainly related to the prohibitions of Islam. In other words, such respondents were aware of the basic teachings of Islam, whereas the other respondents chose not to acquaint themselves with Islam.

I also ascertained that certain moral dilemmas caused some respondents to at times, turn away from Islam, and at other times turn towards Islam. The outcomes of such moral dilemmas did not have an intermediate level. By this I mean that the respondents were either at one end of the spectrum, an in between did not seem to exist. It became evident that the participants embraced one of the two extreme options; turning away from Islam or turning towards Islam. What I am trying to emphasise is that such moral dilemmas that have been studied under this thesis explain the ways in which living law is lived by such Muslim women and why such moral dilemmas are even perceived as moral dilemmas by some, as not every respondent under the current project acknowledged each dilemma as a dilemma. When such examples of moral dilemmas were presented to the respondents it became clear at what level of religiosity the individuals were at and what their intentions were for the future, whether this entailed a change for the positive or not.

This research has explored how living law has been interpreted and lived amongst the respondents. The current study is not indulging in the reasons as to why moral dilemmas develop but I am rather intrigued in understanding how people make sense of moral dilemmas and how their living law facilitates them to address and navigate around such dilemmas. Furthermore, the present study has not engaged in the discussion in whether the norms that have been opted by the respondents to evade a moral dilemma are the correct norms and codes that should be embraced, but the study has engaged in whether the norms that have been selected inform one's moral dilemma and how and why living law has been constructed the way it is. From the discussion above, I conclude that an understanding of the meanings of living law can only be reached through a qualitative study of this sort. Reliance on research using a quantitative approach limits the scope for examining the real meaning of how living law is lived and acted upon. The present study has found that living law is not a unitary phenomenon but rather it differs from individual to individual.

Throughout the four main analysis chapters, I have highlighted and provided much detail referring to lived experiences that have ranged from; homosexuals, *Shari'ah*, Islamic criminal law, sex, marijuana, pillars of Islam, hell, heaven, parental approach, Qur'an, alcohol, clubbing, being judgemental, *hijab*, tattoos, finances, *fiqh*, *zina*, *fatwa*, terror-related incidents, acid attacks, polyandry, sexual desires, divorce, *Sheikh Google*, nail polish, music, existence of God, Islamic feminism, Ramadan, friends, family, extremism, *abayaa*, revelations, *imam*, atheism, compensation, philosophy, *hadith*, sex before marriage, women's testimony and so forth. Such a range of examples have simply demonstrated; one's morality and religiosity levels, how moral dilemmas begin to play in the individual's life and whether such predicaments are based on a small scale or a large scale for the individual. Nevertheless, such examples that have been presented explain the different ways in how certain respondents acknowledge that they are in a moral dilemma and if they make any effort to extricate themselves from such moral dilemmas or to prevent such potential dilemmas from occurring again.

The current project has attempted to provide a deep analysis of how Muslim women are practicing, interpreting and mixing and matching religious traditions which belong to the unique ways in which they negotiate, shape, reshape and make sense of Islam in their everyday lives, whether the interviewees are more practicing or less practicing individuals. This study is not just unique in the sense that it has captured the everyday forms of religiosity for Muslim women in the UK, but the current project also informs how such religious manifestations can be comprehended when Muslim women are manoeuvring around moral dilemmas, deviance and crime and how such navigation codes are 'justified' or 'rationalised'. It is clear that the current project has encountered different types of practicing Muslims (more observant and less observant). But it is imperative to acknowledge that whether the respondents chose to identify themselves as more practicing or less practicing, there exists a unique and important ideological dimension on Islam which has been pedantically studied in order to completely comprehend the 'lived experience of Muslim women'.

Contributions of the Study

This study contributes to the theoretical framework the current project has adopted; living law and legal pluralism in eight respects. Firstly, it has been noted repeatedly that there exist voluminous studies on religion, but the mere coalescence of religion and living law is very much under-represented in the literature. I ascertained after the data analysis that for some of the more practicing respondents and for some of the less practicing respondents, religion did indeed have a very influential impact on how living law is to be constructed (Mokhlis, 2009).

Second, the current project demonstrates through the utilisation of the first theme that is based on '*moral compass*' that the persistence or lack of religion leads to a variation in how individuals construct their moral order. This spirals down to how morality is lived on a day-to-day basis and how this has an impact on living law amongst contemporary Muslim women. As mentioned earlier, on a more theoretical front, the current project complements contemporary work on 'lived religion' (Hall 1997; Orsi 1999) by demonstrating that morality, similar to religion, exists not just in discourse and doctrine, but also in the focal arena of everyday social practices (MacIntyre 1984; Taylor 1989; Bender 2003; Winchester 2008).

Third, the emphasis on the second theme '*halal and haram*' evinces the unique way in which religion plays a major role where living law is concerned as it either prohibits individuals from perpetrating a sinful crime or it informs individuals how to live their everyday life by evading certain prohibitions that have been underlined in Islam. Again, such a reverse relationship between the more practicing and the less practicing respondents has not been emphasised nor recognised previously by many academics.

Fourth, the current project has explored and explained the interrelated relationship *fatwa* shopping has with Islamic feminism and the unique ways in which gendered laws are developed in Europe. By illustrating the distinct and different contours of religiosity and faith evinces that Islam has a continuing impact and pertinence in society for many individuals (irrespective of whether the individual is more practicing or less practicing). There have been countless contemporary examples throughout the current project of contemporary *fatwas* and the impact contemporary *fatwas* has on individuals that conveys to me that there is a dire need to conduct a further study in this area as such examples add onto the understanding of; what

type of society we are living in, the ways in which individuals live their day-to-day life and why and how living law is constructed via gendered *fatwas*.

Fifth, the last analysis chapter within the current thesis has discussed ‘*Secularism and Islam*’ which has manifested the unique ways in which there exist many different complexities that revolve around morality and religiosity. Again, this has been under-represented and should be perceived as a major contributor to research based on the challenges on secularism and Islam. This chapter brings to light, how the more practicing and the less practicing respondents experience secularism and Islam in the UK.

