

A Proposed Charter of Muslim Understanding

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Foreword by Gerard Batten
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Last but not least my esteemed colleague and researcher Al Maqdisi who is simply indispensable.

Sam Solomon
December 2006

Foreword

The Western European view of religion, achieved after centuries of bloodshed, conflict and division, is that religion is a matter of private belief and conscience.

Islamic fundamentalists do not share this view. They do not believe in the nation state, democracy, the equality of women, or tolerance. They believe in Islamic theocracy, a universal Muslim society, the Umma, based on political rule according to the Qur'an and Sunnah.

Such views are simply incompatible with Western liberal democracy, and we have seen where such extremist beliefs can lead, for example in Afghanistan and Iran. The West has been amazingly lax in recognising the threat posed to its security, freedoms, values and the cohesiveness of society by Islamic fundamentalism. The terrorist atrocities in London of July 2005 showed just how dangerous these beliefs can be. The threat posed by Islamic terrorism is one common to most, if not all, Western countries.

Islamic fundamentalists have however made great gains in the propaganda war by convincing many non-Muslims that they are the true representatives of Islam, whereas they are not. The vast majority of Muslims that non-Muslims meet in every-day life are decent, respectable, law-abiding and hardworking.

Western governments and societies have to offer them their support while standing firm against the extremists. A great step forward in this process is Sam Solomon's Proposed Charter of Muslim Understanding. The Charter allows Muslims from all strands of belief to make it plain that they reject those extremist interpretations of their religious texts that promote or excuse violence and bring Islam into conflict with the modern world.

Foreword

It affirms that they want to enjoy the freedoms of the West and live as law-abiding and peace-loving people. I very much hope that those groups claiming to represent Muslims will decide to sign and embrace it.

Gerard Batten MEP
December 2006

Introduction

If Islam is a religion of peace, as portrayed by the Muslim community and its clergy, and those acts of terrorism committed in its name are the acts of few misguided individuals who have misunderstood and misinterpreted its teaching, then Islam is completely innocent of the violence and the terrorism that is sometimes attributed to it.

Consequently, in extrapolating from this premise, one should expect that in the light of the current terrorist threat perpetrated by some in the name of Islam that the faithful ones and the authorised scholars and experts call a general conference of its Ulema, the learned scholars of Islamic religion, to discuss provisions such as laid out in this Charter.

They should have no objection to being signatories to it, and upholding its content both in letter and spirit in the name of Islam and for the welfare of their host societies and that of humanity at large.

We call on organisations representing the Islamic faith such as the Australian Federation of Islamic Councils, Australian National Imams Council, the Organisation of Islamic Conference, the Muslim World League and all its Australian affiliates, national and international Islamic bodies, to endorse and sign this proposed Charter as an example to all Australian Muslims.

It is hoped that the Muslim leaders would agree that whosoever deviates from the path of this Charter would have gone on an un-Islamic path and thus such a person would be regarded as outcast from the religion of Islam; hence a non-Muslim.

It is hoped that at least all Australian Muslim leaders and their institutions both regional and Australia-wide will be signatories to this Charter as the first expression of their desire to live in peace within their host countries, as law-abiding and peace-loving and peace-promoting communities alongside their non-Muslim neighbours.

Whatever their real or perceived grievances these need to be addressed through proper channels and not through violence and terrorism.

Preamble

We the undersigned as the representatives of Muslim communities in our capacity as leaders at various levels as Muftis, Ulemas, Imams, community leaders, heads of Islamic madrassas, Muezzins, Mazuns and all other Islamic relevant offices including those of free thinkers and leaders of NGOs as well as NOPs (Non-Profit Organisations), the leaders of youth and women's groups, and leaders at all levels of Islamic institutions commit to uphold, promote, propagate and abide by these articles in letter and spirit of this Charter of Muslim Understanding.

We commit to the fostering and promotion of peaceful coexistence across Australia in the spirit of one brotherhood amongst all humanity treating all as equals in accordance with the principles proclaimed in the charter of the United Nations, the United Nations' Universal Declaration of Human Rights (General Assembly resolution 217A(III) of 1948), and the United Nations' International Covenant on Civil and Political Rights (1966).

Whosoever breaches any of the articles stated and detailed below will be regarded as a person outside the House of Islam, and shall be denounced as a non-Muslim, and will find no protection in the Muslim community.

