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2. Islamic Fundamentalism

Introduction

Not surprisingly, multiculturalism has received wide criticism. It is not without reason that many political leaders publicly gave up on it. But the reason they did so was not that they thought that the multiculturalist ideology was internally inconsistent or based on false premises. It was *reality* that caught on. The multiculturalist moral and political perspective on human life is one that values diversity, tolerance, and authenticity, *regardless* of the level of abhorrence of certain practices. Here Taylor comes to mind, who stated: “[O]ne could argue that it is reasonable to suppose that cultures that have provided the horizon of meaning for large numbers of human beings, of diverse characters and temperaments, over a long period of time – that have, in other words, articulated their sense of the good, the holy, the admirable – are almost certain to have something that deserves our admiration and respect, *even if it is accompanied by much that we have to abhor and reject.*”²⁰⁸ It is exactly that mentality that makes multiculturalism unfit as an ideology that should drive pluralist societies.

It is the multiculturalist belief that culture is good because it is valued by its bearers; that too much focus on what is undesirable threatens the “fact” that minority members need their culture intact, and that too much change is a threat to one’s identity. Communities are expected to provide individuals with an integrated sense of self – even if those communities embrace harmful practices. Change should come “from within”, “outsiders” should refrain from “imposing” their norms.²⁰⁹ Blinded by the positive evaluation of minority culture, there is hardly space for a debate on harmful practices. At best, there is room for “intercultural dialogue”: an invitation to talk in

²⁰⁸ Taylor 1994, pp. 72-73. [Italics added].

²⁰⁹ See also Guiora, Amos, *Freedom from Religion: Rights and National Security*, Oxford: Oxford University Press 2013, p. 5.

order to integrate cultures. Undesirable minority practices are expected to be voluntarily relinquished without imposing norms, judging and “excluding the Other”.

It is at the cross section of multiculturalism and Islam-related practices that contemporary multiculturalism is struggling most. Multiculturalist sensitivities have detracted us from studying the underlying foundations of Islamist ideology.²¹⁰ It is a common belief that it is wrong to focus on Islamic fundamentalism, while there are so many Muslims who do not adhere to radical Islam. The idea is that focusing on the negative side is unpleasant for Muslim citizens who want nothing to do with this political Islam. Some go beyond unpleasant, but call this “racist” or “discriminatory”, “as if all Muslims are terrorists”. *Of course* not all Muslims are fundamentalist. That is not what I wish to convey. In fact, worldwide, it is non-fundamentalist Muslims who suffer most from Islamic fundamentalism. Yet, at the same time, Islamic fundamentalism has become a problem in the West, as well. According to a 2013 poll, about half of European Muslims adhere to fundamentalist notions of Islam: that there is only one interpretation of the Koran, that Muslims should return to the roots of Islam, and that religious rules are more important than secular laws.²¹¹

There is a steady body of Islamist thought justifying a parallel legal order, such as expressed in Sharia councils. It is not an accident that 45 to 73 percent of European Muslims believe religious laws are more important than secular laws: they are led by the idea that religion is not limited to the private sphere, but that the body

²¹⁰ “A candid perusal of religion is often rejected as being “merely negative” or motivated by feelings of spite on the part of the researcher. Great pressure is exerted to portray religion only from its most positive side.”, Cliteur 2010, p. 80. See also: Bale, Jeffrey, ‘Denying the Link between Islamist Ideology and Jihadist Terrorism: “Political Correctness” and the Undermining of Counterterrorism’, *Perspectives on Terrorism* 2013, via <<http://www.terrorismanalysts.com/pt/index.php/pot/article/view/290/html>>.

²¹¹ According to a 2013 poll in six European countries (Germany, France, the Netherlands, Belgium, Austria and Sweden) among 9000 Turkish and Moroccan immigrants and natives. See Koopmans, Ruud, ‘Religious Fundamentalism and Hostility against Out-groups. A Comparison of Muslims and Christians in Western Europe’, *Journal of Ethnic and Migration Studies* 2015, pp. 33-57. That does not mean that all fundamentalist European Muslims are committed to using violence to overthrow secular regimes in favour of a Sharia state. Nonetheless, other studies have shown that the number of people willing to use violence to defend their religion is much smaller than those merely believing a fundamentalist version of Islam, but still is a staggering ten percent. See: ‘Schweigen, Fragen, unerwünschtes Lob. Ruud Koopmans über die Reaktionen auf seine Fundamentalismus-Studie’, *WZB Mitteilungen* 2014, pp. 53-55 (54). See also: Roex, Ineke, Stiphout, Sjef van, and Tillie, Jean, *Salafisme in Nederland* (Salafism in The Netherlands), Universiteit van Amsterdam, Instituut voor Migratie-en Etnische Studies 2010.

of Islamic laws – Sharia – supersedes secular political and legal rights and duties.²¹² Therefore, it deserves to be studied, not ignored, or downplayed – as multiculturalists tend to do.

Moghissi laments the yielding of scholars to the “Islamists’ intellectual seductions”. It disturbs her even more that it are not merely journalists, but even more so, that secular Middle East scholars and prominent feminists are falling prey to Islamists’ messages.²¹³ In the 1990s she theorized that these academics had growing concerns over the growing racist arsenal of negative imageries about Islam and Muslim women which caused the climate to turn. Certain scholars began to deny the punishing features of Islamic practices and traditions and instead began to emphasize the positive aspects of Islamic culture. This is, however, not the best way to show one’s solidarity with Muslims around the globe, Moghissi writes. She wonders out loud why, given the compelling body of evidence of the fundamentalists’ repressive measures against women, this subject is usually neglected in academic analyses.²¹⁴ Is this tendency driven by fear of physical violence or ‘Orientalist’ tendencies, she asks? Is it driven by a paralyzing anxiety to be accused of cultural insensitivity? “Or is it a postmodern specimen of the attitude to ‘exotic’ practices and institutions which viewed from afar, are celebrated as ‘authentic’, ‘local’ responses to indigenous problems – and excused as inevitable because they ‘fit’ with the culture?”²¹⁵

From her point of view, Islamic fundamentalism is not something scholars should overlook. So we won’t. Especially as immigration and globalization has led to an expansion of Islamic fundamentalism, it is important to not let “cultural sensitivities” overshadow the fact there currently is increasing competition between Islamic and secular law on western soil.

²¹² Koopmans 2015.

²¹³ Moghissi 1999, p. viii.

²¹⁴ B. Baron, ‘Tolerable Intolerance?’ Silence on Attacks on Women by Fundamentalists’, *Contention* 1996, in: Moghissi 1999, pp. 4-6.

²¹⁵ Moghissi 1999, pp. 6-7.

This chapter is on Islamic fundamentalism, also known as Islamism or political Islam. Next, in the third chapter, we will see the union of Islamic fundamentalism and multiculturalism in the case-study of Sharia councils in the United Kingdom. That state does allow religious tribunals to function on its soil and high-impact speeches are made on behalf of more accommodation. Moreover, as I will discuss there, several influential religious leaders who have founded Britain's first Sharia council have been trained at Egypt's al-Azhar University and Medina University in Saudi Arabia. They have come to Britain to espouse the ideology of political Islam. I believe that discussing the origins, aims and scope of Islamic fundamentalism at length is needed, because it explains the nature of Sharia councils. So, what is the ideology of Islamism that most multiculturalists prefer to downplay?

Sharia as the sacred law of Islam

German political scientist Bassam Tibi (1944), author of *Political Islam, World Politics and Europe* (2008), *Islamism and Islam* (2012) and *The Sharia State* (2013) interchangeably uses the terms political Islam, Islamism or religious fundamentalism, when he describes the political and religious doctrines of radical Muslim thinkers.²¹⁶ In order to understand the background of Sharia councils in the United Kingdom, we need to know about the political ideology that is Islamism.

In his analysis, Tibi makes a distinction between Islam and Islamism.²¹⁷ He claims the distinction between Islam and Islamism is crucial for a peaceful co-

²¹⁶ See also Bennoune 2013; Tibi, Bassam, 'The Politization of Islam into Islamism in the Context of Global Religious Fundamentalism', *Journal of Middle East and Africa* 2010, pp. 153-170; Cliteur, Paul, 'Female Critics of Islamism', *Feminist Theology* 2011, pp. 154-167; Desai, Meghnad, *Rethinking Islamism: The Ideology of the New Terror*, London/New York: L.B. Taurus 2007; Sifaoui, Mohamed, *Pourquoi l'islamisme séduit-il?*, Paris: Armand Colin 2010; Strindberg, Anders and Wörn, Mats, *Islamism: Religion, Radicalization, and Resistance*, Cambridge: Polity 2011.

²¹⁷ Many do not make a distinction between Islam and Islamism and believe the fault lies within Islam as such. See for instance Sultan, Wafa, *A God Who Hates. The Courageous Woman Who Inflamed the Muslim World Speaks Out Against the Evils of Islam*, New York: St. Martin's Press 2009 and Ali, Ayaan Hirsi, *Heretic. Why Islam Needs a Reformation Now*, New York: Harper Collins 2015. Samuel P. Huntington makes a distinction between Islam and Islamic fundamentalism, yet believes the problem is Islam: "The underlying problem for the West is not Islamic fundamentalism. It is Islam, a different civilization whose people are convinced of the superiority of

existence between Muslims and non-Muslims alike. “The religious faith of Islam is not an obstacle to peace or a threat to the non-Muslim other. Islamism, on the other hand, creates deep civilizational rifts between Muslims and non-Muslims”.²¹⁸ The key difference is that Islam, on the one hand, is about faith – for instance adhering to the five pillars: 1) declaring there is no god except God, and Muhammad is God's Messenger, 2) ritual prayer five times a day, 3) giving a small percentage of one's savings to the poor and needy, 4) fasting and self-control during Ramadan, and 5) pilgrimage to Mecca at least once in a lifetime – if one is able to do so. Islamism, on the other hand, is about political order, a religionized political order, aimed at establishing a unity of state and religion under a system of constitutionally mandated Islamic law.²¹⁹ In one phrase: Islamism is the political ideology of a Sharia state.²²⁰ What is the foundation of this ideology?

The focus is on a *fundamentalist* version of religion and its political consequences. The term “fundamentalism” stems from a collection of essays published between 1910 and 1915 in the United States. In this series entitled “The Fundamentals. A Testimony to Truth”, protestant theologians determined that the unifying element within their religion was the belief that the bible was infallible, as it was the verbally inspired Word of God. The impetus was the concern of a rapidly changing social world surrounding them and an attempt to preserve the core of their value system. From that perspective, fundamentalism is often framed as the opposite of modernity. Both Protestant and Islamic fundamentalists can be said to want to respond to changing moral values by a return to the notion that divine revelation is infallible and should serve as the one guide for belief and conduct.²²¹

their culture and are obsessed with the inferiority of their power.” (Huntington, Samuel P., *The Clash Of Civilizations and The Remaking of World Order*, New York: Simon and Schuster Paperbacks 1996 (2003), p.217.

²¹⁸ Tibi, Bassam, *Islamism and Islam*, New Haven & London: Yale University Press 2012, p. vii.

²¹⁹ Tibi 2012, pp. 1-3. See also Tibi, Bassam, *The Shari'a State. Arab Spring and Democratization*, London: Routledge 2013, p. 186.

²²⁰ Tibi 2013, p. 95

²²¹ See: Buttner, Friedemann, ‘The Fundamentalist Impulse and the Challenge of Modernity’, p. 59 (57-79), in: Stauth, Georg (ed.), *Islam – Motor or Challenge of Modernity. Yearbook of the Sociology of Islam (1)*, Hamburg: Lit Verlag 2008.

Yet, sociology professor Haideh Moghissi states that the efforts of Islamic fundamentalists are much more than just a religious movement. They see Islam “[...] as a totalizing force that inspires and regulates all aspects of public and private life. They look to the Qu’ran not merely for its moral principles, but to find clues to the future of the world. Fundamentalist movements are similar in that they are determined to subjugate all aspects of human life – be they economic, political, cultural, aesthetic, familial or personal – to the will of God, as declared in religious scripture. Islamist groups insist that they are not only going back to the basics of Islam, but are reviving them as well.”²²² At the most basic level, fundamentalism refers to a mentality towards time; it proposes to go back to “an ideal past, initial conditions” or “golden age”. Whether there ever was such an Islamic “golden age” is subject to debate, but for now beside the point.²²³ The goal is to reform society in such a fashion it most corresponds to an idealized past, for which the model can be found in an originating text.²²⁴ That means that *Islamic* fundamentalists share the ideal that society must be saved and purified by means of establishing a true *Islamic* society. This is done on the basis of a ‘correct’ interpretation of divine texts with the earliest states as under Muhammed in the seventh century serving as example.

According to Rémi Brague (1947), French professor of philosophy and author of *The Law of God. The Philosophical History of an Idea* (2007), early Islam consisted of mainly Arab conquerors who needed to establish a new set of laws to replace the laws that governed the newly conquered territory. Leaving the indigenous laws and legal practices intact posed the risk of leaving the ruling elite “melting” into the population, thereby losing its legitimacy as ruling forces, and relaxing its hold on the conquered. The Muslim elite therefore had to be resistant to the old mores. Therefore they had to conform to a law totally of its own, and to that law only. In order to make it believable, a strategy was required to mask the fact that much of Islamic

²²² Moghissi 1999, pp. 69-70.

²²³ See for someone who doubts there ever was such an era, Ibn Warraq, *Why I Am Not a Muslim*, Amherst: Prometheus 1995.

²²⁴ Moghissi 1999, p. 69.

law was borrowed from local customs and other religions. It had to appear “to come from within”. The hadith collections had exactly that function, Brague writes. All laws had to be attributed to Muhammed for them to gain legitimacy.²²⁵ British-German professor of Arabic and Islam Joseph Schacht (1902-1969), the leading Western scholar on Islamic law, described Sharia as the sacred law of Islam, as the epitome of Islamic thought, as the most typical manifestation of the Islamic way of life, “the core and kernel of Islam itself”. It consists of an all-encompassing body of religious duties; it is the complete aggregate of the commands of Allah which regulates the lives of all Muslims in every aspect.²²⁶ Sharia is foremost a *body of laws* that believers have to adhere to, rather than a source of moral values believers may voluntarily draw inspiration from.

Broadly speaking, Islam is divided in Sunni and Shi’a Muslims. The focus in this thesis is on Sunni Islam. There are four important Sunni schools of law (*madhhab*): the Hanafi, Maliki, Shafi’i and Hanbali school, and they are identical in approximately 75 percent of their legal conclusions.²²⁷

²²⁵ Brague, Rémy, *The Law of God. The Philosophical History of an Idea*, Chicago: The University of Chicago Press 2007, p. 147.

²²⁶ Schacht 1982, p. 1.

²²⁷ See: ‘Introduction’, pp. vii-xii (vii), in: Keller, Nuh Ha Mim, *Reliance of the Traveller: A Classic Manual of Islamic Sacred Law*; ‘Umdat al-Salik by Ahmad ibn Naqib al-Misri (d. 769-1368) in Arabic with Facing English Text, Commentary, and Appendices. Edited and translated by Nuh Ha Mim Keller, Beltsville: Amana 1991. I will refer to Keller throughout this thesis. This volume of Islamic law is a translation by Nuh Ha Mim Keller of the original Arabic text by Ahmad ibn Naqib al-Misri (d. 1368). Although it is mostly from the Shafi’i school of jurisprudence, the four Sunni schools are identical in approximately 75 percent of their legal conclusions. Also, this is not a text just by this one author, but a collaborative effort – as are most works on Islamic law – by a whole school of research and interpretation in explaining “rules of divine origin”. Moreover, during the course of history, sheikhs have updated this collection. It is important to note that before publication of the book in 1991 Keller received a convincing degree of recognition by renowned Islamic scholars who stated Keller “understands the texts of this volume and is qualified to expound it”, praised him for his “accuracy and integrity”, and that “this translation is superior to anything produced by orientalisists”. It has been certified by the al-Azhar university in Egypt, which is acknowledged as one of the world’s leading centers for training Islamic scholars.

