Revisiting and Reviving the Dawah Narrative
Renewing the Da'wah Narrative in a Way that Safeguards the Fundamentals and Suits our Times and Places

Paper by:

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بسم الله الرحمن الرحيم

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"الأراء الفقهية في هذا البحث تعبر عن رأي الباحث و ليس بالضرورة عن رأي أمجا"
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Introduction

It is well understood that *dawah* is a communal obligation. There should be no need to quote verses and hadith that emphasize the importance and obligations of *dawah* as a whole. However, there are some points related to the principles of *dawah* that need to be highlighted as an introduction to the topic at hand.

A problem occurs for *dawah* when the traditional messages, at least in the way that they are delivered, no longer resonate with the target audience, be they Muslims themselves or non-Muslims. This definitely presents a challenge for the Caller to Islam. This type of challenge is not exactly new, one could argue that in colonial times similar challenges were faced. The responses to these challenges have been various over time and continue to be various today.

In consultation with its conference goers, AMJA has identified two sets of topics that require a fresh look these days. One set has to do with defining certain concepts that one could describe as politically sensitive today: fundamentalism, terrorism[1], abode of war and abode of Islam, clash of civilizations, jihad vs. peace vs. neutrality in Islam, and the nature of "our relationship with the West." The second set has more to do with particular issues related to the Shareeah that may be difficult for non-Muslims and many Muslims today to accept: slavery, jihad, apostasy,[2] polygyny, music, and honor killings. Each one of these topics is deserving of an article in and of itself, if not an entire book. In fact, numerous works have been written on these topics. It is, though, definitely a must for Muslim scholars to address questions of this nature.

Since it would be impossible to do justice to each of those topics in a short paper of this nature, the emphasis here will be on general principles guiding the dawah related to such controversial or problematic issues. After presenting those principles, particulars related to the general principles will be mentioned for specific topics.

General Guidelines for Dawah

Taking into Consideration the Condition of the People

Abd al-Lateef al-Astal has demonstrated that the Prophet (peace and blessings of Allah be upon him) used to take into consideration the condition and the affairs of the people to whom he was propagating the message.[3] This approach to *dawah* was incorporating by his Companions. They understood that one must speak to people in ways that are consistent with their level of understanding and comprehension. Ali ibn Abi Taalib stated,

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(1) This author has already discussed the question of terrorism in some detail elsewhere. Therefore, none of that discussion will be repeated here. The author's paper prepared for a conference in Riyadh, Saudi Arabia is available at http://islamicstudies.islammessage.com/ResearchPaper.aspx?aid=1276

(2) This author has already discussed the question of apostasy in some detail elsewhere. Therefore, none of that discussion will be repeated here. See Jamaal Zarabozo, "Apostasy and Islam: The Current Hype," available at http://www.zeriislam.com/artikulli.php?id=921

(3) Cf., Abd al-Lateef al-Astal, *Mura'aah Ahwaal al-Naas fi Dhau al-Sunnah al-Nubuwiyyah* (Master's Thesis: al-Jaamiah al-Islaamiyyah, Ghazzah, Palestine. 2008), *passim*.

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حَدِّثُوا النَّاسَ بِمَا يَعْرِفُونَ أَتُحِبُّونَ أَنْ يُكَذَّبَ اللهُ وَرَسُولُهُ

"Preach to the people according to what they can understand. Do you like [otherwise] that they would belie Allah and His Messenger?" (Recorded by al-Bukhari.) Similarly, Abdullah ibn Masood said,

مَا أَنْتَ بِمُحَدِّثٍ قَوْمًا حَدِيثًا لَا تَبْلُغُهُ عُقُولُهُمْ إِلَّا كَانَ لِبَعْضِهِمْ فِتْنَةً

"You will not narrate a hadith to the people that is beyond their grasp except that you will be a source of confusion (*fitnah*) for some of them." (Recorded by Muslim.) The meaning of these statements, as interpreted by many, is that not everyone is able to understand everything. For some people, there may be some knowledge that will confuse them or perhaps even make them doubt or question what has been narrated. Similarly, there may be some reports that people will not understand properly and, in turn, this could lead to a misapplication of such reports.[1]