Article 1

We will respect all other non-Muslim religions in word and deed by issuing a clear fatwa with an immediate effect prohibiting:

- a) The use of force and violence of any kind against the followers of any or all non-Muslim religions
- b) The issue of threats through any religious fatwa threatening with violence against institutions or assassination of individuals or groups and followers of other religions who may be domiciled in the affected localities or any other country be it a Muslim majority or otherwise
- c) The use of any force in any form for whatever grievances felt or actual
- d) The killing or targeting of any civilian or civil institutions in Islamic and non-Islamic countries as a way and means of addressing any of our grievances.

Article 2

We will respect and honour all civilisations, cultures, and traditions of other nations and people irrespective of their ethnic or religious backgrounds. This will be achieved by introducing a clear educational programme through all Islamic institutions and outlets, as well as organising special meetings to address youth:

- a) By promoting brotherhood of all mankind without any religious or ethnic discrimination or differentiation
- b) By declaring the equality of all men and women and the profanity of none
- c) By insisting on the validity and the viability of national domestic law; that it shall be fully adhered to and takes precedence over the Shari'ah.

Article 3

In the spirit of the saying, “Let there be no compulsion in religion” (Sura 2:256), we commit to the upholding the value of freedom, and in particular freedom of belief and expression.

The signatories hereby declare that religion is a private and personal matter and a personal choice. It is neither a right of a community nor a state’s right to dictate or interfere with a person’s personal choice of faith.

As such there will be no recriminations against any Muslim or non-Muslim who chooses to change, discard, or adopt another faith be it within the House of Islam, from any Islamic faction, or to a non-Islamic religion or faith.

This concept will be re-issued as a binding fatwa across Australia and offered for publication in national and local newspapers in order to avoid any misinterpretations.

Article 4

The basis of the legitimacy of Islamists' acts of terror and their perpetuated violence is the authority that they obtain from being sanctioned by religious leaders. These sanctioning statements are known as fatwas.

This situation is now being reviewed in many Islamic nations. Jordan has passed a bill regulating the process of fatwas and the accountability of those that issue them. Those in breach of that regulation are liable to face severe penalties. Saudi Arabia too has tabled proposals to that effect, and other Arab Islamic governments have commissioned a study into it. Nation states must consider this measure as a safeguard.

Following from the foregoing articles, the signatories to this Charter ban and prohibit the right of issuing any fatwa that would result in violence against individuals or institutions. Any such fatwa will be null and void.

The right of issuing fatwa will be limited to a specified body, and only that body will have the right to issue relevant religious fatwas.

Fatwas issued by anybody else (either an individual or an institution) apart from the authorised body will be invalid and of no effect.

In the event of an individual or an organisation other than the specified body issuing a fatwa it would be regarded as unlawful and it would be for the appropriate governmental authorities to bring him/her/them to justice.

The signatories to this Charter will fully co-operate with the police and security forces in bringing him/her/them to justice, including measures of deportation where appropriate. A Proposed Charter of Muslim Understanding

Article 5

As peace-loving and peace-promoting people domiciled in Australia, and equally believing that Islam is a religion of peace that promotes co-operation and collaboration of all peoples irrespective of their religious or ethnic or gender backgrounds:

The notion and all teachings of violent physical Jihad is to be regarded as invalid, inappropriate and irrelevant— hence inapplicable

Therefore all Qur’anic Jihad verses encouraging physical violence, whether implicit or explicit, or any other quotations from any Islamic source, be that Sunnah or the sayings of the Prophet or that of the learned scholars or leaders of Jihad at any given time or place, are to be regarded as inapplicable, invalid and non-Islamic

All Qur’anic verses that could be regarded as inciting discrimination on the grounds of religion, ethnicity or gender are just historical and will be regarded as non-effective for today’s world

These verses will be either deferred or suspended until such time as scholars find a solution for their interpretation.

Article 6

Based on the acceptance of equality of all mankind, brotherhood of all and the freedom and sanctity of all human life, and based on the principle that “whosoever slays one man is as though he has slain the whole of humanity,” all acts of terrorism are prohibited, shunned and outlawed:

- a) No suicidal mission undertaken for whatever the reason is justified
- b) No violent physical Jihad operation will be regarded as sacred
- c) No one who chooses to die in such an operation will be regarded as a martyr.