The Hanafi school is the most prevalent one in Muslim-majority societies, with followers in about one-third of them, including: India, Pakistan, Bangladesh, Afghanistan, Central Asia, the Caucasus, the Balkans, Turkey, Parts of Iraq and Egypt. The Maliki school, the second most-dominant school, prevails in countries such as: The Arabian Gulf States (Kuwait, Qatar, Bahrain, Dubai and Abu Dhabi), East and West African countries (upper Egypt, Sudan, Tunisia, Algeria, Libya, Morocco, Mali, Nigeria, Chad, Niger, Senegal, Mauritania), Syria and Yemen. The Shafi’i school is widespread in countries such as: Indonesia, Malaysia, Singapore, Sri Lanka, Maldives, Palestine, Jordan, Lebanon, Yemen and East Africa (Somalia, Kenya, Tanzania). The Hanbali, the most conservative school of Islamic jurisprudence, has most of its adherents in Saudi Arabia. The Ja’farī school of thought is the school of jurisprudence of most Shi’a Muslims. The Shafi’i school is considered to be

According to Islamic religious sources, the following is the case. Muhammed Ibn Abdullah is said to be born approximately in 570 AD in the Arabian city of Mecca. Supposedly, he received his first revelation from Allah at age 40, when he was visited by archangel Gabriel who channeled Allah's views. These revelations formed the Koran, the holy book of Islam, which Muslims take as "God's word". Next to the Koran, the second most important religious source is the Sunna. Together, the Sunna and the Koran make up the key sources which form the basis of Islam. The Sunna consists of two components. The first is a large body of statements or testimonies about the exemplary conduct of Muhammed and those who accompanied him, his "companions". These statements are known as *hadiths*. These hadiths often have a normative character and consist of examples of behaviour in which Muhammed forbade, disapproved, approved or proscribed a certain type of action. The hadiths serve as a vitally important source of Islamic *law*. There are six major collections of hadiths in the Sunni Islam. Of that six, the sayings of Muhammed as collected by the Persian Muslim scholar Muhammed al-Bukhari (810-870) have the highest standing. This collection, called *Sahih al-Bukhari*, was put together over 200 years after Muhammed allegedly received Allah's instructions. It consists of nine volumes and deals with, *inter alia*, prayer, funerals, tax, pilgrimage, fasting, sales and trade, debt transfer, agriculture, freeing slaves, wills, jihad, marriage, divorce, food and meals, slaughter, dress, good manners, interpretation of dreams, virtues of the Koran, divine will, punishment laws, disbelievers, bathing, menstrual periods, and on how to deal with apostates.²²⁸ Such a source of information is just as important as the Koran for Islamic law.

The Sunna was passed on by Muhammed's companions, generation after generation. With companions are meant those who accompanied him during his life, and their descendants, and through these generations there is a so-called "chain of transmissions" of what Muhammed did and said, and approved and disapproved of.

conservative, as well. See: ReOrienting the Veil, <http://veil.unc.edu/>, by the University of North Carolina in cooperation with the Center for European Studies/European Union Center of Excellence.

²²⁸ Bukhari's full collection of hadiths is available online via <http://www.sahih-bukhari.com/>

The term *companions* refers to both the generation of men who knew him personally and strove with him to establish Islam and the two generations that succeeded them. Together they are known as the *sahaba*. There is a hadith quoting Muhammed saying: "The people of my own generation are the best, then those who come after them, and then those of the next generation."²²⁹ All three generations (the *sahaba* plus one generation) together are known as the *salafiyaah*, or *salaf*, and they are considered to represent Islam in its most pure, undiluted form. Any recorded statement by Muhammed must be able to be traced back through an uninterrupted chain (*isnad*) of reliable transmitters (the *salaf*) to Muhammed himself. If the chain is weak or unreliable, the hadith is considered to be less fit as a source of Islamic law, also known as *Sharia*.

Next to the Koran and the Sunna, there is a third source of Sharia, namely consensus, or *ijma*, which can be reached by the *Umma* (all the world's Muslims, a Muslim nation, transgressing borders, worldwide), but consensus generally refers to the *ulama*. The term *ulama* is used to describe the body of Muslim scholars who are trained in and have studied Islamic disciplines. They are accepted as the arbiters of what laws follow from Sharia. Fourthly and lastly, there is analogical reasoning, or *qiyas*. This is a method for extending rulings to new situations while limiting innovation. For instance, if wine is prohibited because of intoxication clouds the mind which diverts from a proper focus on Allah, then marijuana must also be forbidden.²³⁰ These sources make up Sharia, often comprehensibly categorized in *fiqh* (jurisprudence). There are *fiqh* books filled with casuistry, written by authoritative scholars, encompassing every aspect of life, from criminal law and administrative law, to not to pluck your eyebrows and how to enter a bathroom.

Together, these four sources make up what is commonly understood to be *Sharia*, or, Islamic law. It is important to note that Islamic law applies the following

²²⁹ Lacey, Robert, *Inside the Kingdom, Kings, Clerics, Modernists, Terrorists, and the Struggle for Saudi Arabia*, New York: Viking 2009, p. 9.

²³⁰ MacEoin, Denis, and Green, David (eds.), *Sharia Law or 'One Law for All?*, London: Civitas: Institute for the Study of Civil Society 2009, p. 27.

scale of religious qualifications, ranging from 1) obligatory (*fard* or *wajib*), 2) recommended (*mandub*), 3) permissible (*mubah*), 4) reprehensible (*makruh*), and 5) forbidden (*haram*). Forbidden acts fall under the header of “enormities”. An enormity is a shocking, evil, or immoral act, and is defined as “[...] any sin entailing either a threat of punishment in the hereafter explicitly mentioned by the Koran or hadith [...].” A random selection to illustrate: idolatry, greed, sarcasm towards the poor because of their poverty, wanting the life of this world (N: more than the next), eating or drinking from a gold or silver vessel, sexual intercourse with a woman during menstruation, tattoos, men imitating like women or vice versa, women visiting graves, not giving surplus water to someone thirsty, looking with lust at a woman who is not one’s unmarriageable kin, touching such a woman, or being alone with her, sodomizing your wife, cursing a Muslim, suicide, theft, drinking alcohol, showing others the weak points of the Muslims, and not repenting from an enormity.²³¹

Political Islam Part I: Wahhabism

One of the reasons the French reject the full face cover goes beyond being able to see women’s faces. The full face veil rings alarm bells regarding “a sectarian trend driven by radical and fundamental Muslim groups, who were taking advantage of a legal system that was very protective of individual fundamental rights and freedoms in order to obtain recognition of rights that were specifically applicable to residents of Muslim faith or origin”.²³² What they meant was Islamism. Where does that political ideology come from? For that, we have to go to the Arabian peninsula, where *Wahhabism* comes from, and from where the global movement of Islamism was founded and spread.

²³¹ See: Keller 1991, under p.0.0 and w.52.1 (280). Keller lists 442 of such enormities. “N:” indicates that a commentary has been provided by Sheikh Nuh ‘Ali Salman.

²³² *S.A.S. v. France*, ((Application no. 43835/11), EctHR July 1 2014, § 16.

Wahhabism is a puritanical and reactionary ideology based on the theological foundations laid down by Muhammed Ibn Abd-al-Wahhab (1703-1792). In the eighteenth century Arabian peninsula, the practice of “government” consisted mainly of local and changing tribal or settlement alliances. Ibn Abd-al-Wahhab was constantly rejected by communities for his narrow and uncompromising views, but this changed as he aligned himself with Muhammed bin Saud (d. 1765) in 1744. Ibn Saud was an “able and ambitious desert warrior”.²³³ The pact between them had the goal of establishing a kingdom based on Sharia in an effort to challenge the Ottoman hegemony, where Ibn Abd-al-Wahhab would deliver the spiritual, and Saud the political and military.²³⁴ Ibn Abd-al-Wahhab was strongly influenced by the teachings of earlier mentioned 13/14th century Hanbali scholar Ibn Taymiyyah – who epitomizes political Islam.

One of Ibn Taymiyyah’s focal points was that the act of interpretation of the Koran, called *tafsir*, may not be based on personal opinion. One cannot discover the meaning of Koranic texts on one’s own. In *Ibn Taymiya and His Times* (2010), associate professor Walid Saleh informs us that: “[a] string of prophetic traditions that warn against such a practice are produced, all with the aim of showing that no one has the right to expound freely on the Qur’ān. Indeed, Ibn Taymiyya is categorically against such a method even if it reproduces the true and valid meaning of the Qur’ān!”²³⁵ Self-study and making one’s own interpretation is thus out of the equation. Well, then, how do believers know what to believe and how to live according to Islamic rules? The ulema is decisive in these matters, and in Saudi Arabia that means that the correct way is to replicate Islam’s pious elders, those who

²³³ McHale, T. R., ‘A prospect of Saudi Arabia’, *International Affairs* 1980, pp. 622-647 (624).

²³⁴ El Fadl, Khaled Abou, *Speaking in God’s Name. Islamic Law, Authority and Women*, Oxford: OneWorld 2010, p. 73 (footnote 43) and Desai 2007, p. 43. Although the first state produced by this alliance did not last, it laid the foundations for the existing Saudi state in Arabia and inspired similar activism elsewhere down to the present day, see the lemma “Precolonial reform and experimentation from 1683 to 1818” in the Encyclopedia Britannica Online via < <http://www.britannica.com/EBchecked/topic/295765/Islamic-world/26943/Precolonial-reform-and-experimentation-from-1683-to-1818#ref317414>>.

²³⁵ Saleh, Walid, ‘Ibn Taymiyyah and the Rise of Radical Hermeneutics: An Analysis of “An Introduction to the Foundation of Quranic Exegesis”’, p. 123-162 (147), in: *Ibn Taymiya and His Times*, ed. Shahab Ahmed and Yossef Rapport, Oxford University Press 2010.

had travelled with Muhammed and the two following generations, the *salaf*.²³⁶ The idea of replicating the salafi Koranic interpretations, as well as copying the lives of the prophet and the salaf, laid the foundation of what is now commonly known as the Salafi movement, or Salafism.²³⁷ Only with Salafism can Islam counter the pollution and watering down by un-Islamic influences, which has diminished its perfection – that is the idea.

Even more arresting is Ibn Taymiyya’s principle that there is a *need* for violence in defense of true Islam. He stated, for example, “[t]o fight in defense of religion and belief is a collective duty according to consensus; there is no other duty after belief than fighting the enemy who is corrupting life and the religion. There [are] no preconditions for this duty and the enemy should be fought with one’s best abilities”.²³⁸ This fighting should lead Muslims back to the times of the salaf, and is based on an imperial glory of Islamic civilization and serves as a guideline for the Islamist demand for a return to history.²³⁹

Ibn Taymiyya’s teachings strongly influenced Ibn Abd-al-Wahhab. In ‘Totalitarianism and Radical Islamic Ideologies’, Dutch jurist and political philosopher David Suurland (1975) tells us what the consequence is of this Wahhabi take on Islam:

“To Wahhab, Jihad was the ultimate manifestation of Islam, a furnace in which Muslims are melted out, that allows the separation of the bad Muslim from the good one and that grants its fighters instant access to paradise. The Jihad of Wahhab had little to do with the noble notion of inner struggle; instead, it was focused on purifying the world through the murder of the unbelievers, the infidels, the

²³⁶ Buttner 2008, p. 65. The sahaba are those who are said to have actually travelled with Muhammed, the salaf include the two generations after the sahaba.

²³⁷ Ibid.

²³⁸ Euben, Roxanne Leslie, and Muhammed Qasim Zaman (eds.), *Princeton Readings in Islamist Thought: Texts and Contexts from al-Banna to Bin Laden*, Princeton: Princeton University Press 2009, p. 443.

²³⁹ Tibi 2013, p. 104.

Christians, the Jews and those Muslims who did not conform to his puritanical version of Islam. In the ideal Wahhabi society, the freedom of the believer is reduced to following the instructions of the faith to the letter. Any diversion, dissent or innovation is in their eyes an act of polytheism, or even worse, apostasy, and thus punishable by death.”²⁴⁰

Since true Islam was the Islam of Muhammed and his companions, any diversion from the Salafi way of life can be judged as an act of disbelief – *kufur*, related to *kufar*, infidels – and thus an act of apostasy, punishable by death. Confirmation of this is, for instance, found in the hadith: “for the Prophet said, 'If somebody (a Muslim) discards his religion, kill him’”.²⁴¹

Let us return to the covenant that Ibn Abd-al-Wahhab made with Saud in the 18th century. Saud’s gain from cooperation was that Ibn Abd-al-Wahhab consecrated the Saudi tribe’s raids. Instead of rivalling tribes simply being raided for food, women or profit, those raids became “[...] *jihad* – a holy war, to promote, by the sword, Islam’s triumph over unbelief.”²⁴² In return for religious legitimacy, Ibn Abd-al-Wahhab received military backing for his ideological and religious war. Saud and Ibn Abd-al-Wahhab’s pact was sealed by the marriage of Saud with Ibn Abd-al-Wahhab’s daughter – their descendants would eventually become Saudi Arabia’s political leaders for generations. As a result of the Saudi-Ibn Abd-al-Wahhabi coalition, Saud, and later his descendants, unleashed a campaign of terror in the Arabian Peninsula, and, for the first time in the history of Islam, there was a legitimized violent jihad against fellow Muslims.²⁴³ The Saud clan would wage war for almost 200 years, yet

²⁴⁰ Suurland, David, ‘Totalitarianism and Radical Islamic Ideologies’, p. 287-288 (257-309), in: Labuschagne, Bart and Sonnenschmidt, Reinhard (eds.), *Religion, Politics and Law: Philosophical Reflections on the Sources of Normative Order in Society*, Leiden: Brill 2009.

²⁴¹ “Ali burnt some people and this news reached Ibn 'Abbas, who said, “Had I been in his place I would not have burnt them, as the Prophet said, ‘Don't punish (anybody) with Allah's Punishment.’ No doubt, I would have killed them, for the Prophet said, ‘If somebody (a Muslim) discards his religion, kill him.’” Sahih Bukhari, Volume 4, Book 52, number 260.

²⁴² Kepel, Gilles, *The War for Muslim Minds: Islam and the West*, Cambridge, Massachusetts: The Belknap Press of Harvard University Press 2004, p. 159.

²⁴³ Suurland 2009, p. 290 (257-309).

finally managed to capture Mecca, Medina and Jeddah in 1926, a success booked by descendent Abdul Aziz (1876-1953), now known as Ibn Saud. Those physically responsible for the terror campaigns needed to establish the Kingdom, were the *Ikhwan*, a Wahhabi organization made up of newly Islamized Bedouin who lived by the strictest Wahhabi tenets. The Ikhwan would be the instrument for molding the new Saudi Wahhabi society.²⁴⁴ In the 1920s, their brutality led to 400,000 people killed or wounded and over a million people fled the conquered territories.²⁴⁵ By the 1930s, Wahhabi religious command had subordinated the Saudi population.²⁴⁶ In 1932, Ibn Saud declared the territory the Kingdom of Saudi Arabia, made himself king, and his family members the “Royal Family”.

Political Islam Part II: The Muslim Brotherhood

Islamic reactionaries admired and respected the Saudi Wahhabis, and they served as a source of inspiration in other circles in the Middle East. They were considered “authentic Muslim warriors” who fought off European control. As a reaction to the political and economic decline of the Islamic world in medieval and modern times, a puritan religious movement beyond Saudi Arabia was in the making which strove to purge itself of all non-Islamic influences and which envisioned a return to the earliest pristine days of Islam – and thus to Salafism.

As Wahhabism was unfolding at the Arabian Peninsula, there was a similar ideological development concerning Salafism taking place in Egypt. Take for instance Muhammed Abduh (1849-1905), an Egyptian reactionary theologian and jurist. He explained the backwardness and weakness of Muslims from the fact that they no longer lived by the principles of the salaf. He mentored Muhammed Rashid Rida

²⁴⁴ Gold, Dore, *Hatred's Kingdom: How Saudi Arabia Supports the New Global Terrorism*, Washington, DC: Regnery Publishers 2003, pp. 44-45.

²⁴⁵ Gold 2003, p. 49.

²⁴⁶ Schwartz, Stephen, ‘*Shari‘a* in Saudi Arabia, Today and Tomorrow’, pp. 19-40 (25), in: Marshall, Paul (ed.), *Radical Islam's Rules: The Worldwide Spread Of Extreme Shari'a Law*, Lanham, Maryland: Rowman & Littlefield Publishers 2005.

(1865-1935), and together they began the Islamic “reform movement” in Cairo.²⁴⁷ Rida (who is said to have been financially backed by Ibn Saud²⁴⁸) was one of the most important people to be influenced by the Salafi doctrine. He also strongly believed that the weakness and political decline in the Islamic world could only be countered by a return to true Islam. Rida’s proliferation of Salafism had profound consequences, for it was Rida who mentored Hassan al-Banna (1905-1949). In 1928, Al-Banna founded a new Islamic organization, “The Muslim Brotherhood”, or in Arabic, *Ikhwan al-Muslimum*. The mission of the organization was (and still is) to establish a pure Islamic society: a Sharia state. The Brotherhood’s credo is: “Allah is our objective. The Prophet is our leader, Qur’an is our law, Jihad is our way, Dying in the way of Allah is our highest hope.” On this use of the term jihad, Suurland explains: “It should be explained that the concept of jihad has two forms: the first being the large jihad, which is a life-long obligatory struggle against one’s inner-evil, and the small jihad, which is actual armed warfare against unbelievers and those who actively oppose Islam. In this credo, Hassan al-Banna is also directly referring to the small jihad”.²⁴⁹

Al-Banna’s views had a strong *political* dimension. Crucial in understanding Islamism is that it is not a religious movement with political consequences. Rather, it is a political movement with religious consequences.²⁵⁰ It was al-Banna’s ambition to create a global Islamic empire with Sharia as global law: “It is a duty incumbent on every Muslim to struggle towards the aim of making every people Muslim and the

²⁴⁷ Buttner 2008, p. 65.

