

2022

"Blood, Sweat, Tears:" A Muslim Woman Law Professor's View on Degenerative Racism, Misogyny, and (Internal) Islamophobia from Preeclampsia and Presumed Incompetent to Pandemic Tenure

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Online ISSN: 2643-7759

Recommended Citation

Nadia B. Ahmad, *"Blood, Sweat, Tears:" A Muslim Woman Law Professor's View on Degenerative Racism, Misogyny, and (Internal) Islamophobia from Preeclampsia and Presumed Incompetent to Pandemic Tenure*, 16 FIU L. Rev. 13 (2021).

DOI: <https://dx.doi.org/10.25148/lawrev.16.1.6>

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**“BLOOD, SWEAT, TEARS:”^{*} A MUSLIM WOMAN LAW
PROFESSOR’S VIEW ON DEGENERATIVE RACISM,
MISOGYNY, AND (INTERNAL) ISLAMOPHOBIA FROM
PREECLAMPSIA AND PRESUMED INCOMPETENT TO
PANDEMIC TENURE**

Nadia B. Ahmad^{*}

“... being invisible, they seemed dead already...”

E.M. Forrester in *A Passage to India* on Mohammaden woman

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^{*} Future, *Blood, Sweat, Tears* (Epic Records 2014).

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From classical literature, popular press, law, everyday conversations, and social media rampages, society scrutinizes visible Muslim women even though they are a part of a vast global population. From E.M. Forrester’s *A Passage to India*—the Orientalist summer reading I endured in high school—to the incessant online attacks on U.S. Congresswoman Ilhan Omar, the hatred has no end and no bounds. Visible Muslim women are accustomed to erasure and censure for simply existing. In France, legislators sought to expel visible Muslim women under the age of eighteen from the public space.¹ Women’s rights have been used as a pretext to invade Muslim-majority nations.² This paper examines the perspective for deep thought and the impetus for change that the pandemic parenting experience offered me.³ Being around my children and at their beck and call 24/7 allowed me to see the world more through their eyes.⁴ The subtle bigotry and insensitivities that I experienced pre-pandemic intensified because not only did I want to survive, I wanted my children to grow up in a world free from hate. Sitting around and ignoring the slights would be impossible.

Free from daily microaggressions, constant commuting, and code-switching, but saddled with intensive childcare, cooking, cleaning, and sanitizing responsibilities, I developed a keener awareness for the degenerative biases I faced in the periphery of my pre-pandemic life. Being a pandemic academic parent empowered me to confront systemic racism,

¹ Hoda Katebi, *Writer, Entrepreneur, and Activist Hoda Katebi on France’s Proposed Hijab Ban*, VOGUE (Apr. 15, 2021), <https://www.vogue.com/article/france-hijab-ban-hoda-katebi-personal-essay>. See also Mehwish Shaukat, *American Muslim Women: Who We Are and What We Demand From Feminist Jurisprudence*, 31 HASTINGS WOMEN’S L.J. 155 (2019).

² See generally Lila Abu-Lughod, *Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and Its Others*, 104 AM. ANTHROPOLOGIST 783 (2002).

³ See generally CAL NEWPORT, *DEEP WORK: RULES FOR FOCUSED SUCCESS IN A DISTRACTED WORLD* (2016).

⁴ See generally W. THOMAS BOYCE, *THE ORCHID AND THE DANDELION: WHY SOME CHILDREN STRUGGLE AND ALL CAN THRIVE* (2019).

misogyny, and (internal) Islamophobia. My only goal was to stay alive, be authentic, and stop self-censuring.⁵ If it all went to hell in a handbasket, so be it. I survived 2020. Over 1.81 million people did not survive the coronavirus in 2020.⁶ This is my journey from a shy little girl in Central Florida to motherhood and the faculty tenure vote put into perspective by the pandemic.

I. THE SHUFFLE BETWEEN PARENTHOOD, THE 2020 ELECTIONS, AND THE TENURE VOTE

I submitted my tenure application on September 30th, 2020. The night before, I received an email from my daughter's first-grade teacher saying she would not pass the first quarter if her assignments were not submitted by October 1st. I looked at the table of contents of Volume I of my tenure application. I decided I wouldn't have time to finalize a Volume II and also figure out if all my daughter's assignments had been loaded or been completed. I also saw that I had done an insane amount of writing and teaching over the past six years, and Volume II would be extraneous but passing the first quarter of first grade was not optional.

I sat up all night and tried to figure what I had to upload and where. Then I realized I couldn't figure it out, and I just started tearing papers out of the workbooks of assignments that had been completed. I emailed the first-grade teacher and asked her if I could drop off all the assignments in person at school, as she was also teaching in person as well as online. She was gracious enough to accept the assignments. As I was driving over at 3:10 p.m. to the school with all three kids in the back seat, it occurred to me how insane this was. The effort I should have used to finalize Volume II of my tenure packet was exerted to make sure my daughter passed first grade. I almost wanted to take a picture of the passenger seat with all the worksheets in the manila folder I was delivering like they were sensitive court documents. But I stopped myself. This was not an Instagram-able moment, but a moment of relief that I did not want to relive.

October 1st was also thirty-four days until the 2020 Presidential Election. Hell or high water, but Donald Trump was not going to win. I did

⁵ See generally MUSHTAQ BILAL, *WRITING PAKISTAN: CONVERSATIONS ON NATIONHOOD, IDENTITY, AND FICTION* (2016).

⁶ World Health Organization, *The True Death Toll of COVID-19: Estimating Global Excess Mortality*, <https://www.who.int/data/stories/the-true-death-toll-of-covid-19-estimating-global-excess-mortality> ("On 30 January 2020 COVID-19 was declared a Public Health Emergency of International Concern (PHEIC) with an official death toll of 171. By 31 December 2020, this figure stood at 1 813 188. Yet preliminary estimates suggest the total number of global deaths attributable to the COVID-19 pandemic in 2020 is at least 3 million, representing 1.2 million more deaths than officially reported.")

over 140 different voter mobilization events for the Presidential Election and the Georgia Senate Special Runoff Election. Phone banking. Text banking. Relational organizing. Yard sign drop offs. Community events. Op-ed Writing. You name it. I was doing it.

I was propelled to activism most recently when my son came home from school in 2016 and said no one voted for Hillary in the mock election besides him.

“Why did they vote for Trump?” I asked him.

“They are Americans,” he said.

“Then what are you?” I asked aghast.

“I am a Muslim,” he replied.

My heart sank.

I could do anything for him, including arranging for a better President. While the rest of Florida was a bloodbath on election night, the three counties we targeted because of their immigrant, South Asian, and Muslim population all flipped blue. We took that same organizing to Georgia, but super-sized it. D.C. can figure out what to do with the results, and I can go back to my pandemic life in 2021.

At any rate, the lack of uploading Hanan’s homework and preparation of my tenure application was not due to procrastination, but because of my prioritization of democracy.

My kitchen had turned into a triage work area. My dining room was their classroom. The living room became their cafeteria; the study became their playroom. The actual playroom looked like a hurricane had whipped through it. I struggled with whether I should keep them in the dining room where I could keep an eye on them or have them in their room where the three-year-old would bother them less. After initially keeping them in the bedroom for classes, I moved them out to the dining room; then two months later, I moved them back to the bedroom. Yet they dropped so much food on the carpet, I moved them back to the dining room two weeks later. I told them I’m their cafeteria lady, and they said I didn’t have an apron.

My own workspace experienced these same movements.⁷ I started out teaching in the loft above the garage as my husband would watch the kids during my teaching. As he went back to work, I moved downstairs to be closer to them, but then they kept interrupting me. I moved back upstairs.

⁷ See generally Steen Visholm & Dorte Sandager Gaugler, *Space Lost, Space Found: A Psychodynamic Perspective on Spaces, Places, Architecture, and Furniture Inside and Around Us*, 20 *ORG. & SOC. DYNAMICS* 16 (2020).

On December 18th, 2020, my kids had their last day of classes for 2020. The kids didn't want leftover biryani⁸ for lunch, so I made them chicken nuggets.⁹ After my son finished his bowl of chicken nuggets, he moved it onto his sister's desk. After she finished her chicken nuggets, her headphones fell off the table. When she reached to pick up the headphones, the wire was tangled under the bowl her brother had just put on her desk. Then I heard a loud smashing sound and "Mommmeeee, I'm bleeeeding." The bowl had fallen and ricocheted off the floor, then a broken piece of the porcelain had smashed into the top of her foot.

In the pandemic I was accustomed to the scenario of broken dishes, serving three meals a day and two snacks, but the amount of blood was a new twist. I tried to pick up the pieces of the bowl. I didn't want to really deal with the blood, because I had a deep aversion to blood. I yelled to my son to help his sister stop the bleeding. Then I called my mom, a pediatrician.

"I have a *real* problem.... Hanan's foot got cut, and blood is coming out."

"How big is the cut? How much blood?"

Now I had to do what I wanted to avoid doing, which is look at the wound and all the blood that was still dripping.

Jihan, the three-year-old, grabbed the iPhone from me and told my mom, "Hanan has to get a tetanus shot now."

My mom starts laughing, as Jihan's sense of what needs to be done is light-years ahead of mine. I can even hear my mom's medical assistants laughing in the background. I tried not to be annoyed as they laughed at my panic.

"I don't know. It's a lot of blood; it won't stop bleeding." The blood streamed from Hanan's heel as she clutched her foot and wept.

My mother's voice remained calm. "Put pressure on it. Go get a 4x4 and stop the bleeding."

"But what if there is something still left in her foot?"

"Just stop the bleeding. Put your thumb on it and put pressure. I am coming over."

My mom arrived twenty-five minutes later with my dad.

By then the bleeding had stopped. She dressed the wound and assessed that the cut was not that deep and wouldn't require any stitches. I later heard her tell my brother it was a pinhole cut.

⁸ See generally Krishnan Umachandran et al., *Nutritional Features of Biryani as the Basis for the Formation of an Entrepreneurial Mode in Biryani Market*, 8 J. ADVANCES IN AGRIC. 1269 (2018).

⁹ See generally Brian Hay, 'Why do Kids' Menus Always Have Chicken Nuggets?': *Children's Observations on the Provision of Food in Hotels on Family Holidays*, 8 HOSPITALITY & SOC'Y 69 (2018).

I felt less incompetent when my mom just put a Band-Aid on it. At least Hanan didn't have to go to the ER. I measure success when we don't have to go to the ER. The last time I went to the ER was in 2013 during the biblical floods of Colorado, because my son had been on the bed jumping and singing "No More Monkeys Jumping on the Bed," when he fell and got a cut near his eyelid as I was talking to my sister on the phone. That time I had to call my brother, who is also a pediatrician. He told me to go to the emergency room. My husband was there to handle the blood, and it seemed like the most traumatic thing to do to take him to the ER to get surgical glue placed on his eyelid. The scar has all but faded, but the sight of the blood over my son's face is etched in my mind.

In November 2020, another blood scenario had occurred when Jihan was running around wearing socks on the wood floor, slipped, and fell on her face. She cut her tongue. And there was blood then, too. I yelled to my son to get some paper towels to stop the bleeding. I called my mom frantic on Facetime. I was too panicked to tell her what happened. I just showed her Jihan's face.

"Is she okay? Do I have to take her to the hospital? Will she survive?"

My mother is accustomed to my cataclysmic responses to ordinary abrasions.

"Let me see? Can you hold the phone properly? Stop the bleeding. I think it's just a small cut on her tongue. She will be fine."

I took a sigh of relief. I didn't want to go to the ER in the pandemic.

My mother had scolded Jihan, "Don't give your mother a heart attack at 40. Look at her! She is so worried."

Jihan laughed in sheer delight.

When the pandemic first started, I was convinced we would all die. I told my husband my theory that we were all going to die. He said the virus dies easily with hand sanitizer and sanitizer wipes. His response to my we-will-all-die was to use hand sanitizer and spray surfaces with disinfectants. Before I had kids, I was at a desi party and saw a small boy horsing and jumping around. I felt like telling him to chill out. As the thought crossed my mind, I saw him fall and the blood gushing from his nose. His father rushed in, swooped him up, told him nothing happened, and covered up the wound with a paper towel. The father kept telling the son, "It's nothing. *Kuch nahi hoya. Koi nahi, bheta.*" In my case, I would never do something like that. I would be the one that needed to be calmed down. My first thought when my kids get injured is, "Oh no! Shit. They are going to die." I realize when I overreact like this now, my kids have now started to roll their eyes. In retrospect, it's those moments of the pandemic that I cherish. That we were together. That I had the privilege to spend time, basically *all* of the time with my family. That we were safe. That we can laugh about it. I was

simultaneously unable to put up with nonsense and able to see the nonsense of everything.

My students never saw this side of me overreacting to blood except for the first time I taught the Rule Against Perpetuities when a student in the front row got a nosebleed. The timing was either incidental or related to learning the Rule Against Perpetuities. He stood up with a tissue to his nose and walked out saying he had to leave. I saw the blood on his tissue. One of his friends remarked that this sort of thing happened to him often. While I was concerned for his well-being, I was also concerned that I may faint from the sight of blood and embarrass myself. When the student had gotten up and walked out of the classroom with the bloody tissue he was using to stop the blood, I was relieved. I had almost passed out at the sight of blood. As he walked out the door, I said, "I'm glad he's gone." Then I thought my students would think I was being callous. So, I added, "I hope he's okay. Can I have a volunteer to go check on him?"

Of all the judgment I face, being a parent with young children was always the harshest. Clinical studies confirmed that parenting stress increased during the pandemic.¹⁰ Figuring out coping mechanisms for increased parental stress intensified with hearing of stress from students, faculty, and staff. A study by the University of Michigan on pandemic parenting indicated that parents' mental health was an important factor to in-home education and child well-being.¹¹ The pandemic gave me the opportunity to step back some and see my earlier negative parenting habits, including not paying full

¹⁰ Daiki Hiraoka & Akemi Tomoda, *The Relationship Between Parenting Stress and School Closures Due to the COVID-19 Pandemic*, 74 PSYCHIATRY & CLINICAL NEUROSCIENCES 497 (2020).

¹¹ Shawna J. Lee et al., *Parenting Activities and the Transition to Home-Based Education During the COVID-19 Pandemic*, 122 CHILD. & YOUTH SERVS. REV. 105585 (2020). The study showed that school closures, lack of physical activity, and social isolation contributed to parental stress and impacted children. ("Data were collected approximately five weeks after the World Health Organization declared that the Coronavirus was a pandemic. Participants ($N = 405$) were adults recruited throughout the U.S. This study examines data from parents (69% mothers and 31% fathers) with at least one child 0-12 years of age. The majority were White (71%) and 41% had at least a bachelor's degree. 78% of parents said they were educating their child at home due to COVID-19. Most (77.1%) reported use of online tools for at-home education, including educational apps, social media, and school-provided electronic resources. More than one-third (34.7%) of parents said their child's behavior had changed since the pandemic, including being sad, depressed, and lonely. Most parents were spending more time involved in daily caregiving of their children since COVID-19. Two out of every five parents met the PHQ-8 criteria for major depression or severe major depression (40.0%) and the GAD-7 criteria for moderate or severe anxiety (39.9%). Multivariate analyses indicated that, compared to non-depressed parents, parents who met criteria for probable major or severe depression ($B = -.16$, 95% CI = $[-.29, -.02]$, $p = .021$) and parenting stress ($B = -.37$, 95% CI = $[-.47, -.27]$, $p < .001$) were negatively associated with parents' perceived preparation to educate at home. Compared to parents with minimal or mild anxiety, parents with moderate or severe anxiety reported higher child anxiety scores ($B = .17$, 95% CI = $[.06, .28]$, $p = .002$). Parenting stress was also positively associated with higher child anxiety scores ($B = .40$, 95% CI = $[.32, .48]$, $p < .001$). Content analyses of open-ended questions indicated that school closures were a significant disruption, followed by lack of physical activity, and social isolation.") *Id.*

attention when they were speaking, chronic emailing, social media use, and poor diet choices. The same way I would need to sit alone and read a book, my daughters would want me to sit with them and watch movies undisturbed. The pandemic provided a moment to recalibrate and focus on positive parenting and teaching with a focus on the well-being of my students and children.

I remember one point of the spring semester when I found the students in one of my classes especially tense. I paused the lesson for the day after we had shifted to online learning. I told them to tell the class and me how they were doing. One student shared that her cousin had just passed away from the coronavirus, and she was worried about her mother, who was in a nursing care facility, also contracting the virus. The pandemic demonstrated that communications had to improve so that previous patterns of life could be paused to develop better parent-child and instructor-student relationships.¹² Placing a priority on well-being was essential. As a woman, I found this essentially important. I had to be able to tell my own story of survival as a mother and Muslim woman in the legal academy not only for me, but for my students, so they would know to advocate for themselves as well.¹³ Women, in particular, are taught to put everyone else's needs above their own. Professors Naomi Cahn and June Carbone note, "Enhancing women's workforce opportunities through better education will strengthen them economically as well as in their personal lives."¹⁴ We need to be trained in realizing our autonomy and gender equity.¹⁵

As soon as I completed my presentation for this paper at the COVID Care Crisis Symposium held at Indiana University organized by law professors Cyra Choudhury, Shruti Rana, and Meera Deo, I received an email from the Chair of Retention, Promotion and Tenure Committee at my institution, notifying me that the law faculty had voted to grant me tenure.¹⁶ While the official word would take a few more months through the university channel, the faculty's vote was major step. I am the first hijab-wearing Muslim woman to have tenure at a U.S. law school south of the Mason-Dixon

¹² Beena Johnson, *Importance of Positive Parenting During the Pandemic*, 7 *BMH MED. J.* 46, 47 (2020).