Article 7

We jointly will fight terrorism and do all within our abilities to stem it from our institutions through:

- a) Full co-operation with all the relevant authorities, including those of the Police and Intelligence Services
- b) By watching and monitoring mosque sermons and other mosque teaching programmes for messages not in accordance with this Charter
- c) Making certain that at religious gatherings and lectures for young people co-operation and peaceful co-existence with non Muslims is proclaimed and the ideology of hate is rooted out
- d) Reporting any secret or suspicious gathering of youth cells in any of our institutions
- e) Monitoring all publications, including books, CDs, DVDs and all other media, that serve the cause of militant Islamists
- f) Ensuring transparency and full access to the authorities to verify the implementation of this Charter.

Article 8

We will foster a better relationship with non-Muslims and promote peace by:

- a) Issuing regular fatwas promoting peace and brotherhood between Muslims and non-Muslims as a foundational teaching of Islam
- b) Produce a clear programme promoting peace and forgiveness amongst all people groups irrespective of their religious, cultural, linguistic or ethnic background
- c) Taking stern action through establishing by-laws to expel any Muslim official or office-bearer at any level who engages or promotes any teaching or activity not in accordance with this Charter
- d) Forbidding any anti-Jewish or anti-Christian supplications at all times, particularly at prayer times and other religious gatherings.

Article 9

We the signatories request all Islamic institutions and all of its associates, affiliations and outlets in co-operation with the signatories to this Charter:

- a) To discard all texts that discriminate with impunity against Christians and Jews by describing them as Kaffirs, apostates, polytheists, the children of apes, and swine, and prohibit any inciting, insulting and all discriminatory references based on their religion
- b) To abandon the practice of takfir (infidel) against anybody, be that a Muslim or a non-Muslim. (Once a Muslim leader declares anyone as such, it is for the faithful ones to see that person eliminated.)
- c) To prohibit and abolish the practice of Takkiya (Islamic doctrine of legitimate lying and deception of others) to advance the cause of Muslims and Islam. Insults, incitement, discrimination and deception are not to be upheld or practised.

Article 10

Request all officially constituted Islamic bodies and institutions to revise and issue new interpretations of those Qur'anic verses that call for Jihad and violence against non-Muslims. For example, but not exclusively:

a) O Prophet (Muhammad)! Urge the believers to fight. If there are twenty steadfast persons amongst you, they will overcome two hundred, and if there be a hundred steadfast persons they will overcome a thousand of those who disbelieve, because they (the disbelievers) are people who do not understand. (Sura 8:65)

b) Let those (believers) who sell the life of this world for the Hereafter fight in the Cause of Allah, and whoso fights in the Cause of Allah, and is killed or gets victory, We shall bestow on him a great reward. (Sura 4:74)

c) Those who believe, fight in the Cause of Allah, and those who disbelieve, fight in the cause of Taghuat (great Satan). So fight you against the friends of Shaiytan (Satan); Ever feeble indeed is the plot of Shaiytan. (Sura 4:76)

d) And fight them until there is no more Fitnah (dissension, disbelief and polytheism) and the religion (worship) will all be for Allah Alone (in the whole of the world). But if they cease (worshipping others besides Allah), then certainly, Allah is All-Seer of what they do. (Sura 8:39)

e) And kill them (unbelievers) wherever you find them, and turn them out from where they have turned you out. And Al-Fitnah is worse than killing. And fight not with them at Al-Masjid-al-Haram (the sanctuary at Makkah), unless they (first) fight you there. But if they attack you, then kill them. Such is the recompense of the disbelievers. (Sura 2:191)

f) Then when the Sacred Months (the 1st, 7th, 11th, and 12th months of the Islamic calendar) have passed, then kill the Mushrikun (unbelievers) wherever you find them, and capture them and besiege them, and prepare for them each and every ambush. But if they repent and perform As-Salat, and give Zakat, then leave their way free. Verily, Allah is Oft-Forgiving, Most Merciful. (Sura 9:5)

g) The recompense of those who wage war against Allah and His Messenger and do mischief in the land is only that they shall be killed or crucified or their hands and their feet be cut off on the opposite sides, or be exiled from the land. That is their disgrace in this world, and a great torment is theirs in the Hereafter. (Sura 5:33)

h) Fight against them so that Allah will punish them by your hands and disgrace them and give you victory over them and heal the breasts of a believing people... (Sura 9:14)

i) Fight against those who believe not in Allah, nor in the Last Day, nor forbid that which has been forbidden by Allah and His Messenger and those who acknowledge not the religion of truth (i.e. Islam) among the people of the Scripture (Jews and Christians), until they pay the Jizyah (humiliating tax on non-Muslims) with willing submission, and feel themselves subdued. (Sura 9:29)