²⁴⁸ “There is money in the affair”, one of Ibn Saud’s advisors confirmed, see: Kramer, Martin, *Islam assembled: The advent of the Muslim congresses*, New York: Columbia University Press 1986, p. 110, in: Gold 2003, p. 91.

²⁴⁹ Suurland quotes Jamal al-Banna, *Al-Jihad*, al-Qahirah: Dar al-Fikr al-Islami 2002, p. 4: “Refer to the verses (4:71–81) in the Noble book to understand how Allah urges the Muslims to remain alert and to acquire experience in warfare, in armies and troops, as individuals, as circumstances may dictate. (...) Notice how Allah associates warfare with prayer and fasting, establishing it as one of the pillars of Islam”. The book *Al-jihad* by Hassan al-Banna was written to prove to his fellow Muslims that the small jihad was an integral part of Islam.” See footnote 65, in: Suurland 2009, p. 280. Although, for the past few decades, the Muslim Brotherhood has been communicating a message of rejecting violence and inter-faith dialogue, Suurland deems it at best unreliable, considering its associates, *inter alia* Sayyid Qutb; Amin Al-Husseini, chief Mufti of Jerusalem and associate of Eichmann; Sheikh Ahmad Yaseen, founder of Hamas; Abdullah Yusuf Azzam, influential ideologue and patron of Osama bin Laden; and Ayman al-Zawahiri, second in command and ideologue of Al-Qaeda.

²⁵⁰ See also Nawaz, Maajid, *Radical*, London: WH Allen 2012, pp. 85-86.

whole world Islamic, so that the call of the Muezzin can resound in all the corners of the world: God is greatest [Allahu akbar]!”²⁵¹

He complemented the Salafi doctrine with a rhetoric concerning colonialism and the threat of British control, the influence of foreign companies, on blind imitation of the West, on man-made laws that were failing to prevent crime, on educational mismanagement, and in general on intellectual chaos, the loss of moral values, on signs of desperation and loss of will. The Muslim Brotherhood’s goals were to free the “Islamic homeland” from foreign authority and to establish an Islamic state within that Islamic homeland.²⁵² Al-Banna envisioned a new kind of society, one that was orderly, serene and authoritarian, one that was based on conformity and obedience in all areas of life. That also meant rolling back any progress in women’s rights, crush individuality and getting rid of human differences.²⁵³ To achieve this, the concept of the Umma, a unified Muslim population (the “Islamic nation”), was needed to drown out disputes.²⁵⁴ This Umma had to be instilled with an unrelenting anger towards evil enemies, and an enthusiasm for both ultra-conservative communitarian obedience and violence and war.²⁵⁵ The movement grew rapidly; from four branches in 1929 to over half a million active members in Egypt in 1945; in 1948 there were 2000 branches, crossing the border to Palestine, Sudan, Iraq and Syria. In 1948 Hassan al-Banna was assassinated by two unknown gunmen while waiting for a taxi. But that was not the end of the Muslim Brotherhood.

²⁵¹ Lia, Brynjar, *The Society of the Muslim Brothers in Egypt*, Reading: Ithaca Press 1998, p. 79.

²⁵² Tamimi, Azzam, ‘Islam and democracy from Tahtawi to Ghannouchi, *Theory, Culture & Society* 2007, pp. 39-58 (48-50).

²⁵³ Berman 2010, p. 45. Following the 2011 uprisings against Mubarak in Egypt, the Muslim Brotherhood won the elections in 2012. This instantly led to a social and legal marginalising of women. See: Dyer, Emily, *Marginalising Egyptian Women. The Restriction of Women’s Rights Under the Muslim Brotherhood*, London: The Henry Jackson Society 2013.

²⁵⁴ Tamimi 2007, p. 49.

²⁵⁵ “[...] the kind of politics that regards terror as a goal in itself, and not just a tactic, and regards death as desirable.” In: Berman 2010, p. 45. Berman concludes is a recognizable political tradition from the 1930s and 1940s: fascism. Al-Banna was an admirer of Adolf Hitler and supported him publicly. He had *Mein Kampf* translated into Arabic in the 1930s. See: Horowitz, David and Spencer, Robert, *Islamophobia. Thought Crime of the Totalitarian Future*, David Horowitz Freedom Center 2011, p. 9. See also Nawaz 2012, p. 80: “As a political project, Islamism was inspired by the rise of European fascism.”

After the assassination, the Muslim Brotherhood welcomed a new member: renowned literary critic, novelist and poet Sayyid Qutb (1906-1966). He would become the Brotherhood's leading ideologue, inspiring members all over the world, even long after he was convicted of plotting the assassination of Egyptian president Nasser and was executed by hanging in 1966.²⁵⁶

To understand Qutb's ideology better, it is important to know that in addition to the well-known belief that good Muslims get to go to heaven (a reward), there is also an imperative what good Muslims should work towards *avoiding* here on earth, and that is the idea of *jahiliyyah*.²⁵⁷ That is: Islam was revealed to mankind, but mankind turned its back to Islam and degenerated into *jahiliyyah*, roughly translatable as ignorance, and which refers to a state of spiritual darkness.²⁵⁸ “[I]t signals not only human arrogance, but a transgression against divine authority, the scope of which encompasses both public and private domains of human life as well as both visible and invisible dimensions of the universe.”²⁵⁹ Between 1948 and 1950, Qutb studied in the United States and he was shocked by examples of transgressions signalling *jahiliyyah*. He experienced American moral depravity, in particular as it was manifested in individualism, materialism, racism, the economic system, and open sexuality – at least compared to the more restricted sexual codes of Qutb's own culture.²⁶⁰ It led him to the conclusion that the world is in moral decline: “[...] humanity is devoid of those vital values which are necessary not only for its healthy development but also for its real progress”, he wrote in *Milestones*, his main political

²⁵⁶ Tamimi 2007, pp. 48-50.

²⁵⁷ Gold 2003, p. 91. See on *jahiliyyah* also: Ellian, Afshin, ‘The Legal Order of Political Religion’, pp. 187-232, in: Molier, Gelijn, Ellian, Afshin and Suurland, David (eds.), *Terrorism, Ideology, Law and Policy*, Dordrecht: Republic of Letters 2011.

²⁵⁸ There is, for instance, this hadith on *jahiliyyah*: “A man said, “O Allah's Apostle! Shall we be punished for what we did in the Pre-Islamic Period of ignorance?” The Prophet said, “Whoever does good in Islam will not be punished for what he did in the Pre-Islamic Period of ignorance and whoever does evil in Islam will be punished for his former and later (bad deeds).”, See Sahih Bukhari, Volume 9, Book 84, number 56.

²⁵⁹ Euben & Zaman 2009, p. 30.

²⁶⁰ Suurland 2009, p. 282.

work composed when he was in prison.²⁶¹ Democracy is definitely a deviation from Sharia.

“Democracy is a man-made infidel religion”

If mankind were to be saved, it needs to submit (Islam literally means submission) itself to the laws of Islam, or else humanity will regress into a state of jahiliyyah.

Suurland writes:

“At some point in time, man no longer relied on Allah and his commandments but instead they relied on mankind itself. Man created institutions that were not ordained by Allah and they relied on them. Man created systems of governance such as democracy, which were tyrannical because now some man ruled over others thereby enslaving them. Man-made laws are a particularly malicious form of *jahiliyyah* because what they actually represent is the fact that men trust each other more than they trust Allah. It is blasphemy of the worst sort because it ascribes partners to God. Since God is one, a concept known as *Tawheed*, you cannot worship anything besides him.²⁶² Certainly not anything man-made. In short, what we today call the modern world, with its institutes, its laws and its secular systems of government, all of which have no basis in Sharia, is a form of tyranny bound to enslave man and keep them from realizing that their true freedom lies in the religion of Allah and submitting to its commandments. All those who do not submit, oppose. Those who oppose obstruct the freedom of all and are thus inevitably enemies.”²⁶³

In line with Ibn Taymiyya, Salafism, and Wahhabism, all those who ‘hinder’ Islam are enemies of Islam. Enemies of Islam should be fought (Jihad) until either killed or

²⁶¹ Sayyid Qutb, *Milestones* (1964). Translated in Andrew G. Bostom, ed., *The Legacy of Jihad: Islamic Holy War and the Fate of Non-Muslims*, Amherst: Prometheus Books 2005, in: Suurland 2009, p. 283.

²⁶² This also means that doubt about one’s religion is out.

²⁶³ Suurland 2009, pp. 283-284.

converted. For Christians or Jews, or any other variant that adheres “to the religion of Abaraham”, there is the *Dhimmi* status, which is a system of taxation in exchange for protection, as long as they comply with a number of Islamic rules.²⁶⁴ That means that any political system (or law) that deviates from Sharia, for instance a system that separates law and religion, is contrary to Islam – which is considered an act of apostasy – and contrary to what is good for mankind. Democracy thus contradicts Islam. American researcher Raymond Ibrahim (1973), author of *The Al Qaeda Reader*, states the view of Islamists: “democracy is a man-made infidel religion, devised to give the right to legislate to the masses – as opposed to Islam, where all legislative rights belong to Allah Most High: He has no partners.”²⁶⁵ Democracy “rebels against” and prevents Allah’s Sharia from becoming established law. Besides the idea that people have no right to sovereignty, its freedom of religion abolishes apostasy as a crime.²⁶⁶ Democracy’s principle of equality of citizens is considered blasphemous, as the Koranic dhimmi conditions (non-Muslims must pay taxes in exchange for protection) are unacceptable to democratic standards.

Also important, men’s dominion over women is legally abolished in a democracy. Koranic verse 4:34 reads: “Men have authority over women, for Allah has made the one superior to the other”. Yet, in a modern democracy men and women have the same legal status.²⁶⁷ It is also the issue of sex equality and fundamentalist ideology that make the debate on Sharia councils so heated.

Central to Islamist debate on the role and function of the two sexes is the notion that divinity has intended different functions for men and women, and that these are justified because of fundamental differences in their nature. Denying such differences is considered unjust, and therefore Islam deals with these differences

²⁶⁴ The Koran reads: “Fight those who do not believe in Allah or in the Last Day and who do not consider unlawful what Allah and His Messenger have made unlawful and who do not adopt the religion of truth from those who were given the Scripture - [fight] until they give the jizyah willingly while they are humbled.” (9:29). Jizyah is the taxation for non-Muslims.

²⁶⁵ Ibrahim, Raymond (ed.), *The Al Qaeda Reader: The Essential Texts of Osama Bin Laden's Terrorist Organization*. Portland: Broadway Books 2007, p. 130. See also: Euben & Zaman 2009, p. 30.

²⁶⁶ Also beyond Wahhabism: See Keller 1991, under o8.1 and o8.4. It is obligatory to ask the apostate to repent and return to Islam, if he does not he should immediately be killed (under o8.2.)

²⁶⁷ Ibrahim 2007, p. 135.

better than any other religious or social order could. Islam distinguishes between “equality” (which is affirmed for both sexes) and “identicalness” (which is rejected).²⁶⁸ Justice is thus found in the recognition of the dissimilarities between men and women, which requires different rights, duties and punishments for either sex. That the Western world has been seeking equality of rights is considered as not doing justice to the different dispositions of the sexes, as Ayatollah Khomeini’s disciple Murtaza Mutahhari (1920) explained in *The Rights of Women in Islam*.²⁶⁹

Accepting (legal) equality of the sexes is thus not possible within Islamist doctrine. To Islamists, accepting all this means humanity will regress further into the dark state of *jahiliyyah*. This must be avoided, and that is an eternal struggle which will continue until the religion is purified for God.²⁷⁰

In the 1970s and 1980s, the Muslim Brotherhood and Saudi Wahhabi’s joined each other and formed a global movement. In exchange for Saudi funds for its global operations in spreading their Islamist message, the Muslim Brotherhood made sure Saudi Arabia was protected against potential adversaries. With this increased protection, Saudi Arabia continued to strengthen its utopia within its boundaries.

Sharia State Example I: Theocratic Saudi Arabia

Let us take a look inside the most ‘complete’ Sharia State, to see what happens if Islamist principles are the basis of a nation’s blueprint.

To start with the juridical foundation. The 1992 Saudi “basic law” consists of 83 articles divided into nine chapters. Article 1 of the first chapter, “General Principles”, states: “The Kingdom of Saudi Arabia is a sovereign Arab Islamic State. Its religion is Islam. Its constitution is Almighty God’s Book, The Holy Qur’an, and the Sunna

²⁶⁸ Euben & Zaman Press 2009, pp. 252-253.

²⁶⁹ Euben & Zaman Press 2009, pp. 261-262.

²⁷⁰ As Qutb wrote in 1964, two years before he was executed. Suurland emphasizes that Jihad, according to Qutb, is *explicitly* not fought “because of any threat of aggression against Islamic lands or against the Muslims residing in them. The reason for jihad exists in the nature of its message and in the actual conditions, it finds in human societies, and not merely in the necessity for defence” (Qutb in *Milestones*), Suurland 2009, p. 286.

(Traditions) of the Prophet (PBUH). Arabic is the language of the Kingdom. The City of Riyadh is the capital.” The Koran and the Sunna thus *are* the nation’s constitution. On the sources of law the constitution states, in article 7, that “Government in the Kingdom of Saudi Arabia derives its authority from the Book of God and the Sunna of the Prophet (PBUH), which are the ultimate sources of reference for this Law and the other laws of the State”. This is confirmed in article 8: “Governance in the Kingdom of Saudi Arabia is based on justice, shura (consultation) and equality according to Islamic Sharia.” There is a Council of Senior Ulama responsible for fatwa’s (religious opinion or decision) based on the Koran and Sunna, and the judiciary and the king shall rule solely according to Sharia.²⁷¹ In Chapter 3 of the constitution, “The Values of Saudi Society”, it is laid down that: “The family is the nucleus of Saudi Society. Members of the family shall be raised in the Islamic Creed, which demands allegiance and obedience to God, to His Prophet and to the rulers, respect for and obedience to the laws, and love for and pride in the homeland and its glorious history” (art. 9). There is no room for disagreement on that, as articles 11 and 12 inform us of the following Saudi values: “Saudi society is based on full adherence to God’s guidance. Members of this society shall cooperate amongst themselves in charity, piety and cohesion” and “Consolidation of the national unity is a duty. The State shall forbid all activities that may lead to division, disorder and partition”. Ultimately, the goal of the Saudi state is to “protect the Islamic Creed, apply the Sharia, encourage good and discourage evil, and undertake its duty regarding the Propagation of Islam (Da’wa)” (art. 23, chapter 5, “Rights and Duties”). Finally, the state “shall protect human rights in accordance with the Sharia (art. 26). There is no doubt that Saudi Arabia’s political system constitutes a theocracy: the state and religion are fully aligned.²⁷²

²⁷¹ Articles 45, 46 and 55 of the Saudi Basic Law. From: http://www.saudiembassy.net/about/country-information/laws/The_Basic_Law_Of_Governance.aspx

²⁷² I take P.J. Tierney’s definition of theocracy: “It is a political system that organizes people around faith in a deity. Decisions are made and actions taken relative to their common life by seeking a deity’s direction, by ascribing authority and power to a deity. Theocracy exists when the origins of government and state power derive their legal authority from a divine source and derive their legitimacy from a deity. The deity and laws

The constitution tells us about the state's *formal* criteria, namely a reference to the Koran and Sunna, the two most important sources of Islamic law, or Sharia. But what about the *content*? What are some of the consequences when the Koran and Sunna are applied as basis for a nation's constitution, legislation and enforcement?

First of all, there is no freedom of religion. Wahhabi (Sunni) Islam is the only option, and is mandatory. Any diversion from this can be labelled apostasy or heresy and those found guilty of this crime face the risk of penalties, including flogging and death by execution. The building of churches is prohibited and bibles may not be distributed. Practicing Sufism, a mystical branch within Islam, and possession of Sufi writings is a capital offense. But Shi'a Muslims suffer the worst treatment of Muslims in the kingdom.²⁷³ Floggings, executions, and lifelong sentences are based on the sole charge of heresy. There is no recourse to a fair trial.²⁷⁴ The Saudi state also incites hatred against Shia Muslims through publications and education.²⁷⁵ There is thus no formal tolerance of religious diversity; the theocracy does not allow multifaithism or atheism.