¹³ "The personal stories of third-wave feminists are compelling and allow the reader to identify with any one or more of the authors. Through the process of identification, a reader can label her own concerns as belonging to a larger group of political issues. This 'personal frontier' is the main occupation of third-wave feminists." Bridget J. Crawford, *Toward A Third-Wave Feminist Legal Theory: Young Women, Pornography and the Praxis of Pleasure*, 14 *MICH. J. GENDER & L.* 99, 125–26 (2007).

¹⁴ Naomi R. Cahn & June Carbone, *Lifting the Floor: Sex, Class, and Education*, 39 *U. BALT. L.F.* 1, 22 (2008)

¹⁵ *Id.*

¹⁶ *Symposium on the COVID Care Crisis and its Implications for Legal Academia*, IND. U. <https://hls.indiana.edu/covid-symposium/index.html>, (last visited July 16, 2021).

line. We had been in the pandemic ten months before this symposium. I spent the weekend after the news cleaning the playroom, organizing, arranging, and preparing toys that had been outgrown for donation. When a colleague told me go out and make sure to celebrate my tenure, I just thought of the mess in that room and how it needed to be cleaned. Celebrating tenure was an afterthought. How could I celebrate tenure when my kids have a messy playroom? I can exhale after I clean that room.

A. *The Declaration of the Pandemic*

I look back at the uncertainty that led to the declaration of the pandemic. At 12:00 p.m., Wednesday, March 11th, 2020, I promptly began my property class to students, who just arrived back from Spring Break in my classroom at Barry University's Orlando Law campus. I saw a student sniffing in the first row. The students next to him looked like they received the kiss of death when he coughed. The entire classroom gasped. I took a couple steps back.

"We are in the middle of a global pandemic."

I rattled on about the impacts on the markets, property values, and housing security, and jumped into the lesson of the day involving landlord/tenant rights and responsibilities.¹⁷ After the class ended, the students came up to me as they received alerts on their phones and said, "Professor Ahmad, you were right. The World Health Organization just declared the coronavirus a pandemic." A week later I would teach a lesson on disaster capitalism and share names of companies, which Business Insider predicted would do well in the pandemic. A student told me her boyfriend was listening in on our online class that day, bought stocks based on those recommendations and made a decent return.

But that first day of the pandemic, I rushed to pick up my kids from school, as it was an early pick up. It was also Hanan's 6th birthday that day. Her teacher sent me a picture of her class enjoying Hanan's birthday cupcakes. Hanan had received lessons in her health class that week about washing her hands because of the virus. She decided she wasn't going back to school anymore.

Thursday morning, March 12, 2020, I woke up. Hanan said she was sick. I told my partner, Akmal, to figure out if she was really sick. He said that she wasn't. I told her to get dressed and that she was going to school.

About ten minutes into our thirty-mile commute, Hanan said that she was going to tell her teacher that she was sick, and then I would have to go

¹⁷ Taylor Telford & Thomas Heath, *Dow Enters Bear Market as Coronavirus Declared a Pandemic*, WASH. POST (Mar. 11, 2020), <https://www.washingtonpost.com/business/2020/03/11/markets-economy-today-oil-coronavirus/>.

pick her up. She said she would have to see the nurse and tell them that she was sick and needs to go home. I called my husband and said I was bringing her back and to meet me at the gas station. She could sit in his office until I finish my class, because I could not manage having to go pick her up while I was in the middle of teaching my class when her school nurse would call. I delivered her to my husband and headed back to our monster commute.

Dropping off Senan and Jihan and then arriving in my own classroom, I told my students in Business Organizations that eventually we will end up going online even though the university had not officially announced online learning. We were in Florida. The state government was in a state of denial about the pandemic but started taking safety measures.¹⁸ I had the students learn how to use WebEx, and I recorded the live in-person class on WebEx. I walked around the classroom helping the students troubleshoot. One student had her computer opened to a browser with the maps of total cases worldwide at the time. The number of cases had grown from when I looked at my computer at home a few hours ago. I tried not to think about what would happen. I blocked out the worst-case scenarios in my mind and focused on making sure my students knew how to use WebEx. We made sure most of the class could log in. My students experienced the same sense of foreboding about the situation as my daughter.

A student in the library told me she was nervous as so many other students had returned from travel over Spring Break. The United States had issued a travel ban to Europe on March 12th as more than 1,000 cases were confirmed in the United States that day.¹⁹ Things must have been really bad for the President who built a campaign on the Muslim ban to issue a European travel ban. I relished the irony. I sent all sorts of annoyed emails about why we should use Zoom instead of WebEx to administration. I decided to make the best of it and write a blog post on how to use WebEx better.²⁰

A few weeks later I ended up on the Instructional Learning Task Force for the university. I would have been excited, but I knew it would just mean more committee work—the mothering of the university. Fortunately, I have actually enjoyed the work as it gave me a bird's eye view of how these decisions are made. I looked forward to our weekly meeting and the

¹⁸ Lawrence Mower, *Mass Gatherings in Florida Should Be Postponed to Stop Coronavirus Spread*, *DeSantis Says*, TAMPA BAY TIMES (Mar. 12, 2020), <https://www.tampabay.com/news/health/2020/03/12/mass-gatherings-in-florida-should-be-postponed-to-stop-coronavirus-spread-desantis-says/>.

¹⁹ Gabby Orr, *Trump Ratchets Up Coronavirus Battle with European Travel Ban*, POLITICO (Mar. 11, 2020, 5:36 PM), <https://www.politico.com/news/2020/03/11/trump-oval-office-coronavirus-address-126121>.

²⁰ Nadia Ahmad, *Guest Post: Lessons on Teaching with WebEx and Managing Expectations*, BUS. L. PROF. BLOG, (Apr. 1, 2020), https://lawprofessors.typepad.com/business_law/2020/03/guest-post-lessons-on-teaching-with-webex-and-managing-expectations.html.

troubleshooting that we do of all the online learning and Flex Learning troubleshooting. It ended up being the highlight of my week instead of the drag that I thought it would be. My feedback is valued. I can point to where things will crash and burn. Jihan crashes a few meetings sporadically. At the meeting on January 15th, 2021, the same day as the COVID Care Symposium, we heard from the head of IT that it seemed that most faculty were experts in using three or more different platforms (WebEx, Zoom, Microsoft Teams, Google Hangouts, etc.).

Around the time I found out about my tenure approval, I also found out both of my parents may have cancer. If we had escaped 2020 alive, 2021 would be the bigger test.

One day as I normally call my dad, he answers the phone sitting some place with a face mask on. It was not his home or office. While it was hard to have my parents stay at home due to their work, having him sit some place random with a face mask was not something I could take.

"Why are you outside? Where are you?"

"I'm at the hospital."

"You're at the hospital. For what?"

"Your mom."

"Yes, but why are you at the hospital?" I asked because my mom would still see patients in the hospital. But there was no reason for him to be sitting in the hospital either unless something was wrong with him.

"Because she is having a procedure?"

"What procedure?"

"It's a procedure."

They thought it would be a routine scan and just mention to us in passing afterwards. I happened to call my dad just as he was also stressed and couldn't keep the information to himself. Their plan had been not to tell us, so we didn't stress out.²¹ But more scans and biopsies are a sea away from routine. My mom ended up having a small mass removed, which wasn't cancerous. But it was two months of a lot of stress, scans, radiology reports, and doctor visits.

Then the bigger hit came. My father would have to get radiation therapy for eight weeks for the prostate cancer that the doctors had been monitoring, which was also not supposed to be a big deal. There was a wide gulf between not being a big deal and eight weeks of daily radiation therapy. He took my mom to her surgery and dropped her at home. Then I picked him and took him to his radiation appointment. I went with him initially, trying to manage my classes with his treatments. But managing my classes, my children, and

²¹ Until I watched an episode of the racist show, *Breaking Bad*, a few weeks ago, I didn't realize that not telling people about having cancer was something people actually do.

taking him wasn't possible. My mom recovered quickly and would continue taking him. Caring for parents in the pandemic was challenging, because I had to convince them to let me help them when they were so used to protecting me. Seeing their resilience and courage in the face of illness, I realized I also needed to stay strong for my family.

B. On Becoming a Parent

The tenseness of the pandemic reminded me of the interwoven tales of becoming a parent and academic. The juggling of multiple tasks was my hallmark. If anyone says I work hard, they don't know my mother and my sisters. To those who know us, being hyper-functional is normal.

The story of my pandemic parenting began ten long years ago. The complicated saga of how I became an academic started decades earlier from the tales of my mother, who arrived in Montreal, Canada, in 1976 as a single woman from Hyderabad, India, to be a medical doctor. My mother came to America to provide more opportunities for her family in India. In the forty-five years since my mother's arrival to America, she sponsored her entire family (five siblings and both parents) to come to the United States through family visas. My father also sponsored his brother and parents to the United States. My family in America is the product of what the GOP calls "chain migration." The term bothers me less than when I first heard it, because I think of white people in America as products of settler colonialism.

I am the diaspora. Those displaced by the economic conditions of colonialism. Europeans came to America fleeing religious persecution, but they also brought their European laws and customs and eradicated the Native population to build their new empire. By the time my family arrived, those European laws and customs were deeply enshrined. Even as Europeans came in waves to America fleeing persecution or seeking economic opportunity, at some point, they would begin to blend in with their whiteness. My whiteness wouldn't protect me, because I was perpetually a Third World Looking Person.²² I would have to absorb the shame, fear, and guilt²³ of being the daughter of immigrants with the pain of my being Muslim.²⁴

²² See generally Ghassan Hage, *Extract From White Nation: Fantasies of White Supremacy in a Multicultural Society*, 7 PEOPLE & PLACE 19, 20 (1999).

²³ See generally Merle Rubin, *Malamud, in His Daughter's Eyes*, CHRISTIAN SCI. MONITOR (Mar. 28, 2006), <https://www.csmonitor.com/2006/0328/p13s01-bogn.html>.

²⁴ See generally SYLVIA CHAN-MALIK, BEING MUSLIM: A CULTURAL HISTORY OF WOMEN OF COLOR IN AMERICAN ISLAM (2018).

The pandemic collided with my memories of my past and my history.²⁵ I had to rewire programmed emotional loops and reconsider unhealthy reactionary behaviors that had caused a great deal of suffering in my past on account of a multiplicity of factors, including race, gender, religion, and national origin.²⁶ I knew it would take me ten years to be ready to process/extract my first born's birth story, but I didn't know it would take a pandemic to draw it out of me. A decade later it brings out the raw pain, joy, and beauty of motherhood.

Because every day I'm alive and he is alive is a miracle. The day we celebrate his birthday is also the day we both almost died. I can look into his eyes and be lost in the time that has passed. He knows and can assess everything about me meticulously well. We both had Coke floats the day I found out the faculty voted for my tenure. I did not want to celebrate the tenure, but just mark it as a milestone.

As we prepared for his birth in 2010, Akmal and I took a class on parenting. *The worst decision ever*. The class instructors told us stories of how newborn babies could be snatched from their cribs and even from their homes by unsuspecting parents' negligence being scammed by intruders because of the black market for babies. The thought of this baby being kidnapped bothered both Akmal and me. A recent case in New York of a baby being snatched from the hospital had made headlines. Little did we know that was the least of our worries.

I hate birth stories. I hate stories of labor and delivery. I have had three kids and never had a contraction. I was high risk through and through.

I remember being in the hospital and being told nothing. I was admitted at thirty-two weeks because my blood pressure was way above normal range. Elevated blood pressure becomes a risk for seizures. When I had woke up that morning and was planning to go the doctor's appointment, I told my husband I would drive and meet him there. But as I started walking in the hallway at home, I realized I couldn't see properly. The floor and the walls were disappearing. Akmal had to help me get into the car, because I could not see the ground. When I got to the doctor, they checked my urine and blood pressure, and told me to go straight to the hospital. By the time we arrived at the hospital, my head was pounding like it would explode. Doctors and nurses were mumbling past me in a whirl. Could someone just stop and

²⁵ See generally Wilfred Cantwell Smith, *Hyderabad: Muslim Tragedy*, 4 MIDDLE EAST J. 27, 49 (1950).

²⁶ See generally HEIDI K. BROWN, THE INTROVERTED LAWYER: A SEVEN-STEP JOURNEY TOWARD AUTHENTICALLY EMPOWERED ADVOCACY 63 (2017) (Brown writes: "It can be quite revelatory when we discover that troubling cognitive, physical, and behavioral responses accompanying a distressing law-related event are simply knee-jerk automation reactions from years of reinforcement of outdated message programmed emotional loops. Usually, unless or unless something traumatic happens, we do not investigate and study them . . .").

tell ME what was happening? Obviously not because they didn't think I spoke English. I was another illiterate woman, except I wasn't.

Preeclampsia affects two to eight percent of pregnancies globally.²⁷ Allyson Felix, the most decorated U.S. track athlete with eleven medals, opened up about her history with severe preeclampsia.²⁸ Her hardest fought victory wasn't in the Olympic field, but the delivery room.²⁹ In the United States, preeclampsia is the cause of fifteen percent of premature births, which is birth before thirty-seven weeks.³⁰ The high blood pressure associated with preeclampsia may develop slowly or have a sudden onset, which is what happened in my case.³¹ My paternal grandmother may have had preeclampsia, but no one knew exactly what it was back then. Eclamptic hypertension was discovered in 1897, but only began to be studied in earnest in the 1960's.³² I was pumped with magnesium sulfate to limit the possibility of seizures.

Senan was born weighing 3 pounds, 7 ounces.

His lungs were weak, because he was born while I had only been 7.5 months pregnant. His internal organs were not fully developed. I had no idea what would happen to him or me. I was given a hospital grade breast pump

²⁷ *Preeclampsia*, MARCH OF DIMES, <https://www.marchofdimes.org/complications/preeclampsia.aspx> (last visited Sep. 23, 2021).

²⁸ Brian Munoz, *Allyson Felix Becomes Most Decorated U.S. Track Athlete in Olympic History with 11 Medals*, USA TODAY (Aug. 7, 2021, 11:06 AM), <https://www.usatoday.com/story/sports/olympics/2021/08/07/allyson-felix-makes-history-most-olympic-track-medals-photos/5523549001/>.

²⁹ Kate Schweitzer, *Olympian Allyson Felix Has 1 Major Warning for Women Following Her Traumatic Birth Story*, POP SUGAR (Aug. 3, 2021), <https://www.popsugar.com/family/Allyson-Felix-Preeclampsia-Traumatic-Birth-Experience-46507064>.

³⁰ MARCH OF DIMES, *supra* note 27.

³¹ Preeclampsia, MAYO CLINIC (Mar. 9, 2020), <https://www.mayoclinic.org/diseases-conditions/preeclampsia/symptoms-causes/syc-20355745>. "Other signs and symptoms of preeclampsia may include:

Excess protein in your urine (proteinuria) or additional signs of kidney problems

Severe headaches

Changes in vision, including temporary loss of vision, blurred vision or light sensitivity

Upper abdominal pain, usually under your ribs on the right side

Nausea or vomiting

Decreased urine output

Decreased levels of platelets in your blood (thrombocytopenia)

Impaired liver function

Shortness of breath, caused by fluid in your lungs

Sudden weight gain and swelling (edema) — particularly in your face and hands — may occur with preeclampsia. But these also occur in many normal pregnancies, so they're not considered reliable signs of preeclampsia." *Id.*

³² Mandy J. Bell, *A Historical Overview of Preeclampsia-Eclampsia*, 39 J. OBSTETRIC GYNECOLOGIC NEONATAL NURSING 510, 513 (2010).

and told to pump milk before I could even see him. I couldn't go see him, and they couldn't bring him to me. No one plans a birth to have her baby snatched away when she cannot touch and see him properly, because she cannot even see properly anyway on account of high blood pressure.

Days later, I saw the attending physician come around with a group of residents and medical interns. I did not know there was such a thing as a NICU except when I ended up in it. They treated me with excitement as a textbook anomaly. "Her blood pressure was through the roof, and her and the baby both survived. She lost her vision temporarily." They rambled on as if I didn't exist. I guess I was supposed to count my blessings and be happy to make it out alive.

It was five long weeks that Senan was in the hospital. I was afraid to hold him with all the wires. I was worried the wires would get tangled. I was worried he may accidentally slip from my hands. I was worried his lungs were weak, and that he may stop breathing. I watched as even the babies whose mothers had taken narcotics such as heroin and crack went home, but mine still remained. I blamed myself that I ended up with preeclampsia even though I still didn't understand it. Maybe I drank too much Coke at that work mediation a month ago. Maybe I was too stressed at my job. Maybe I ate something wrong. Maybe I didn't exercise enough. Maybe I exercised too much. Maybe I shouldn't have drunk tap water.

It wasn't until months later when I asked my internist what caused preeclampsia that I felt less guilty.

"What causes preeclampsia? I don't know what I did wrong," I asked innocently.

He broke out into a gregarious laugh and said, "Nobody knows. If I knew, I would be sitting in Stockholm right now."

I get really annoyed when people laugh at me like that. But at that point, I needed to feel stupid. This internal medicine doctor told me 90% of the women in my condition die. It not only reminded me how fragile life was, but how sudden death could be. I decided I would stop worrying about how

I ended up with severe preeclampsia and not knowing what it was and that I should be grateful to be alive.³³ I should feel like a bronze medalist.³⁴

The following five lessons I learned from being a NICU parent, which helped me in being a pandemic parent.

C. Lessons from Preeclampsia Round 1

1. Sanitize and Clean for Survival.

I would wash and wash my hands as I did not want to give Senan any infection. Everything had to be triple sterilized. I washed with the anti-bacterial soap, which gave me a rash. My hands and arms had a rash from washing so much in those large sinks. During the pandemic, proper cleaning protocols were essential.

2. Speak Up

I remember getting so mad when a social worker showed up in my hospital room and asked me if I spoke English. Then they would send me a neonatal resident originally from Sialkot so I could tell him off in Urdu that I speak English better than the whole hospital, and I need to be given a report of how my son is doing because I'm pumped with magnesium sulfate to prevent seizures and could not walk. My son was whisked away from me in the operating room and immediately placed in the NICU. I hadn't been able to see his face or touch him for the first twenty-four hours, and then no one on the hospital staff would explain anything. They probably notated in my chart then that I was a lawyer. But they then provided me better care and explained things so I could understand instead of ignoring me. They stopped speaking to me like I was illiterate because being spoken to like I was illiterate was another decade of fury in me. We are our own best advocates.