However, in this day and age, when information and propaganda are both widely available, there are plenty of Islamophobes, Orientalists, modernists, progressives and other enemies of "traditional" Islam who are more than happy to present and highlight concepts or issues that they know will be difficult for the masses to comprehend completely. For many such people, their goal is possibly nothing more than to cast doubts into the hearts and minds of the Muslim masses. Unfortunately, doubts and challenges can easily be stated in short "sound bites" while the responses—if one truly desires the truth and not simply sensationalism—requires detail, attention and concentration. Many people, sadly, may be willing to listen to short statements but may not be willing to put in the time and energy to understand a topic properly. In sum, as important and reasonable is the principle that Ali ibn Abi Taalib and Abdullah ibn Masood mentioned is, the current situation is such that information has become too easily available and, consequently, individuals are exposing themselves to information that is beyond what they can comprehend. This inevitably leads to confusion, doubts and lack of certainty in the teachings of Islam.

At the same time, though, there may be an important corollary that can be derived from the statements of Ali ibn Abi Taalib and Abdullah ibn Masood. In the same way that one should not present material that is beyond a recipient's level of understanding, one should also not explain material in a manner that is not relevant or pertinent to an individual's level of understanding. In particular, one should be careful about responding to an individual's question or doubt in a manner that seems to be "below" his actual or self-perceived level of understanding and knowledge. For example, for any challenge to an Islamic teaching, it should be sufficient, at an essential level, to simply say, "That is what Allah and His Messenger commanded or stated." After all, Allah has said,

﴿ إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَن يَقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ ﴾

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(1) Examples of such reports, as traditionally given, include some reports related to the attributes of Allah that the listener may not understand or even reject. Others include reports concerning objecting to or revolting against rulers, which people may misunderstand and misapply, thus leading to civil strife and bloodshed. Some scholars mentioned hadith describing the types of civil strife or *fitan* that would take place. For details, see Ahmad ibn Hajar, *Fath al-Baari bi-Sharh Saheeh al-Bukhaari* (Beirut, Lebanon: Daar al-Marifah, 1379 A.H.), vol. 1, p. 225.

"The only statement of the [true] believers when they are called to Allah and His Messenger to judge between them is that they say, 'We hear and we obey.' And those are the successful" (*al-Noor* 51). However, many Muslims today, due to many influences, feel that they are above that level of such a "simplistic approach" to faith. Some believe that we are now living in a time of human advancement, knowledge and civilization. Therefore, there is a need to understand and discuss certain issues beyond simply saying that that is the law that has come down from Allah.

In addition, it is perfectly acceptable, even when one has not doubt, to ask and want to know more out of desire for knowledge. The most obvious example of this nature relates to the Prophet Abraham (peace and blessings of Allah be upon him). Allah relates in the Quran Abraham's statement,

﴿ أَرِنِى كَيْفَ تُحْىِ ٱلْمَوْتَىٰ قَالَ أَوَلَمْ تُؤْمِن قَالَ بَلَىٰ وَلَٰكِن لِّيَطْمَئِنَّ قَلْبِى ﴾

"[And mention when Abraham said], 'My Lord, show me how You give life to the dead.' [Allah] said, 'Have you not believed?' He said, 'Yes, but [I ask] only that my heart may be satisfied.'" (*al-Baqarah* 260). Commenting on that incident, the Prophet (peace and blessings of Allah be upon him) said,

نَحْنُ أَحَقُّ بِالشَّكِّ مِنْ إِبْرَاهِيمَ

"We have more right to doubt than Abraham." (Recorded by al-Bukhari.) It could be considered natural to ask and wish to know more about one's faith. That is true in general and that is even more so true when doubts are being raised concerning the faith. Thus, the Callers to Islam must be willing to accept and deal with such questions.[1] This demands, though, that the Callers also be willing to research such questions in order to respond to them in a satisfactory manner.