Second, no freedom of religion obviously implies no freedom of speech. One example is Raif Badawi, who was arrested for his blog "the Saudi Free Liberals Forum" in 2012. He wrote on the need for secularism, against the Saudi interpretation of Islam and the lack of freedom: "As soon as a thinker starts to reveal his ideas, you will find hundreds of fatwas that accused him of being an infidel just because he had the courage to discuss some *sacred topics*. I'm really worried that Arab thinkers will migrate in search of fresh air and to escape the sword of the religious authorities."²⁷⁶ He was arrested and sentenced to ten years in prison, a

attributed to divine source are definitive." Tierney, P. J., *Theocracy: Can Democracy Survive Fundamentalism?* Bloomington: iUniverse 2012, p. 302.

²⁷³ Schwartz 2005, p. 29.

²⁷⁴ Take for instance Ahmed Turki al- Sa'ab, a Shi'a leader, who was quoted by the Wall Street Journal about the difficulties Shi'a Muslims face in Saudi Arabia. He was arrested six days after publication of this article, and was convicted to seven years in prison and 1,200 lashes after a security officer and the judge talked amongst each other, while the defendant was denied council. Schwartz 2005, p. 29.

²⁷⁵ Schwartz 2005, p. 31.

²⁷⁶ 'A look at the writings of Saudi blogger Raif Badawi – sentenced to 1,000 lashes', *The Guardian* 14 January 2015, via <<http://www.theguardian.com/world/2015/jan/14/-sp-saudi-blogger-extracts-raif-badawi>>

thousand lashes and a fine of 1 million Saudi riyals (237.000 euro's).²⁷⁷ The court ordered the closedown of his website. He is but one example of many who share his fate, as the state does not allow its citizens to work against “consolidation of the national unity”, cause division, or not fully adhere to the Saudi interpretation of Sharia. In general, Amnesty International reports on arbitrary arrest and detention without charge for those who publicly criticise the government, for those who violate religious standards and for Shia religious leaders.²⁷⁸ Although the Saudi law officially states hearings are public, judges may decide to close the doors, leaving many trials closed to the public. There is also no common right to access the prosecutor's evidence. Moreover, the law and practice discriminates against non-practicing Sunni, Shia, or other denominations, foreigners, and women.²⁷⁹

Saudi Arabia is also notorious for its criminal punishments, known as *hudud* laws: punishments fixed in the Koran and hadiths for crimes considered to be against the rights of God. Sharia mandates the cutting off of a hand for stealing, a punishment carried out in Saudi Arabia.²⁸⁰ Flogging is a sentence regularly executed, and the death penalty exists and is carried out – also for acts which are not

²⁷⁷ The thousand lashes are executed in weekly sessions of fifty, as a person would die from receiving a thousand lashes at once. In January 2015, Badawi received the first fifty, but the second session was cancelled, as his medical team he was not sufficiently recovered from the first fifty. See 'Raif Badawi: Saudi blogger is spared public flogging for a second week', *The Independent* 23 January 2015 via <<http://www.independent.co.uk/news/world/middle-east/saudi-blogger-raif-badawi-is-spared-public-flogging-for-a-second-week-9997804.html>>

²⁷⁸ Saudi Arabia 2013 Human Rights Report; Country Reports on Human Rights Practices for 2013 by the United States Department of State, Bureau of Democracy, Human Rights and Labor, p. 10 via <<http://www.state.gov/documents/organization/220586.pdf>>. Moreover, those arrested are sometimes cut off from all outside contact, including family and legal counsel, so that a person can go 'missing' for long periods. There are reports that government officials torture prisoners. There is, for instance, the case of human rights activist Mekhleef bin Daham al-Shammari, who was detained for “annoying others” with his online essays that criticised government officials and Saudi religious scholars, as the charge read in the prosecutor's file. He criticised several Saudi religious scholars for focusing on moral issues such as gender mixing in public instead of unemployment, poverty and other societal problems. See: 'Saudi human rights activist in prison for 'annoying others'', *The National* 20 July 2010 via <<http://www.thenational.ae/news/world/middle-east/saudi-human-rights-activist-in-prison-for-annoying-others>>.

²⁷⁹ Saudi Arabia 2013 Human Rights Report; Country Reports on Human Rights Practices for 2013 by the United States Department of State, Bureau of Democracy, Human Rights and Labor, p. 11-12.

²⁸⁰ “The Prophet said, “The hand should be cut off for stealing something that is worth a quarter of a Dinar or more.” (Sahih Bukhari, Volume 8, Book 81, number 780)

considered crimes in liberal democracies. Capital crimes include adultery, armed robbery, apostasy, drug smuggling, kidnapping, rape, witchcraft and sorcery.²⁸¹

Ibn Warraq, author of *Why I Am Not a Muslim* (1995) and *Why the West is Best. A Muslim Apostate's Defense of Liberal Democracy* (2011) writes on the lack of individual liberties: "In Islam, there is the concept of an individual with legal obligations, but not of the moral person who may freely choose his own path in life. There is no sense of the individual who can make rational decisions and accept moral responsibility for his actions. Ethics is reduced to obeying orders. Under Islam, the limits to the possible contents of your life are set by Allah and his law, while the collective will of the Muslim people is emphasized over any sense of individual rights."²⁸² This is especially true when living under an Islamic totalitarian regime, where it is hardly possible to escape government influence and the pressure of sticking to religion in theocratic Saudi Arabia. The secret police (*mabahith*) keeps Saudi citizens in check. British historian Robert Lacey, author of *Inside the Kingdom, Kings, Clerics, Modernists, Terrorists, and the Struggle for Saudi Arabia* (2009), writes: "The Mabahith are a department of the Saudi Ministry of the Interior, so vast and pervasive in their watchfulness that secret is scarcely the word for them. They have woven themselves into the very fabric of Saudi life. There is a Mabahith informant praying in every significant Saudi mosque, ready to make a phone call

²⁸¹ To give an idea of the scope of the amount of death penalties: in May 2013, Amnesty International stated that 47 people had been known to be executed that year so far. But it is feared that the number of executions may actually be higher than declared, as secret and unannounced executions have been reported as well. Apart from executing individuals without a fair trial based on charges for crimes non-Sharia regimes do not recognize (such as adultery and apostasy), the cruelty is staggering. Secret footage available online for instance, demonstrates five men hanging from a horizontal pole with their heads wrapped in bags. 'Saudi Arabia: Five beheaded and 'crucified' amid 'disturbing' rise in executions', *Amnesty.org* 21 May 2013, via <<http://www.amnesty.org/en/news/saudi-arabia-five-beheaded-and-crucified-amid-disturbing-rise-executions-2013-05-21>>. See also: 'Saudi Arabia: Five beheaded and 'crucified' amid 'disturbing' rise in executions', *Amnesty.org* 21 May 2013, via <<http://www.amnesty.org/en/news/saudi-arabia-five-beheaded-and-crucified-amid-disturbing-rise-executions-2013-05-21>>. YouTube has several videos of beheadings by sword, or by kicking oil barrels away from several men's feet who are hanging next to each other on a horizontal rope in the middle of a busy road. There are videos shot from a car window, showing hanging bodies next to a freeway.

²⁸² Ibn Warraq, *Why the West is Best. A Muslim Apostate's Defense of Liberal Democracy*, New York: Encounter Books 2011, p. 205. Ibn Warraq is the pen name of a Pakistani born American writer. He uses a pseudonym for safety reasons. See also: Ibn Warraq, *Why I Am Not a Muslim*, Amherst: Prometheus 1995.

should the imam's sermon get too fiery, nor would any university faculty be complete without its careful listener by the coffee machine."²⁸³

On the streets, Saudi citizens have to deal with the highly visible *mutaween*; the Saudi religious police who are formally known as the Committee for the Promotion of Virtue and the Prevention of Vice. It is the task of this 'morality police' to roam the streets and enforce Sharia-based laws. This means that prayers need to be done five times a day by everyone (cafes and businesses must thus be closed), women may not smoke, alcohol is obviously forbidden, and women have to be fully covered, which is a way of segregating men and women. A low point, even from the Saudi perspective, was reached in 2002, as the *mutaween* became world news. They prevented schoolgirls from leaving a burning school building in Mecca, because they were not wearing the full face covering headscarves and abayas (the typical Saudi black robes) as required. The religious police beat the girls back into the building, and they beat those who were trying to rescue the girls, as well as prevented firemen from going in. Around fifteen girls burned to death and dozens were injured.²⁸⁴

Women in general do not fare well under the Saudi Islamic doctrine, to state it euphemistically. It is well known that women are not equal to men in the kingdom.

Take for instance the practice of *purdah* (segregating women from men). It can imply veiling, but also secluding women in private homes through curtains or separating walls, and keeping women prisoners in their own homes.²⁸⁵ Thus, even in the private sphere, women can be segregated. The full face veil is part of the aim to segregate the sexes in public, in order to avoid *fitna*. The concept of *fitna* is relevant to the study of Islamic fundamentalism and the veiling of women. *Fitna* refers to calamity, sedition, subversion, agitation, disharmony, (sexual) temptation, sin, and

²⁸³ Lacey 2009 (Kindle Locations 1499-1502).

²⁸⁴ Chesler 2006, p. 189. See also 'Saudi police 'stopped' fire rescue', *bbc.co.uk* 15 March 2002, via <http://news.bbc.co.uk/2/hi/middle_east/1874471.stm>.

²⁸⁵ See for someone's personal struggle with Afghani *purdah*: Chesler, Phyllis, *An American Bride in Kabul: A Memoir*, New York: Palgrave Macmillan 2013.

seduction.²⁸⁶ It is not the case that all women are *intimidated* into covering up. A reason why some women freely cover up, is because they believe it will indeed please their creator. Others believe piety brings them power, it gives them a sense of being in control. Take for instance the Swiss-Iranian Carmen bin Laden, who married the brother of Osama bin Laden and emigrated to Saudi Arabia. In *Inside the Kingdom. My life in Saudi Arabia* (2004), she writes on how she saw powerless women throw “all their courage” into religion: “I think that it was simpler for them than fighting for their rights as human beings. I think that they believed that if they were strictly religious, then the men – like other women – would respect that. It seemed to work. Religious women did get more respect than the Westernized (women).”²⁸⁷

But in general, individual liberties are very much restricted. It is the only country in the world where women are not allowed to drive a car – a woman who broke the ban on driving was sentenced to 10 lashes.²⁸⁸ Women cannot leave the house without a male escort. They may not leave the country without a male family member’s consent. The airport checks the computer system for this consent and notifies the family if their relative intended to travel without permission. Permission is needed for work and seeking medical treatment as well. Daughters may be married off against their will, and a father has the right to seize custody of his children and deny the mother access to her children for good.²⁸⁹ In court, one male testimony needs to be countered by two female testimonies. On this, former grand mufti Bin Baz said: “the Prophet (peace be upon him) explained that their shortcoming in reasoning is found in the fact that their memory is weak and that their witness is in need of another woman to corroborate it. Therefore, it is related to non-proficiency in

²⁸⁶ Euben & Zaman 2009, p. 113.

²⁸⁷ Bin Ladin, Carmen, *Inside the Kingdom. My life in Saudi Arabia*, New York: Warner Books 2004, in: Chesler 2006, p. 136. Muslim convert Yvonne Ridley embraces Islamic piety: “In Islam, superiority is achieved through piety – not beauty, wealth, power, position or sex.” See: Ridley, Yvonne, ‘How I Came to Love the Veil’, *The Washington Post*, 22 October 2006.

²⁸⁸ She got a royal pardon; see Eltahawy, Mona, ‘Why Do They Hate Us?’, *Foreign Policy* 23 April 2012.

²⁸⁹ Bin Ladin 2005.

witnessing due to woman's forgetfulness or (that) she may add something in her witnessing."²⁹⁰

Women outnumber their male counterparts on universities, but they are stuck while watching men far less qualified control every aspect of their lives. Women are everlastingly minors regardless of their age or education. Child marriage is practiced in the country.²⁹¹ Islamic family law in general, and not just the Saudi Hanbali school of interpretation, allows women to be married off at a young age – following the example of Muhammed who consummated his marriage with Aisha as she turned nine years old.²⁹² The marriage contract consists of two parties, the husband and the woman's male guardian, often her father. Furthermore, women must be obedient wives, of which a man may marry up to four.²⁹³ The family is the nucleus of Saudi society, as article 9 of the Basic Law reads. That also means that women who are victims of abuse can be forced to return to their abusive father or husband. Women who file complaints run the risk of being sent to prison, rather than a shelter. This was the case for Samar Badawi in 2006, a divorced mother who challenged a complaint of "familial ingratitude" lodged against her by her abusive father. The judge reprimanded her, and said he would teach her obedience and flog her himself.²⁹⁴ Saudi Arabia is also the country where a gang-rape survivor was sentenced to jail for agreeing to get into a car with an unrelated male.²⁹⁵

The family nucleus also means that all sex outside of marriage is a crime. "Deviant sexual behaviour" is a crime as well. A married man engaging in sodomy or any non-Muslim who commits sodomy with a Muslim can be put to death, lashed or

²⁹⁰ Schwartz 2005, p. 33.

²⁹¹ Eltahawy 2012.

²⁹² Muhammed allegedly married his third wife Aisha when she was 6, and consummated the marriage before she reached the age of 10. "Narrated 'Aisha: that the Prophet married her when she was six years old and he consummated his marriage when she was nine years old, and then she remained with him for nine years (i.e., till his passing away)." (Sahih al-Bukhari, 7:62:64)

²⁹³ Sura 4:3 of the Koran states an explicit endorsement of the practice: "Marry of the women, who seem good to you, two or three or four; and if ye fear that ye cannot do justice to so many then one only."

²⁹⁴ 'Abused women battle Saudi injustice', *Financial Times* 14 October 2006 via

<<http://www.ft.com/intl/cms/s/0/d9ee5a5a-d7b0-11df-b478-00144feabdc0.html#axzz3Q1TFiDV9>>.

²⁹⁵ Eltahawy 2012.

jailed, although homosexuality is said to be “vibrant” in the Kingdom.²⁹⁶ This should not be mistaken for tolerance. Homosexuality is outlawed and those found guilty are convicted. Sharia prohibits men imitating like women (or vice versa), which also serves as ground for prosecuting homosexuals and transvestites.²⁹⁷ The official textbook position, what students learn in Saudi Arabia’s educational facilities, is that “Homosexuality is one of the most disgusting sins and greatest crimes [...]. It is a vile perversion that goes against sound nature, and is one of the most corrupting and hideous sins [...]. The punishment for homosexuality is death. Both the active and passive participants are to be killed whether or not they have previously had sexual intercourse in the context of a legal marriage [...]. Some of the companions of the Prophet stated that [the perpetrator] is to be burned with fire. It has also been said that he should be stoned, or thrown from a high place.”²⁹⁸ The *muttaween* is known to raid parties and arrest dozens of men at the same time. This was, for instance, the case on March 10, 2005, when about a hundred men were arrested by the secret police at a private party held in a rented hall in Jeddah. The government-affiliated newspaper Al-Wifaq reported that they were dancing and “behaving like women”. Human Rights Watch reported that two weeks later, dozens of them were sentenced to jail and flogging in a closed session in which defense attorneys were excluded.²⁹⁹

Lastly, Saudi Arabia formally abolished slavery in 1962. However, considering some migrant workers are denied exit from their employers who make them work pro bono while enduring severe abuse, the factual abolishment of slavery is yet to happen. This might be easier said than done, as slavery is endorsed by Sharia.³⁰⁰

²⁹⁶ ‘The Kingdom in the Closet’, *The Atlantic*, 1 May 2007, via <<http://www.theatlantic.com/magazine/archive/2007/05/the-kingdom-in-the-closet/305774/>>

²⁹⁷ Enormity number 107, see Keller 1991.

²⁹⁸ ‘2008 Update: Saudi Arabia’s Curriculum of Intolerance. With Excerpts of Saudi Ministry of Education Textbooks for Islamic Studies’, Center for Religious Freedom of Hudson Institute with Gulf Institute 2008, p. 5, via <http://www.hudson.org/content/researchattachments/attachment/656/saudi_textbooks_final.pdf> Center for Religious Freedom of Hudson Institute

²⁹⁹ ‘Saudi Arabia: Men ‘Behaving Like Women’ Face Flogging’, *Human Rights Watch* 7 April 2005, via <<http://www.hrw.org/news/2005/04/06/saudi-arabia-men-behaving-women-face-flogging>>.