Sixth, Buskens (2000) strongly urged that a comparative perspective of secular, culture and religion is of paramount importance to study as it will enable the comprehension of the different legal systems that exists in the Muslim world. The current project is of major scholarly value because it responds to Buskens plea by conducting research in the most challenging and difficult countries, as the country of origin denies the existence of other, non-official norms. It is mere impossible to comprehend the interpretation, experience and behaviour of Muslim women in the UK without bearing in mind the strong influence the secular State exerts on their opinions and beliefs. The current research has provided a very helpful insight of how Muslim women make sense of their belief systems and what living law means to them which draws back to the theoretical framework the current project has adopted, ‘living law and legal pluralism’.

Seventh, there has been much work done on living law and legal pluralism in Sociology, however there is scant literature on living law and legal pluralism on Muslim women in a secular State from the standpoint of a criminological perspective. This has been reviewed throughout the whole thesis. The current study follows a qualitative approach which examines how living law in the UK is constructed and interpreted by Muslim women. The current research also concentrates on the meanings of living law and how moral dilemmas can be avoided rather than solely focusing on how moral dilemmas are developed.

Finally, the current research has also helped me to appreciate the various factors that intersect in the understanding of the ‘lived’ experience of Islam, and the multiple challenges of formulating research questions to acknowledge, accommodate and become culturally sensitive

to the different local and national contexts explored. Most importantly, living law that has been explained by Muslim women within the current research is;

Knowledge that is associated with power; but not only does it presuppose the authority of “the truth”, it has the authority to make it true. There is no independent truth as such; rather, “knowledge is a discursive formation sustaining a regime of truth” (Foucault, 1970: 142).

Possibilities for Future Research

The findings in this thesis ought to be of value to other Muslim and non-Muslim social researchers and academics that are engaged in writing, exploring, researching, presenting and publishing on Muslims and Islam within Sociology and Criminology. However, stating this, I find it of paramount importance to emphasise the dire need to conduct further work within this diaspora that would lead to a nuanced understanding of how living law is lived not only amongst Muslim women in the UK, but also amongst Muslim men too. To add on to this, further research can also be conducted on Muslims before, during and after their observance of the holy month, such as Ramadan as this would manifest the different levels of religiosity and the unique reasons as to why their living law fluctuates if it does.

Moreover, further research can also focus on Muslim migrants (belonging to a country where the Islamic Criminal Law is implemented) and the way they understand how their living law should be lived in a secular State in comparison to their home country and if such a major difference; strengthens, alters or even weakens their living law which informs their moral dilemmas. Also, a comparative research on living law can also be conducted which can draw different faith-based groups and individuals under one study, to gain a much better understanding of how and if religion plays a role of intervention when perpetrating crime.

It is clear from the additional unique and distinct ways that living law can be explored in many different directions that will gain an enhanced understanding of how moral dilemmas are developed, encountered and combated by individuals. It is imperative to take note that my role as a researcher is one that seeks to clarify, but simultaneously also to encourage researchers, activists, students, academics and lobbyists to think independently.

Further to this, I am acutely cognisant that I have actively and critically engaged in an extremely newsworthy area of research as well as contributing towards primary fieldwork within this area. Thus, the inevitable feeling of a colossal accountability cannot and must not be denied by myself, as the researcher. It is of high importance that the current thesis is not in any shape, way or form indoctrinating the audience nor does the current thesis embrace an essentialist perspective. All individuals should be mindful and attentive that if in the future, further research focuses on Muslims or if the researcher themselves are Muslims then there is a dire need to be all-cognisant of what the research is aiming to find or what it may encounter

as it is crucial to keep an open, objective, rational, critical and balanced perspective if something controversial or something contesting Islam was to materialise in light of the local, national and global incidents concerning Muslims.

Glossary

It should be acknowledged that within this glossary section, there are at times, more than one single definition for some of the Arabic and Urdu terms utilised. However, all the different definitions have not been incorporated within this section apart from the definition that the current project has embraced.

Aalima: A female Islamic scholar.

Abaya: Loose garment worn by Muslim women to conceal their figure.

Adhan: The Muslim call to prayer.

Ahkam: Is a reference to the Islamic commandments that has been derived from religious jurisprudence resources.

Ahl Al-Kitab: People of the Book.

Alayhis-Salam: May peace be upon him (ﷺ).

Al-Injil: The New Testament, also recognised as the Evangel.

Al-Ma'ruf: Islamic Monotheism and all that Islam ordains one to do.

Al-Munkar: Polytheism and disbelief of all kinds, and that which Islam has forbidden.

Al-Tawrat: The Torah.

Al-Uqubat: The Islamic Criminal Law.

Al-Yawm Al-Akhir (also known as Yawm al-Qiyama): The belief in the hereafter.

Al-Zabur: The Psalms of David.

Angrezi-Shariat': English *Shari'ah*.

Apa'a: Female teacher.

Aqīda: Matters which are believed in with conviction.

Arkan Al-Iman: Six pillars of faith or the belief in the six articles of faith.

Arkan Al-Islam: The five pillars of Islam.

Astaghfirullah: Is the act of seeking forgiveness from Allah.

As-Salat: Muslim prayer.

Auliya': Helpers, supporters, friends or protectors.

Awrah: Intimate parts of the body, for both men and women, must be covered with clothing.

Ayat: Verse of the Qur'an.

Bid'a: Innovation in religious matters.

Da'ee: A person that gives *da'wah*.

Da'wah: Conveying the message of Islam.

Deen: Faith or religion.

Duaa: Invocation, is an act of supplication.

Dunya: Means this world 'Earth'.

Faqih: Is an Islamic jurist, an expert in *fiqh*, or Islamic law and Islamic jurisprudence.

Fard: A compulsory act in Islam.

Fard Al-Kifaya: A communal obligation in Muslim legal doctrine.

Fatwa: An Islamic law or ruling sanctioned by a recognised authority.

Fiqh: To know and to fully comprehend the subject.

Fiqh Al-Aqalliyat: The jurisprudence of Muslim minorities.

Fukahaa: An Islamic religious lawyer.

Habibi: My love.

Hadith: A traditional narration of things said or done by Prophet Muhammed (ﷺ) or his companions.

Hafiz: A Muslim who has committed the entire Qur'an to memory.

Hajj: Pilgrimage to Makkah.

Halal: Something that is prescribed by the Islamic law.

Haram: Something that is prohibited by the Islamic law.

Hijab: A head covering worn by many Muslim women to conceal their hair.

Hisba: Is an Islamic doctrine which simply means accountability.

Ibadat: Worship.