There is, though, one caveat that must be kept in mind: Humans' abilities to understand and conquer the realms of this cosmos are limited, not to speak of delving into the matters of the Unseen. This point should never be lost on humans. In the end, they must realize that all knowledge truly is with Allah alone and what humans are able to discover is actually miniscule indeed. The following hadith beautifully highlights this reality:

عَنِ ابْنِ عَبَّاسٍ، قَالَ: قَالَتْ قُرَيْشٌ لِيَهُودَ: أَعْطُونَا شَيْئًا نَسْأَلُ هَذَا الرَّجُلَ، فَقَالَ: سَلُوهُ عَنِ الرُّوحِ، فَسَأَلُوهُ عَنِ الرُّوحِ، فَأَنْزَلَ اللهُ تَعَالَى: ﴿ وَيَسْأَلُونَكَ عَنِ الرُّوحِ قُلِ الرُّوحُ مِنْ أَمْرِ رَبِّى وَمَآ أُوتِيتُم مِّنَ ٱلْعِلْمِ إِلَّا قَلِيلًا ﴾ قَالُوا: أُوتِينَا عِلْمًا كَثِيرًا أُوتِينَا التَّوْرَاةَ، وَمَنْ أُوتِيَ التَّوْرَاةَ فَقَدْ أُوتِيَ خَيْرًا كَثِيرًا، فَأُنْزِلَتْ ﴿ قُل لَّوْ كَانَ ٱلْبَحْرُ مِدَادًا لِّكَلِمَٰتِ رَبِّى لَنَفِدَ ٱلْبَحْرُ ﴾ إِلَى آخِرِ الْآيَةَ

Ibn Abbaas stated: The Quraish said to the Jews, "Give us something that we can ask this man about." So they said, "Ask him about the *Rooh*." So they asked him about the *Rooh*. So Allah

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(1) This is a very important point for many parents to understand. Many parents of American Muslim children come from cultures were it is almost blasphemous to question anything related to the religion or even practices within Muslim culture. Their children, therefore, are left with cold or abusive responses when they ask questions, even when seeking simply to know more about their faith. On an anecdotal level, this author can state that this has had negative repercussions on numerous occasions

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Most High, revealed, "They ask you concerning the *Rooh*. Say: The *Rooh* is one of the things, the knowledge of which is only with my Lord. And of knowledge, you have been given only a little "(*al-Israa* 85). They replied, "We have been given immense knowledge, we were given the Torah, and whoever has been given the Torah, then he has indeed been given a wealth of knowledge." So the following was revealed: "Say: 'If the sea were ink for the Words of my Lord, surely the sea would be exhausted (before the Words of my Lord would be finished)'" (*al-Kahf* 109).[1]

Truths Remain Truths—They Need not be Twisted

The idea that dawah may make demands requiring a new presentation of concepts that will resonate better with the audience does not mean, in any way, that the truths themselves are changing nor that they need to be twisted in order to be palatable to the people. The truths remain true and if people are not willing to accept the truth, it is not up to the caller to compromise the truths in order to get people to accept the overall message. Allah says, for example,

﴿ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِمَن ضَلَّ عَن سَبِيلِهِۦ وَهُوَ أَعْلَمُ بِٱلْمُهْتَدِينَ ۝ فَلَا تُطِعِ ٱلْمُكَذِّبِينَ ۝ وَدُّوا۟ لَوْ تُدْهِنُ فَيُدْهِنُونَ ﴾

"Indeed, your Lord is most knowing of who has gone astray from His way, and He is most knowing of the [rightly] guided. Then do not obey the deniers. They wish that you would soften [in your position], so they would soften [toward you]" (*al-Qalam* 7-9).

In sum, the Caller has to realize that he is calling to the religion of Allah. He is not calling to his own personal faith, organization or group. It is not his right to abrogate anything in the religion nor to change anything in the religion of Allah. In fact, furtherance of human knowledge should lead to a greater appreciation for the truths of Islam and perhaps a more refined understanding of them. A greater level of knowledge definitely can and should be used by the caller in propagating the message.