³³ Brett C. Young et al., *Pathogenesis of Preeclampsia*, 5 ANN. REV. OF PATHOLOGY: MECHANISMS OF DISEASE 173 (2010) ("Preeclampsia is a systemic syndrome that occurs in 3 to 5% of pregnant women and classically manifests as new-onset hypertension and proteinuria after 20 weeks of gestation. Preeclampsia is a leading cause of maternal and neonatal morbidity and mortality. The only known cure is delivery of the placenta. Recent discoveries, however, have led to important advances in understanding the pathogenesis of the condition. Placental antiangiogenic factors are upregulated and disrupt the maternal endothelium. This change in the normal angiogenic balance toward an antiangiogenic state can result in hypertension, proteinuria, glomerular endotheliosis, HELLP (hemolysis, elevated liver enzymes, and low platelets) syndrome, and cerebral edema—the clinical signs of preeclampsia and eclampsia. The regulation of these antiangiogenic factors in the placenta is unknown. The recent discoveries of upregulated antiangiogenic factors provide promise for future testing to predict and diagnose preeclampsia as well as therapeutic targets for amelioration of the clinical disease.").

³⁴ *Think Like a Bronze Medalist*, OZAN VAROL, <https://ozanvarol.com/think-like-a-bronze-medalist/> (last visited Sep. 23, 2021).

3. Assess Risk and Plan Accordingly

Akmal and I never made major decisions before Senan was born besides what movie we would watch or where we would dine. And now we have to figure out if I was going to take steroids and wait it out or just go ahead with the emergency C-section. As an attorney, I was used to managing risk. Thinking through the pros and cons. Considering what is the scenario of least risk, which situation had the best outcome with the least amount of risk. I called my mom. He called his uncle. I thought I would rather have the emergency C-section ASAP while the attending physicians were in the hospital, than crash all of sudden in the night and have limited resources. Akmal told me it was my decision. I had lost my vision because of the extremely elevated blood pressure. I signed the medical consents on my own even though I couldn't read them. When the nurse tried to explain to me what the consents meant, I told her just show me where to sign, I know what they meant.

4. Prepare for the Long Haul

After my first pregnancy, it took ten months to get my limbs to work properly. I couldn't hold a pencil or type for any length of time. I was not sure if I would be able to even work again. I had been accepted to an LL.M. program during my pregnancy. I applied once Akmal had been accepted to graduate school at the University of Colorado School of Dental Medicine. Because of stupid and racist licensure laws, he had to redo dental school in the United States even though he completed dental school in India and even though there is an acute shortage of dentists in the United States.

I had quit my attorney job to care for Senan and was not even sure about graduate school. When I went to go visit the law schools in Colorado, I noticed the commute between Boulder and Aurora was hefty and the nursing room in Boulder was attached to the bathroom. My dad's boss told me to consider the University of Denver. The nursing room at DU was an endowed room in the admission suite. As a parent, I had to make decisions not just that would be best for me, but also my child. I ended up with a form of De Quervain Syndrome which created a pain between my left thumb and wrist. My knees, ankles, and other joints also ached.

Eventually, I healed and completed a master's in law program at the University of Denver in environmental and natural resources law. Each day would seem like a boulder at times going to school with an infant and breastfeeding, working three part-time jobs, and going to school, but over time I kept my eye out for the horizon. Going back to school at Denver was the best thing I ever did for my academic career, because I took eight classes

and published papers from each of those classes. I could feel as a young mother and student, my intellectual ferociousness returning as I had lost so much of myself earlier in law school and working as an attorney. Being back in the classroom and enjoying it made me thrive.

5. Coping with Loss

My grandfather died from pneumonia while Senan was still in the hospital. My mother never told me how sick my grandfather was until I heard his heart monitor. In the thirty years I had been a daughter, I never had my mother call me from a patient room. And I wouldn't let it go. "Why is there a heart monitor in the background? Are you in the hospital? Who is sick?"

Then after a long silence, my mother says my grandfather is in the hospital. He has pneumonia and that I should come see him in Kissimmee from Gainesville. A family friend took me down and my aunt brought me back. I was not allowed to drive due to the C-section. Then I would come back again for his funeral a few days later on January 11, 2011. It took me five months to get around to even writing about what it meant to lose him.³⁵

My mother was always there to pick up my slack. When my son was born I didn't have to take care of him on my own until I moved to Denver. Senan was over four months old by the first time I had to spend taking care of him on my own for twenty-four hours. He was old enough then, and I had more confidence as a mother.

2020 was the year of death. I never knew which chapter of the *Canterbury Tales* I would wake up to. So much death, we did not even have the place to store bodies or bury the dead. The same way I learned to handle the loss of my grandfather, I coped with the constant deaths of the coronavirus. From students who lost relatives, to friends who lost loved ones, it was steady and unrelenting death. To give time to grieve and wallow in the sadness is all we had. But it was hard to look down and grieve when we are always being put upon. The anger and rage are always welling up inside for being seen as a meek, Muslim woman.

³⁵ Nadia B. Ahmad, *On Losing My Nana Jaan (Grandfather)*, THE MUSLIM OBSERVER (May 5, 2011), <https://muslimobserver.com/on-losing-my-nana-jaan-grandfather/>.

II. THE TROPE OF THE ANTI-INTELLECTUAL ILLITERATE ISLAMIST TERRORIST HIJABI

"Let the atrocious images haunt us. Even if they are only tokens, and cannot possibly encompass most of the reality to which they refer, they still perform a vital function. The images say: This is what human beings are capable of doing—may volunteer to do, enthusiastically, self-righteously. Don't forget."

– Susan Sontag

Every time I venture out in public with this veil on my head, I make myself a walking, moving target. By this conscious decision to wear the veil, I become the victim of scornful stares, petrified reactions, and downright hatred based on my physical appearance and dress. It's not uncommon for security guards and police officers to view me with a heightened level of suspicion.

When I complained about how messed up airport security was at Orlando International Airport in 2001, I was swarmed by five FBI agents. I had security officers called on me when I was visiting Columbia University as a prospective law student in 2002 and asked to use the public prayer room. In 2004, I had three University Police Department squad cars, including a K-9 unit roll up, when I complained to the Associate Dean as a student at UF Law about allegations of sexual improprieties between students and professors. When I told her I was reporting it to the newspaper, *The Florida Alligator*, and she could answer their questions instead, she called the university police saying a Middle Eastern woman is in the parking lot and is unintelligible. I wanted to know why the university had kept some professors for sleeping with students and let others go. Being an Anglo-Saxon white male professor was a license to sleep with students without any repercussions. There was a different set of rules that applied to non-Christians and people of color. And the white lady couldn't even get my race right.

I filed a Title IX complaint against her in 2018 as I was triggered by the Kavanaugh hearings. She was the epitome of white incompetent gatekeeper and even served a stint as the Chair of the Florida Board of Bar Examiners. The Title IX officer at the University of Florida called me in 2018 and said that unfortunately he had a job because these types of incidents continue and that he was sorry that they tried to squash my voice then. He did nothing else. Incidentally, she was retiring that semester.

Incidents with law enforcement and security can derail a person's education, career and ambitions and sap energy. Every time I would travel

for academic conferences, I would meet the usual depravities of TSA.³⁶ The poking, the prodding, the spread your legs, hands above your head. The pat downs as if they were about to catch a terror suspect. Actor Riz Ahmed said detrimental treatment at airports is one reason “it’s [really] scary to be a Muslim right now.”³⁷

All I remember from so much of my travels is the moment I am reduced to a terror suspect. TSA exists to check me because of my hijab. Yet the headscarf, known in Arabic as *hijab*, is a personal choice, a choice born out of sense of modesty and respect for the principles of my faith, Islam, which implores women to maintain their integrity and enables them with the rights to conduct themselves in world, dominated by a male hegemonic structure.

Born in Orange Memorial Hospital in Orlando and raised in the small town of Altamonte Springs, Florida, I had your typical small-town upbringing. I used to walk or ride my bicycle around the block to Lake Orienta Elementary School every day or have my mom drop me off in the carpool lane. I’d cross the Little League baseball field and get a quick sip at the water fountain near the P.E. teacher’s office. Then I’d hurry to join the line forming outside my class to wait for us to be let into the building. I’d play hopscotch on the sidewalk with my childhood friend, Summer Sheffield, who had a flowing blond mane that would shimmer under the hot sun. She had freckles that she hated, but freckles that I thought were absolutely cute and adorable and added to her unique character and personality.

I was painfully shy growing up and still am. I usually won’t speak unless spoken to and remain highly selective of my circle of friends. It takes me a long time to open up and feel comfortable with strangers. My elementary school teachers were concerned that I didn’t talk and even went to the extent of scheduling a parent-teacher conference to address this issue.

When my mother returned from that meeting, she asked me in the evening, “Nadia, your teachers say you don’t participate in class.” I told her quite matter-of-factly “I tried once to do it and raised my hand, but the teacher never picked on me, so I never raised my hand again.” She told me to raise

³⁶ Baljit Nagra & Paula Maurutto, *Crossing Borders and Managing Racialized Identities: Experiences of Security and Surveillance Among Young Canadian Muslims*, 41 CANADIAN J. SOCIO. 165, 165 (2016). Researchers in Canada interviewed 50 young Canadian Muslims living in Vancouver and Toronto. *Id.* at 167. The interviewees said they were “repeatedly stopped, questioned, detained, and harassed by security personnel.” *Id.* at 165. The interviewees “felt that any evidence of their Muslim identity—name, country of birth, appearance, or clothing—makes them a target for extra surveillance, resulting in heightened fears about being stripped of their rights and a lack of ability to assert their religious identities.” *Id.*

³⁷ Emma Day, *‘It’s Scary to be a Muslim’: Riz Ahmed Says He Missed ‘Star Wars’ Event Due to Airport Screening*, NAT’L NEWS (June 19, 2019),

<https://www.thenationalnews.com/arts-culture/film/it-s-scary-to-be-a-muslim-riz-ahmed-says-he-missed-star-wars-event-due-to-airport-screening-1.880809>.

my hand again and try; I told her I would and never did. I have to do the same to my own kids now.

A decade passed. When I fetched the thick manilla envelope from the Regents of the University of California from the mailbox, I ran back inside the house as I had run outside barefoot. I would stalk the mail carrier that spring of 1998. I thrived in Berkeley. I finished college in two years and set off for Damascus to study Arabic and Islamic Law. A few months after I returned and as I was studying for the LSAT, 9/11 happened. I jumped into high gear with my organizing until I realized my community was fifty years behind. I got into law school. Just one law school, because I had sent my UN Church Center anti-war speech about America’s human rights abuses to ten other law schools that I had applied, but I neglected to send it to the University of Florida. Had they received the UN Church Center speech, the admissions team would have known better than to admit a troubled, angry Muslim woman as an affirmative action admit.

A. Virgil Hawkins Fellowship Orientation: “Are you an Islamist?”

When I arrived at the orientation for the Virgil Hawkins Orientation Program at the University of Florida, the first person to approach me asked me point blank, “Are you an Islamist?”

“Uhhh, no. My name is Nadia. Nice to meet you. What’s your name?”

Virgil Hawkins was denied admission to the University of Florida College of Law due to his race in 1949. Even after the U.S. Supreme Court ordered his admission, the racists at the University of Florida College of Law continued their shenanigans.³⁸ More than fifty years after the University of Florida College of Law defied the U.S. Supreme Court in refusing to admit a Black man, I was being asked by an African American student if I was an Islamist. The racism never ceases. It just evolves. How would she had felt if I walked up to her randomly and asked point blank, “Are you a Black Panther?”

It all just went downhill from there. I was scared everyday would be one day closer to my failing out of law school.³⁹ The only person who bothered

³⁸ *Virgil D. Hawkins Story*, U. FLA. COLL. L., <https://www.law.ufl.edu/areas-of-study/experiential-learning/clinics/virgil-d-hawkins-story>. “In the landmark 1954 decision *Brown v. Board of Education*, the U.S. Supreme Court ordered that public schools nationwide must be desegregated with ‘all deliberate speed’ by 1956 and in a companion decision ordered UF to admit Hawkins. He was still not admitted and would go before the Florida Supreme Court three more times and the United States Supreme Court twice more. In 1958, Hawkins withdrew his application to the University of Florida College of Law in exchange for a Florida Supreme court order desegregating UF’s graduate and professional schools.” *Id.*

³⁹ See generally Jeremy Bauer-Wolf, *Feeling Like Imposters*, INSIDE HIGHER ED. (Apr. 6, 2017), <https://www.insidehighered.com/news/2017/04/06/study-shows-impostor-syndromes-effect-minority-students-mental-health>.

to approach me thought it was okay to dub me an “Islamist.”⁴⁰ Is that what counts as small talk nowadays? Islamism was a term that I had not fully understood in 2002. 9/11 was still fresh, but I had been out of school since 9/11. Being asked if I was an Islamist was my welcome back to higher education.

When I told a member of the UF Law admissions committee that I didn’t think UF was the best place for me, she told me, “You can’t leave. We fought so hard to get you in.”

B. *Law & Order*

During spring break of my 1L year, I discovered a show called *Law & Order*. I had heard of the show from my Criminal Law Professor Michael Seigel. He was annoyed with the show and said that none of it happened like that. He said, “Don’t watch the show.” Professor Seigel’s criminal law class was one of those classes I actually enjoyed going to. He was funny, sharp, and would share stories from his practice days. He had worked on the John Gotti case when he was a federal prosecutor in Philadelphia. Professor Seigel would say the speed limit is 55 miles per hour, and you cannot go over it. He said if you don’t respect the speed limit, you cannot respect the law. For me, though, it was a bit more complicated. I had gotten 2 speeding tickets in law school. One was on campus while I was talking to my mom about my wedding invitations. I was talking on my phone and not paying attention to the speed. When I got pulled over, I asked the campus police officer if he was a real police officer and if it would be a real ticket. He told me, “Yes and yes.” I hadn’t intended to break the speed limit, instead my mind was just in another place. I did have some respect for the law, because I wanted to make sure it was a real police officer and if the ticket would actually count.

I didn’t have to hold my breath in Professor Seigel’s class because he didn’t do the one thing that made each day of 1L seem like jumping off a cliff. He didn’t cold-call. He had us fill out cards at the beginning of the semester with our names. He rolled through the cards like deck. You would have an idea when you would be called upon, and then you could prepare accordingly.

Professor Seigel died at 55 on January 1, 2015, after a courageous struggle with lymphoma cancer. Neither life nor law was fair. Professor Seigel helped me land my first job out of law school at the large firm I thought I would enjoy, and he supported me after I left that position. What I learned from him is that things could not always be planned, they had to be deliberated

⁴⁰ Emin Poljarevic, *Islamism*, OXFORD ENCYCLOPEDIA ISLAM & POL., <http://www.oxfordislamicstudies.com/article/opr/t342/e0252> (last visited Oct. 13, 2021).

and mitigated. I learned from him that having a good opinion of others and being professional was important. He respected other's opinions even if he didn't agree with them. That was also something I had to work on.

He commuted back and forth from Tampa and Gainesville and planned his schedule meticulously well, so he could spend time with students and his family. He had two daughters and loved football. I remember when the Tampa Bay Buccaneers won the Super Bowl in January 2003; he was beaming with pride, and the class roared with delight. He not only had command of the classroom, but he also had command of hearts and minds pushing us to be not only hardworking lawyers, but ethical practitioners. He also wrote about how the legal academy should encourage collegiality among its ranks.⁴¹ In Gainesville, it appeared the article didn't find an audience because of the constant bickering and in-fighting.

⁴¹ Michael L. Seigel, *On Collegiality*, 54 J. LEGAL EDUC. 406, 440 (2004) ("The problem of collegiality in academia is like a crazy aunt in the family: ever present, whispered about in hallways, but rarely acknowledged directly. My goal in this article has been to initiate the demise of this pattern of unhappy toleration. The toleration stems, in large part, from an apparently widespread fear that attempts to control colleagues' uncollegial conduct will result in an unacceptable diminution of academic freedom. Although these concerns are legitimate, I have sought to prove that, if appropriate care is taken, academic freedom may flourish at the same time that a norm of basic collegiality is enforced. Failure to maintain collegiality is potentially costly to the morale and productivity of an institution. The first line of defense in the battle for collegiality is manned by the faculty themselves; they must personally commit to collegial behavior, and they should use peer pressure to assure that their colleagues do the same.")

Some UF Law professor became a bit too collegial and had trouble maintaining professional boundaries.

When UF Law Professor Fletcher Baldwin passed away in 2020, the university's memorium stated that alumni shared "stories of Fletcher's wit, scholarly engagement, demanding teaching style, and kindness both in and out of the classroom." In Memorium: Professor Fletcher Baldwin, <https://www.law.ufl.edu/faculty-news/in-memoriam-professor-fletcher-baldwin>. What professors did "in and out of the classroom" at UF Law was their business, but it had an impact on students, who were treated differently. Getting an "A" for being pretty was the norm among some professors. You would be warned by other students, but there was never a solution, just mitigation. I didn't want to maneuver around all of this.

Minority professors would not receive glowing obituaries, because they would be fired for any missteps. For example, former UF Law professor Sherrie-Russell Brown filed a lawsuit against the university for race and sex discrimination for retaliation. As an African American, she complained about discrimination at the law school, was completely shunned by other colleagues, and placed on leave without pay, forcing her to resign in 2007. Debra Cassens Weiss, *Law Prof Files Retaliation Suit Against Florida Law School*, ABA J. (Feb. 9, 2021, 1:15 PM), https://www.abajournal.com/news/article/law_prof_files_retaliation_suit_against_florida_law_school.