Ijma: Where the scholars of Islam are unanimous in their ruling on Islam.

Ijtihad: A process where the scholars of Islam find a solution to an on issue in which one could not be ascertained through means of the Qur'an and the Sunnah.

Imam: The individual who leads the prayers in a Mosque.

Imamah: A female prayer leader.

Iman/ Imaan: Faith in Islamic theology.

Istighfar: Is the act of seeking forgiveness from Allah.

Jihad (The full term is referred to as 'jihad fi sabilillah.'): which simply means strive in the way of God, in a righteous manner.

Jilbab: Referred to loose-fitting clothing, more specifically, a long, loose overcoat or dress worn by many Muslim women.

Juyubihinna: Their bodies, faces, necks and bosoms.

Kaafir: Non-Muslim.

Kabaa: Cubical stone building in Mecca.

Kalam Allah: The word of God.

Khatibah: Preacher of the Friday sermon.

Khimar: A head covering, or veil worn by Muslim women, usually covering their head, neck and shoulders.

Khutbah: A sermon preached by an *imam* in a Mosque at the time of the Friday noon prayer.

Madhabs: School of law within *fiqh* (Islamic jurisprudence).

Mahram: A family member whom a woman is not permitted to marry (For example; one's brother, father or son).

Makruh: Disliked or offensive act.

Masjids: Mosques.

Mubah: It is permitted (neither encouraged nor discouraged).

Muftiya: Female counsellor on religious matters.

Muhtasib: An individual that has been appointed to police the enforcement of the Shari'ah in a particular area.

Mullahs: A Muslim learned in Islamic theology and sacred law.

Mustahab: *Mustahab* actions are those whose status of approval in Islamic law falls between *mubah* and *wajib*.

Nafls: Supererogatory prayer is a type of optional Muslim prayer.

Namaaz: Prayer or *salah*.

Nasheed: A *nasheed* is an Islamic-oriented song. Traditionally, it is sung a cappella and is only accompanied by a daff.

Nifaq: Hypocrisy.

Nikaah: A Muslim marriage.

Nisab: The Islamic ruling which stipulates that a Muslim must have the minimum amount before being obliged to *zakat*.

Niyah: Intention.

Non-Mahram: A person with whom marriage or sexual intercourse is permitted.

Qada: This is a reaffirmation of the faith of divine fore-knowledge.

Qadar: Allah's knowing of everything in pre-eternity (fate).

Qibla: The direction of the Ka'baa, in Mecca.

Qiyas: A term when attempting to determine the root-cause of the process to do ijihad. Qiyas is a process whereby a clear ruling of the impermissibility or permissibility of an act or thing is applicable to an issue closely related to it.

Qur'an: The Islamic sacred Book, believed to be the word of God.

Radi-Allahu Anha: May Allah be pleased with her.

Radi-Allahu Anhu: May Allah be pleased with him.

Ramadan: Muslims observe fasts for the entire duration of the ninth month of the Muslim year.

Riba: *Riba* under the Islamic law is *haram*. *Riba* can be interpreted as 'usury' or exploitative gains that are made in business or in trade.

Sahaba: A companion of the Prophet Muhammed (ﷺ).

Salat: An intense, formal observance (prayer) that is highly regulated.

Salat Al-Asr: Mid-afternoon prayer.

Salat Al-Dhuhr: Afternoon prayer.

Salat Al-Fajr: Dawn prayer.

Salat Al-Isha: Evening prayer.

Salat Al-Jum'a: Friday congregational prayer.

Salat Al-Maghrib: Sunset prayer.

Salla-Allahu Alayhi Wa Sallam: Blessings and peace be upon him (ﷺ).

Sawm: Observing a fast from dawn until sunset.

Shahada: A Muslim's declaration that there is no God but Allah, and Prophet Muhammed ﷺ is the final Messenger.

Shari'ah: Is an Islamic religious law which governs the day-to-day life for a Muslim.

Sheikh: A religious official.

Shura: (Advisory) council.

Sitr: Different rules that apply to men and women which stipulates how they must conceal certain body parts whilst in the form of prayer.

Subhanahu Wa Ta'ala: May He be Glorified and Exalted.

Suhuf Ibrahim: Scriptures that are believed to be the revelations Prophet Ibrahim received from God.

Sunnah: The teachings, sayings and deeds that have been derived from Prophet Muhammed (ﷺ).

Sunnats: Optional prayers.

Tafsir: Interpretation.

Tahajjad: Prayer which is recommended (but not obligated) for Muslims.

Tajweed: The set of rules that govern the way in which the words of the Qur'an should be pronounced during recitation.

Talaq: Divorce in Islam.

Taqwa: Piety, fear of God.

Tarawih: An additional prayer performed during evenings in Ramadan.

Tasfir Bi Al-Ra'y': Interpretation that is established purely on individual rational judgement. This approach adapts a philosophical and intellectual interpretation.

Tawaf: Circumambulation of the *Kaaba*.

Ulema: Muslim scholars who are acknowledged as having specialist knowledge of Islamic theology and Islamic law.

Ummah: The entire Muslim community bound together through Islam.

Wajib: An obligation.

Wudu: Ablution.

Ya Allah: Oh Allah.

Zakat: The giving of alms to the needy and to the poor.

Zeenah: Beauty, charms, or ornaments.

Zina: Unlawful sexual intercourse.

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Appendix

Dates of Supervisory Meetings: First Year

13/02/2015
26/03/2015
29/04/2015
25/06/2015
27/07/2015
17/08/2015
21/09/2015
27/10/2015
06/11/2015
26/11/2015
15/12/2015
08/02/2016
01/03/2016
24/05/2016

Dates of Supervisory Meetings: Second Year

09/06/2016
23/08/2016
01/12/2016
13/12/2016
09/12/2016
11/01/2016
18/01/2016
01/02/2017