³⁰⁰ See for instance: Ali, Kecia, *Marriage and Slavery in Early Islam*, Cambridge: Harvard University Press 2010.

Take for instance migrant workers – mostly from East Asia – whom hardly have any protection against abuse. They do not fall under the national labor laws. Through a sponsorship system called *kafala*, employers have the right to withhold wages, making workers work against their will and retain worker's identity documents making it impossible for a large number of workers to exit the country. In 2012, Human Rights Watch reported: "As in years past, Asian embassies reported thousands of complaints from domestic workers forced to work 15 to 20 hours a day, seven days a week, and denied their salaries. Domestic workers, most of whom are women, frequently endure forced confinement, food deprivation, and severe psychological, physical, and sexual abuse. In December 2010, authorities made no attempts to rescue an Indonesian migrant domestic worker who had worked for 10 years without pay and whose sponsors were "renting" her out to other houses, according to one Saudi woman who informed authorities. In November 2010, authorities in Abha, southern Saudi Arabia, recovered the body of Kikim Komalasari, a 36-year-old Indonesian domestic worker, bearing signs of extensive physical abuse. In September an appeals court overturned a three-year prison sentence for the employer found guilty of severely assaulting Sumiati Mustapa, her Indonesian domestic worker. In June, the government beheaded Ruyati binti Sapubi, an Indonesian domestic worker convicted of murdering her employer who allegedly refused to allow Binti Sapubi to return home. Courts sentenced another Indonesian domestic worker to death for killing her employer after he allegedly tried to rape her."³⁰¹

This was a brief impression of life in the Saudi Sharia state, a kingdom founded in 1932 after almost 200 years of immense battle and violent jihad initiated by Ibn Abd-al-Wahhab and Saud. Salafi/Wahhabi Islamism is a religious political ideology, which comes with indoctrination, a total lack of free speech, persecution of those not

³⁰¹ 'World Report 2012: Saudi Arabia', *Human Rights Watch* via <<http://www.hrw.org/world-report-2012/world-report-2012-saudi-arabia>> (no date specified).

belonging, a secret police infiltrating society and a vice squad monitoring people's actions on the streets. It is a *totalitarian* form of society: "[...] in which all activities are immediately linked to one another, deliberately presented as modalities of a single world; that form in which a system of values predominates absolutely, such that every individual or collective undertaking must necessarily find in it a coefficient of reality; that form in which, lastly, the dominant model exercises a total physical and spiritual constraint on the behavior of private individuals."³⁰²

It is of course not the first time in world history that political leaders declare the Divine to be the sole guidance for governance. It is also not unique to Sunni Islam – Shia Iran established a theocracy in 1979. But what is new in world history, is that this Islam-based political ideology that should lead to a Sharia State, is now vented out by a nation with immense resources and access to people worldwide – more than ever through the Internet and television.³⁰³ As a result of the 1970s covenant between the Egyptian Muslim Brotherhood's version of political Islam and Saudi Wahhabism, Saudi Arabia became one of the biggest worldwide export centers of the new Islamic fundamentalism.³⁰⁴ In 2003, Saudi expenses in spreading the Wahhabi doctrine over the world were estimated at 70 billion US dollars in nearly 30 years, mostly for building mosques, religious schools, and Wahhabi religious centers. To mention just two out of many organizations: the Saudi sponsored al-Haramain and the International Islamic Relief Organization founded thousands of mosques, schools, colleges and Islamic centers all over the (non-Islamic) world and sent out over 9000 preachers. Over 13 million books have been printed. In Indonesia alone, the Relief Organization funded 575 Wahhabi mosques.³⁰⁵

³⁰² Lefort, Claude and Thompson, John, 'Totalitarianism without Stalin', pp. 52-88 (79), in: Lefort, Claude, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism*, Cambridge: Polity, 1986. See also: Suurland, David, *Secular, Totalitarian And Islamist Legal-Political Philosophy*, dissertation Leiden University 2011.

³⁰³ The Middle East Media Research Institute (MEMRI) provides an English translation for Arabic, Farsi, Urdu-Pashtu and Dari media, but satellite and the internet bring the Islamist message to Muslims worldwide.

³⁰⁴ Gold 2003, p. 101.

³⁰⁵ Kaplan, David E., Monica Ekman, and Latif, Aamir, "The Saudi Connection How Billions In Oil Money Spawned A Global Terror Network; Karachi", *US News & World Report* 135.21 2003, p. 18. In 2004, the FBI blocked the assets of the al-Haramain Foundation after it found that it was directly funding Al Qaeda. 'Saudi

To give an idea of the content of Saudi propaganda and indoctrination: in 2005, American research organization Freedom House reported on the content of Saudi publications used in mosques and Islamic schools in the United States – it is safe to assume the message is the same in every nation.

Muslims are instilled with the following ideas and convictions: it is a religious obligation for Muslims to hate Jews and Christians, and they are warned against befriending, imitating or helping “infidels” in any way. (In fact, Wahhabis and other Islamists – such as Al Qaeda’s current leader Ayman al-Zawahiri – divide individuals between good Muslims (who deserve loyalty) and “infidels” (who deserve enmity). This loyalty versus enmity-doctrine – the “*al-wala’ wa al-bara’*”-doctrine is an important part of political Islam.³⁰⁶)

The Freedom House report further states that Nazi-like hatred for Jews is preached and the Protocols of the Elders of Zion – an anti-Semitic hoax document originating from Russia in 1903 which describes a Jewish plan for global domination – is taken as a historically valid source.³⁰⁷ Moreover, it is the right thing to hold

Publications on Hate Ideology Invade American Mosques’, Center for Religious Freedom, New York: Freedom House 2005, p. 4.

³⁰⁶ Koranic verses supporting this are, inter alia, 2:191 “Slay the unbelievers wherever you find them”, 3:28 “Muslims must not take the infidels as friends”, 3:85 “Any religion other than Islam is not acceptable”, 5:33 “Maim and crucify the infidels if they criticise Islam”, 8:12 “Terrorize and behead those who believe in scriptures other the Quran”, 8:60 “Muslims must muster all weapons to terrorize the infidels”, 8:65 “The unbelievers are stupid; urge the Muslims to fight them”, 9:5 “When opportunity arises kill the infidels wherever you find them”, 9:30 “The Jews and Christians are perverts, fight them”, 9:123 “Make war on the infidels living in your neighborhood”, 22:19 “Punish the unbelievers with garments of fire, hooked iron rods, boiling water, melt their skin and bellies, 47:4 “Do not hanker for peace with the infidels; behead them when you catch”. List compiled by Engin, Serkan, ‘Why We Must Ban Islam’, *The Conservative Papers* 23 March 2015 via <<http://conservativepapers.com/news/2015/03/23/why-we-must-ban-islam/#.VRD-mfmsWT8>>. See also Bale 2013, under footnote 39 and Ibrahim 2007, pp. 63-115.

³⁰⁷ To give an impression of The the Protocols of the Elders of Zion; Sergyei Nilus’ epilogue to the 1905 Edition of the Protocols reads: “According to the records of secret Jewish Zionism, Solomon and other Jewish learned men already, in 929 B.C., thought out a scheme in theory for a peaceful conquest of the whole universe by Zion. As history developed, this scheme was worked out in detail and completed by men who were subsequently initiated in this question. These learned men decided by peaceful means to conquer the world for Zion with the slyness of the Symbolic Snake, whose head was to represent those who have been initiated into the plans of the Jewish administration, and the body of the Snake to represent the Jewish people - the administration was always kept secret, EVEN FROM THE JEWISH NATION ITSELF [sic]. As this Snake penetrated into the hearts of the nations which it encountered it undermined and devoured all the non-Jewish power of these States. It is foretold that the Snake has still to finish its work, strictly adhering to the designed plan, until the course which it has to run is closed by the return of its head to Zion and until, by this means, the Snake has completed its round of Europe and has encircled it - and until, by dint of enchaining Europe, it has encompassed the whole world.”

contempt for America, as it is ruled by civil law, rather than by totalitarian Wahhabi-style Islamic law. As long as the United States is ruled by infidels, citizenship should be avoided, and instead Muslims should work towards the creation of an Islamic state. On a Muslim who is “guilty” of extramarital sex or homosexuality, it is said that it is lawful to “spill his blood and to take his money”. Regarding other non-Wahhabi Muslims, the Saudi state instructs to condemn those as infidels, especially those who preach tolerance or engage in genuine interfaith dialogue. Sufi and Shiite Muslims are viciously condemned, and those who leave Islam “should be killed”. Women should be segregated from men, veiled and may not work in certain jobs or divert from their assigned roles (subordinate wife, primarily care provider).³⁰⁸

This proselytizing is having effect. It is a serious threat to world peace. The globe is witnessing an intricate network of well-financed Islamist groups, who have severe brutality in combination with a multibillion dollar proselytizing campaign as means to reach their goal of a Sharia state, and will not stop until that goal has been reached.³⁰⁹

Sharia State Example II: Islamization in Malaysia

But terror is not the only way to establish a Sharia state. An example of how a nation can intrinsically change for the worst is Malaysia. It is an example of how a nation Islamised in a short period of time from a top-down, organized approach.³¹⁰ This is, besides terror, another way of achieving that citizens subject themselves to ever-

³⁰⁸ ‘Saudi Publications on Hate Ideology Invade American Mosques’, Center for Religious Freedom, New York: Freedom House 2005, p. 13.

³⁰⁹ According to the Global Terrorism Index 2014, there has been a five-fold increase in the number of people killed by terrorism since 2000. Before 2000, nationalist separatist organizations were the biggest drivers of terrorism, but religion as a driving ideology for terrorism has dramatically increased. Two-thirds of terrorist casualties (around 18.000) were claimed by IS, Boko Haram, the Taliban and al Qaeda. Contrary to public opinion, poverty and many other economic factors are found to have little or no explanatory power. ‘The Global Terrorism Index 2014’ report by The Institute for Economics and Peace (IEP), pp. 3-4 via <http://www.visionofhumanity.org/sites/default/files/Global%20Terrorism%20Index%20Report%202014_0.pdf>

³¹⁰ See on the top-down approach also Suurland, David, *Secular Totalitarian And Islamist Legal-Political Philosophy*, dissertation Leiden University 2011, p. 361.

growing demands of Sharia. Some say Malaysia is “moderate” when it comes to Islam. But also in a “moderate” form, political Islam is detrimental to citizens. This case shows how certain repressive elements of Islamism work in practice, and that the ideal and practice of equal rights is incompatible with an Islamic politico-religious framework. Malaysia is not unique: what is described here is comparable to the situation in all nations that are confronted with a high degree of Islamification.

Ethnic Malaysian Muslims account for over half the population of 28 million people. In 1958, prime minister Tunku Abdul Rahman (1903-1990) stated that Malaysia is not an Islamic State and that Islam is merely its official religion. He said: “There is no way we should have an Islamic State here [...] we cannot force the non-Malays and non-Muslims to follow our way of life. Our slogan ‘live and let live’ must be maintained because it is the only practical solution in a multi-racial society like ours.”³¹¹ That spirit was not there to stay. In 2008, Marina Mahathir, daughter of former prime minister Mathatmir bin Mohamad, stated: “Malaysia used to have the best legislation protecting the rights of Muslim women in the world. And now we’ve gone backwards slowly. The 13 states are all allowed to make their own laws in this area and therefore you get variations [...] We have this dual system between Muslim and non-Muslim women, we are living under a different system – what you in the West call Sharia law. So we are living under a kind of apartheid not based on skin colour but religion.”³¹²

There was no Ikhwan or Boko Haram-styled violent jihad, but an Islamist political effort aimed at Islamizing the nation from the early 1980s onwards. First, in 1982, the Malaysian government instituted procedures and government agencies that had as primary goal to ensure that economic, social and community state projects were in line with Islamic teachings. Second, the authority of the *ulama* – the

³¹¹ Riddell, Peter, ‘Islamization and Partial Shari’a in Malaysia’, pp. 135-160 (137), in: Marshall, Paul (ed.), *Radical Islam's Rules: The Worldwide Spread Of Extreme Shari'a Law*, Lanham, Maryland: Rowman & Littlefield Publishers 2005.

³¹² Lichter, Ida, *Muslim Women Reformers. Inspiring Voices Against Oppression*, Amherst: Prometheus Books 2009, pp. 240-241.

religious elite of scholars at the top of the hierarchy and the arbiters of Sharia – was centralized. There were 100 ulama in the Department for Islamic Development in 1982, and over 700 in the Ministry of Education. This has played a huge role normalizing and disseminating Islamic extremism amongst Malaysian Muslims. At the same time, a federal-level Technical Sharia and Civil Law Committee was established, which transformed Islamic law into a systematized and bureaucratized Islamic judicial and legal system.

Now, the Malaysian “Islamization agenda” is no different from Islamist movements in the Arab region, nor is it unique for Malaysia. The primary Islamist state goal is to be the guardian of a moral code set by Islamic law, or Sharia, based mainly on the Koran, the Sunna and legal interpretation by the ulama. As guardian of an Islamic moral code, the Islamization of Malaysia – as everywhere in the world – is overwhelmingly occupied with regulating family laws such as polygamy, divorce, custody and inheritance, and to issues as veiling, and gender relations (often in the form of sex segregation). A second component is the imposition of laws concerning Islamic criminal punishment. Generally, the effects of this Islamization for women have been negative and restrictive. For instance, instead of expecting men to assert self-control or socialize them into that, the solution to women’s safety is veiling women’s bodies, to seclude them from men other than their kin, regulating their role as mothers (caretakers and service-providers for male family members’ needs), and making sure they are obedient (including always sexually available) wives.³¹³

A Muslim wife must be obedient and must not commit *nushuz* (rebellion of the wife against her husband’s authority).³¹⁴ Koranic verse 4:34 reads: “Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore, the righteous women are devoutly obedient, and guard in (the husband’s)

³¹³ Othman, Norani, ‘Muslim women and the challenge of Islamic fundamentalism/extremism: An overview of Southeast Asian Muslim women’s struggle for human rights and gender equality’, *Women’s Studies International Forum* 2006, pp. 339-353 (344-345).

³¹⁴ Othman 2006, p. 342.

absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) chastise them (lightly); but if they return to obedience, seek not against them means (of annoyance); for Allah is Most High, Great (above you all).”³¹⁵ There is also this hadith: “The Prophet said, “If a woman spends the night deserting her husband's bed (does not sleep with him), then the angels send their curses on her till she comes back (to her husband).”³¹⁶ Sexual availability is a wife’s marital obligation under Sharia: “It is obligatory for a woman to let her husband have sex with her immediately when: a) he asks her; b) at home (home being the place where he is currently staying, even if being lent to him or rented); c) she can physically endure it”; [...]. If a woman *shows signs* of ‘rebelliousness’ (e.g. “when she answers him coldly when she used to do so politely, or he asks her to come to bed and she refuses”, the husband “warns in words”, but if she *commits* rebelliousness he “[...] may hit her, but not in a way that injures her, meaning he may not (A: bruise her,) break bones, wound her, or cause blood to flow.”³¹⁷ The idea that women are inferior, and subordinate to men, and second class citizens is characteristic of Islamic fundamentalism. Men are expected to take the responsibility of protecting women and providing her with her basic needs – life, morality and chastity.³¹⁸

The key principle of religious family law in general is to define and regulate membership of the community. Women, clearly, are vital to the transmission of collective identity, and their reproductive function and their assigned role of primary caretaker are exerted to control communal membership. What is particular for Islam though, is that the necessity of restricting women’s liberties and discouraging independence is based on idea of *fitna*. Earlier, I wrote about the concept of *jahiliyyah*, the opposite of utopian Islam, which refers to a state of severe moral

³¹⁵ *The Holy Qur’an*, translated by Abdullah Yusuf Ali, Worldsworth Editions Limited 2000. See on an overview of exegesis on this sura: Chaudhry, Ayesha, *Domestic Violence and the Islamic Tradition*, Oxford: Oxford University Press 2013.

³¹⁶ See Sahih Bukhari, Volume 7, Book 62, number 122.

³¹⁷ Keller 1991, m5.1 and m10.12.