Having a close relationship, particularly a sexual relationship, with a professor provides a student or students particular professional, career, and emotional advantages unless the relationship sours. Aside from the power dynamics, the impact on other students and professors is labored. For example, the professor I was supposed to take Corporations with, Wayne Hanewicz, was mysteriously dropped by the class registrar. That was what prompted me to reach out to the Associate Dean. I saw him taking The Florida Bar Exam with me in Tampa in February 2006. The Tampa Bay Times recently reported that Lisset Hanewicz "went to law school where she met her husband, Wayne Hanewicz." Left out of that convenient love story was that she was a student, and he was a law professor. Where there are no professional lines and boundaries in the educational setting and workplace, there are specific impacts to individuals involved and to third parties. Colleen Wright, *Will Lisset Hanewicz be the first Hispanic on*

During my 2L year, I started making friends in law school and reconnecting with old friends. I looked forward to my classes on International Human Rights taught by Professor Berta Hernandez and Race and the Law taught by Professor Juan Perea. I realized I didn't have to drop out of law school. I was elected national president of the National Muslim Law Students Association and elected as an editor of the *Florida Journal of International Law*. Then those positive developments came crashing down.

In July 2004, my father attended at a municipal zoning board hearing informing him he would have to demolish a house on a small property he owned due to transients who kept breaking into the property and using drugs there. The police didn't want to police the white drug users, so the zoning board had my immigrant dad demolish a perfectly fine house.

The next day my dad had a massive heart attack. When my mother called and told me what had happened, I wasn't quite sure what to do. It was devastating. We all piled into the car from Orlando to Jacksonville, where he had been working during the week. We did not know if my father would be alive or dead as the surgeons at Shands Hospital in Jacksonville would be operating on him. My whole world fell apart. Losing my dad was something I could never imagine. He had always been there for me every step of the way. He used to drive all the way from Kissimmee on the Greenway Expressway to come pick us up from my dreaded prep school. My father recovered from the double bypass surgery, and we brought him back to Orlando. He then had a pulmonary embolism and had to be airlifted by helicopter to a hospital in downtown Orlando. My siblings and I piled into the car again and followed the helicopter down Interstate 4 to ORMC, the same hospital I was born. The weekend I was supposed to get married, my dad was still in the hospital, Hurricane Charley was barreling through Central

St. Petersburg City Council?, TAMPA BAY TIMES (Sept. 4, 2021), <https://www.tampabay.com/news/florida-politics/elections/2021/09/14/will-lisset-hanewicz-be-the-first-hispanic-on-st-petersburg-city-council/>.

Al Jazeera recently completed a two year investigation of how “[p]rominent British universities are not dealing with complaints of sexual harassment effectively, appearing more prepared to dismiss them than punish the perpetrators.” Deborah Davies & Al Jazeera Investigative Unit, *Oxford professors abused position with sexist and drunken conduct*, ALJAZEERA (Oct. 19, 2021), <https://www.aljazeera.com/news/2021/10/19/oxford-professors-abused-position-with-sexist-and-drunken-conduct>. My own undergraduate thesis advisor and Anglo-Saxon English professor at UC Berkeley, Ananya Kabir, who is now a professor of English Literature at Kings College, London, spoke out about the harm that she encountered in the 1990s as a Ph.D. student at Cambridge University when another student confided in her about a sexual relationship with a professor and was terrified of the consequences. “There was a primal fear. The repercussions were unspecified and therefore nightmarish. It’s an entirely unequal power relationship. Your PhD is your whole world,” says Kabir. *Id.* (“This power dynamic was very apparent in the I-Unit’s investigation across UK universities. There was a fraught relationship between female postgraduate students and their male supervisors, gatekeepers to future careers for women in academia.”). *Id.*

Florida, and the U.S. Department of State still hadn't given Akmal his visa. Trump hadn't introduced the Muslim Ban, he had only given it a rightful name. The chaos in my personal life was compounded by the insidious racism and sexism I experienced at Florida Law.

I felt odd on the UF Law campus. After 1L oral arguments, a group of students asked me to join them for lunch at Hooters. When others in the group objected, they said they were going there for the wings. I thought of my classmates as Neanderthals that they would organize social activities like pub crawls, tailgating, and socials at Hooters. They did not appear to have any hobby that did not engage in drinking. Going to Gainesville was the biggest culture shock I ever had.

C. Intellectual Guantanamo Bay

I thought of my law school years in Gainesville as a type of intellectual Guantanamo Bay. The years I was in law school was when the memos and photos on images in Guantanamo Bay were released. It was daily and steady stream of torture violations. I remember being in a constitutional law seminar on the Rehnquist Court. I had chosen the class, because I had liked the professor. She was soft-spoken, but my classmates were very opinionated and politically aligned as conservatives and neoliberals. The class went over *Rasul v. Bush*, 542 U.S. 466 (2004). It was a small class, but I would not dare utter a word, because they would figure out I thought they were all bullshit like the law. I was so deathly afraid to speak that they may figure out I didn't care at all for the law. I thought of the study of law as a way to make up laws that suit hegemonic policy aspirations. The law was not about justice, at least, in the sense that I thought of it. The law was about power and wealth maximization. The law was about crushing dissent. At least when I was in college as an undergrad or high school student studying literature, there was discussion. Here in law school, the common denominator was a maintenance of the status quo, because nothing would change. I also felt like a specimen there and wished they hadn't admitted me, because I didn't fit in at all.

I did want to be a law professor before I even started law school. I was never prepared for law school as a first-generation Muslim law student who was unabashedly Berkeley. I realized opinions and ideas I developed at my undergraduate school, which shaped and molded me, had no place in Gainesville. I gave away my Berkeley degree to a Black, homeless, wheelchair-bound Vietnam veteran. He was the only person in Alachua County who appreciated Berkeley. If I shed the Berkeley degree, I would get through. I reordered my diploma in 2015 when I started my tenure-track professor position in Orlando, because I was stronger, and the world had also grown more in that decade.

I actually know more than the people who think I don't know what I'm talking about. And that power to recognize that people underestimating me is actually my superpower.⁴² People think I don't speak English when I graduated with top honors in literature from the world's best institution of public higher education. I started off in graduate-level Latin courses as a freshman in college. UC Berkeley felt like a community college to me after seven years of Trinity Preparatory School. The school had so prepared me that I whizzed through college in two years. And I basically sat through law school, nursing the pains of my colonized ancestors and the debilitation of racism, and graduated.

In my last semester of law school, some well-meaning family friend's son told me I should be prepared that I may not pass the bar on my first attempt. I ignored him. Because he failed didn't mean I would fail. I loved studying for the bar exam. It was the best part of law school. No law school. No law students. No professors. Just the Barbri videos, books, and me. I aced the bar on my first try. Getting a job wearing hijab was another story. In 2006, LinkedIn hadn't taken off yet. So no one knew what I looked like until I showed up for the interview. After all those rejections, my dad told me just to go to the interview without hijab, and I could put it back on later. That also wasn't going to happen.

I had delayed the start of my law school a semester because I had been out of school a couple years by then. When I moved to Gainesville right before I started law school, I enrolled in a class at Santa Fe Community College. My mind was so hazy after I returned from Damascus and the post 9/11 anguish that I decided to take one class, but I couldn't even understand it. I tested so low that I was put in a class for beginning English for non-English speakers. I just acted like I didn't really speak English either, but I couldn't find myself doing well on the exams either. I would show up to class and sit quietly in the corner. It's embarrassing to be born in America, and not know basic English, because you lose so much communication function when your mind is troubled by uncertainty, racism, and concern about the state of affairs. I don't know how I went from top of the class at Berkeley to can't even pass ESOL at the community college. I stopped going altogether. And I don't think I took the final. Then I started law school the next semester, but still depressed, anxious, and uncertain how I would study or get through a daily routine. I made a schedule to wake up, study, go to classes, exercise, eat, and sleep. Making the routines, schedules, and daily to-do lists anchored me.⁴³

⁴² See generally HEATHER MONAHAN, CONFIDENCE CREATOR (2018).

⁴³ See generally Mariana Plata, *The Power of Routines in Your Mental Health*, PSYCH. TODAY, (Oct. 4, 2018),

My mother had taken me to Books-A-Million to help me get books on how to do well in law school. I picked up Robert Millers’ *Law School Confidential*. He spoke about study aids and paying attention to law professors and how to take notes. I did the best I could and played Minesweeper at home more than I should have been studying. In class, I would watch a classmate, who sat a couple rows ahead of me play BeJeweled. I didn’t get how white people would play games and instant message in class.⁴⁴ Even if I couldn’t stand the professors or the material, I thought they should at least have respect for the class.

One day in the Race and Law seminar, Professor Perea had brought in a book review of his casebook as it didn’t include enough coverage of Asian Americans in the earlier edition. He was taken aback by the critical comments by Eric Yamamoto’s book review, which was overall very positive.⁴⁵ I was grateful that he was at least concerned about these comments and tried to address them in the later edition. But that class also made it hard to unsee racism and ignore it. After that class, I saw everything in the law through a lens of racism, more so than I had before. Professor Perea would also not let me get away with not speaking. The class was too small. I was very measured in my comments in class.

I remember one time when I went to meet Professor Hernandez in office hours and complained to her about the hijab ban in France. She mentioned that everyone has a right to human dignity. She didn’t try to explain away the racism or bias of the law, which I had seen other professors do. As a Latina, she could feel my hurt and see the pain. It was reading her 2012 article on mothering that I fortified my resolve to be a law professor.⁴⁶

My father’s longtime friend, who knew me well and was an attorney told me that I didn’t need to go to law school. I knew everything already. I was just to be there “to get a piece of paper.” He had gone to law school in Pakistan and would need to retake classes and tests here to obtain his license to practice law. He said I was like him. I was there to get a piece of paper. It made it more bearable.

I also thought of my mother, who taken and failed the Pediatric Board Exam seventeen times before she passed it finally as I was about to start law

<https://www.psychologytoday.com/us/blog/the-gen-y-psy/201810/the-power-routines-in-your-mental-health>.

⁴⁴ See generally *Technology and Student Distraction*, DEREK BOK CTR. FOR TEACHING & LEARNING, <https://bokcenter.harvard.edu/technology-and-student-distraction> (last visited Oct. 14, 2021).

⁴⁵ Eric K. Yamamoto, *Teaching Race Through Law: Resources for a Diverse America*, 89 CAL. L. REV. 1641, 1651 (2001) (reviewing RACE AND RACES: CASES AND RESOURCES FOR A DIVERSE AMERICA (2000)).

⁴⁶ Berta E. Hernández-Truyol, *Revisiting Mothering? — A Mother’s Thoughts: A Response to Darren Rosenblum’s Unsex Mothering: Toward a Culture of New Parenting*, HARV. J.L. & GENDER (2012).

school. She had completed her medical degree in India and needed to take care of her four kids and her parents and in laws. My mother made sure to send us to the best private schools because of her negative experiences with test taking. She had gone to a government school in India, so she struggled with the test taking in the United States. Being able to do well on tests despite my difficulty with multiple choice questions was a matter I failed to appreciate. I would also coach my husband on test-taking when he had to take the TOEFL and dental board exams. He was also a terrible test-taker.

I kept in touch with the late Derrick Bell by email for a solid ten years from 2001 to 2010. He is why I made it into law school and through it. His example was the light at the end of the tunnel. Through his constant encouragement, I never gave up on becoming an academic even though he died before he could see me become one. He provided solace and prayer to me through the grief of losing my paternal grandfather in 2002. When I didn't want to go to UF Law, he told me there was "a black man at UF Law," referring to Kenneth Nunn. There were actually a few more African American professors at UF Law by then. But being Muslim and South Asian in 2003 at UF Law, I wouldn't be on their mentorship radar. People of color on the faculty are overburdened with service obligations and dealing with the constant racism they experience. Minorities in the South also respond to Asian American students differently than they do in the other parts of the country. They clump us together in the category of white and Asian. We are the minorities who are not disadvantaged, but don't get the full advantage of white privilege. We are just invisible. We can toggle through society as the model minority if we swallow our pride. Yet ignoring all the subtle and blatant racism in the long-run, especially when we were young is tenuous and exhausting. Because of social and professional pressures, as Asian Americans, we are unable to ask for help.⁴⁷

Professor Derrick Bell knew I had read *Confronting Authority*, but he also mailed me *Ethical Ambition* in 2007 when I told him I hated being a lawyer and didn't like the work I was doing. The academy would be richer for having me even if it neglected and shunned me. After Derrick Bell passed, I never had anyone to speak to or guide me the way that he would. I had trouble trusting people.

When I tried to ask questions about the sexual affairs between law students and law professors as mentioned earlier in this essay, the

⁴⁷ Asian Americans (especially immigrants) and Pacific Islanders underutilize mental health treatment despite reporting psychological symptoms, with underutilization rates higher than other racial groups. Further, pre-pandemic studies revealed how discrimination (including macroaggressions) significantly predicts negative psychological outcomes for AAPIs. Kevin Leo Yabut Nadal, *The Mental State of Asian Americans and Pacific Islanders: Reflections on AAPI heritage and mental health awareness*, PSYCH. TODAY (May 6, 2021), <https://www.psychologytoday.com/ca/blog/psychology-the-people/202105/the-mental-state-asian-americans-and-pacific-islanders>.

administrator tried to Baker Act me and called the police for my being justifiably angry. I was treated as a terrorist threat on my law school campus. I had been there for two years, and they acted like I was a sleeper terrorist cell. When the police arrived, I grew more irate. I said, "I shouldn't have to f*** to get what I want here, because I cannot even f*** because of the State Department." That comment went as well as you think it would go. I had not done anything wrong aside from dropping some f-bombs. But if they were to get me in trouble on my words, they would have to provide context for what I said and why I said it. That would involve more explanation of the answers to the improprieties I was there demanding. Instead I ended up getting charged with a Student Code of Conduct violation for parking in the wrong spot. That was a trumped up charge, because the parking restrictions were lifted that day as classes were not in session. This associate dean, who called the police on me, was also on the Parking and Transportation Committee, so she figured this would be a good way to threaten me with expulsion. I had to hand it to her, that was a pretty good way to get me in trouble for nothing, but make the offense serious enough. If anyone says or does anything at UF Law related to race studies or critical race theory, it always feels hollow to me, because the institution denied me basic dignity. UF Law may produce race scholars, but I will always freeze the school in time for what it did to me so I had to fend for myself.

I had to go to Professor Kenneth Nunn to figure out how to sort out that mess. I don't think he understood the gravity of the situation and was preoccupied with the start of the new semester. He was the one I approached for help, because he had been on the faculty a while, and I thought he would have some standing. I thought the whole situation was outrageous, but he treated it as a mundane issue, because unfortunately minority law students and law professors are subjected to these types of debasing disciplinary actions on a routine basis. Professor Nunn himself was subject to disciplinary action years later, because a tax student had been disrespectful to him.⁴⁸ Imagine if UF Law created an atmosphere of respect and inclusion, instead of isolation and degradation for minorities. I felt like a ghost of Virgil Hawkins there.

Fortunately, when I arrived at my hearing by myself, the faculty administrator for the main campus dealing with these sorts of issues was Black. I told him that I was sorry (not sorry). I told him I don't know how to

⁴⁸ Nathan Crabbe, *Law Professor Suspended over Shoving Incident*, GAINESVILLE SUN (Apr. 18, 2011, 6:33 PM), <https://www.gainesville.com/article/LK/20110418/news/604137176/GS>. Dean Robert Jerry's letter said he expected Nunn, who joined the law faculty in 1990, to conduct himself in a professional manner in the future. Dean Jerry added, "I am confident that you will. But I must inform you that the recurrence of similar behavior will lead to the imposition of more severe discipline, possibly up to and including the termination of your employment." *Id.*

deal with white people (but I did). I knew if I kept my mouth shut, all would be fine. I apologized again. I had worn white sweatpants with “USA” emblazoned on the side with an American flag. It was the Summer of the 2004 Olympics. I figured if I wore the American flag, he wouldn’t think I was a problem. I just acted like the hokey mall girl that I was and expressed my confusion as to what happened. He told me not to worry about it, and if there were no more incidents, it would be removed from my record in one year. The problem was I was charged with a Student Code of Conduct Violation for the parking violation, so I would have to report it to the Florida Bar and Colorado Bar when I applied, and I did without issue, because it was just a parking violation except there was more to it. When I had filed that Title IX complaint in 2018, I had asked for a letter to be put in my file that the parking violation was a mistake. My small hope for redress was a sky high ask for the university.

I decided between the hurricane, which had torn off parts of the roof on our family home, my dad’s health, the State Department bullshit of Akmal’s visa, and UF’s fuckery, I would take classes back in Orlando, where my family was. I met with the assistant dean of student affairs to get paperwork signed and approved. I didn’t have to explain my situation much. He was just concerned in helping me. I was surprised how helpful he was to me. At the end of the conversation, he mouthed that his family was originally Syrian, but had changed their names. He said his family didn’t tell anyone their heritage, because they were afraid of the discrimination. He mouthed it, because he didn’t want anyone to overhear. I almost fell out of my chair. There was a closet Arab working as an administrative dean. He made my semester transfer visit to Barry University as easy as apple pie. He even approved me to take a semester of online Spanish at UF, so I wouldn’t have to pay higher tuition rates at a private law school. I thought what if I had complained to him about my concerns of the improprieties between the students and law professors. He wouldn’t have called the police on a Virgil Hawkins Fellow. He wouldn’t have filed a Student Code of Conduct violation against a Virgil Hawkins Fellow. But how would I know that the white administrative dean was actually Arab? He hid it so well that I was shocked. He would go on to be a president of a small college.