Dates of Supervisory Meetings: Third Year

16/03/2017
01/05/2017
01/06/2017
04/07/2017
01/08/2017
26/09/2017

19/10/2017

25/11/2017

03/02/2018

27/03/2018

List of Training Undertaken: First Year

- 02/02/2015: College Induction (Alison Brettle & Joan Livesley)
- 02/02/2015: University PGR Induction Programme (Jo Cresswell, Alison Brettle, Victoria Sheppard, Anne Sherwin, Helen Parker, Jasmine Pokuaa & Laura Dixon)
- 04/02/2015: School Research Meeting (Nick Hardiker)
- 10/02/2015: Learning Agreements and Progression (Victoria Sheppard)
- 12/02/2015: Group Meeting with Muzammil and other Postgraduate Researchers
- 12/02/2015 - 13/02/2015: Research Methods Module
- 06/03/2015: Guided or Misguided (*Imam Khurram Rafiq*)
- 09/03/2015: 10/03/2015: Putting theory to work: the application of tools of critical analysis (Suriya Nyack & Joan Livesley)
- 09/03/2015 - 13/03/2015: ISoc Discover Islam Week
- 14/03/2015: Conference: protection of the honour of the Holy Prophet (ﷺ). Hosted By: Shaykh Ghulam Rabbani Sahib. Presided By: Pir Alauddin Siddiqui Sahib (Chairman of Noor TV). Special Guest Speaker: RT Hon. Kate Green (MP).
- 17/03/2015: Writing the thesis: thinking about structure (Victoria Sheppard)
- 18/03/2015: Conference: whispers that possess. Are you protected? (Shaykh Atabek Shukrov Nasfi)
- 18/03/2015: ISoc University of Salford Chaplaincy Services: Sisters Social
- 19/03/2015-20/03/2015: Research Methods Module
- 12/03/2015 & 26/03/2015: Evidence Based Practice for Patient Care
- 29/03/2015: The concept of Bid'ah explained (*Imam Khurram Rafiq*)
- 22/04/2015: ISoc Committee
- 22/04/2015: Putting Feminist Theory into Practice (Rebecca Pohl, Jackie Stacey & Erica Burman)
- 23/04/2015: Evidence Based Practice for Patient Care
- 27/04/2015: Islam Depression & Renewal of Faith (Shaykh Waseem Ahmed)
- 29/04/2015: Public Criminology and the 2015 General Election (Anthony Ellis & Chris Birkbeck)
- 30/04/2015: Research Methods Module
- 01/05/2015: Research Methods Module
- 20/05/2015: Preparing for the best of months (*Imam Mohammad Amir*)
- 03/06/2015 & 10/06/2015: Qualitative Research Methods (Gaynor Bagnall & Andrew Clarke)

15/06/2015 & 17/06/2015: Literature Review and Writing Boot Camp (Alison Brettle)

25/06/2015: ISoc Group Meeting

11/07/2015: Destroyer of all pleasures: Death (Ustadh Abid Khan, Ustadh Hammad UR
Rahman Fahim & Shaykh Muhammed Abdul Jabbar)

30/06/2015: Introduction to NVivo and the Literature Review (Victoria Sheppard)

23/09/2015: ISoc Fresher's Fair

29/09/2015: ISoc Meet and Greet Training

30/09/2015: ISoc Meet and Greet

07/10/2015: ISoc Committee Training

14/10/2015: ISoc Eid Festival Day

21/10/2015: ISoc Charity Week Training

03/11/2015 – 05/11/2015: ISoc Charity Week

14/11/2015: Mending Our Past: Finding The Road Back To God (Ustadh Yasmin Mogahed)
(USA)

10/01/2016: Are We Neighbours? (Maulana Sheik Amin, Junaid Sheikh & Abdullah Al-
Mubin)

26/01/2016: Da'wah Training Part 1 (Abdul Nasir Munir)

01/02/2016: World Hijab Day (ISoc)

03/02/2016: Your PhD Journey (Mark Wilding)

04/02/2016: Hijab Session (Q/A) (ISoc)

10/02/2016: Da'wah Training Part 2 (*Imam* Rashid)

24/02/2016: Da'wah Training Part 3 (Abdul Nasir Munir)

22/03/2016: Subjectivity in Research (Anyah Ahmed)

22/03/2016: Surviving your Interim Assessment (Alison Brettle & Anyah Ahmed)

List of Training Undertaken: Second Year

- 29/06/2016: PhD Forum (Toni Wood & Kelly Lockwood)
- 20/08/2016: The State of Muslims Today (Shaykh Muhammad Al-Yaqoubi)
- 09/11/2016: Writing Wednesday
- 20/11/2016: Beauty: The Inner You
- 23/11/2016: Muslim Women in the West (University of Manchester Students' Union)
- 27/11/2016: The Journey of the Soul (Ustadh Abid Khan)
- 01/12/2016: Preparing for the Interim Assessment and Internal Evaluation (Alison Brettle & Anya Ahmed)
- 03/12/2016: The Awakening (Shaykh Zahir Mahmood. Mohamed Hoblos. Omar El-Banna. Dr Mufti Abdur-Rahman Mangera)
- 14/12/2016: Writing Wednesdays
- 09/01/2017-12/01/2017: Advances in Qualitative Research Practice (Andrew Clark & Gaynar Bagnall)
- 25/01/2017: Watersheddings Primary School (Oldham)
- 26/01/2017: British Muslim Heritage Centre
- 01/02/2017: Horton Mill Primary School (Oldham)
- 27/02/2017: Epistemology (Anya Ahmed & Michaela Rogers)
- 08/03/2017: Writing Wednesdays
- 12/04/2017: Writing Wednesdays

List of Training Undertaken: Third Year

- 14/03/2017: Connected Lives, Diverse Realities (Kelly Lockwood)
- 21/03/2017: Job hunting for researchers
- 22/03/2017: Doing a literature review
- 24/03/2017: Freedom of Religion or Belief. Towards an Agenda of Implementation
- 29/03/2017: Effective Job Applications
- 25/04/2017: Critical Thinking and Critical Writing at Postgraduate Level
- 26/04/2017: Put off Putting Off
- 04/05/2017: Presenting at Academic Conferences
- 04/05/2017: Connected Lives, Diverse Realities (Kelly Lockwood)
- 04/05/2017: Women's Voice Guest Speaker Series. Digital Fluency. Embracing the Digital Era. The Role of Women (Dr Sharifa Zarah Syed Ahmad)
- 11/05/2017: The interview: it's place in social scientific research strategies.
- 01/06/2017: Interactive PhD Meeting (Muzammil Quraishi)
- 14/06/2017: Session Chair at SPARC
- 16/06/2017: Epistemology Training Session
- 27/06/2017 – 29/06/2017: SPARC Conference
- 25/01/2018: Researcher Careers Symposium (Mentoring Conversations)
- 31/01/2018: Group Meeting (Muzammil Quraishi)
- 28/02/2018: The Conversation. How to Get Published (Paul Keaveny)

Ethical Approval



University of
Salford
MANCHESTER

Research, Innovation and Academic
Engagement Ethical Approval Panel

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13 January 2017

Dear Arusa,

RE: ETHICS APPLICATION–HSR1617-01 – Interpreting Living Law amongst Muslim Women in the UK

Based on the information you provided I am pleased to inform you that application HSR1617-01 has been approved.