j) And make ready against them all you can of power, including steeds of war (i.e. all forms of weaponry) to threaten the enemy of Allah and your enemy, and others besides whom, you may not know but whom Allah does know. And whatever you shall spend in the Cause of Allah shall be repaid unto you, and you shall not be treated unjustly. (Sura 8:60)

k) (Remember) when your Lord inspired the angels, "Verily, I am with you, so keep firm those who have believed. I will cast terror into the hearts of those who have disbelieved, so strike them over the necks, and smite over all their fingers and toes." (Sura 8:12)

l) We shall cast terror into the hearts of those who disbelieve, because they joined others in worship with Allah, for which He had

sent no authority; their abode will be the Fire and how evil is the abode of the Zalimun (polytheists and wrong-doers). (Sura 3:151)

(This verse was given in Medina regarding the pagans of Makkah, during the battle of Uhud. Soon after that it was made effective with the conquest of Makkah, and its application from the Shari'ah or Islamic jurisprudence is to be on all non-Muslims, here and now.)

m) O you who have been given the Scripture (Jews and Christians)! Believe in what We have revealed (to Muhammad) confirming what is (already) with you, before We efface faces (by making them like the back of necks, without nose, mouth, eyes, etc) and turn them hindwards, or curse them as We cursed the Sabbath-breakers. And the Commandment of Allah is always executed. (Sura 4:47)

n) O you who believe! Take not the Jews and the Christians as Awliyah (friends, protectors, helpers, etc), they are but Awliyah to one another. And if any amongst you takes them as Awliyah, then surely he is one of them. Verily, Allah guides not those people who are the Zalimun (polytheists and wrong-doers and unjust). (Sura 5:51)

o) O you who believe! Take not as your Bitanah (advisors, consultants, protectors, helpers, friends, etc) those outside your religion (pagans, Jews, Christians, and hypocrites) since they will not fail to do their best to corrupt you. They desire to harm you severely. Hatred has already appeared from their mouths, but what their breasts conceal is far worse. Indeed We have made plain to you the Ayatt (proofs, evidences, verses) if you understand. (Sura 3:118)

p) Surely, they have disbelieved who say: "Allah is he, the Messiah, Jesus son of Mary." But the Messiah (Jesus) said: "O Children of Israel! Worship Allah, my Lord and your Lord." Verily, whosoever sets up partners in worship with Allah, then Allah has forbidden Paradise for him, and the Fire will be his abode. And for the Zalimun (polytheists and wrong-doers) there are no helpers. (Sura 5:72)

q) Surely, disbelievers are those who said: “Allah is the third of the three (in a Trinity).” But there is no god but One Allah. And if they cease not from what they say, verily, a painful torment will befall the disbelievers among them. (Sura 5:73)

(This painful torment is both here and now as well as being punished by Allah’s angels in the grave and in the last day as portrayed and expounded by Islamic religious and legal manuals.)

These, and other similar verses from the Qur’an and the sayings of the prophet reported in Islamic manuals called Hadith, are sources of inspiration for hate and terrorism.

Conclusion

The Signatories to this Charter re-affirm their profound beliefs in those fundamental freedoms of justice and peace upon which the maintenance of domestic political democracy is dependent.

The Signatories to this Charter re-affirm their profound belief in the charters of the United Nations, the United Nations' Universal Declaration of Human Rights (General Assembly resolution 217A(III) of 1948), and the United Nations' International Covenant on Civil and Political Rights (1966), including the fundamental freedom to proselytise and in the fundamental right of the individual to change their religion.

The Signatories to this Charter re-affirm their profound belief in peace between the Islamic communities and other non-Islamic communities.

Endnotes

1 Refers to and includes Muslims of all factions. Thus from the stance of Islamic jurisprudence it covers the various warring factions within the House of Islam.

2 Islam as expounded by its scholars is an all-encompassing system (socio-political, socio-religious, socio-economical, socio-educational, legislative, judiciary and military), cloaked and garbed in religious terminology. It does not distinguish between sacred and secular. Fatwas by leading scholars such as Yousif Al Qardawi have been issued legitimising the targeting of all, whether civilian or military personnel, as well as their institutions. It is important to note that there is a clear distinction between (a) and (d) in this article.