15 years after that incident, UF Law got around to hiring a Muslim woman law professor on its full-time faculty in 2019, which was a few months after Iranian-American Mori Hosseini assumed the position of Chair of the Board of Trustees of the University of Florida.⁴⁹ Once it became politically convenient, Muslims were welcomed, because after 2016, we were

⁴⁹ Margot Winick, *Mori Hosseini Elected Chairman of UF Board of Trustees*, U. FLA. NEWS (Mar. 23, 2018), <https://news.ufl.edu/articles/2018/03/mori-hosseini-elected-chairman-of-uf-board-of-trustees.html>.

a group that needed to be represented due to the spike in hate crimes.⁵⁰ Democrats lost power because they couldn't compete with Trump's hate mongering. Now they had to show they weren't like them. They were supposed to welcome us now.

UF has risen in the rank to twenty-first in U.S. News and World Report. The sudden rise in the rankings is due in part to the psychological safety that the new dean brought to the law school to allow for innovation. She was rigid and systematic in the changes she wanted. She wouldn't tolerate the usual nonsense. She created a new culture calling out the law review student editor who repeated words of a law professor describing her as "young and vivacious." She recalled how an alum in Orlando said that he didn't remember a dean with "legs like that."⁵¹ In 2016, Joseph Little, an emeritus professor in his 49th year at Florida Law, described the climate at UF Law as the most distressing he had ever seen.⁵² From afar, I enjoyed how all the dinosaurs on the faculty were distressed. When I was in law school there, I thought of the third floor of Holland Hall, where the faculty offices were located, as a mix between a brothel for good grades and a geriatric ward for those missing out on the action. It was safe to speak now. If they could handle what the dean had to say, they can handle what I have to say.

D. #FreeAafia

The incident in law school reminded me of the other incident I had gotten in trouble in middle school, which, however, went unreported to the middle school principal. My sixth grade teacher had more sense than the associate dean of my law school. My parents didn't find out about my disrespectful actions. My friends, who were in the class, still bring it up as reflection that I was always a troublemaker from the start. Brazen, but unsuspecting in my insubordination. I had written on a note to a friend in 6th grade history class, "This class f***s."

The teacher intercepted the note and spoke to me after class. He didn't report it to the principal. I was the one who he took outside to gently reprimand, because he knew I wrote it. Nothing happened to the white girl,

⁵⁰ See Clare Foran, *Donald Trump and the Rise of Anti-Muslim Violence*, THE ATLANTIC (Sept. 22, 2016),

<https://www.theatlantic.com/politics/archive/2016/09/trump-muslims-islamophobia-hate-crime/500840/>.

⁵¹ Jack Stripling, *As U. of Florida Law Dean Calls Out Sexism, Her Rankings-Driven Regime Comes Under Fire*, CHRONICLE HIGHER EDUC. (Oct. 12, 2016),

https://www.chronicle.com/article/as-u-of-florida-law-dean-calls-out-sexism-her-rankings-driven-regime-comes-under-fire/?cid2=gen_login_refresh&cid=gen_sign_in.

⁵² *Id.* Little said, "It's the personality of the dean. She's a controller, and is not willing to accept the fact that other people are important and are respected. I would like to see the dean leave as soon as possible." *Id.*

who I wrote the note to. It would cost me the history award. I thought history was all messed up because World History was given from a Eurocentric viewpoint as if the rest of the world never existed, so people like me were made to feel invisible as if our people had not contributed to civilization. Between sixth grade and law school, there were a number of institutions, situations, and classes that I thought were f***ed, but I learned to keep that to myself.

Before the UF Law incident, that was the closest I had come to getting in trouble before. I was super careful after that, but I also stopped applying myself as hard in my class. I did what was necessary to get A's in middle school and high school, but I never bothered to get the best grades in the class, because I would rather spend my time writing or sitting on the internet. They say the internet is where you get radicalized.⁵³ I wouldn't call it radicalized as much as disenchanting and disgruntling with the state of world affairs.

I'm fairly certain I had a normal upbringing. It was what was normal to me. I was never lacking much. I did, however, want an older sister. Someone to look up to. I found one. She served as a mentor for setting up a newsletter for Muslim girls and young women in the mid-1990's. I don't know who the actual readers were. It was *Muslim Girl* without lipstick and eye shadow tutorials.⁵⁴

I would never meet my newsletter editor for *SABIRA*, but I would chat with her on the phone and email regularly. I told her my parents were annoyed I didn't want to be a doctor. I was afraid of blood. Sickened by its sight. I told her I could never be a doctor, because the sight of blood makes me sick. She said she had that same fear. And she wasn't becoming a medical doctor either.

She taught me the power of community organizing, respecting people and working with people as they are and where they are.

I told her, "People are so frustrating." She would say, "It's okay. Just keep doing the work, and everything comes from Allah."

I didn't complain much after that to her, because I saw her as the smartest and most brilliant woman I would come in contact with—*ever*.

After she left, I lost so much hope. She wasn't gone in the sense of gone, but just disappeared.

I still think of her constantly. Through some pangs of guilt that I could do nothing for her. Or through the guilt of my constantly not doing anything for anyone but myself. It's my coping mechanism.

⁵³ *The Daily Show: Dalia Mogahed – Understanding American Muslims and the Media's Coverage of Terrorism* (Comedy Central television broadcast Jan. 7, 2016).

⁵⁴ MUSLIM GIRL, <https://muslimgirl.com/> (last visited July 20, 2021).

If she didn't care for the ummah she could have what I have. Why would you care for those Muslims? The ones who are dying from hunger. The ones sitting in concentration camps. The ones in countries drowning under the weight of IMF loans. She would end up leaving the United States because she couldn't get a proper job with a Ph.D. in neuroscience. Isn't that the failure of higher education? Or more the forces of capitalism that produce Ph.Ds without job prospects?

I would have long commutes back and forth from Orlando to Gainesville on the weekends in law school, from Aurora to downtown Denver in the daily winter snowstorms, Fairfield County to Westchester County at my first academic gig, and before the pandemic when I would spend half my day on the road going to work and shuttling three kids. Wherever I went I would think about her. Rack my brains on what I could do. I would write letters to law professors who worked on Innocence Projects with no response.

"You're like an Uber driver," my mother said.

"No, I'm like a truck driver. Uber driver gulliyah kaat tha. Meh poorah shahair pirthee." [The Uber driver cuts a few alleys. I drive all around the entire city.]

Globetrotting is dangerous. Especially as a Muslim woman. If I would hear about some distressed place. I would have a sudden and immediate urge to go there. I wanted to go to Mauritania to study. I was told women cannot go. I was told Syria was better. I went there instead.

My mentor had wanted to go to Bosnia in the middle of the ethnic cleansing campaign against Muslims, because she was awarded a fellowship to go there. She didn't. She now sits in Fort Worth cut off from the outside world.

The first time I encountered her as a Muslim woman academic in middle school, I was completely mesmerized. I didn't know you could have a career as a desi woman aside from being a doctor. She had completed her undergraduate degree in MIT and was working on her doctorate at Brandeis University. I wrote articles and helped with layout. It was a way to share about the relief effort of humanitarian organizations. In the 1990's, Aafia was a reckoning force as a Muslim activist, campaigning for Afghanistan, Bosnia, Chechnya, and other places.⁵⁵ She was especially affected by graphic videos of pregnant Bosnian women being murdered.⁵⁶ She wrote emails, held fundraisers and gave impassioned speeches at her local mosque.⁵⁷

⁵⁵ Declan Welsh, *The Mystery of Aafia Siddiqui*, THE GUARDIAN (Nov. 23, 2009), <https://www.theguardian.com/world/2009/nov/24/aafia-siddiqui-al-qaida>.

⁵⁶ *Id.*

⁵⁷ *Id.*

When I went off to college and beyond, I had lost touch with Aafia, who had since gotten married and had some children. She was still looking for an academic job after she finished her Ph.D., but as a foreign national from Pakistan, she would have a hard time. The FBI claimed she was plotting 9/11 in the summer of 2001, because a driver, who later turned into an informant, said he saw her in Liberia delivering diamonds to finance the attacks.⁵⁸ Those who know Aafia said she was in Boston that June as “a 29-year-old mother of two, consumed, like other Boston moms who volunteer or work outside the home, with the minutiae of everyday life.”⁵⁹ She was said to distribute Qurans to inmates at local mosques in the area and host play groups in her Roxbury apartment outside of Boston.⁶⁰ She would take her sister Fowzia’s child into her care as Fowzia completed a fellowship in neurology at Brigham and Women’s Hospital.⁶¹ She would do grocery shopping and cook for her children and husband, an anesthesiologist at Brigham and Women’s Hospital.⁶² That was Aafia’s life in nutshell. Running around doing errands, cooking, cleaning, mothering, visiting the mosque, doing community service, sending emails, and writing articles. Essentially, how I pass my summers now as a professor. She wasn’t plotting 9/11.

The next thing I would hear in news reports was that she was reported missing.⁶³ I remember when I heard she went missing in 2003. I was in my first semester of law school. It was a total waste. The time of law school. I had only a couple classes that would peak my interest. Human Rights Watch and her lawyers checked up on her in 2010 when she was falsely convicted of numerous crimes in the U.S. District Court in the Southern District of New York. I didn’t want to end up like her under some trumped up conspiracy. Muslims are always one degree away from conspiracy and entrapment in research and academia.⁶⁴ I tore up all my notes and newsletters. I didn’t want any evidence of my ties with a Muslim humanitarian worker, which was synonymous with being Islamic terrorist. When my parents made me clean out my papers from their home a few months back, I spotted my application to UC Berkeley, where I had listed my work with SABIRA on my high school extracurriculars. I guess I hadn’t destroyed all the traces of my newsletter

⁵⁸ Glenn R. Simpson, *U.N. Ties Al-Qaeda Figure to Diamonds*, WALL STREET J. (June 28, 2004, 12:01 AM), <https://www.wsj.com/articles/SB108837581640748659>.

⁵⁹ Katherine Ozment, *Who is Afraid of Aafia Siddiqui?*, BOS. MAG. (May 15, 2016, 3:43 PM), <https://www.bostonmagazine.com/2006/05/15/whos-afraid-of-aafia-siddiqui/>.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ OMNIA, *Hajer Al-Faham Finds American Muslims Are Under Watch, Even in Research*, PENNTODAY (May 10, 2021), <https://penntoday.upenn.edu/news/hajer-al-faham-finds-american-muslims-are-under-watch-even-research>.

writing. Anyone who went to a mosque would have contact with Muslim humanitarian workers, who came to raise awareness of the plight of Muslims overseas. Every Muslim is viewed with an eye of suspicion. Aafia would then go on to have the notoriety of being a female detainee at the Bagram military detention facility in Afghanistan based on eyewitness reports.⁶⁵ She refused to participate in the trial.⁶⁶ Critics argue she was not afforded a fair trial and had been previously tortured and sexually abused.⁶⁷ Aafia’s health, well-being and incarceration weigh on me constantly. There have been efforts to repatriate her back to Pakistan in exchange for the Shakil Afridi, the doctor who worked to capture Osama Bin Ladin through a polio campaign of testing DNA. In 2019, a Pakistani lawyer, Dawood Ghaznavi, wrote a book, *Aafia Unheard* after scouring the legal records in her case, arguing that she was not given a fair trial.⁶⁸ In 2021, efforts at repatriation of Aafia started again.⁶⁹ Former U.S. Attorney General Ramsey Clark’s description of Aafia’s case as “*the worst case of individual injustice*” he had ever seen.⁷⁰ Mauri

⁶⁵ Welsh, *supra* note 55. The Guardian reports:

On a hot summer morning [in 2008] a team of four Americans – two FBI agents and two army officers – rolled into Ghazni, a dusty town 50 miles south of Kabul. They had come to interview two unusual prisoners: a woman in a burka and her 11-year-old son, arrested the day before.

Afghan police accused the mysterious pair of being suicide bombers. What interested the Americans, though, was what they were carrying: notes about a “mass casualty attack” in the U.S. on targets including the Statue of Liberty and a collection of jars and bottles containing “chemical and gel substances.”

At the town police station the Americans were directed into a room where, unknown to them, the woman was waiting behind a long yellow curtain. One soldier sat down, laying his M-4 rifle by his foot, next to the curtain. Moments later it twitched back.

The woman was standing there, pointing the officer’s gun at his head. A translator lunged at her, but too late. She fired twice, shouting “Get the fuck out of here!” and “Allahu Akbar!” Nobody was hit. As the translator wrestled with the woman, the second soldier drew his pistol and fired, hitting her in the abdomen. She went down, still kicking and shouting that she wanted “to kill Americans”. Then she passed out.

Yet only the narrow circumstances of her capture—did she open fire on the U.S. soldier?—are at issue in the New York court case. Fragile-looking, and often clad in a dark robe and white headscarf, Siddiqui initially pleaded not guilty, insisting she never touched the soldier’s gun. Her lawyers say the prosecution’s dramatic version of the shooting is untrue. Now, after months of pre-trial hearings, she appears bent on scuppering the entire process.

During a typically stormy hearing [in 2009], Siddiqui interrupted the judge, rebuked her own lawyers and made strident appeals to the packed courthouse. “I am boycotting this trial,” she declared. “I am innocent of all the charges and I can prove it, but I will not do it in this court.” *Id.*

⁶⁶ Benazir Shah, *The Silence of Aafia Siddiqui*, ALJAZEERA (July 16, 2015), <https://www.aljazeera.com/features/2015/7/16/the-silence-of-aafia-siddiqui>.

⁶⁷ El-Hajj Mauri’ Saalakhani, *A Shocking Report on Aafia Siddiqui*, NAT’L COAL. TO PROTECT CIVIL FREEDOMS, <https://www.civilfreedom.org/?p=17243> (last visited July 20, 2021).

⁶⁸ See generally DAWOOD GHAZNAVI, *AFFIA UNHEARD: UNCOVERING THE PERSONAL AND LEGAL MYSTERIES SURROUNDING FBI’S MOST WANTED WOMAN* (2019).

⁶⁹ Mansoor Ali, *Ji Emir Urges Govt to Take Steps for Release of Aafia*, THE NATION (Apr. 21, 2021), <https://nation.com.pk/21-Apr-2021/ji-emir-urges-govt-to-take-steps-for-release-of-aafia>.

⁷⁰ Saalakhani, *supra* note 67.

Saalakhan of the Aafia Foundation organized a five city mobilization the fall of 2021 in Houston, Dallas, Boston, New York, and Washington, D.C. to raise awareness of her case. The Pakistani consulate even found a Texas-based attorney, Marwa Elbially, to take on her case. The Council of American Islamic Relations organized a national lobby day for Dr. Aafia Siddiqui in November 2021. Aafia was there in prison all these years neither languishing nor ruined, but a symbol of the brute force trauma and torture of the U.S. imperial plan through the War on Terror.

E. Hijab Fragility: “I have to inspect for neurotransmitters”

In 2012, I thought studying for a bar exam with an eighteen-month old and then having a mass shooting in the Aurora theater occur across the library from where I studied was hard. That was until I found out I wouldn't be able to sit for the MPRE in Colorado with hijab. I had this doubt emerge when I was asked to go to a private room (a public women's bathroom with people coming in and out) for inspection for “neurotransmitters” when I took the actual Colorado bar exam in July 2012. The female proctor then made an announcement over the loud speaker to everyone in the testing area that head covering is not allowed without prior approval to all test takers. I was the only one wearing a headscarf. She told me she would make an exception for me, but I would have to get checked each time that I left and reentered. Like if you are stressed for a test, being singled out in the whole testing area never helps.

Since I had already taken the Florida Bar exam, I didn't think twice about the hijab issue or think it would be an issue. The Colorado proctor was so brilliant she didn't know neurotransmitters are naturally occurring in the brain. She meant audio-transmitters. Some people are so dumb, I won't bother to correct them. I was so furious, but I know I couldn't contest too much. I would hate to be kicked out of the exam.

Six and a half years earlier, I sat for the Florida Bar Exam with my hijab, and no one batted an eyelash. And Florida is fairly backwards. So, when I went to re-take the MPRE, which is the ethics exam, I read all the fine print. I had already taken the MPRE seven years ago, but the score expired, so I had to take it again. And then I saw the rule that the MPRE doesn't allow head covering for religious reasons. I was dumbfounded. I called the NCBE and they told me I could take off the headscarf when I walked into the exam. I never felt so helpless professionally. I remember the day before just sobbing at my desk that I have to undergo this shit. I remembered having to send my son to daycare so I could study for the bar exam and the junk MPRE. And all of that would be for waste. I collected myself and called the national office of Council of American Islamic Relations (CAIR) late that afternoon. Two

attorneys from CAIR National called the NCBE in Iowa to straighten it out. They argued that the U.S. passports allow Muslim women to wear religious head covering. They said that if national security carves out an exception for religious accommodation, the NCBE should as well. I was so stressed that I had to have this choice between studying and being away from my son to study and then being told I wasn't allowed to wear the hijab. I never felt so helpless as an attorney. The National Conference of Bar Examiners updated its rules the following year to allow for religious covering. Even the most basic shit was such a struggle.

When I had taken the Colorado Bar Exam, I would walk in and out for two days with my head down to avoid eye contact to avoid having to have a head inspection like I was arriving at Ellis Island. That's what it feels like I have to enter the profession with my head down because the law was not meant for people like me. I have to keep my head down as all these laws are passed to limit my rights. During the pandemic, I learned that going through hardship and adversity became an advantage. I was more easily able to overcome because I had the adversity advantage.⁷¹ People questioned how I surfaced as a political organizer, like how I learned what I did. I was a protégé of Aafia, but I was also careful, too careful, because of the possibility of being misunderstood, misdirected, misplaced, and misaligned. I saw a lot of people grow disenchanted and weary of how much they have to silently endure, especially among our own.

III. ON BECOMING AN ACADEMIC

In modern Muslim societies women who seek university degrees and jobs and who invest a large part of their energies in strictly individualist aspirations conjure up, in a whole inventory of symbolic images, the ghosts of women of the pre-Islamic Arab aristocracy, ghosts that have never been definitively buried.