³¹⁸ Othman 2006, p. 342.

decline, a spiritual darkness, and which must be avoided by adhering to a fundamentalist interpretation of Islamic law. Fitna is a comparable concept. Through the eyes of Islamic fundamentalists, women are a constant source of fitna – sexual temptation leading to social disorder, moving towards catastrophe. ‘Uncontrolled’ and uncovered women are taken as the cause of moral decadence and other social problems. Women thus need to be removed (through veiling, segregation or seclusion) from the public sphere.³¹⁹ It thus does not come as a surprise that the first category of individuals that Islamists target, are women. Preventing sexual aggression and assault becomes solely a woman’s responsibility – if a woman is not properly covered, she should not be surprised if a man cannot contain himself, that is the idea. Problematic is that this makes what is perceived as the lack of proper veiling a justification for sexual assault. For instance, there was the Chief Mufti of Australia who said in response to a gang rape: “If she was in her room, in her home, in her Hijab, no problem would have occurred.”³²⁰

The more Islamization, the more women’s status, rights and body come under heavy regulation. This too happened in Malaysia. In the late 1970s and through the 1980s, all Islamic reactionary movements pushed for head covering and a loose long body covering type of dress. Norani Othman, professor of sociology in Malaysia and founding member of “Sisters of Islam” (an organization that challenges extremism), states: “The mere insistence of the hijab on women by many traditionalising ulama and militant or activist Islamists challenges the moral autonomy of the individual and reduces the personal independence of Muslim females.”³²¹ Let alone when dress codes are formally regulated, as is the case in some parts of Malaysia. In the north of Malaysia, Islamization has led to fines for headscarves that do not cover enough, and lipstick and high heels have been banned. New laws segregated the sexes at public

³¹⁹ ‘Council of Islamic Ideology declares women’s existence anti-Islamic’, *Pakistan Today* 15 March 2014 via <http://www.pakistantoday.com.pk/2014/03/15/comment/coucil-of-islamic-ideology-declares-womens-existence-anti-islamic/>.

³²⁰ See: ‘Five Reasons To Ban the Burqa’, *Frontpage Mag* 11 July 2011 via <http://www.frontpagemag.com/2011/dgreenfield/five-reasons-to-ban-the-burqa/>

³²¹ Othman 2006, p. 342.

events, and even separate payment counters in supermarkets. Couples sitting too closely together on park benches are fined.³²² It was proposed to ban women from jobs with night shifts, such as the police force and hospitals, as to not disrupt family life.

Muslim women feel compelled to cover themselves. Some do so out of a sense of retaining a 'lost' cultural identity – an identity under siege due to Western influences, at least, that is the message. In fact, it is a vital part of the Islamization agenda to spread the belief that the 'ideal' identity of an Islamic woman must be 'recovered'. This idea is espoused by both male as female Islamists.³²³

The pressure to conform to formalised Islamic laws increased tremendously over the past decades. In 2009, a Malay was sentenced to public caning for drinking a beer in public, as alcohol is forbidden under Islamic law.³²⁴ In 2010, three women were caned after been found guilty of extra-marital sex. In fact, the fatwa's nowadays are so invasive and micromanaging people, that an e-fatwa website is now available for citizens. The list with over 1500 rulings includes a ban on Halloween, Valentine's day, botox, yoga, black metal music, and wagyu beef, as the cows are occasionally fed beer.³²⁵ Moreover, the organiser of a dog-petting event received death threats as Muslims are not supposed to touch "unclean" animals. In October 2014, the state of Kelantan began enforcing a law that allows Muslim men to be imprisoned up to a year for missing Friday prayers three times in a row. The Shi'a denomination is outlawed.³²⁶ Bibles have been confiscated since 1981, as the government fears they may be used for proselytizing. Up until 2014 Christians were even forbidden to use the word "Allah" for their Christian god. The Christian minority is concerned for its

³²² Lichter 2009, p. 240.

³²³ Othman 2006, p. 343.

³²⁴ Under public pressure the sentence was converted to community work.

³²⁵ 'Moderate Malaysia has so many fatwas there's a website to keep track of them', *Global Post* 5 January 2015 via <[http://www.globalpost.com/dispatch/news/regions/asia-pacific/141222/moderate-malaysia-has-so-many-fatwas-there-s-website-keep->](http://www.globalpost.com/dispatch/news/regions/asia-pacific/141222/moderate-malaysia-has-so-many-fatwas-there-s-website-keep-)

³²⁶ 'Growing Islamic fundamentalism seen pushing Malays to quit country', *Malay Mail Online* 30 October 2014. <http://www.themalaymailonline.com/malaysia/article/growing-islamic-fundamentalism-seen-pushing-malays-to-quit-country#sthash.TD5Jb1f0.dpuf>

safety, as churches are firebombed.³²⁷ The civil courts consider apostasy claims the sole preserve of Sharia courts, where apostasy is considered a crime.³²⁸ Kassim Ahmad, a Malaysian intellectual who stated that Muslims only need the Koran, not the hadiths, who questions the headscarf for women, and described Muhammed as “just a messenger of Allah”, is prosecuted by the government.³²⁹ For the past fifteen years, (educated and high-skilled) Malay are increasingly emigrating from the country in order to escape increasing Islamic fundamentalism and authoritarianism.³³⁰

Tolerance and pluralism are not values which are welcome in this version of Islam, and tolerance and pluralism are actively suppressed by the ulama, the minority religious elite. But, one may wonder, if this is not what Malaysians want, then where is the protest? There hardly is any. People do not dare to speak up against the tide of Islamization for fear of reprisals. Documentary maker Norhayati Kaprawi said about contemporary Malaysian society: “It's full of fear. If you don't follow the mainstream you will be lynched.”³³¹ Othman explains that open debate on religion is hardly present in Malaysian society. That is because, as Othman as a citizen of Malaysia herself believes, few Malaysians have the courage to express critical views. Most have been socialized into accepting what the ulama prescribes, and individuals are

³²⁷ See: ‘Rise of strict Islam exposes tensions in Malaysia’, *bbb.co.uk* 26 August 2011 via <<http://www.bbc.co.uk/news/world-radio-and-tv-14649841>>. The government’s National Council for Islamic Religious Affairs deemed the word Allah a sacred word specific only to the religion and followers of Islam. The highest court rejected this fatwa (religious ruling) in 2014. Malaysia’s E-Fatwa portal states: “The 82nd Muzakarah (Conference) of the Fatwa Committee of the National Council for Islamic Religious Affairs Malaysia held on 5th-7th May 2008 has discussed the Issue on the Claim of the Christians to Use the Word Allah. The Conference decided that the word Allah is a sacred word specific only to the religion and followers of Islam and it cannot be used or made to be similar with religions other than Islam. As such, it is the duty of Muslims to protect it with the best manner and if there existed any elements of abasement or abuse of the word, it must be curbed according to the provisions of the laws as stipulated in the Federal Constitution.” Via Malaysia’s E-Fatwa website: <<http://www.e-fatwa.gov.my/fatwa-kebangsaan/isu-tuntutan-penganut-kristian-terhadap-penggunaan-kalimah-allah>>

³²⁸ Cumper, Peter, ‘Multiculturalism, Human Rights and the Accommodation of Sharia Law’, *Human Rights Law Review* 2014, pp. 31–57 (44).

³²⁹ ‘I will fight Islamic authorities till the end, vows Kassim Ahmad’, *The Malaysian Insider* 18 January 2015, <http://www.themalaysianinsider.com/malaysia/article/i-will-fight-islamic-authorities-till-the-end-vows-kassim-ahmad>.

³³⁰ ‘Growing Islamic fundamentalism seen pushing Malays to quit country’, *Malay Mail Online* 30 October 2014. <http://www.themalaymailonline.com/malaysia/article/growing-islamic-fundamentalism-seen-pushing-malays-to-quit-country#sthash.TD5Jb1f0.dpuf>

³³¹ ‘Rise of strict Islam exposes tensions in Malaysia’, *bbb.co.uk* 26 August 2011 via <<http://www.bbc.co.uk/news/world-radio-and-tv-14649841>>

ashamed of their ignorance about Islam. Also, elected politicians are held back by an inner constraint to come across as anti-Islam if they – even merely appear to – question the validity of any decision set out in Sharia-based law proposal. Moreover, politicians use Islam to gain political currency, and lastly, in the absence of an open democratic process and debate, the all-invasive Islamic laws and fatwa's are imposed on Muslims without their knowledge and consent. Islamization takes place in a shroud of secrecy, fear and ignorance and it intensively pervades the lives of Malaysians. "This abdication of civil courage and responsibility by both Muslims and Malaysian citizens of other faiths and religious affiliations has encouraged the fostering of an incipient Islamic theocracy in Malaysia and the authoritarian rule of a minority in matters of Islam", Othman concludes.³³²

In a Sharia state, citizens do not have the right to challenge the Sharia rules that are enforced upon them.³³³ Policing free speech, either through legislation or intimidation, is thus vital in establishing and maintaining a Sharia state. It is not without reason that the most authoritarian Sharia state in the world, Saudi Arabia, denies its citizens freedom of speech and freedom of belief. In a Sharia state, religious minorities are unwelcome and the basic notion of equal rights is ignored. Individual rights and moral independence are subordinated to fulfilling religious duties as a member of the collective Umma.

The Organisation of Islamic Cooperation and the Cairo Declaration

In 1969, Saudi Arabia initiated the foundation of the Organisation of Islamic Conference (later changed to *Cooperation*), the IOC. It is the only intergovernmental organisation based on a shared religion, and is one of the largest intergovernmental organisation with 57 Member States in 2011.³³⁴ Those 57 Member States –

³³² Othman 2006, pp. 346-347.

³³³ Tibi 2013, p. 182.

³³⁴ Or, to be precise, 56 nation-states and the Palestinian Authority.

regardless of theological, social, cultural diversity among them – share a commitment to Islamic values and Sharia.

The OIC incorporates not only Hanbali Saudi Wahhabism, but also Maliki, Hanafi, Shafi (all Sunni) schools of thought, and Shia Islam. Yet, the idea of a unified Umma of an estimated 1.6 billion Muslims around the world is strong: “[t]he Organization is the collective voice of the Muslim world and ensuring [sic] to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world.”³³⁵ In the 1972 Charter, the OIC affirms its support for the rights of peoples conform the UN Charter and international law.³³⁶ The plural form of peoples is also used in the preamble of the Universal Declaration of Human Rights. But in the Universal Declaration of Human Rights there is also a reference to “all members of the human family”, whereas the OIC limits itself to Muslims, and more specifically, the *group* of Muslims in the form of the Umma as the legal subject, not the individual. Furthermore, as an organisation founded on the shared religion of Islam, the OIC sets out, *inter alia*:

11) “To disseminate, promote and preserve the Islamic teachings and values based on moderation and tolerance, promote Islamic culture and safeguard Islamic heritage”;

12) “To protect and defend the true image of Islam, to combat defamation of Islam and encourage dialogue among civilisations and religions”;

14) “To promote and to protect human rights and fundamental freedoms including the rights of women, children, youth, elderly and people with special needs as well as the preservation of Islamic family values”;

16) “To safeguard the rights, dignity and religious and cultural identity of Muslim communities and minorities in non-Member States”.

³³⁵ ‘About OIC’, via <http://www.oic-oci.org/oicv2/page/?p_id=52&p_ref=26&lan=en>

³³⁶ “7. To reaffirm its support for the rights of peoples as stipulated in the UN Charter and international law”, Charter of the Organisation of Islamic Cooperation via <<http://www.oic-oci.org/english/charter/OIC%20Charter-new-en.pdf>>

The Charter is clear on its goals: Islam is a religion and a culture and must be protected and promoted on behalf of all Muslims in the world. Moreover, nations with an Islamic foundation should unite to achieve this on a global, political, level. In line with the UN Charter's article 102 ("Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it"), the OIC Charter is registered as a treaty and thus becomes a recognized international legal instrument. In 1975, six years after its establishment, the OIC is granted the status of "Permanent Observer", which allows the OIC to participate as observers in sessions, in the work of the General Assembly and holds a permanent office at the UN Headquarters in New York.³³⁷ The most obvious motivation for the establishment of the OIC dates back to the post-war 1940s. It stems from the dissatisfaction of the leaders of Islamic countries with the universal, secular and individualist character of the Universal Declaration of Human Rights, established by the United Nations in 1948.³³⁸ Eleanor Roosevelt (1884-1962), who chaired the drafting committee of the Universal Declaration, wrote in her memoirs that Saudi king Ibn Saud (1876-1953) believed that the content of the Declaration was not consonant with the Koran.³³⁹

Especially articles 16 and 18 of the Universal Declaration of Human Rights prove to be difficult for the representatives of countries with a predominantly Muslim population. Article 16 concerns equal rights within the setting of marriage: "Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage,

³³⁷ Following the adoption of the Resolution 3369 on October 10, 1975 by the 30th UN General Assembly. Other organizations with Permanent Observer status include the European Union, the African Union, the League of Arab States and the International Criminal Court.

³³⁸ Laes, Willy, *Mensenrechten in de Verenigde Naties. Een verhaal over manipulatie, censuur en hypocrisie* (Human Rights in the United Nations. A story on manipulation, censorship and hypocrisy), Antwerpen: Garant 2011, p. 155.

³³⁹ Roosevelt, Eleanor, *The Autobiography of Eleanor Roosevelt*, London: Hutchinson 1962, p. 253, in: Laes 2011, p. 116.

during marriage and at its dissolution.” This article contains many aspects which do not align with Sharia. For instance, Muslims may not enter marriage with non-Muslims, especially women may not, and women do not have the same rights as men when it comes to dissolving the marriage under Sharia. When it comes to divorce, a husband can unilaterally – without permission of his wife – do so by pronouncing the *talaq*. For women, on the other hand, asking her husband for a divorce “when she has not suffered any harm from him”, is considered an ‘enormity’. An enormity is a shocking, evil, or immoral act, and is defined as “[...] any sin entailing either a threat of punishment in the hereafter explicitly mentioned by the Koran or hadith [...]”.³⁴⁰

Under great lobby efforts of the OIC, the provision of spousal equality in the International Covenant on Civil and Political Rights of 1966 – in a way the successor of the Universal Declaration of Human Rights – has been slimmed down to article 23 (4): “*States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution.*” The equal rights of spouses has turned into a mere effort on behalf of states, rather than asserting an inherent right to equality. And even more striking, the original ban on restricting marriages on the basis of race, nationality or religion has been edited out of the 1966 International Covenant on Civil and Political Rights.³⁴¹

The same process happened with article 18 of the Universal Declaration of Human Rights. That provision grants individuals the right *to change* religion or belief, as changing one’s religion is an important part of religious freedom. Article 8 of the

³⁴⁰ Keller 1991, under p.0.0 and w.52.1 (280). Keller lists 442 of such enormities, a random selection to illustrate: idolatry (1), greed (10), sarcasm towards the poor because of their poverty (14), wanting the life of this world (N: more than the next) (29), eating or drinking from a gold or silver vessel (67), sexual intercourse with a woman during menstruation (75), tattoos (81), men imitating like women or vice versa (107), women visiting graves (122), not giving surplus water to someone thirsty (136), looking with lust at a woman who is not one’s unmarriageable kin, touching such a woman, or being alone with her (238-40), sodomizing one’s wife (258), cursing a Muslim (289), suicide (296), theft (348), drinking alcohol (350-61), showing others the weak points of the Muslims (384), and not repenting from an enormity (440). “N:” indicates that a commentary has been provided by Sheikh Nuh ‘Ali Salman.

³⁴¹ Laes 2011, p. 124-126.

1948 Universal Declaration of Human Rights” reads: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom *to change* his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” Already at the onset of the deliberations on the content of this provision, several Islamic Member States protested.³⁴² The dominant idea that a) a Muslim is *born* a Muslim, b) this cannot be denounced and c) if denounced that constitutes a crime in the form of apostasy, was and is dominant. Islamic laws are clear: “When a person who has reached puberty and is sane voluntarily apostatizes from Islam, he deserves to be killed.” And: There is no indemnity for killing an apostate.”³⁴³ Thus, again under influence by the OIC, the right to change one’s religion is deleted from the 1966 International Covenant on Civil and Political Rights, and replaced by the right to “have” or to “adopt” a religion or belief. It now reads: article 18 (1) Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom *to have or to adopt* a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”³⁴⁴ For Saudi Arabia, both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights are deemed incompatible with Sharia, and it ratified neither.³⁴⁵

Leaving the OIC without a Declaration of Rights with international standing, the need arose for a legal document which did reflect the Koran and Sunna properly. In 1990, the IOC presented the Cairo Declaration on Human Rights in Islam (henceforth: the Cairo Declaration).³⁴⁶ The Cairo Declaration is intended as an

³⁴² For instance, Saudi Arabia, Egypt, Iraq, Syria, Afghanistan and Pakistan protested.

³⁴³ Keller 1991, under o8.1 and o8.4. It is obligatory to ask the apostate to repent and return to Islam, if he does not, he should immediately be killed (under o8.2.)

³⁴⁴ See on the political process: Laes 2011.