If there are any changes to the project and/or its methodology, then please inform the Panel as soon as possible by contacting Health-ResearchEthics@salford.ac.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sue McAndrew'.

Sue McAndrew
Chair of the Research Ethics Panel

Participant's Information Sheet

PARTICIPANT INFORMATION SHEET

Interpreting Living Law amongst Muslim Women in the UK

I would like to invite you to take part in my study. Before you decide to participate, it is important that you understand the aims of this project. The project wants to understand your views about certain moral codes, crime, deviance and social control in Islam. The main aim of the research is to describe and understand the ways in which you view and interpret certain moral dilemmas and how you choose that specific route and the reasons for choosing one way over another in present-time Britain. This study will try to understand if religion, culture and secular rules have an impact on moral dilemmas that may be linked to forbidden actions in Islam. In order to understand your view, this project aims to include many different scenarios (Islamic law, Islamic criminal Law, customs, practices and secular norms) that the semi structured interview aims to cover. Please take your time to read the information properly before deciding to join.

Why is this study applicable to me?

This study suits you if you are a Muslim woman because this project will cover parts of the moral codes, crime, deviance and social control in Islam. This research is open to all Muslim women from a diverse range of backgrounds in terms of age, ethnicity and occupations.

Do I have to participate?

It is up to you if you want to take part in this study. If you decide to leave at any time, without giving a reason then this will not affect your rights in any way possible.

What is required of me, if I opt to participate?

If you decide to take part, then it is expected that on average the duration of the semi structured interviews would take at least 1 hour up to 2 hours, however if you want, you are able to finish the interview earlier. Before being interviewed, you are supposed to sign a consent form to show that you have agreed to the terms and conditions and that you want to take part.

Are there any disadvantages or risks implicated with this study?

The interview will consist of questions that are not sensitive and should not result in any psychological stress or embarrassment. The interview will involve questions that are based on homosexuality, marriage, polygamy and other issues in Islam.

How will my participation be kept anonymous and confidential?

Your involvement in this study will be kept private and unidentifiable as it is important that proper precautions and procedures are followed for data security during and after the study. This can be managed by following the Data Protection Act (1998). For example; a personal identity number will be given so that names are not used. All the data recorded, would be saved on a computer, which will have a secure password. In addition, the notes that are made by myself on hard paper and the audio digital recordings, would be stored in a locked cabinet. By doing this, I will make certain that your identity is well protected.

However, it is important to recognise that there may be a legal obligation to reveal any information that relates to criminal activities and/or something that is harmful to myself or

others, that is told by the participant. For example, I will have to break confidentiality if the participant confesses to their involvement in a crime they have committed, or are about to commit a crime, any involvement in criminal activity or intended harm to others (different forms of abuse) will need to be reported. It is important If this happens then I will have to tell my supervisor of what has been discussed. I will then follow the advice that my supervisor gives to me.

What will happen to the data?

The data will be destroyed after 36 months. The data analysed will only be used for this study. The data will be completely anonymised.

Where can I find more information?

If you want more information about this research or if you have any questions or complaints about the research study, your involvement, and or myself then please do not hesitate to use the following contacts that is provided in the table below.

What if I am dissatisfied during my participation in the project?

If you are displeased with this research, then you are free to leave the process at any time and you do not have to provide a reason to leave. Also, any personal information you have given up to the point of your exit, would be deleted as soon as possible. It is also possible to delete the data you have given after the interview has ended if you want to leave at this stage.

Furthermore, if you have any complaints then please contact me in the first instance, and I will try to solve your problems. However, I am aware that you may not wish to make a formal complaint to me, especially if I am the object of the complaint, therefore contact details of my supervisor would be given.

Additionally, if you are still not happy with the research and wish to complain formally you can do this by contacting the British Society of Criminology Code of Ethics for Researchers or by contacting the Research Centres Manager. Also, if you have been a victim of crime or experienced any form of abuse, it is entirely up to you to report this. You can do this by contacting the 24-hour domestic and sexual violence helpline.

<i>My Contact Details</i>	<i>Supervisor: Muzammil Quraishi</i>	<i>British Society of Criminology Code of Ethics for Researchers, 2006</i>	<i>Anish Kurien (Research Centres Manager)</i>	<i>The 24 Hour Domestic & Sexual Violence Helpline</i>
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Email Address	a.khan16@edu.salford.ac.uk	m.quraishi@salford.ac.uk	http://britsocrim.org/contact.php (via contact form)	a.kurien@salford.ac.uk	24hrsupport@dvhelpline.org
Contact Number	07720243844	0161 295 3552	07896 347183	0161 295 5276	0808 802 1414

Thank you for taking out your time to read the participant information sheet. If you feel that you want to participate in the study, please can you fill and sign the consent form.

Participant's Invitation Letter

PARTICIPANT INVITATION LETTER

Interpreting Living Law amongst Muslim Women in the UK

Dear Participant,

I'm writing to ask if you would like to join a research project about British Muslim Women's belief about crime, deviance and social control in Islam. The main aim of the research is to describe and understand the ways in which Muslim women view and interpret certain moral dilemmas and how they choose that specific route and the reasons for choosing one way over another in present-time Britain. This study will try to understand if religion, culture and secular rules have an impact on moral dilemmas that may be linked to forbidden actions in Islam by presenting a list of scenarios in the semi-structured interviews that will bring about the main discussion.

This will give an idea of how Muslim women understand Islam and how they found out about Islam. This will also give an idea if Muslim women obey Islamic laws in their daily life and how often they do so. At the end of the project, it will become easier to understand if Muslim women find it hard to choose between Islam, culture and secular norms and why this may be.

Please take your time to read the Participant Information Sheet on the following page. Please do not hesitate to contact me if you have any questions about anything else.