– Fatima Mernissi⁷²

As a hijab-wearing Muslim woman of mixed Pakistani and Indian descent, my path to the academy was not easy. Yet the first volume of *Presumed Incompetent* was my game plan.⁷³ When I first read the early

⁷¹ See generally PAUL G. STOLTZ & ERIK WEIHENMAYER, *THE ADVERSITY ADVANTAGE: TURNING EVERYDAY STRUGGLES INTO EVERYDAY GREATNESS* (2008).

⁷² FATIMA MERNISSI, *BEYOND THE VEIL: MALE-FEMALE DYNAMICS IN MODERN MUSLIM SOCIETY* 85 (rev. ed., 1987).

⁷³ *PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA* (Gabriella Gutierrez y Muhs et al., eds., 2012).

chapters, the pain was debilitating. There was no catharsis. It was a deep pain that took me months to shed. In fact, I threw the book in the back of my closet. I didn't want to read anymore. I didn't want to hear anymore. I had seen and heard enough. As someone thinking about joining the academy, I was shocked and hurt that my aspirational profession of being a law professor had in store for me. I was frustrated that these brilliant and vibrant women would also battle the same type of racism that I had encountered. In retrospect, my path to become a law professor was not a difficult considering my background. I simply never gave up.

I was selected as a recipient of the Student Scholar Program from LatCrit. I had come in second place so the organizers offered to reach out to my law school, UF Law, to see if they would sponsor me. I turned them down, because I didn't want anything from the law school that had given me so much heartache. I also didn't want to travel as I was pregnant again. I also didn't want to show up to an academic conference pregnant, because I didn't want to be looked down upon for not taking my career seriously. Most of all, I didn't want to end up on bedrest again and stuck in the hospital for weeks on end, which is exactly what happened. But this time thankfully it was me and not the baby.

A. Preeclampsia Round 2

On New Year's Day 2014, I was strapped with a fetal monitor in a hospital bed worried that I would flunk the pee test again as doctors said, "spilling protein." My life and that of my unborn child lay in the balance of a urinalysis test. And as I listened to the beep-beep of the heart monitor, I grew nervous as to how I could find myself in this situation again. I thought maybe I should've listened to the doctor who told me not to have any more children. And I looked at the concern in my husband's eyes and thought about the questions swirling through my three-year-old son's head. The doctor ordered me to take bed rest for the rest of my pregnancy. And with the trouble that I have with following directions and doing as I'm told, I listened. I researched all the ways to fix my blood pressure to achieve better lab results. I didn't actually care about having better blood pressure. I just wanted better lab results. I didn't want another wire baby. I wanted to go home with the baby, not have the baby lay in a tray in the hospital for over a month. I hated the thought of another tray baby.

After the New Year's Day hospital visit, my mother told me to come to Orlando immediately from Denver, because if I had to go to the hospital again and have the baby be in the neonatal unit or if I was admitted to long term medical care, I would be shorthanded. My husband had been in the last semester of his dental program. And my son was three years old. I listened to

my mom. I flew home with my son. As I landed in the airport in Orlando, I got a voicemail for an interview for professor position with a Florida law school. Going to a job talk at eight and half months pregnant was a joke especially since I was supposed to be on strict bed rest. The whole time I was at the interview dinner, I worried about which side of the table to throw up on because of the nausea from all the nerves and heartburn from all the South Indian food at the interview dinner. I didn't get that job.

Two and a half months later, the listening and following directions worked.⁷⁴ Strict bed rest minus the job talk. I delivered a happy and healthy baby by C-section on my due date. Seven pounds, fourteen ounces. Everyone was happy, especially me.

By the time I brought the baby home, though, I had all but abandoned my dreams of becoming a law professor. I thought if I could just have this one healthy baby I will be good for the rest of my life. I ended up still applying to fellowships and visiting assistant professor jobs nationally. My husband encouraged me and said we would move if we could. One day as my son was about to come back from pre-school, and as my daughter was sleeping, I saw the posting for the Visiting Assistant Professor of Environmental Law at Pace Law School in White Plains, New York. There were so many typos in my cover letter as I hurried to dash it off before my son came home from preschool. I knew nothing of the school except that I had heard Nicholas Robinson speak at Denver, where I had completed my Masters in Law two years earlier. When I was selected for the position, my only thought was how someone at an Ivy League may have a broken heart. If they made a mistake hiring me, it was too late for them to take it back. I gave notice to the oil and gas company I was working for after the first Pace interview that I would not be returning after maternity leave. I quit my job before I received official word from Pace. My boss in Denver cleaned out my office as it was hard for me to travel.

When applying to Barry, I was more methodical. I spent 4 hours in the Bethel, Connecticut Starbucks drafting my cover letter. I had been meeting professors over time from there. I needed to make my way back home. I missed the rain in Florida. Its intensity. The rumble of the clouds. The thunder of the waves. The sheen of the sand.

⁷⁴ See generally Lana K. Wagner, *Diagnosis and Management of Preeclampsia*, 70 AM. FAM. PHYSICIAN 2317, 2317 (2004) (“[E]arly detection [], careful monitoring, and appropriate management [of preeclampsia] are crucial...in [preventing mortality related to this disorder].”).

B. *Presumed Incompetent*

Baby three has arrived as I was on the tenure track courtesy of the Post-Trump haze.⁷⁵ The second edition of *Presumed Incompetent* was released right as the pandemic started. As I read it, I knew I couldn't be as chill as I had been before. Reading story after story, I grew more stoic and knew that the institutions, the forces, the people, the legal academy, and the Muslim community more broadly had to accept me and handle the truths I spoke. They had to change to accept me. I wasn't going to allow myself to be small so they felt comfortable.

My husband stood in the doorway of the master bedroom where I was folding clothes. I had grand plans to finish folding laundry.

"*Presumed Incompetent* is here."

"Huh?"

"*Presumed Incompetent*," he repeated slowly holding up the book. He knew I had thrown the first edition in the back of the closet. I told him it was such a crap book and becoming a professor was a total pain in the ass. I had pre-ordered *Presumed Incompetent II* months earlier, so I had forgotten about its release.

And I looked up at him as he handed me the book and walked away. I left the pile of laundry and started reading the book ferociously on the back porch. I realized I was reading too fast to really digest it. When I received the first edition of *Presumed Incompetent*, I opened up the package with enthusiasm. After I read the first three chapters, I buried it in the bottom of my closet. The *Presumed Incompetent* series was a life vest for women of color in the academy. The books, the authors were life vests keeping us afloat until we can come to shore safely. Seeing our stories in the voices of others and seeing how they managed to cross the bridge to tenure, we had hope in the profession. At the same time, we had to question if it was all really worth

⁷⁵ Keith Kahn-Harris, '*White Supremacy*' Is Really About *White Degeneracy*, THE GUARDIAN (Nov. 28, 2018, 5:05 AM), <https://www.theguardian.com/commentisfree/2018/nov/28/white-supremacy-degeneracy-far-right-populists> ("The degeneracy of Trump tells us something about changing trends within white racism. Social Darwinism, and 'scientific' attempts to prove the superiority of the 'white race' still have a presence on the far right. But I don't think that this is the dominant ideological driver behind the resurgence of white racism. Sure, the Proud Boys, members of whom have been associated with violent assaults on counter-protesters, advocate 'western chauvinism,' but this woolly idea is flexible enough not to be tied into pseudoscientific notions of white superiority as a fact. What I think we are seeing is something rawer, a lust for power, coupled with an unvarnished hatred of non-white others that sees little need to disguise itself. This is a white racism that is predicated on nothing other than a desire to dominate and subjugate. Trump's brutal expression of his basest urges empowers and licenses a similar abandonment, among his followers, of any pretence that white dominance is unjustifiable. This is not white supremacy as we have understood it. It is a move to demonstrate that whiteness can be as morally degenerate as one wishes it to be and still prevail.").

it. Because we would reach the apex of the profession with tenure, we would still have to deal with the racism and misogyny.

I hated the legal academy. The talk of wine and foreign travel. I don't drink. Don't get me started on TSA. I cannot visit India so my kids can visit their grandparents in India. Since all four of my grandparents were Pakistani nationals at one point, I am viewed with suspicion by the Indian consulate which grants visas. Since my father was born in Pakistan, my children also have the same trouble getting travel visas to India even though my husband was born in India. The visa application for India asks if a person has any grandparents born in Pakistan as a security flag. With international travel, we never know what crazy encounter is around the bend at airport security and when we may be pulled out of the line and what would happen. No amount of privilege can stop the paralyzing fear of traveling while Muslim.

Law professors speak so easily of going to this and that place when I can barely go to the Ocala National Forest without worrying about the steady stream of confederate flag bumper stickers. I would get more cultural immersion on my front porch sitting with my grandparents in elementary school than they would in decades of foreign travel. I would try to hang out with the cool Asian American professors at AALS and listen to them swoon over *Fresh Off the Boat*. They wouldn't let me get in half a sentence about how I actually knew Eddie Huang and went to his middle school. Because they didn't think I was actually Asian. They thought I was a white person with a headscarf. South Asians are ignored in discussions of AAPI issues. And South Asian Muslims are purposely excluded in discussions of South Asian issues. I cannot be part of affinity groups such as AAPI or South Asian when those groups don't see me as physically part of them due to my white-passing and religion.

Eddie Huang was in my sister's class. She was so cool, she didn't remember him until I explained that he used to hang out with another Asian American kid she did know. After reading *Fresh Off the Boat*, I was so glad that I didn't go to Rollins College. I was fairly certain I would have had an arrest record for drug dealing had I gone. Rollins had a reputation for being a place where hard drugs were popular because of the general affluence of the student body. But I would rather be at AALS thinking I was cool until I realized I didn't need AALS anymore. But AALS would need me if it actually wanted to be all this and that diversity. There are maybe five hijabi law professors in the United States despite there are close to one billion Muslim women on the planet.

I don't regret being an attorney, because it's all I wanted to do ever. I do regret that people in my profession are so pompous and, in the words of my children, "poo-poo heads." Could I take the rage out of me? No, but I can point out the disparities.

C. *The Ouster of the British Raj*

At times, I may feel empowered because I know my ancestors ousted the British Raj. They made sure the sun set on the colonial enterprise. Only I would awaken to see what the postcolonial enterprise has become. The strangers never left our lands. They left their strange systems, law, architecture, language, and customs behind. They left us feeling as if we didn't belong in our own lands. Then finally we went back to their lands. And we became the strangers. The doctors in their hospitals. The engineers designing their roads, highways, and runways. The professors teaching in their universities. The lawyers in their banks. The healers, the educators, and the builders of their civilization. We turned back to our colonial master's neo-colonies and set about the colonial enterprise. Doing as we were told. So as not to revoke our delicate permission to be in their lands acquired by land theft. My grandparents' generation-built nation-states. At the very least, my generation could overthrow the racism that cripples us.

After the Derek Chauvin trial, Columbia University Hamid Dabashi writes, "Americans can never unlearn racism if they do not radically recast their country in its domestic and global configurations of racism and violence. African Americans, or Asian Americans, or any other kind of Americans, cannot be implicated in selling billions of dollars of weapons around the globe to nefarious dictatorships or settler colonies alike—allowing them to kill with wanton cruelty—and then expect peace, justice, and equanimity in their own county among the races."⁷⁶ It was actually when COVID-19 went down that I realized I was a law professor who knew more than I gave myself credit for. While everyone else around was panicking, I was pounding away at writing. I look up, and it's nearly twenty years after 9/11. Biden is recalling the troops from Afghanistan, so he can wage war with China, Russia, and Iran.

IV. THE PERSPECTIVE TO FIGHT THE PANDEMIC RACISM

Faculty whose research is applied, action-oriented, engaged, or public or community based are likely to be labeled "non-academic," "activists," and "unscholarly." So also are those who conduct qualitative research, value oral and visual presentations of scholarship, own their subjectivity, validate the expertise of everyday people, integrate reason with

⁷⁶ Hamid Dabashi, *Derek Chauvin Has Faced Justice. America Must Now Lift Its Knee from the World*, MIDDLE EAST EYE (Apr. 29, 2021, 12:09 PM), <https://www.middleeasteye.net/opinion/derek-chauvin-justice-america-must-lift-its-knee-from-the-world>.

emotion, value personal expressiveness, employ humanizing dialogue, and concretize concepts by representing the lived experiences of the research participants they study. Because such work challenges Eurocentric patriarchal epistemological assumptions, it is often viewed as threatening to established traditions.⁷⁷

Free of daily microaggressions, I had less to worry about maneuvering around race, misogyny, and internal Islamophobia during the pandemic. I was sick of how allyship from liberals, people of color, and Muslim men always fell so despicably short. I was doing it for my daughters. I did not want them to have to deal with men and boys from their community, who could not respect them, would shun them, and silence them. Then he DM’ed me back on Facebook.

A. “*You don’t have the standing to speak.*”

I should have scorched him then. But I continued the charade of things are cool and we are civil. How dare some doctor tell a female law professor that she has no standing to speak? Mr. Napoleon complex had not the faintest clue what *standing* was. He walked back his statement rather suddenly when I told him I was an expert for the organization where he served on the board. He left me alone and apologized.

Then I started complaining publicly,⁷⁸ and people actually paid attention to what I said, because I was airing everyone’s private grievances publicly. I wasn’t on that friendly terms with anyone in leadership in the Muslim community nationally, so I didn’t feel beholden to the Muslim nonprofit industrial complex, in which loyalty, kinship ties, and friendships can impair responses to ethical concerns. They all had shit to say but nothing to do. He was lazy, relying on the work of others and taking credit for it. Crass. Arrogant. Hiding behind a slew of women.

Cunning. Like an evil character in a movie.

But he wasn’t alone.

To call out misogyny of Muslim men is an Islamophobic trope.

Muslim men are frequently misogynist because worldwide men themselves are frequently misogynist—it’s not that they are Muslim. It’s that

⁷⁷ KERRY ANN ROCKQUEMORE & TRACEY LASZLOFFY, *THE BLACK ACADEMIC’S GUIDE TO WINNING TENURE—WITHOUT LOSING YOUR SOUL* 27 (2008).

⁷⁸ Nadia B. Ahmad, *When Our Muslim Brothers Are the Barriers to Engagement with the Biden Campaign*, MONDOWEISS (Sept. 3, 2020), <https://mondoweiss.net/2020/09/when-our-muslim-brothers-are-the-barriers-to-engagement-with-the-biden-campaign/?amp>.

they are people in this world, particularly male people. All of our institutions foster that patriarchy, and religion is one of our institutions. Joanne Sweeney researched and found that even in the countries we perceive as being more feminist than the U.S., women still treat women disparately.⁷⁹ White Islamophobes like to point the finger at Muslim men and women alike and have created two married tropes:

The patriarchal Muslim male and Muslim culture; and

The submissive and oppressed Muslim woman.

When I call out the patriarchy in my own religion, I get pushback from within about my furthering prejudicial stereotypes. Likewise, if I call out the problems within the Democratic Party, I get similar pushback. When a Muslim woman who wears hijab calls it out, it has multiple layers of Islamophobia. The female. The age. The race.

And if I hadn't become so adroit with dealing with it and just ignoring the put-downs, I could have let it fly. The pandemic made my old self feel robotic.

Why would my daughter have to put up with someone like that? I had just enough activism to be woke, but not enough to shatter the system and dismantle it. Smoke and mirrors activism. The liberal academic bourgeoisie activism. Sign a letter here. Co-sign an amicus brief there.

The type even I engaged in. The TEDx stage. The books. The articles. The media interviews. The data. The polls. The election work.

Could I be a part of something in a pandemic that would restrict what I say?

Screw the system, I thought. But what did I actually do to screw it?

No one can silence me and tell me what to say when I spent the last several years writing about environmental defenders who were killed for speaking out against corporatism. Being polite and playing along were no longer in the deck for me.

In my days as a young attorney, I had served as a founding member of the Florida South Asian Bar Association, but I quit because I was tired of being the only hijabi Muslim woman. When I joined the Florida Muslim Bar Association, it was worse, because I was the only progressive, and I was a bit abrasive about it. I would get into fights over email about criminal justice issues, federal sentencing guidelines, and the policing of our communities. "Maybe you should be this way," they would say. I was the most Florida native, but the least conservative, least Deep South. I was the one who grew up on the Bible Belt. Most of them were transplants and immigrants. I was fed up with the classic tone policing by Muslim men. I had been putting up

⁷⁹ See generally JoAnne Sweeney, *Gendered Violence and Victim-Blaming: The Law's Troubling Response to Cyber-Harassment and Revenge Pornography*, 8 INT'L J. TECHNOETHICS 18 (2017).

with this male BS since I was president of my youth group in eighth grade. So many men always had shit to say, but so little to actually do. So, I left the Florida Muslim Bar Association, but 10 years later returned and found it essentially in the same shape.

