

The Blockade of Tariq Ramadan
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What point is the U.S. trying to make in denying a visa to Tariq Ramadan, one of Europe's deepest and most articulate Muslim thinkers? The December 20, 2007 ruling of a New York U.S. District Judge upholding the decision to deny him a visa led us deeper into what I find to be a frightening Kafkaesque drama.

Three years ago, the Department of Homeland Security declared Ramadan had "endorsed" or "espoused" terrorism. Thus, he could not be permitted to take up a professorship of Peace Studies at Notre Dame. But when challenged by the New York District Court in 2006 to come up with evidence for this charge, the "endorsing terrorism" language was dropped.

At issue now were not his ideas, but his generosity. Now, they said, he had donated \$1336 in 2000 and 2002 to a French charity providing humanitarian aid to Palestinian refugees. It was deemed "material support" to terrorists. Was it a legal Swiss and French charity? Yes. Was it on the American list of banned charities? No, not until two years after he made the donations.

By now, however, we had new statute, passed in 2005, that applied retroactively to donations made in the past, unless one could provide "clear and convincing evidence" that one did not know the organization provided aid to terrorists. Should he have known that a Palestinian relief fund would be blacklisted in the future? Yes, deemed a consular officer in Bern in 2005.

The crux of the new ruling, however, is another twist: consular non-reviewability. As the court put it, "The decision of a consular officer to deny a visa is final and is not reviewable. It is not entirely clear why this is so – but it is." This is a political, not a judicial matter, so they say. What? So much for the leverage of justice.

Those of us who know Ramadan's work in the American academic community are aghast at the convolutions and implications of this blockade. Ramadan is one of the leading exponents of a serious dialogue

between Islam and the West, encouraging young European Muslims not to shun civic life, but to become involved as citizens, to participate in democratic processes, and to engage with Christians, Jews, and secularists to be a "rich, positive, and participatory presence" in society.

Ramadan is one of the most powerful exponents of a reformist, self-critical, spiritual, and dialogical Islam. He speaks to the dilemmas of young Muslims in the West and to those of all faiths who recognize the importance of bridge-building across the chasms that divide us.

The 88 students in my fall term class, "World Religions Today," spent two weeks in the fall term reading Tariq Ramadan's *Western Muslims and the Future of Islam*. It was a steep climb for some of them, since Ramadan is not writing for college freshmen, even at Harvard, but for members of his own community. While he has been called a Muslim Martin Luther, he is much more a Muslim Reinhold Niebuhr, a theologian and ethicist articulating a moral compass and social ethic in a complex world. His 2006 article, "Manifesto for a New 'We'" gives encouragement to all of us who really believe in the hope of a multi-religious democratic society.

In the end, my students who have read Ramadan find it not only challenging, but intellectually rewarding. Reading Judge Paul A. Crotty's Opinion and Order on the reasons for excluding Tariq Ramadan from America is also challenging, but offers no such rewards. It traces a careful and yet disturbing pathway through America's obsession with security. It gives insight only into the shell-game in which responsibility slides from executive to legislative to judicial decision making.

This ongoing blockade of a progressive Muslim theologian, a voice so urgently needed in our reach for constructive and informed dialogue, sends shockwaves once again through the world of Muslim and non-Muslim scholars. Far from protecting us from whatever potential threat is imagined in our quest for "homeland security," this publicly visible injustice does inestimable further damage to the image of the United States and imperils the very spirit of academic inquiry in a free society.

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