³⁴⁵ See also: Abiad, Nisrine, *Sharia, Muslim States And International Human Rights Treaty Obligations: A Comparative Study*, London: British Institute of International and Comparative Law 2008, pp. 60-65.

³⁴⁶ The Organisation of Islamic Conference changed its name to the Organisation of Islamic Cooperation in 2011.

Islamic alternative to the Universal Declaration of Human Rights, since the universal rights system as espoused by the United Nations is considered too secular and Western and should be changed to accommodate Islamic culture and religious values.³⁴⁷ The Cairo Declaration is the outcome of years of preparation and debate among Member States and now reflects the shared values of Shia, Sunni, and thus Hanbali, Maliki, Hanafi and Shafi, and all hybrid forms of, Islamic thought. The Declaration is explicitly not secular and not universal. The preamble states:

“The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Umma which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Umma should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization.

[...]

Believing that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one as a matter of principle has the right to suspend them in whole or in part or violate or ignore them in as much as they are binding divine commandments, which are contained in the Revealed Books of God and were sent through the last of His Prophets to complete the preceding divine messages thereby making their observance an act of worship and their neglect or violation an abominable sin, and accordingly every person is individually responsible - and the Umma collectively responsible - for their safeguard.”³⁴⁸

³⁴⁷ In 1997, the representative of Iran and other OIC Members expressed these views, Kofi Annan rejected this stance, stating that human rights were universal, see: Mayer, Ann Elizabeth, *Islam and Human Rights: Tradition and Politics*, Boulder, Colorado: Westview Press 2007, p. 32.

³⁴⁸ The Cairo Declaration on Human Rights in Islam (1990), available via <http://www.oic-oci.org/english/article/human.htm>.

The 25 articles of human rights and duties that follow the preamble all fit within the boundaries of Sharia.³⁴⁹ All human beings are equal in terms of *human dignity* – as opposed to equality in terms of rights – and united by submission to God, and true faith is taken as the guarantee for enhancing human dignity up to a level of human perfection (art. 1). The rights that ensue from the Divine are also curtailed by it. Take for instance the right to life: “it is prohibited to take away life *except for a Shari’ah prescribed reason*” (art. 2 (a)). Or the right to enjoy safety from bodily harm, which may not be breached “without a Sharia-prescribed reason” (art. 2 (d)).³⁵⁰ Although *prima facie* formulated as a right to life and bodily integrity, it actually legitimizes Sharia-based corporal punishments, including the death penalty. The fifth article on marital rights state that men and women have the right to marriage, and that there shall be no restrictions based on race, color or nationality. This provision omitted the right to dissolve the marriage nor the right to marry someone with another religion. Article 6 states that “woman is equal to man in *human dignity*”.

Equal dignity should not be confused with equal rights, as Associate Professor of Legal Studies Ann Elizabeth Mayer tells us. In *Islam and Human Rights* (2007), she writes: “Given the evasiveness typically found in the wording of Islamic human rights schemes, one is alerted to the fact that the failure to stipulate equality in “rights” is not accidental and that the equality in “dignity” and “obligations” is not intended to signify equality in “rights”.³⁵¹ The Parties to the Declaration were consciously avoiding legal equality of the sexes or between people of religion other than Islam.³⁵² The same can be observed in article 7, which grants both parents

³⁴⁹ All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah (art. 24); The Islamic Shari’ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration (art. 25).

³⁵⁰ Article 2 (a): Life is a God-given gift and the right to life is guaranteed to every human being. It is the duty of individuals, societies and states to protect this right from any violation, and it is prohibited to take away life except for a Shari’ah prescribed reason. And 2 (d): Safety from bodily harm is a guaranteed right. It is the duty of the state to safeguard it, and it is prohibited to breach it without a Sharia-prescribed reason.

³⁵¹ Mayer 2007, p. 102.

³⁵² Bielefeldt, Heiner, ‘Muslim voices in the human rights debate’, *Human Rights Quarterly* 1995, pp. 587-617 (603-606).

rights with regard to their children “in accordance with the tenets of the Shari’ ah”. Furthermore, there are certain provisions on work, education, medical and social care, criminal law (“as provided for in the Shari’ah”). Lastly, I want to bring attention to the right to express one’s opinion “freely in such a manner as would not be contrary to the principles of Sharia’ah” (art. 22 (a)).³⁵³ Article 22 includes a prohibition on violating the sanctity of ‘the prophets’ and on undermining moral and ethical values that may weaken faith in society.³⁵⁴ This provision of the Cairo Declaration makes critical reflections, and public debate on the legitimacy of Islam and Sharia as sources for morality in itself, as well as questioning the validity of Islamic ideas and practices, unlawful.

What may we expect from the Cairo Declaration? What is its legal status? For example, there is no international court that grants Muslims access to indict states for violating their rights based on the 1990 Declaration. Does it create positive (the duty to secure the effective enjoyment of a fundamental right) or negative (the duty to abstain from human rights violations) obligations for OIC Member States? No, it does not. Ann Elizabeth Mayer states that the “awkward” hybrid model of Western constitutions and internal law, on the one hand, and Islamic elements and concepts, on the other, are puzzling from the perspective of Islamic law. This is because generally, rules that are established outside the system of Islamic methods and criteria are considered irrelevant by Islamic scholars. Still, one could see the Cairo

³⁵³ Also, “Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what is wrong and evil according to the norms of Islamic Shari’ah” (art. 22 (b)); “Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith” (art. 22 (c)), and “It is not permitted to arouse nationalistic or doctrinal hatred or to do anything that may be an incitement to any form of racial discrimination.”

³⁵⁴ Articles 19 and 20 on freedom to express opinions in the International Covenant on Civil and Political Rights read: 19(1). Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals. Article 20: 1. Any propaganda for war shall be prohibited by law. 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

Declaration as a step forward, as Islamic culture is merging with the universal human rights standard, albeit superficially. More pessimistic, however, one could say that the deficiencies of this Islamic version of human rights is holding back the realization of *universal* human rights. “Since Islamization pressures seem to continue, a skeptic might predict that any models that give governments grounds for claiming that they have an Islamic warrant for denying the rights afforded under international law could be exploited to impede the cause of human rights”, Mayer writes.³⁵⁵ What will ultimately prove to be the case is subject to speculation. Having said that, it is clear from the formulations of the Cairo provisions that Sharia is invoked to *limit* the scope of rights awarded. Moreover, if the Cairo Declaration had been intended to actually reflect the scope of liberties that *all humans* enjoy under the universal human rights system, there had not been a desire to create an alternative for Muslims. More importantly, the OIC and its Cairo Declaration prove the point that *despite enormous diversity* among Muslims, Islamic doctrines, and political systems employed by OIC Member States, there is the *general acceptance* that Sharia does and should restrict universal and equal rights. That means that men and women do not have equal rights, it means that Muslims enjoy a better legal (and moral) position than Jews, Christians, Hindus, atheists and other Non-Muslims. It means that “cruel and unusual” punishments are legitimized. Despite diversity, the Koran and Sunna do enable interpretations which enable fundamentalist and radical Muslims to legitimize inequality in rights and unfair practices. The fact that article 22 of the Cairo Declaration prohibits debate (everyone has the right to express opinions freely as long as it does not contravene Sharia principles) seals off the possibility of satirising, questioning, contextualising, doubting, researching or reforming. That means that those outside and inside the Muslim world who voice their opinion against the idea that Sharia should set the norm for freedom and protection, are considered guilty of a crime.

³⁵⁵ Mayer 2007, pp. 194-195.

Islamophobia

In order to stimulate the stifling of debate and suppressing criticism of Islam and Islamism, the Organisation of Islamic Cooperation has been lobbying at the UN, EU and western parliaments to outlaw “Islamophobia”. The OIC launched the Islamophobia Observatory, a watchdog organisation based in Jiddah, Saudi Arabia in 2007. Since 2008, it has published annual reports on Islamophobia. In the first report, it is stated that:

“One of the major challenges of today’s world is the issue of Islamophobia. In recent years, this phenomenon has assumed serious proportions and has become a major cause of concern for the Muslim world. As a result of this rising trend, Muslims, in the West in particular, are being stereotyped, profiled, and subjected to different forms of discriminatory treatment. The most sacred symbols of Islam are being defiled and denigrated in an insulting, offensive, and contemptuous manner to incite hatred and unrest in society. While Islam, as the religion of peace and tolerance, affirms moderation and balance and rejects all forms of extremism and terrorism, the proponents of Islamophobia continue their campaign in defaming Islam and Muslims.”³⁵⁶

There is material that shows that the term was created by Islamists to create an atmosphere of victimisation, where Muslims are continuously portrayed as victims suffering from hatred, discrimination and negative stereotyping. Although I do not think that Muslim citizens in the West are exonerated from factual discrimination and negativity, I do want to draw attention to the fact that Islamists – supported by many Western elites – established a theme of victimhood which is both caused by critical

³⁵⁶ ‘1st Oic Observatory Report On Islamophobia May 2007 To May 2008’, p. 2 via <http://www.oic-oci.org/uploads/file/Islamphobia/islamphobia_rep_may_07_08.pdf> . The term had been circulating for decades, but was popularized by the British Runnymede Trust, which published a report titled “Islamophobia: a challenge for us all” in 1997. Therein Islamophobia is defined as an unfounded hostility towards Muslims, and therefore fear or dislike of all or most Muslims. British Runnymede Trust, ‘Islamophobia: A Challenge For Us All’, *Commission on British Muslims and Islamophobia* (1997), <http://www.runnymedetrust.org/uploads/publications/pdfs/islamophobia.pdf>.

debate and would be resolved by ending criticism of Islamic and Islamist practices and ideas.³⁵⁷

Take for instance Abdur-Rahman Muhammed, an American who was once an Islamist militant. He was present when Islamist members of the International Institute for Islamic Thought – a Muslim Brotherhood front organization in the US – convened and decided to propagate this term for political purposes. Muhammed now works to combat Islamic extremism. On Islamophobia, he writes: “This loathsome term is nothing more than a thought-terminating cliché conceived in the bowels of Muslim think tanks for the purpose of beating down critics.”³⁵⁸ Indian-American journalist Asra Nomani (b. 1965), author of *Standing Alone: An American Woman’s Struggle for the Soul of Islam*, writes on the “bullying” of the informal honor brigade (the “ghairat brigade”) that operates alongside the official OIC channels. The ghairat brigade – partly funded and supported by the OIC – makes personal visits to silence people and uses the internet to consequently label critics as “Islamophobes”. There is also a wide community of unorganized people who take up the role of blasphemy police. Whenever someone publicly speaks up against Islam or Islamism, such as Nomani, a concerted effort is made to silence debate on extremist ideology in order to protect the image of Islam.³⁵⁹

The consequences of the “Islamophobia” meme are huge. Nomani writes: “Bullying this intense really works. Observant members of the flock are culturally conditioned to avoid shaming Islam, so publicly citing them for that sin often has the desired effect. Non-Muslims, meanwhile, are wary of being labelled “Islamophobic”

³⁵⁷ Landes, Richard, ‘From Useful Idiot to Useful Infidel. Meditations on the Folly of 21st-Century “Intellectuals”’, *Terrorism and Political Violence* 2013, pp. 621-634 and Benn, Piers, ‘On Islamophobia-phobia’, *New Humanist* 2002 via <<https://newhumanist.org.uk/524>>. Benn contends that: “Many who fear the rise of Islamophobia veer away from critical analysis of Islamic claims and practices, perhaps for fear of what they might find. They denounce critical scrutiny of Islam as somehow impolite, or ignorant of the religion’s true nature. This is not intellectually or morally healthy.”

³⁵⁸ Berlinski, Claire, ‘Moderate Muslim Watch: How the Term “Islamophobia” Got Shoved Down Your Throat’, *Ricochet* 24 November 2010 via <https://ricochet.com/archives/moderate-muslim-watch-how-the-term-islamophobia-got-shoved-down-your-throat/> and Muhammad, Abdur-Rahman, ‘Whether or not Ground Zero mosque is built, U.S. Muslims have access to the American Dream’ *The Investigative Project on Terrorism*, 5 September 2010 via <http://www.investigativeproject.org/2164/whether-or-not-ground-zero-mosque-is-built-us>.

³⁵⁹ See also

bigots. So attacks against both groups succeed in quashing civil discourse. They cause governments, writers and experts to walk on eggshells, avoiding important discussion.”³⁶⁰

Not only *de facto* are individuals discouraged to keep silent on Islamism. Also *de iure*. The OIC, as the largest voting bloc in the United Nations, resorts to legal instruments – e.g. by means of resolutions – to establish what would in effect be global blasphemy law.³⁶¹

Back to Europe: The Middle Way to Establishing a Sharia State

There is no question that a debate on the future of Islam is taking place everywhere in the Muslim world as well as in the West. Unfortunately, the most dominant voice of Islam is that which comes from the Islamists, who force their take on Islam either through violent jihad – as the murder of the Charlie Hebdo cartoonists proves once more, or spread the message alongside an Islamization agenda through a non-violent jihad, often accompanied by intimidating those who use their freedom of speech to push back the Islamist movement. This is a problem worldwide.³⁶²

Qutb, for a long time the Muslim Brotherhood’s most foremost ideologue, made it unmistakably clear that the design of the world order is what is most important. Aforementioned German political scientist Bassam Tibi quotes Qutb on his central tenet: “The *dar al-Islam*/territory of Islam is the place where this *shari’a* is

³⁶⁰ Nomani, Asra, ‘Meet the honor brigade, an organized campaign to silence debate on Islam’, *Washington Post* 16 January 2015, via http://www.washingtonpost.com/opinions/meet-the-honor-brigade-an-organized-campaign-to-silence-critics-of-islam/2015/01/16/0b002e5a-9aaf-11e4-a7ee-526210d665b4_story.html

³⁶¹ See, for instance, Herrenberg, Tom, ‘Denouncing Divinity: Blasphemy, Human Rights, and the Struggle of Political Leaders to defend Freedom of Speech in the case of *Innocence of Muslims*’, *Ancilla Iuris* 2015, pp. 1-19.

³⁶² Al Qaeda, for instance, published in its magazine *Inspire* a list of people who are “Wanted: Dead or Alive for Crimes Against Islam”. The emphasis, however, should be on “Dead” as it is phrased in the caption: “Yes We Can: A Bullet A Day Keeps the Infidel Away.” The list includes Ayaan Hirsi Ali, Geert Wilders, and cartoonists, including the murdered chief editor of Charlie Hebdo, Stéphane Charbonnier. See Bennet, Dashiell, ‘Look Who’s on Al Qaeda’s Most-Wanted List’, *The Wire* 1 March, 2013 via <http://www.thewire.com/global/2013/03/al-qaeda-most-wanted-list/62673/>. Other victims of intimidation are listed in Murray, Douglas and Verwey, Johan Pieter, ‘Victims of Intimidation. Freedom of Speech within Europe’s Muslim Communities’, The Centre for Social Cohesion 2008. See also Ellian, Afshin and Molier, Geliijn (eds.), *Freedom of Speech Under Attack*, The Hague: Eleven International Publishing 2015. On Muslim victims of intimidation and murder by Islamists see: Bennoune 2013.

implemented.” For this implementation, “Muslims need to fight for an ‘Islamic world revolution’ to establish *hakimiyyat Allah* Allah’s rule in a *shari’a* state, not only in the world of Islam, but also in the world at large. In pursuit of this, it is ‘prescribed to Muslims to fight *jihad* to establish God’s rule on the globe to save humanity.’ This salvation occurs on the grounds of *shari’a*, viewed ‘as universal law for the entire world’.”³⁶³

But Qutb’s method to bringing Islamism to the world has been updated by someone who is currently the world’s principal ideologue of the Muslim Brotherhood: Egyptian-born Yusuf al-Qaradawi (1926). This leading figure is now based in Qatar, and has published about a dozen books and has an immense following via his website IslamOnline and the television program “Shariah and Life” on Al Jazeera – estimated at 60 million viewers. Qaradawi is also founder and president of the Dublin-based European Council for Fatwa and Research (ECFR) and is connected to the Oxford Centre for Islamic Studies of Oxford University – although he is banned from entering the United Kingdom (and the United States). The ECFR is a board of Islamic scholars who are part of the network of the international Muslim Brotherhood. Several volumes of fatwa’s have been published under its authority, mainly focused on conformity to Sharia for Muslims in Europe.³⁶⁴

There are grosso modo three ways to subject people to a regime of political Islam: by means of terror, as happened in what we now know as Saudi Arabia and is happening now by, inter alia, Al Qaeda, Islamic State and Boko Haram.³⁶⁵ Secondly, compliance to a Sharia state can be accomplished by means of a top-down political take-over (at whatever pace), as happened in Iran and is now taking place in

³⁶³ Tibi 2013, p. 185. See also: Fatah, Tarek. *Chasing A Mirage: The Tragic Illusion Of An Islamic State*, Mississauga, Ontario: Wiley & Sons Canada 2008, p. 275-276.