Regards,

Arusa Khan

Consent Form

CONSENT FORM

Interpreting Living Law amongst Muslim Women in the UK

Please complete and sign the consent form after you have read and understood the participant information sheet.

Read the statements below and circle 'yes' or 'no' in the boxes on the right hand side.

Participant Identification Number:

In giving my consent I acknowledge that:

- 1) I confirm that I have read and understood the Participant Information Sheet (Version 5, 11/01/2017) and have been provided the opportunity to discuss the information and my involvement in the project with the researcher.
- 2) I fully understand that the method and process required for this project, includes the audio digital recording or/and note-making. The time involved has also been explained to me.
- 3) I understand that my personal details would remain anonymous and confidential and that no information regarding myself would be disclosed. However, I am aware that if I disclose anything related to criminal activity and/or something that is harmful to myself or others, then the researcher will have a legal obligation to report this.
- 4) I understand that I can withdraw from the study without providing an explanation or my rights being affected. If I do decide to withdraw I must notify the researcher within 1 month of being interviewed.
- 5) Cooperation is completely voluntary and if at any stage I withdraw from the study then any information provided up to the point of my exit will not be included in the study.
- 6) I understand that the data provided will be used only for this study.
- 7) I agree to participate in the study.

Name of Participant

Date

Signature

Researcher

Date

Signature

One copy will be provided to the participant and the original consent form will remain with the researcher.

ZC

Wed 07/03/2017, 13:52



Good afternoon Arusa,

I hope that you are well. I am not sure if you are aware of the recent coverage in the media linked to schools in [redacted] including [redacted] too. The coverage was linked to an allegation of a 'trojan horse' allegation within a local school and also wrongly claiming that our school had invited an 'extremist speaker' into school. The speaker who came into school was from MEND and was not an 'extremist'.

As you can imagine, the whole school community is upset with this negative media coverage and Governors met to discuss the allegations. Given that the school is in the spotlight at the moment, Governors felt that it would be best if at this point in time, we decline to go ahead with the research that you wanted to carry out at the school. Governors felt that the research is needed but that maybe there was another way of accessing the community rather than via [redacted]

I am really sorry to cause this inconvenience to you but the school must act on the wishes of the Governors.

I hope that you are able to complete your valued research within the community and I wish you every success!

Kidin regards,

[redacted]

Head Teacher

[redacted]

[redacted]

[redacted]

This e-mail message has been scanned for Viruses and Content and cleared by **Nediq MalikMarshall**

Zaike

1 of 11

Primary School

Background Information on the Respondents

Row	Name	Age	Gender	Ethnicity	Religion	Level of Education	Spouse/Partner	Level of Education	Marital Status	Any Children	Profession	Sex
1	Hameeda	31	Female	British Pakistani	Islam	More Practicing	Orphan-Cum-Hardy	A-Level	Single	0	Part Time, Assistant Manager	Sunni
2	Somaya	55	Female	British Pakistani	Islam	More Practicing	Qid Trafford	Completed Undergraduate Course	Married	5	Teacher, Youth Councillor and Almisa	Sunni
3	Aleena	20	Female	British Pakistani	Islam	More Practicing	Hulme	Islamic Education	Single	0	Unemployed	Sunni
4	Taliba	25	Female	British Pakistani	Islam	More Practicing	Qid Trafford	Incomplete Undergraduate Course	Married	1	Housewife	Wahabi
5	Zahesh	40	Female	British Pakistani	Islam	More Practicing	Leigh	Completed Undergraduate Course	Married	3	Part Time Teaching Qur'an, Arabic and English	Wahabi
6	Sarah	36	Female	White British	Islam	More Practicing	Hulme	A-Level	Married	2	Housewife	Shia
7	Aadish	22	Female	British Bangladeshi	Islam	More Practicing	Shefford	Religious Studies (Undergraduate)	Divorced	0	Part Time, Retail Assistant	Sunni
8	Tahera	26	Female	British Bangladeshi	Islam	More Practicing	Qid Trafford	Completed Undergraduate Course	Single	0	Unemployed	Sunni
9	Duaa	38	Female	Pakistani	Islam	More Practicing	Salford	Completed Undergraduate Course	Married	2	IT Consultant	Sunni
10	Falah	28	Female	White British	Islam	More Practicing	Qid Trafford	Completed Undergraduate Course	Married	3	Housewife	Sunni
11	Saba	35	Female	White British	Islam	More Practicing	Wythlaw	Completed Undergraduate Course	Married	2	Dining Instructor	Wahabi
12	Alba	22	Female	British Pakistani	Islam	More Practicing	Wythlaw	Islamic Education	Single	0	Unemployed	Sunni
13	Noor	38	Female	British Pakistani	Islam	More Practicing	Salford	Islamic Education	Divorced	0	Bank Assistant	Wahabi
14	Dana	33	Female	British Pakistani	Islam	More Practicing	Wythlaw	Islamic Education	Married	0	Bank Assistant	Sunni
15	Mariam	28	Female	British Pakistani	Islam	More Practicing	Wythlaw	Completed Undergraduate Course	Married	0	Self-Employed	Sunni
16	Sherash	24	Female	British Pakistani	Islam	More Practicing	Burridge	Completed Undergraduate Course	Single	0	Project Manager	Don't follow
17	Nusrata	42	Female	British Pakistani	Islam	More Practicing	Burridge	Incomplete Undergraduate Course	Married	1	Unemployed	Don't follow
18	Kamal	34	Female	Pakistani	Islam	Less Practicing	Salford	Completed PhD	Married	6	Unemployed	Don't follow
19	Iam	23	Female	Pakistani	Islam	Less Practicing	Bolton	Completed PhD	Single	0	Researcher in Psychology	Shia
20	Aysha	21	Female	Pakistani	Islam	Less Practicing	Didsbury	English Language (Undergraduate)	Single	0	Researcher	Shia
21	Rajoy	30	Female	White British	Islam	Less Practicing	Shefford	English Language (Undergraduate)	Single	0	Preceptorist	Wahabi
22	Saba	22	Female	White British	Islam	Less Practicing	Bolton	English Language (Undergraduate)	Married	2	Manager in Accounting and Finance	Sunni
23	Maha	28	Female	British Bangladeshi	Islam	Less Practicing	Burley	Completed Undergraduate Course	Married	0	Project Manager	Sunni
24	Sana	28	Female	British Bangladeshi	Islam	Less Practicing	Bolton	Completed Undergraduate Course	Single	0	Retail Assistant	Sunni
25	Aoos	30	Female	British Bangladeshi	Islam	Less Practicing	Shefford	Completed Undergraduate Course	Divorced	3	Unemployed	Don't follow
26	Fahma	45	Female	British Pakistani	Islam	Less Practicing	Burley	Completed Undergraduate Course	Widow	4	Unemployed	Don't follow
27	Zanab	21	Female	White British	Islam	Less Practicing	Didsbury	Arabic Studies (Undergraduate)	Single	0	Unemployed	Don't follow
28	Aeezha	25	Female	White British	Islam	Less Practicing	Preswich	Graphic Design (Undergraduate)	Single	0	Receptionist	Shia