When I had rejoined, rumors turned into confirmed news stories about child sexual abuse cases about a Muslim high school in South Florida. Muslim male attorneys from the Florida Muslim Bar Association represented both the mosque/Islamic school, and the Muslim male defendant. Cases from 2006 to 2008 surfaced in 2014 and took another 3 years to settle.⁸⁰ Attorneys Khurram Wahid and Yasir Billoo did their usual tag team from the Florida Muslim Bar Association to Emgage, and in that sexual abuse case. To the outside world, they were community leaders, but to me they stood in the way of justice and always did a great job of hogging the spotlight on any events, whether the Florida Bar Ramadan reception or the National Association of Muslim Lawyers conference. The leadership at CAIR Florida was just as dreadful.⁸¹ The former head of CAIR Florida was accused of secret marriages, bullying, and sexual harassment,⁸² and organized an eight-night Umrah trip with Ehab Ghoneim, who is now facing charges of unlawful sexual activity with minors he met in a mosque.⁸³ Just all a complete cast of

⁸⁰ Colleen Wright, *Broward Private School Settles Lawsuit with 3 Former Students Who Alleged Sexual Abuse*, MIAMI HERALD (Nov. 29, 2018, 9:36 AM), <https://www.miamiherald.com/news/local/community/broward/article222195420.html>; Ted Scouten, *Amid Search for Teacher Accused of Rape, 3rd Alleged Victim Comes Forward*, CBS MIAMI (Oct. 28, 2014, 11:20 PM), <https://miami.cbslocal.com/2014/10/28/amid-search-for-teacher-accused-of-rape-3rd-alleged-victim-comes-forward/>; Kyle Swenson, *More Alleged Sex Abuse Victims Come Forward Against Former Nur-Ul-Islam Academy Teacher*, NEW TIMES BROWARD-PALM BEACH (Nov. 19, 2014, 9:00 AM), <https://www.browardpalmbeach.com/news/more-alleged-sex-abuse-victims-come-forward-against-former-nur-ul-islam-academy-teacher-6470145>; Kyle Swenson, *Tariq Ahmad, Teacher Accused of Raping Students at Islamic Private School, Previously Worked for Broward County Schools*, NEW TIMES BROWARD-PALM BEACH (Oct. 29, 2014, 9:00 AM), <https://www.browardpalmbeach.com/news/tariq-ahmad-teacher-accused-of-raping-students-at-islamic-private-school-previously-worked-for-broward-county-schools-6448491>; David Clohessy, *FL—Victims group blasts FL Muslim school*, SNAP (Oct. 30, 2014), https://www.snapnetwork.org/fl_blastmuslim; First Amended Complaint, *Doe v. Nur-Ul-Ilsam Acad.*, No. 062014CA020618AXXXCE (Fla. 17th Cir. Ct. filed Nov. 18, 2014), <https://www.scribd.com/document/247118044/Amended-Complaint>.

⁸¹ Leila Fadel, *Muslim Civil Rights Leader Accused of Harassment, Misconduct*, NPR (Apr. 15, 2021, 5:01 AM), <https://www.npr.org/2021/04/15/984572867/muslim-civil-rights-leader-accused-of-harassment-misconduct>.

⁸² *Id.*

⁸³ Emily McCain, *Man Facing Charges for Unlawful Sexual Activity with Minors Met Victims Volunteering at Local Mosque, Police Say*, ABC ACTION NEWS (Aug. 6, 2021, 1:23 PM), <https://www.abcactionnews.com/news/region-pinellas/man-facing-charges-for-unlawful-sexual-activity-with-minors-met-victims-volunteering-at-local-mosque-police-say>. Since the story broke in August 2021, the website removed Ehab Ghoneim’s name. See *8 Nights Umrah with Brother Hassan Shibly*, DAR EL SALAM, <https://www.darelsalam.com/florida/> (last visited Sept. 21, 2021). Yet a few months earlier Ehab Ghoneim was prominently featured in the Tampa Bay Times checking the temperature of those entering the mosque during the pandemic. Waveney Ann Moore, *It’s a Ramadan Like No Other for Tampa Bay*

colorful characters/predators. The usual line in the Muslim community is that we are not supposed to backbite and look at others' faults. But what about the victims? What about the women and children who are traumatized and scarred?

The 2020 pandemic forced me to prioritize, but it also forced me to reckon with what I was doing and what I wanted. The policy aspirations of Muslims in America could not be left to opportunistic buffoons or those who had no idea how to navigate the political terrain to accomplish more than photo ops, and score sound bites.

In May of 2020, I was selected as a Democratic National Committee Delegate. I founded Muslim Delegates and Allies coalition with California DNC National Delegate, Hanieh Jodat Barnes, who was equally frustrated by the male domination in the Muslim political space. We worked to submit policy recommendations to the 2020 Democratic Party.⁸⁴ We worked with 16 other delegates and had another 70 endorse it. A document this comprehensive had never been submitted to the Democratic Party by Muslims. We were told to fix a sentence or two, instead we submitted a 17-page policy proposal. As we worked through the Platform Amendment Process, it became clear how little time and effort long term Muslim political operatives had devoted to the DNC. Like the other Bernie Sanders delegates, we voted "No" on the Party Platform because of its stance on foreign policy issues and the failure to include Medicare for All. The most critical element of our Platform Recommendations was to deny military aid to Israel based on human rights violations. That hadn't been much of a stretch, because after 9/11 I wrote a book to abolish the military. No one paid attention to the book in 2002. In 2020, our policy recommendations were bold and ambitious, and they set fire to political calculations of long-term party operatives inside and outside our communities.

The first hit came when I was quoted in an article on the platform recommendations of Muslim Delegates and placed on an Islamist watch website that I cannot find anymore. The second hit came from a retired political science professor in response to a quote in the Religious News Service by Ayesha Khan.⁸⁵ I spoke out against Israel's human rights violations. He wrote:

Muslims, TAMPA BAY TIMES (Apr. 25, 2021), <https://www.tampabay.com/news/2020/04/25/its-a-ramadan-like-no-other-for-tampa-bay-muslims/>.

⁸⁴ Nadia Ahmad et al, *Recommendations for the 2020 Democratic Party Platform*, MUSLIM COAL. DNC DELEGATES & ALLIES, <https://www.scribd.com/document/469781667/2020-Democratic-Party-Platform-Recommendations-by-Muslim-Coalition>.

⁸⁵ Aysha Khan, *Muslim Democratic Delegates Reject Party Platform over Aid for Israel, Iran Sanctions*, RELIGION NEWS SERV. (Aug. 4, 2020), <https://religionnews.com/2020/08/04/muslim-democratic-delegates-reject-party-platform-end-israel-aid-iran-sanctions-marginalization/>.

Dear Professor Ahmad,

I hope you won't consider it inappropriate of me to respond via email to your comments in the Religion News Service story. Rather than respond via social media, which seems to guarantee trolls and the absence of rational discourse, I prefer to share my reaction with you privately.

Please understand that I appreciate your views on the treatment of Muslims in and by the U.S. and nothing I say should be construed to indicate that it was improper to share them. But I have to wonder about the wisdom of this effort. As a political scientist who studies voting behavior, I find it disheartening when fellow Democrats raise issues that will hurt the party. So while I strongly support, for example, efforts to expand health care insurance and to broaden the concept of “public safety” far beyond the police, I think Democrats have a bad habit of pushing slogans that will damage the party's electoral chances. The texts of your coalition's response to the Platform Committee fall into the same category.

Like it or not, American Jews are part of the base of the Democratic Party. By virtue of being older (as a community), well-educated, and strategically located, Jews are an important Democratic constituency. In terms of partisan identification and vote choice, they are the most pro-Democratic white non-Hispanic group in the electorate. (If you factor in registration and turnout, the qualifications I added in the previous sentence might not be necessary.) Jews are also massively overrepresented among donors to Democratic party organizations, candidates, and progressive organizations. The vast majority of American Jews have deep qualms about the Netanyahu regime and rejected the idiotic movement of the U.S. Embassy to Jerusalem. There is a relatively small share of the community that does support retrograde actions like the proposed annexation of the West Bank but they are a minority.

Even so, some of the comments by interviewees in the RNS post will alarm even Jewish Democrats who wish to see the U.S. act as an honest broker between Israel and the Palestinians (both those who are Israeli citizens and those who are not). The story appeared to suggest that members of

your group objected to Israel's right to self-defense. I know you can't control what others say or a reporter writes but that's a sweeping comment that seems out of bounds. I can imagine that you react equivalently when people make thoughtless or disparaging comments about Muslims or generalize from extreme cases to the Muslim population.

I don't get the point of antagonizing part of the Democratic base. There are enough issues that your coalition has identified that demand urgent action. Moreover, as this election may truly determine whether the U.S. remains a constitutional democratic republic, do we really need to discourage some of the party's most committed and loyal supporters? It strikes me as redolent of political purism and resonates with the famous saying about the perfect being the enemy of the good.

I apologize in advance if this note distresses you. As academics, I think we should be able to discuss a matter like this consistent with the norms of our profession. That's the spirit in which I tried to write.

I wish you all the best.

Cordially,
Ken Wald
Kenneth D. Wald
Distinguished Professor Emeritus of Political Science
Samuel R. "Bud" Shorstein
Professor Emeritus of American Jewish Culture & Society
University of Florida⁸⁶

I was so furious reading his email I didn't want to reply. I was in the beginning of the start of my new semester. My kids had started school back. I just forwarded it to the current department chair, who made excuses and offered to speak with me. None of which was quite possible to schedule a time to discuss why a retired professor was attempting to silence me. In fact, I saw months later that these types of letters to young academics were not new or unusual.⁸⁷ What hurt me most about the email was that it came from the University of Florida, the institution that never ceased in disappointing

⁸⁶ Email from Kenneth D. Wald, Distinguished Professor Emeritus of Political Science, Univ. Fla., to author (on file with author).

⁸⁷ See generally CYRA CHOUDHURY & KHALID BEYDOUN, ISLAMOPHOBIA AND THE LAW (2020).

me. I cooled off and emailed Wald back because I didn't want him to think I would take what he said lightly. I battered off an email showing him the success we had with our platforms for the Democratic Party. All this was as I was banned from the Daily Kos at the behest of the Biden campaign.⁸⁸ I responded:

Thank you for your message. We advocated for platform language that recognized the need for calling out racism, misogyny, anti-Semitism, anti-Muslim bigotry, and white supremacy. Notice that anti-Semitism and anti-Muslim bigotry are side by side, because we cannot have either as societies.

How you may have felt about that one article in the RNS is how we feel about the hundreds, thousands of articles on topics from immigration, surveillance, national security, racism, foreign policy, etc. I am happy to speak with you in more detail about it. I am attaching the full set of platform recommendations. But you are right the full scope of the recommendations, which at 17 pages long are lost in a news article. I suspect the focus on Israel-Palestine draws more readers, but it was one small part of the recommendations. Below are portions of the platform that adopted issues we had advocated and recommended.

Democrats will increase funding and support for security investments and protection at houses of worship, because everyone should be able to pray without fear. We will confront white nationalist terrorism and combat hate crimes perpetrated against religious minorities.

Democrats also recognize that, to fully confront the legacy of systemic and structural racism, it is time to examine, confront and dismantle the government programs, policies and practices that have unfairly targeted American Muslims as security threats. We condemn the decades-long campaign to demonize and dehumanize the Muslim faith community, which has led to increased rates of violence and discrimination targeting American Muslims or those perceived to be Muslim. We will hold accountable those who engage in or enable violent or other illegal activity targeting religious minorities, including by directing the federal

⁸⁸ *DNC Muslim Delegates and Allies Reject Susan Rice for VP*, DAILY KOS (Aug. 6, 2020, 12:41 PM), <https://www.dailykos.com/stories/2020/8/6/1967080/-DNC-Muslim-Delegates-and-Allies-reject-Susan-Rice-for-VP>.

government to address the growing and violent threat of white supremacist, neo-Nazi and anti-government groups.

We will never amplify or legitimize the voices of racism, misogyny, anti-Semitism, anti-Muslim bigotry, or white supremacy. Democrats will protect and promote the equal rights of all our citizens—women, LGBTQ+ people, religious minorities, people with disabilities, Native Americans, and all who have been discriminated against in too many ways and for too many generations.

We will immediately terminate the Trump Administration's discriminatory travel and immigration bans that disproportionately impact Muslim, Arab, and African people, and invite those whose visas have been denied under these xenophobic and un-American policies to re-apply to come to the United States. We will support legislation to ensure that no president can enact discriminatory bans ever again.

Democrats celebrate America's history of religious pluralism and tolerance, and recognize the countless acts of service of our faith communities, as well as the paramount importance of maintaining the separation between church and state enshrined in our Constitution.

During the Trump Administration, too many of our religious communities have been victimized by acts of intolerance, bigotry, and violence.

We will reject the Trump Administration's use of broad religious exemptions to allow businesses, medical providers, social service agencies, and others to discriminate.

Democrats know it's time to bring nearly two decades of unceasing conflict to an end.

Our military engagements, which have spanned from West Africa to Southeast Asia, have cost more than \$5 trillion and claimed more than half a million lives.

Our war in Afghanistan is the longest war in American history, with the youngest U.S. troops now fighting a war that was launched before they were even born. President Trump said he would get the United States out of these wars, but instead he deployed more combat forces, expanded their missions, and stoked regional tensions that unnecessarily endangered American lives and interests.

Democrats will deliver on this overdue commitment to end the forever wars, and we will do it responsibly—

setting priorities, leading with diplomacy, protecting ourselves from terrorist threats, enabling local partners, and bringing our troops home.

Democrats are committed to a durable and inclusive political settlement in Afghanistan that ensures that al-Qaeda isn't allowed to reconstitute, the Islamic State (ISIS) isn't allowed to grow, and the international community can help Afghans safeguard hard-fought gains, especially for women and girls.

Democrats will end support for the Saudi-led war in Yemen and help bring the war to an end. This war is responsible for the world's worst humanitarian crisis, and it amplifies threats to the region and to our interests. Democrats believe that the United States should support diplomatic efforts—not block them.

Democrats will not only end the wars that have cost so much American blood and treasure—we will apply their lessons.

We will only use force when necessary to protect national security and when the objective is clear and achievable—with the informed consent of the American people, and where warranted, the approval of Congress. That is why we will work with Congress to repeal decades-old authorizations for the use of military force and replace them with a narrow and specific framework that will ensure we can protect Americans from terrorist threats while ending the forever wars.

Rather than occupy countries and overthrow regimes to prevent terrorist attacks, Democrats will prioritize more effective and less costly diplomatic, intelligence, and law enforcement tools. We will right-size our counterterrorism footprint, put it in service of broader regional and overarching foreign policy objectives, and ensure it never undermines the values we seek to uphold. And we will mobilize our partners to make sustained investments that can prevent conflict and help extinguish the flames on which extremists feed.

He didn't understand how I felt. I found out later that there was a request to remove the Daily Kos post on the behest of the Biden campaign on a chain

that went through Jen O'Malley Dillon, who was the campaign manager at the time.⁸⁹

Then the DNC rolled around.

Emgage was a constant headache. Emgage had tried to become a power player on the Muslim political organizing scheme. But it was more or less a pyramid scheme of voter engagement and voter mobilization producing sham data and taking credit for the work of other organizations.⁹⁰

In a hard-hitting article in the *Middle East Eye*, writer Azad Essa noted how Emgage was relatively obscure until a few years ago when it started billing itself as “the first and largest” national Muslim American political action committee (PAC). Emgage also “enjoyed sizeable media coverage in the months and weeks leading up to the 2020 presidential election. Privately, Muslims grumbled about Emgage’s interference in advocacy on behalf of the community.

Anything we tried to do, they killed it. They killed news stories.⁹¹ They crushed activism. I quickly figured out the landscape of the Muslim journalists and activists, stumbled here and then, got burned, burned back, and kept going.

My biggest problem with Emgage was not foreign policy. Emgage was just filled with crass chauvinists, who looked down at visible Muslim women. Their female colleagues and relatives were actually the ones who despised them the most. The problem with Middle East policy is that to do something substantive and to actually negotiate is difficult, especially when folks come from positions of political powerlessness. But the Emgage guys were more middle of upper middle class and not enough upper class enough to see the benefits of putting up a fight. They were political lightweights with big mouths and flashy graphics.

A relative trying to dismiss my political activism said, “You are nothing but Trinity Prep.” She would remind me that I went to a school of spoiled, elitists brats. But with privilege also comes an air of “I don’t give a f**k who you are. You don’t know who the f**k I am.” If you make it to the in crowd through hard work, you won’t give it up. But if you were always part of that

⁸⁹ Nadia B. Ahmad, *Muslim DNC Delegates Were Censored and Banned from Daily Kos Following Intervention from ‘Team Biden,’* MONDOWEISS (Mar. 23, 2021), <https://mondoweiss.net/2021/03/muslim-dnc-delegates-were-banned-from-daily-kos-for-speaking-out-against-us-militarism/>.

⁹⁰ Olivia Cantu, *Behind the Scenes of the GOTV Sham and Foreign Policy Concessions of Emgage PAC,* MONDOWEISS (Sept. 18, 2020), <https://mondoweiss.net/2020/09/behind-the-scenes-of-the-gotv-sham-and-foreign-policy-concessions-of-engage-pac/>.

⁹¹ See Ali Harb, *‘Slap in the Face’: Muslims Decry Bloomberg’s Upcoming Appearance at Democratic Convention,* MIDDLE EAST EYE (Aug. 18, 2020, 9:14 PM), <https://www.middleeasteye.net/news/mike-bloomberg-muslims-decry-dnc-convention>.

in crowd and always thought it was bullshit, you don't flinch to call out the bullshit. That was what "Trinity Prep" was, the never flinch to be insubordinate.⁹²

The Emgage guys reached out to low-lying fruits because doing something substantive would actually be too much. They essentially rolled out State Department press releases as policy reform. My discontents with the Emgage crew grew from 2014 news reports about Emgage board members defending the mosque and the defendant in a sex abuse and rape case. How can creeps like this represent our community with any integrity? They thought they were great attorneys. Sometimes being a great attorney also means being an asshole through and through.

Then on midnight before the start of my Fall Semester 2020, I sat down and watched the video footage from 2015 of Khurrum Wahid in Jerusalem. Palestinian and Muslim activists were up in arms about the MLI trip that Wahid participated in.⁹³ One of the MLI participants, a mayor of a New Jersey town, had punched a journalist on camera, then Wahid showed up denying it.⁹⁴

He was asked his name by the reporter and said,
"Khurrum Wahid! Look me up!"⁹⁵

I did not have to look him up. I first met him in his Coral Gables office in 2007, the day after his law partner had given birth to her child. He gave me advice about law practice. But the half a dozen other times he met me, he would always ask me if I was a law student. He met a lot of female Muslim law students, but he should remember that eventually we become attorneys.