³⁶⁴ Polanz, Carsten, ‘The Legal Theory for Muslim Minorities and the Islamic Dream of Conquering the West’, *Islam and Christianity* 2/2012, pp. 18-28 (19).

³⁶⁵ Other than “regional” terrorism (which is about autonomy for an ethnic group within a sovereign state) or “leftist” terrorism (such as animal rights terror or the RAF, which is related to specific aims), Islamist terrorism directed towards the west is about weakening western powers and instilling fear (a hadith on instilling fear is: “We will cast terror into the hearts of unbelievers on account of their associating with Allah that for which He sent down no authority. Their abode is the Fire and wretched is the dwelling-place of the evildoers”, 3:151 al-Bukhari). It is also about establishing a Sharia state. All citizens are potential targets. See: Ellian 2011, pp. 187, 219.

Malaysia. Thirdly, it can be slowly effectuated in a bottom-up fashion. This is the method of Qaradawi's Middle Way, as I will explain.

In the 1960s, Qaradawi was commissioned by Egypt's al-Azhar university to write a manual of how Muslims in the West should live by Islamic tenets. The book, *The Lawful and Prohibited in Islam*, has roughly 70 editions in Arabic and has been translated in many languages, including English, German and French. In 1990 he issued an important manifest titled "Priorities of the Islamic Movement in the Coming Phase". The most important message Qaradawi has is that the conquest of the West should not be by "the sword or armies, but by preaching and ideology".³⁶⁶ Other than Salafists or Wahhabis who accept the method of violent jihad, the Muslim Brotherhood adopted a new method that Qaradawi unfolds in his works. Since the 1990s, this new doctrine is referred to as *wassatiyya*: a sort of "middle way" between violent extremism and secularism.³⁶⁷ I have to emphasize that this new doctrine is not a diversion from the goal of establishing a global Sharia State, but it is a new *method* for achieving this. Whereas jihadi Salafist for instance openly call for jihad, refuse to participate as Western citizens and reject the west as "Land of Kufr", the new Islamists adopt a more pragmatic way while getting Sharia to dominate every realm of human activity and thought in the West.³⁶⁸

Wassatiyya prefers the use of *dawa*. *Dawa* (literally making an invitation or issuing a summons) is the act of non-violent proselytizing, of dialogue ("inviting non-Muslims to Islam"). An important part of Middle Way Islamism is that obligations and restrictions for Muslims following from Sharia – ranging from not being allowed to work at a restaurant where alcohol is served to the duty to fight violent jihad in order

³⁶⁶ Qaradawi stated more than once that "Islam will return to Europe as a conqueror and victor after being expelled from it twice . . . the conquest this time will not be by the sword but by preaching and ideology" See "Leading Sunni Sheikh Yousef Al-Qaradhawi and Other Sheikhs Herald the Coming Conquest of Rome," MEMRI Special Dispatch Series No. 447, 6 December 2002, via <<http://www.memri.org/bin/articles.cgi?Area=sd&ID=SP44702>> See also Brown, Eric, 'After the Ramadan affair: New trends in Islamism in the West', *Current Trends in Islamist Ideology* 2005, pp. 7-29 (9).

³⁶⁷ Vidino, Lorenzo, 'Aims and Methods of Europe's Muslim Brotherhood', *Current Trends in Islamist Ideology* November 2006, via <<http://www.hudson.org/research/9776-aims-and-methods-of-europe-s-muslim-brotherhood>>

³⁶⁸ Brown, Eric, 'After the Ramadan affair: New trends in Islamism in the West', *Current Trends in Islamist Ideology* 2005, pp. 7-29 (8).

to spread Islam – may be *temporarily* set aside in order not to alarm non-Muslim Europeans while working towards a Sharia state.³⁶⁹ Once established, all suspensions are rescinded.

Qaradawi is not the only proponent of this method and ideology. Another well-known one is Tariq Ramadan (born 1962), who is professor of Islamic Studies at Oxford University as well as at universities in Qatar, Morocco and Malaysia. He is the grandson of Hassan al-Banna, founder of the Muslim Brotherhood. Although this in itself is not something that can be held against him, Ramadan is known to ally with the Brotherhood and its goals. Together with Qaradawi – who he extolls, Ramadan is seen as one of the primary developers of the uniquely European concept of Islamic dawa.³⁷⁰

Qaradawi promotes this *fiqh-al-aqalliyat*, or, jurisprudence for Muslim minorities. He believes the Islamist movement plays a vital role in creating separated Muslim communities in the West. As one of the middle way's key proponents he warns Muslims in the West against the "melting" of Muslims and their identity into the large non-Muslim majority. Yet, he sees it as an opportunity as well: as most expatriated Muslims experience a sense of disorientation in the West, they prove to be ideal recipients for the movement's propaganda. Italian scholar Lorenzo Vidino, author of *The New Muslim Brotherhood in the West* (2010), unfolds Qaradawi's modus operandi for achieving global Sharia domination. He "[...] openly calls for the creation of a separate society for Muslims within the West. While he highlights the importance of keeping open a dialogue with non-Muslims, he advocates the establishment of Muslim communities with "their own religious, educational and

³⁶⁹ As Qaradawi states: "Necessities make what is forbidden permissible". See 'Sheikh Qaradawi's First Interview with OnIslam.net', *OnIslam.net* 18 October 2010, via <<http://www.onislam.net/english/shariah/contemporary-issues/interviews-reviews-and-events/449388-sheikh-qaradawis-first-interview-with-onislamnet.html?Events=>>

³⁷⁰ Wiedl, Nina, 'Dawa and the Islamist Revival in the West', *Current Trends in Islamist Ideology* 2009. See also: Phillips, Melanie, *Londonistan. How Britain Created a terror State Within*, London: Gibson Square 2012, p. 262.

recreational establishments.” He urges his fellow revivalists to try “to have your small society within the larger society” and “your own ‘Muslim ghetto.’”³⁷¹

This ghettoization is part of a wider strategy of the “middle way” towards establishing a Sharia state. This strategy includes seven stages through which Muslim minorities in the West should go, according to Qaradawi. Firstly, Muslims should become aware of their Muslim identity, which should “awaken” in the second stage. Stages three and four regard the spreading of the movement and the forming of groups. In the fifth stage, mosques should be constructed and Islamic schools and organisations need to be founded – which Qaradawi views as manifestations of a parallel society. In stage six the non-Muslim majority becomes used to Islam as a permanent and visible presence. Finally, Muslims use their inner self-assurance to interact with the majority of the host society and begin propagating their faith and values.³⁷² In this seventh stage Muslims should gain access to key positions in all areas, such as media, politics, economics, sociology and medicine. The purpose is that these “awakened” Muslims seek to adapt Western science as well as concepts of human and civil rights to Islam.³⁷³

This step-by-step implementation of Sharia in the West is preferred over the introduction of a Sharia state by means of violent jihad. One of the justifications of not using violent jihad is that when Muhammed was spreading Islam and him and his followers were the minority in the Arabian Peninsula, no violence was used. It was at a later stage, when Muhammed had formed a majority of Muslims, he began to use severe violence to force Islam upon others.³⁷⁴

³⁷¹ Vidino, Lorenzo, ‘Aims and Methods of Europe’s Muslim Brotherhood’, *Current Trends in Islamist Ideology* November 2006, via < <http://www.hudson.org/research/9776-aims-and-methods-of-europe-s-muslim-brotherhood>>. See also Schirrmacher, Christine, ‘Sharia Judges, Parallel Legal System, Justices of the Peace – A Commentary to Joachim Wagner’s “Outlaw Judges: The Threat Posed by Islamic Parallel Jurisprudence to the Rule of Law’’, *Islam und christlicher Glaube* 2012, pp.35-40.

³⁷² Polanz 2012, p. 24.

³⁷³ Polanz 2012, p. 26.

³⁷⁴ Radical preacher Haitham al-Haddad, who obtained a PhD at the University of London (SOAS) on the topic of Muslim Minorities in the West, stated that “The jihad was allowed also through stages and then the final stage is to fight everyone until they establish the law of Allah. The first stage after migrating to Medina the Prophet was allowed, allowed to fight those who fought against him. Then the Prophet was commanded to fight those who fought against him. Then the Prophet, and that is the final stage as Ibn Qayyim said, and this I think all

Although the goal is thus the same, Qaradawi prefers this “middle way” strategy so not to scare people off. Part of that strategy is the pragmatic decision to use “dawa language” that avoids negative associations for western audiences, such as not mentioning the desire of establishing an Islamic state, describing Islam as a “religion of peace and tolerance”, focussing on jihad as an “inner struggle”, describing Sharia as a “just order” that guarantees social justice, or Sharia as a “set of values” rather than a body of laws, or labelling the headscarf as an expression of female liberation rather than a religious obligation.³⁷⁵ The Islamic construct of “*taqiyya*” legitimizes this kind of double speak. At the risk of conveying some sort of a “conspiracy message”, I do believe it is important to discuss this concept. Taqiyya is described variously as “precautionary dissimulation,” “religiously-sanctioned deception,” “lying” or “deception” and “keeping one’s convictions secret” and “tactical dissimulation” or “holy deception”. Early Islamic texts read: “*Al Taqiyya* is with the tongue only; not the heart. A believer can make any statement as long as the ‘heart is comfortable [...]’; “God gave the believers freedom of movement by *takiyya*; therefore conceal thyself [...]”; “*Takiyya* is a cloak for the believer: he who has no religion has no *takiyya*, associate your opponents only outwardly and oppose them inwardly”.³⁷⁶ In short, Muslims have holy permission to deceive “infidels”.³⁷⁷ Previously mentioned Middle Way Islamist Tariq Ramadan has been accused this form of “doublespeak”. French researcher Caroline Fourest analyzed fifteen of his books, 1,500 pages of interviews and circa a hundred recordings and concluded that Ramadan is the political heir of his grandfather Hassan al-Banna as he repeats the discourse that Banna had at the beginning of the 20th century in Egypt. She argues that he has one message for his Muslim followers and something else entirely

scholars agree on this, the Prophet were commanded to fight everyone until they established the law of Allah.”. See ‘Haitham al-Haddad’, *The Islamic far-right in Britain*, via <<http://tifrib.com/haitham-al-haddad/>>.

³⁷⁵ Polanz 2012, p. 26 and Wiedl 2009.

³⁷⁶ Campbell, Andrew, “‘Taqiyya’: How Islamic Extremists Deceive the West’, *National Observer* 2005, pp. 11-23 (12).

³⁷⁷ For instance in Koran 3: 28 and 40: 28. Ibrahim, Raymond, ‘How Taqiyya Alters Islam's Rules of War. Defeating Jihadist Terrorism’, *Middle East Quarterly* 2010, pp. 3-13 <https://www.meforum.org/2538/taqiyya-islam-rules-of-war>.

different to his Western audience.³⁷⁸ This is part of the Islamist strategy to openly breach with Sharia principles in order to work towards the implementation and acceptance of Sharia.

The presence of Muslims in the West is deemed “a great benefit” for the global Islamist movement. The idea is that if Muslims in Europe create an Islamic environment for Muslim immigrants and European converts and influence the social and political climate favourably towards Islam and the Umma, that will inspire Western leaders to pressure Muslim rulers on Muslim countries to be more accommodating to the Islamic movement in those countries.³⁷⁹ For this to work, Muslim minorities need a tailored version of Islamic law. Sharia councils are one of the means to establish that, as we shall see.

Conclusion

The focus in this chapter is on the worst version of Islamic fundamentalism. I am aware there is a plethora of varieties in theory and practice. At the same time I am confident that the core is as I have described it. The core of Islamic fundamentalism is a theologically justified political goal of saving and purifying society by means of establishing a Sharia state in which the Umma is unified. This Sharia state can be achieved by means of terror, by a political takeover, or by a bottom-up approach. It is this last version that is prevalent in Europe under leadership of Islamists.

In the 1970s and 1980s, Wahhabi Saudi Islam and the Egyptian Muslim Brotherhood made a pact to exert Islamist influence in the West. In just a few

³⁷⁸ Fourest, Caroline, *Brother Tariq: The Doublespeak of Tariq Ramadan*, New York: Encounter Books 2008. For examples, see also Dankowitz, Aluma, ‘Tariq Ramadan – Reformist or Islamist?’, The Middle East Media Research Institute (MEMRI) Inquiry & Analysis Series Report No. 266, 17 February 2006: “In a November 2003 interview with the Paris Arabic-language radio [Beur FM], Tariq Ramadan said: ‘There is a reformist rationalist stream, and there is a Salafi stream that is trying to remain faithful to the foundations [of the religion]. I belong to the [latter] stream. That is, there are a number of principles that I consider to be basic, and that, as a Muslim, I cannot deny’... However, during a February 2004 UNESCO conference, when [author and French Muslim cleric] Ghaleb bin Sheikh, who belongs to the reformist liberal stream, attacked him, he said: ‘I am not a Salafi. A Salafi is someone who clings to the written word [*harfi*] and I am not like that.’”

³⁷⁹ Wiedl 2009.

decades, the Muslim Brotherhood and its affiliates have succeeded in building a vast network of media outlets, think tanks, educational centres and Sharia councils in Europe. Moreover, Sharia-patrolled ghettos have also become part of society as well.³⁸⁰ It is part of the “Islamic movement” Qaradawi calls for, by which he means “organized, collective work, undertaken by the people, to restore Islam to the leadership of society”, as he wrote in the introduction of his “Priorities of the Islamic Movement in the Coming Phase”.³⁸¹ And although the “dialogue” can be one of openly demonstrating allegiance to democracy, religious freedom and equality – between Muslims and non-Muslims, and between men and women, it is very clear that those are constructs and practices that are firmly rejected by Islamists. It is not seldom Orwellian double-speak. As Qaradawi stated: “Were we to convince Western leaders and decision-makers of our right to live according to our faith – ideologically, legislatively, and ethnically – without imposing our views or inflicting harm upon them, we would have traversed an immense barrier in our quest for an Islamic state.”³⁸² From the examples of Saudi Arabia and Malaysia we know what Islamification of a society holds in store for its citizens.

It is a problem, because research about Euro-Muslims reveals a strong link between religious fundamentalism and a high level of “outgroup hostility”. That means that a sizeable number of fundamentalist Muslims are intolerant towards those who do not share their foundations, significantly more than fundamentalist Christians do. About half of Euro-Muslims believe the West is out to destroy Islam, do not want homosexuals as friends, and believe Jews cannot be trusted.³⁸³ This is not “un-Islamic” as becomes clear from studying Wahhabi Islam. It is all the more

³⁸⁰ See Vidino, Lorenzo, ‘Hisba in Europe? Assessing a murky phenomenon’, *European Foundation for Democracy* 2013 via http://www.europeandemocracy.org/images/stories/Media/Hisba/Hisba_in_Europe.pdf.

³⁸¹ Qaradawi, Yusuf al-, “Priorities of the Islamic Movement in the Coming Phase”, downloaded from the internet.

³⁸² Yousef, Ahmed Bin, and Jobain, Ahmad Abul, *The Politics of Islamic Resurgence: Through Western Eyes: A Bibliographic Survey*, North Springfield: United Association for Studies and Research 1992, p. 40.

³⁸³ According to a 2013 poll in six European countries (Germany, France, the Netherlands, Belgium, Austria and Sweden) among 9000 Turkish and Moroccan immigrants and natives. See Koopmans 2015, pp. 33-57.

problematic since Islamic fundamentalism in Europe is increasingly gaining ground among European Muslims.

That does not have to mean that all those in power should be alarmed and start preparing for a civil war between Muslims and Non-Muslims in Europe. But it does mean that knowledge and awareness on this topic is increasingly required and an adequate response is needed.

The next chapter is a study on Sharia councils. In *Your Fatwa Does Not Apply Here: Untold Stories from the Fight Against Muslim Fundamentalism* (2013), Bennoune does not want to conflate a wide range of ideologies and movements, but does find there are significant commonalities among the fundamentalists. “They believe in the imposition of “God’s law”, something called *the* Sharia – their version of it rather than others’ – on Muslims everywhere, and in the creation of what they deem to be Islamic states or disciplined diasporic communities ruled by these laws”.³⁸⁴ To start with private laws concerning the rights and duties of Muslims in the West. It is privately run Sharia councils that provide religious law in action for diasporic Islamic communities. In the West, such a minority Muslim legal order is mostly manifest in the United Kingdom.

³⁸⁴ Bennoune 2013, pp. 14-15.