NVIVO (I, II & III)

NVivo I: Source Classification

Source Classifications

Source Classifications

Relationship Types

Source Classifications

Respondents

Look for

Save In

Source Classifications

Find New

Clear

Advanced Find

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X

	A. Age	B. Gender	C. Ethnicity	D. Religion	E. Level of Practicing	F. Socio-economic Level	G. Level of Education	H. Marital Status	I. Any Children	J. Profession	K. Sect.
1. Adyah	22	Female	Yahya Basha	Islam	Practicing	Home	A Levels	Married	3	Housewife	Shia
2. Adiba	22	Female	British Pakistan	Islam	Practicing	Winniflow	Engineering (Undergraduate)	Single	0	Unemployed	Sunn
3. Alena	20	Female	British Pakistan	Islam	Practicing	Hume	Islamic Education	Single	0	Unemployed	Sunn
4. Alenka	20	Female	Yahya Basha	Islam	Non-Practicing	Prestich	Organic Design (Undergrad)	Single	0	Researcher	Shia
5. Aroos	28	Female	British Bangladesh	Islam	Non-Practicing	Prestich	Full Time Student (Undergrad)	Divorced	1	Retail Assistant	Sunn
6. Aysha	26	Female	British Pakistan	Islam	Non-Practicing	Dobby	English Language (Undergrad)	Divorced	2	IT Consultant	Shia
7. Daa	36	Female	Pakistan not in say	Islam	Practicing	Sifford	Islamic Education	Married	1	Housewife	Sunn
8. Daa	30	Female	British Pakistan	Islam	Practicing	Sifford	Islamic Education	Married	3	Housewife	Sunn
9. Fah	38	Female	British Pakistan	Islam	Non-Practicing	Steford	Islamic Education	Divorced	3	Unemployed	Don't Follow
10. Fatma	26	Female	British Bangladesh	Islam	Practicing	Old Trafford	Incomplete Undergraduate	Single	0	Unemployed	Sunn
11. Hafana	31	Female	British Bangladesh	Islam	Practicing	Chorley/Cam/Harf	A Levels	Single	0	Part Time Assistant Manager	Sunn
12. Hanan	34	Female	Pakistan not in say	Islam	Non-Practicing	Bolton	Completed PhD	Single	0	Researcher in Psychology	Don't Follow
13. Iam	42	Female	British Pakistan	Islam	Islamic Feminists	Sifford	Completed PhD	Married	6	Unemployed	Don't Follow
14. Kamal	31	Female	Pakistan not in say	Islam	Non-Practicing	Dobby	Arabic Studies (Undergrad)	Single	0	Unemployed	Don't Follow
15. Lared	32	Female	Pakistan not in say	Islam	Non-Practicing	Bolton	Completed Undergraduate	Married	3	Project Manager	Shia
16. Maba	27	Female	British Pakistan	Islam	Islamic Feminists	Wigan	Completed Undergraduate	Married	0	Self Employed	Don't Follow
17. Maryam	24	Female	British Pakistan	Islam	Non-Practicing	Bolton	Incomplete Undergraduate	Divorced	0	Self Employed	Don't Follow
18. Nidraa	19	Minor	British Pakistan	Islam	Islamic Feminists	Bolton	Islamic Education	Divorced	0	Bank Assistant	Yahya
19. Noor	28	Female	British Pakistan	Islam	Non-Practicing	Winniflow	Islamic Education	Single	0	Bank Assistant	Yahya
20. Ruby	27	Female	Yahya Basha	Islam	Non-Practicing	Steford	Islamic Education	Single	0	Bank Assistant	Yahya
21. Saba	30	Female	British Pakistan	Islam	Non-Practicing	Bolton	Islamic Education	Single	2	Manager in Accounting and Finance	Yahya
22. Saba	35	Female	British Pakistan	Islam	Non-Practicing	Old Trafford	Completed Undergraduate	Married	2	Driving Instructor	Yahya
23. Sana	22	Female	Yahya Basha	Islam	Non-Practicing	Bolton	Completed Undergraduate	Married	0	Domestic Worker	Yahya
24. Sana	22	Female	British Bangladesh	Islam	Non-Practicing	Bolton	Completed Undergraduate	Single	0	Visual Merchandiser	Yahya
25. Sarah	40	Female	British Pakistan	Islam	Practicing	Leigh	Completed Undergraduate	Divorced	2	Supply Teacher	Almudayyah
26. Sarah	26	Female	British Pakistan	Islam	Islamic Feminists	Bolton	Completed Undergraduate	Divorced	0	Project Manager	Don't Follow
27. Taha	38	Female	British Bangladesh	Islam	Practicing	Old Trafford	Completed Undergraduate	Married	5	Teacher and Aluma	Sunn
28. Tahira	22	Female	British Bangladesh	Islam	Practicing	Old Trafford	Completed Undergraduate	Married	1	Housewife	Yahya
29. Zahra	45	Female	British Pakistan	Islam	Non-Practicing	Bolton	Religious Studies (Undergrad)	Divorced	4	Unemployed	Don't Follow
30. Zahrah	33	Female	British Pakistan	Islam	Practicing	Old Trafford	Incomplete Undergraduate	Married	3	Part Time Teaching Quran Arabic and in	Yahya