Khurrum is the perfect gentleman but also the perfect sell-out, the perfect guy to defend criminals, rapists, drunks, and the like. How could he defend a guy on camera punching a reporter and then go on camera acting like the whole scene was imaginary?⁹⁶

I had stayed silent when Khurrum's name was floated as a moderator during a planning meeting for a program on Palestine at the NAML Annual Conference in 2019. I would not make that mistake to be silent again.

⁹² See generally EDDIE HUANG, *FRESH OFF THE BOAT* (2013).

⁹³ Ali Abunimah, *Video: Jerusalem Resident Assaulted by Israeli-Backed U.S. "Muslim Leaders,"* THE ELEC. INTIFADA (Jan. 13, 2015), <https://electronicintifada.net/blogs/ali-abunimah/video-jerusalem-resident-assaulted-israeli-backed-us-muslim-leaders>.

⁹⁴ *Id.*

⁹⁵ Zalameh, *Jerusalem Resident Questions Participants of "Faithwashing" Muslim Leadership Initiative,* YOUTUBE (Jan. 12, 2015), <https://www.youtube.com/watch?v=-EUCBfxJHZw&feature=youtu.be>.

⁹⁶ *Id.*; see also AARON JAMES, *A**HOLES: A THEORY* (2012).

B. “Flames”

Well, well
 You better run from me
 You better hit the road
 You better up and leave
 Don't get too close
 'Cause I'm a rolling stone
 And I keep rolling on
 You better run from me
 Before I take your soul
 If I go, let me go
 And don't you follow me, let me go
 I will let you down, let me go
 Even if your heart can't take it
 Light me up in flames
 Light me up in
 Light me up
 Light me up
 Light me up
 You better run from me
 You better say goodbye
 And even if I plead
 Don't waste your time
 'Cause I'm a broken home
 You're better off alone
 You better run from me
 Before I take your soul⁹⁷

Meanwhile, the people I found irritating, I let them know it. I didn't go about making friends. I set out to burn it all down and rebuild. I listened to the R3HAB & ZAYN & Jungleboi 2020 song “Flames” about 50 times before I wrote the Mondoweiss article.⁹⁸ A lot of academics said they could not find the headspace to write during the pandemic. I programmed myself to write in an incendiary manner because I had to remove the inhibitions.

To rebuild wouldn't happen if we didn't topple it all down and set out to fix it from the ground up.

⁹⁷ “Flames” Lyrics, AZLYRICS, <https://www.azlyrics.com/lyrics/r3hab/flames.html> (last visited Sept. 23, 2021).

⁹⁸ Zayn, R3HAB & ZAYN & Jungleboi – *Flames* (Official Music Video), YOUTUBE (Jan. 30, 2020), <https://www.youtube.com/watch?v=LWEG5xHgM7c>.

I wrote about my experiences as a Muslim woman organizing on the Biden campaign.⁹⁹ And just when I felt nothing had happened, five days later, an article came out in the *Electronic Intifada*.¹⁰⁰ I was stunned. I didn’t bother reading through the entire article and was too busy sharing it. I felt vindicated. Then there would be a steady stream of people for a month who would reach out to me about similar negative experiences with Emgage. I became a magnet for people who had bad experiences with Emgage. The most common complaint was not Emgage’s problematic and Islamophobic policy positions but that Emgage would always swoop in to take credit for other organizing and fundraising work. Misappropriation was classic Emgage.

It was the #MeToo Emgage moment. Everyone was supportive of me except for two people inside the Emgage organization. One of the Emgage Board Members was also the Founding Chair of the Institute for Social Policy and Understanding (ISPU), a Muslim data organization. I couldn’t call for Drop Emgage if I was still partnering with organizations that were supported and established by Emgage Board Members.¹⁰¹ I was deeply disappointed in the response of ISPU Research Director Dalia Mogahed. But ISPU and a few others, such as leaders at the Muslim Public Affair Council (MPAC) and Islamic Society of North America (ISNA), have huddled back with Emgage. It’s the same group of people who fail to side with vulnerable populations, block students from attending BLM protests, and make racist speeches.¹⁰²

I had nothing to say to Iltefat. I wanted him to leave me alone instead of sending veiled threats to my work email.

On Sep 15, 2020, at 6:58 PM, Iltefat Hamzavi wrote:
Assalamu Alaikum Nadia:

I hope this email finds you well. The past week has been challenging for me on a personal and professional level and I wanted to take this opportunity to share my thoughts with you. I welcome criticism. It makes us more self-aware and

⁹⁹ Nadia B. Ahmad, *When Our Muslim Brothers Are the Barriers to Engagement with the Biden Campaign*, MONDOWEISS (Sept. 3, 2020), <https://mondoweiss.net/2020/09/when-our-muslim-brothers-are-the-barriers-to-engagement-with-the-biden-campaign/?amp>.

¹⁰⁰ Ali Abunimah, *Meet Emgage, the Pro-Israel Muslims Backing Joe Biden*, THE ELEC. INTIFADA (Sept. 9, 2020), <https://electronicintifada.net/content/meet-engage-pro-israel-muslims-backing-joe-biden/31146>.

¹⁰¹ *Open Letter to Muslim Leaders*, DROP EMGAGE, <https://www.dropengage.com/> (last visited Sept. 23, 2021).

¹⁰² Jasper Hamann, *Hamza Yusuf Faces Scandal Over Israel-UAE Deal, Blames ‘Fake News,’ MOROCCO WORLD NEWS (Aug. 26, 2020, 2:42 PM)*, <https://www.morocoworldnews.com/2020/08/316621/hamza-yusuf-faces-scandal-over-israel-uae-deal-blames-fake-news/>. The author was a former student at the Zaytuna Institute from 1998 to 2000.

better and stronger as an organization to face the work ahead. The criticism of the past week has helped EMGAGE grow and self-correct. This is something I think we can both see as a positive development.

However, personal attacks and name calling, especially against someone you simply don't know, are hurtful, unfair and counterproductive. I ask you as your brother to keep your criticism constructive and focused on ideas and not individuals.

Since we share not only our concern for the well-being of the community and its civic engagement, but also ISPU, I would encourage you to share your concerns with the organization's leadership: Meira, Dalia and Petra. I have no formal role with the organization anymore and cannot formally influence anything there, but have worked with these women extensively. Perhaps talking to them can give you a different perspective. It appears we have gotten off on the wrong foot.

If you wish I can share their contact information if you do not have it already.

Waslaam,
Iltefat Hamzavi
Founding Board Chair Emeritus

On Sep 15, 2020, at 7:47 PM, Ahmad, Nadia wrote:

Wa Alaikum assalam Dr. Hamzavi,

Thank you for your feedback. I will keep that in mind. I'm not sure what else I could share with ISPU leadership that hasn't already been in the public record.

Kind regards,
Prof. Ahmad

On Sep 15, 2020, at 10:29 PM, Ihamzavi wrote:

Wa alaikum salaam

All you may gain from speaking to them is another perspective. Ispu's culture was built to offer that opportunity by using data and well-informed opinions to change perspectives.

I am happy to speak but I really want a productive off the record conversation. But I would also want to know what

it would accomplish for you and me. Would we hear each other or only speak to each other?

We are both busy people so let's use our time well. If you think us speaking can help me understand why you wrote what you wrote then I am happy to do so. I would also like you to hear about the setbacks I see that came from your comments.

It won't be a fun conversation for either of us but I am open to it if you think it would be helpful.

Wasalam
Iltefat Hamzavi
Founding Board Emeritus
Institute for Social Policy and Understanding

On Sep 15, 2020, at 11:32 PM, Ahmad, Nadia wrote:
I'm an attorney. I don't care about how fun a conversation is. I actually enjoy the uncomfortable conversations that bring out truth. What is there to understand? I said what I said.

From: Ihamzavi
Sent: Wednesday, September 16, 2020 12:06 AM
To: Ahmad, Nadia
Subject: Re: Recent comments

Truth comes from demonstrable proof. Not from uncomfortable conversations that have no intention of getting to the truth.

Iltefat Hamzavi
Founding Board Emeritus
Institute for Social Policy and Understanding

On Wed, Sep 16, 2020 at 12:48 AM Ahmad, Nadia wrote:
Assalamu alaikum:

Please accept my resignation from ISPU in any capacity. Please also remove my name and association from your website.

I will not be intimidated, by a two-bit dermatologist.

If ISPU is okay to associate with Emgage board members, I cannot associate with it.
Thank you.

From: Dalia Mogahed
Date: September 16, 2020 at 10:19:47 AM EDT
To: “Ahmad, Nadia”
Cc: Iltefat Hamzavi
Subject: *Re: FW: Recent comments*

Allikum Assalam Nadia:

I hope you are well. I’m disappointed to hear we will lose you, but I respect your decision. We will do as you requested regarding the website. I wish you well.

Warm regards:
Dalia Mogahed
Research Director
Institute for Social Policy and Understanding¹⁰³

I had a faint hope that Dalia would correct Iltefat; instead, her response seemed to be, “Don’t let the door hit you on the way out.” Iltefat was not the only MLI apologist. There was a whole slew of them. Comedian and law professor Amer Zahr was interrupted in 2017 by Iltefat when he called out another MLI apologist Wajahat Ali in a public forum.¹⁰⁴ Zahr was not someone easily intimidated. Therefore, someone like Iltefat would step up in his usual belligerent tone to butt in to the silence in the conversation. The Charming Muslim Zionist before the Angry Abrupt Palestinian. It’s harder to silence via the internet in the age of AOC. We have been burned enough to burn back.

Iltefat cites his dismissive behavior as a character flaw in a profile in the *Dermatologist*: He was asked, “What is your greatest regret?” Iltefat responded:

¹⁰³ E-mail from Dalia Mogahed, Rsch. Dir., Inst. for Soc. Pol’y & Understanding, to Nadia B. Ahmad, Assoc. Professor of L., Barry Univ. Sch. of L. (Sept. 16, 2020, 10:19:47 AM EDT) (on file with author).

¹⁰⁴ Amer Zahr in discussion with the author.

Not being patient enough with people. I have a sense of urgency about life and I don't like waiting for change but I never want to demean anyone in the process. However, when your time controls you, it can affect your basic manners and respect for others. It is those same people who provide so much meaning and if you don't take the time to appreciate them then you lose something.¹⁰⁵

Actually, here in academia, we call that *toxic masculinity*.¹⁰⁶ Sometimes academia can be a safe haven when it has complex terms to describe ordinary social phenomena. For example, a male in a position of power and privilege lordling over the community with elitist and oligarch political views.

C. “A Poor Schlub from the University of Florida”

About once a year a student comes to my office to ask about becoming a law professor. I have to tell him or her there is virtually no chance and that they may be overly optimistic. The reason, of course, is that they are not attending one of a tiny handful of—mainly expensive private—law schools that produce what people who went to those schools, and are in charge of hiring, regard as good enough to be law professors. This always seemed odd to me since some of the smartest people I know went to mid-level law schools and some of the dumbest and most narrowly educated (including some law professors) went to the fancy schools.

...

So, what's is it really about? It's about status and preserving status—anyway you can. Think about it. You've spend a few hundred thousand to attend a fancy school and you are a law professor. (And you are sure to remind the students of your days at Harvard or Yale). Then someone is hired who did not go to a fancy school and is running circles around you both teaching-wise and research-wise. What does that mean about you? It may mean that you are not so hot after all since some

¹⁰⁵ Benjamin Barankin, *Spotlight On: Iltefat Hamzavi, MD*, THE DERMATOLOGIST (Oct. 2016), <https://www.the-dermatologist.com/content/spotlight-iltefat-hamzavi-md>.

¹⁰⁶ See generally Kathleen Elliott, *Challenging Toxic Masculinity in Schools and Society*, 26 ON THE HORIZON 17 (2018).

poor schlub from the University of Florida is kicking your elitist ass.¹⁰⁷

I sat next to my contracts professor at a SEALS conference I attended in 2013. He was receiving an award for best paper. I told him that I had completed my masters at the University of Denver. He was unimpressed. I added that I was planning to go on the meat market. He looked at me like I was speaking in Sanskrit. He responded in his usual crass crankiness. He was so arrogant, or in his estimation—pragmatic—that he could not be counted upon to engage in basic pleasantries. He proceeded the rest of the lunch to ignore me and speak to others at the table, turning his back to me. Others seated at the table noticed my discomfort and tried to make some passes at conversation with me. I could have been sitting on the beach instead of with these people, trying to hide my second pregnancy, trying to be in their midst. I realized at that SEALS luncheon that I didn't need anyone's permission to become a law professor, least of all my own law professor's permission.

Professor Harrison's class would end at 3:00 p.m. on Fridays. I thought as a student what he could have done to piss off the administration that he would be stuck with a late Friday afternoon class. He was generally entertaining as a professor, but I didn't understand Contracts. A friend at Temple University emailed me an outline for Contracts class because he was studying from the same casebook. I pulled out with a B.

*D. "F*** those backward Sharia living Muslims"*

President Biden nominated Zahid Quraishi to the federal bench. It was the first Muslim appointment to the federal bench. Yet as community leaders dug deeper into his background, disturbing details emerged about his connections to the military and ICE. There was discussion on the Muslim lawyers listserv about whether military service is problematic. I had strong feelings about the military.¹⁰⁸ I thought it didn't need to exist. People were clearly in two camps from "Way to Go. Rah Rah," to "What the Hell?" Quraishi's testimony involved a question regarding Shariah law. His response forced his supporters to also cringe.

Attorney and activist Abed Award chimed in:

I want to make my position on the Biden judge public.

¹⁰⁷ Jeffrey Harrison, *No, You Cannot Be a Law Professor*, CLASS BIAS AND RANDOM THINGS L. REV. (Dec. 5, 2019), <http://classbias.blogspot.com/2019/12/no-you-cannot-be-law-professor.html>.

¹⁰⁸ NADIA BATOOL AHMAD ET AL., UNVEILING THE REAL TERRORIST MIND (2002).

A 'Muslim' judge cowardly says he knows nothing about Sharia. He is a true American patriot. F*** those backward Sharia living Muslims. When Amy Barrett was asked about her Catholic background, she said she is a proud Catholic and guided by her faith.

Sad that many folks are finding anything to defend his shameful response. Pragmatism. Moderation. American patriotism. Everyone is more American than the Mayflower. This has nothing to do with religiosity. An atheist who happens to be of a Muslim background can answer the Sharia question with respect, thoughtfully and defend his community.

Sad but not surprising that those who are financially secure with careers and influence in our community and society are the lawyers supporting his nomination. But who cares about the poor Muslim recent immigrant who is demeaned and discriminated against because he represents Sharia to Americans? And the Muslim Americans who live a Sharia moral lifestyle, they are not worthy of being true Americans.

And the organizations like CAIR who lead the defense of our community are being attacked as supporters of terrorism or militant religiosity.

Defend as much as you wish but this nominee is an embarrassment to our community and has contributed to the misinformation and bigotry about Sharia and our Muslim community. Basically, there are good Muslims like him and the bad Muslims like me.

Shortly after Abed's email, there was a reminder of listserv etiquette, followed by a new rule of the listserv policy. Abed expressed our anger and disappointment in the nomination. President Biden's Muslim appointments aside from Sameera Fazili, Deputy Director of the National Economic Council, and Lina Khan, Chair of the Federal Trade Commission, have been uninspiring. Major appointments by the Biden administration and the Democratic National Committee consist primarily of South Asian males, ignoring the diversity of American Muslims, particularly African Americans and Latinos, and overlooking more competent women. These appointments even have a dearth of practicing Arab Muslims, because most have a spine when it comes to speaking out on issues that impact the community unlike the servile, secular, politically conservative/moderate South Asian male. I hate drawing these broad stroke generalizations of my Muslim male

counterparts, but the correlation of their background and constant self-serving nature are not merely accidental. As a Muslim woman progressive, every political conversation I have shouldn't feel like kicking the door off its hinges, even among my own ethnic and religious communities, as well as the Democratic Party. I'm tired of the getting along to get along. In short, the White House and the Democratic Party perpetuates the sexist and racist history of those marginalized within the marginalized group of American Muslims. Attorney Ahmed Shaykh noted the "professional class of Muslims that sees Muslim 'identity' as a ticket to professional opportunities and funding."¹⁰⁹ Law professor Nancy Leong termed the phrase "identity capitalists" to describe this phenomenon of how powerful people and institutions take advantage of diversity for their own selfish gains.¹¹⁰

Our anger is love for what our world *could* be if we had the courage to put aside the tools and trappings of racism, misogyny, and Islamophobia. It's because we *love* the law that we pause to question the indignities and the injustices. Because we love and know the law, we understand the insidious manifestations of racism, misogyny, and Islamophobia and the chokeholds that they have on our systems, which want us eliminated.

The week before, I received a death threat by email, "Die infidel Muslim scum." I promptly reported the death threat to the FBI, which did nothing.

¹⁰⁹ Ahmed Shaikh, *Muslim Advocates has Problems*, SUBSTACK, https://ehsan.substack.com/p/muslim-advocates-has-problems?token=eyJ1c2VyX2lkIjo1NjI4MzQ1LCJwb3N0X2lkIjozOTU4MDc2NCwiXyI6IlpVb29iIiwiaWF0IjoxNjI4MTEwNTI1SLCJleHAiOiJlE2MjgxMTQxMjksImZyY16InB1Yi05MTg0MCI1N1YiI6InBvc3QtcnVhY3Rpb24ifQ.FYMfrA6Ld_DvM45H41JnKd7xfXy3lOG7qROkXWettHw (last visited Sept. 23, 2021). "For them, the term 'Muslim' is a valuable box to check in a grant application. However, the category 'Muslim' should have meaning beyond serving as a term one can trade on for money. Some in this professional class are often actively hostile to Islam as a lived practice." *Id.*

¹¹⁰ NANCY LEONG, *IDENTITY CAPITALISTS: THE POWERFUL INSIDERS WHO EXPLOIT DIVERSITY TO MAINTAIN INEQUALITY* (2021). Leong argues that a national obsession with diversity has created a space for identity capitalist to infiltrate the fields of law, education, media, and corporate spaces.