3 The concept and the doctrine that all non-Muslims are profane (known as najees) is stated in Sura 9:28. This impurity is not only ceremonial but has practical implications, resulting in devaluation of and discrimination against non-Muslims.

Glossary

Alim - Title of an Islamic scholar. An Alim's other title could be Shaykh ul Islam, recognised as an elder without being old but a leading figure who expounds the Qur'an and the Islamic way of life and its regulations to the Muslims and others.

Fatwa - A legally binding decree issued by the Mufti based on religious opinion from Islamic manuals. This could be in any or all fields, whether financial, political, judicial, governmental, etc.

House of Islam - The abode of Islam, the territory where there is an Islamic majority and where the word of Islam is supreme.

Imam - A person who leads the faithful ones in Islamic prayer. This title is given to the one who presides over them, or he could be a learned scholar and would act as one of the leaders of the Muslim community.

Jihad - Means to exert effort, struggle or force; is a means to achieve Islamic objectives.

Madrassa - A religious school where children and adults learn and are grounded in Islamic doctrines, both religious and political.

Mazun - A person who lives close to the mosque and has official duties of marrying, and burying and attending the naming ceremonies, circumcisions as well as all social and community activities of the Muslim community.

Muazzins - Plural of Muezzin.

Muezzin - A person who gives out the prayer call just before the times of prayer. This an official office bearer in the mosque and recognised by the Muslim society.

Mufti - A highly qualified Islamic scholar, usually the head of the Islamic scholars whose declarations or answers to given questions or issues raised are formal and legally binding verdicts on those that have asked. This could be private or at national level.

Shari'ah - Islamic jurisprudence. Its basis is in the Qur'an and the Sunnah (the traditions and the example of the Prophet).

Sunnah - The example of the Prophet in all things, his sayings, his actions and what he endorsed and condoned.

Ulema - Plural of Alim.

Umma - The worldwide body of all Muslims as a distinct and cohesive community.

Uztaz - An Islamic teacher of a Madrassa which is a religious school attached to the mosque or under its supervision and ultimately under the ministry of religious and endowment affairs.

Australian Federation of Islamic Councils (AFIC)

The Islamic Councils of each State and Territory united to form State Islamic Councils representing their respective Muslim communities at the peak State level. At the national level the State and Territory Islamic Councils formed the Australian Federation of Islamic Councils Inc (AFIC), as the national umbrella organisation for Australian Muslims representing Islam and Muslims at a national and international level.

Australian National Imams Council (ANIC)

The Australian National Imams Council (ANIC) is the only central, Islamic body that holds key representation from Australian-based Muslim clerics. Registered as a public company, the ANIC was established in late 2006 as an umbrella organisation consisting of a Council of Imams, representing each Australian State and Territory.

Muslim World League (MWL)

The MWL is one of the largest Islamic NGOs. It was founded in Makkah in 1962 by Islamic religious figures from 22 countries. The organisation considers itself as the cultural and religious representative of the Muslim believers and is Saudi financed and led.

Organisation of Islamic Conference (OIC)

The OIC is an inter-governmental organisation of fifty-seven states and was established in Morocco in 1969. The primary goals of the OIC are “to promote solidarity among all member states; to consolidate cooperation among member states in economic, social, cultural, scientific, and other fields of activity; to endeavour to eliminate racial segregation and discrimination and to oppose colonialism in all its forms; to support the Palestinian people in their struggle to regain their national rights and to return to their homeland; and, to support all Muslim people in their struggle to safeguard their dignity, independence and national rights.”

Affirmation

I, the undersigned, as an individual, or as an official representative of an organisation, accept in principle the need to re-examine and address the meaning and application of certain Islamic texts and doctrines; and that the issues identified in the Proposed Charter of Muslim Understanding represent the basis for further discussion of these issues.

I affirm my belief in:

1. The equality of all human beings, before God and the law
2. Equal rights for women, in principle and practice
3. The rejection of coercion, intimidation and violence in the name of religion
4. Religious freedom and rejection of the persecution of those who convert from one faith to another
5. Tolerance of other religions, and their believers, and the rejection of religious teachings that discriminate against others on the basis of their religious beliefs.

Name

Organisation, if represented

Signature

Date

Office, if held

It would be appreciated if a copy of this affirmation could be sent to:
Proposed Charter of Muslim Understanding, PO Box 1228, Altona Gate, VIC, 3025
We seek to keep a true record of all participating persons and entities in Australia,
so that from time to time it can be made available to persons interested.