NVivo II: Nodes

NVIVO.nvp - NVivo Pro

FILE HOME CREATE DATA ANALYZE QUERY EXPLORE LAYOUT VIEW

Look for Search In Nodes Find Now Clear Advanced Find

Nodes

- Nodes
- Cases
- Relationships
- Node Matrices

Name	Sources	References	Created On	Created By	Modified On	Modified By
1) Moral Compass	0	0	18/10/2017 12:26	AK	18/10/2017 14:25	AK
2) Halal and Haram	6	7	16/10/2017 15:36	AK	18/10/2017 14:26	AK
3) Fatwas	6	9	18/10/2017 13:58	AK	18/01/2018 11:28	AK
4) The Muslim Crisis	0	0	18/10/2017 14:15	AK	18/10/2017 14:30	AK
CONCLUSION	0	0	18/10/2017 14:22	AK	18/10/2017 14:22	AK
INTRODUCTION - Background on Islam	1	1	16/10/2017 15:32	AK	18/10/2017 14:21	AK

- Sources
- Nodes**
- Classifications
- Collections
- Queries
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AK 52 Items

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Look for [] Search In [] Nodes Find Now Clear Advanced Find

Nodes

- Nodes
- Cases
- Relationships
- Node Matrices

Name	Sources	References	Created On	Created By	Modified On	Modified By	
1) Moral Compass		0	18/10/2017 12:26	AK	18/10/2017 14:25	AK	●
Islamic Criminal Law		13	16/10/2017 15:35	AK	18/01/2018 11:28	AK	●
Lack of Religious Obligation		0	18/10/2017 12:27	AK	18/10/2017 12:28	AK	●
Lack of Adherence to the 5 pillars		9	18/10/2017 11:47	AK	18/01/2018 11:28	AK	●
Religious Obligation		0	18/10/2017 12:27	AK	18/10/2017 12:28	AK	●
Adherence to the 5 pillars		11	18/10/2017 11:47	AK	18/01/2018 11:28	AK	●
Secular Obligation		1	18/10/2017 12:27	AK	18/10/2017 12:32	AK	●
Non-Muslims		5	16/10/2017 17:52	AK	18/10/2017 13:25	AK	●
2) Halal and Haram		6	16/10/2017 15:36	AK	18/10/2017 14:26	AK	●
Finding a Balance Between Haram and Halal		2	18/10/2017 12:50	AK	18/01/2018 11:28	AK	●
Implications for Loosely Applying the Term Haram and		1	18/10/2017 12:50	AK	18/10/2017 13:12	AK	●
Introducing the Concept of Haram and Halal from a Yo		2	18/10/2017 12:50	AK	18/10/2017 13:01	AK	●
Muslims Categorise Other Muslims as Halal and Haram		2	18/10/2017 12:49	AK	18/01/2018 11:28	AK	●
LGBT		9	16/10/2017 15:43	AK	18/01/2018 11:28	AK	●
LGBT Mosques		14	18/10/2017 11:51	AK	18/01/2018 11:28	AK	●
Personalised Definitions of Haram and Halal		3	18/10/2017 12:50	AK	18/10/2017 13:20	AK	●
Definitions of Haram and Halal		13	16/10/2017 15:38	AK	18/01/2018 11:28	AK	●
Halal and Haram Food and Drink		9	16/10/2017 17:05	AK	18/10/2017 13:25	AK	●
Haram and Halal Income		12	16/10/2017 15:33	AK	18/01/2018 11:28	AK	●
Haram and Halal Relationships		14	23/16/2017 15:45	AK	18/01/2018 11:28	AK	●
Non-Mahram		14	16/10/2017 15:41	AK	18/01/2018 11:28	AK	●
3) Fatwas		6	18/10/2017 13:58	AK	18/01/2018 11:28	AK	●
Applying Fatwa Issues		0	18/10/2017 13:59	AK	18/10/2017 14:01	AK	●
Fatwa Shopping		0	18/10/2017 13:59	AK	18/10/2017 14:01	AK	●
Online Fatwa Issues		0	18/10/2017 13:59	AK	18/10/2017 14:01	AK	●
Readily Accepting Fatwa Issues		0	18/10/2017 14:00	AK	18/10/2017 14:01	AK	●
4) The Muslim Crisis		0	18/10/2017 14:15	AK	18/10/2017 14:30	AK	●
Islamaphobia Within the Muslim Community		0	18/10/2017 14:16	AK	18/10/2017 16:46	AK	●
Attire		12	18/10/2017 14:18	AK	18/01/2018 11:28	AK	●
Intermarriage		13	16/10/2017 15:45	AK	18/01/2018 11:28	AK	●
Judging		7	17/10/2017 13:44	AK	18/10/2017 14:30	AK	●
Polygamy		14	16/10/2017 15:47	AK	18/01/2018 11:28	AK	●
Turning Away from Islam		2	17/10/2017 16:34	AK	18/10/2017 14:30	AK	●
Islamic and Secular Knowledge		0	18/10/2017 14:15	AK	18/10/2017 16:43	AK	●
Striving for Islamic Knowledge		14	16/10/2017 15:32	AK	18/01/2018 11:28	AK	●
Means of Acquiring Islamic Knowledge		5	16/10/2017 17:55	AK	18/10/2017 14:30	AK	●
Qur'an		9	16/10/2017 17:19	AK	18/01/2018 11:28	AK	●
Sects		1	17/10/2017 14:09	AK	18/10/2017 14:30	AK	●
Shari'ah		2	16/10/2017 16:03	AK	18/10/2017 14:30	AK	●
Spiritual and Intellectual Problem		0	18/10/2017 14:15	AK	18/10/2017 14:30	AK	●
Prioritising Sins		14	16/10/2017 15:49	AK	18/01/2018 11:28	AK	●
CONCLUSION		0	18/10/2017 14:22	AK	18/10/2017 14:22	AK	●
Norms that Inform Moral Dilemmas		14	16/10/2017 15:48	AK	18/10/2017 14:22	AK	●
INTRODUCTION - Background on Islam		1	16/10/2017 15:32	AK	18/10/2017 14:21	AK	●
Five Pillars of Islam		12	16/10/2017 15:23	AK	18/01/2018 11:28	AK	●
Islamic Feminism... Female Imams		14	18/10/2017 11:51	AK	18/01/2018 11:28	AK	●
Meaning of Islam		12	16/10/2017 15:56	AK	18/10/2017 14:21	AK	●
What does it mean to be a Muslim		13	16/10/2017 15:20	AK	18/01/2018 11:28	AK	●

Sources

Nodes

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AK 52 Items

NVivo III: Query

Halal - Results Preview



halal



Halal - Results Preview