Hikmah and Baseerah

A very important verse delineating the proper steps of calling people to the path of Allah is the verse,

﴿ ٱدْعُ إِلَىٰ سَبِيلِ رَبِّكَ بِٱلْحِكْمَةِ وَٱلْمَوْعِظَةِ ٱلْحَسَنَةِ وَجَٰدِلْهُم بِٱلَّتِي هِيَ أَحْسَنُ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِمَن ضَلَّ عَن سَبِيلِهِۦ وَهُوَ أَعْلَمُ بِٱلْمُهْتَدِينَ ﴾

"Invite to the way of your Lord with wisdom (*hikmah*) and good instruction (*al-mauidhah al-hasanah*), and argue with them in a way that is best. Indeed, your Lord is most knowing of who has strayed from His way, and He is most knowing of who is [rightly] guided" (*al-Nahl* 125).[2]

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(1) Recorded by Ahmad, al-Tirmidhi and others. According to al-Albaani and according to al-Arnaaoot, et al., it is authentic. Cf., Muhammad Naasir al-Deen al-Albaani, footnotes to Abu Bakr ibn Abi Aasim, *Kitaab al-Sunnah (Maahu Dhilaal al-Jannah fi Takhreej al-Sunnah)* (Beirut, Lebanon: al-Maktab al-Islaami, 1980), vol. 1, p. 264; Shuaib al-Arnaaoot, et al., *Musnad al-Imaam Ahmad* (Beirut, Lebanon: Muasassah al-Risaalah, 2001), vol 4, p. 255.

(2) This is a commonly misunderstood and misapplied verse. See the author's "Oft-Misunderstood Verses of the Quran (II)," *Al-Basheer* (Vol. 6, No. 2, 1992), pp. 3-6. That article also contains a review of the English translations and commentaries of this verse. Also see Salaah Abd al-Fattaah al-Khaalidi, *Tasweebaat fi Fahm Badh al-Ayaat* (Damascus, Syria: Daar al-Qalam, 1987), pp. 108-113.

In the Quranic commentaries based on reports transmitted from the Prophet (peace and blessings of Allah be upon him) and the early generations (*al-tafseer bi-l-mathoor*) one finds a consistent interpretation of this verse. The word *hikmah*[1] in this verse has been explained by al-Tabari, based on narrations passed on, as, "[It is] the revelation of Allah that was inspired to you [Muhammad] and His book that is revealed to you." Ibn Katheer repeats the same idea in his well-known Quranic commentary. Al-Baghawi only gives one meaning for *hikmah*, "The Quran." Ibn Abi al-Zamanain gives only one meaning for *hikmah* and *mauidhah hasanah* combined, "The Quran." Similar is to be found in other works of *tafseer* of this nature. Hence, according to these scholars, the meaning of the word *hikmah* in this verse is not "wisdom" in a general sense, as is commonly understood and translated. But, in fact, it refers to the revelation received by the Prophet Muhammad (peace be on him). First, and foremost, one should make *dawah*, therefore, by citing to the disbelievers and wrongdoers what Allah has mentioned in the Quran and what the Prophet himself stated. Such arguments are the strongest and best arguments. They have the greatest effect on a heart that is willing to follow the truth. That is the apparent meaning of the word *hikmah* in this verse as these experts explained it. The Quran is filled with many proofs and arguments that demonstrate the truth of its call. Such arguments are the ones compatible and acceptable to human nature. The caller to Islam must study and understand these arguments. Then he should use these arguments to call other people to Islam. This is part of the message of this verse. Similarly, *al-mauidhat al-hasanah* means, according to al-Tabari, ibn Kathir and others, "the beautiful expressions that Allah has made a proof against them [the disbelievers and wrongdoers] in His book and has made mention of in His revelation." Hence, once again, this is a command to the believers that when they make *dawah*, they should do so by using the beautiful and concise arguments and proofs found in the Quran. This is what will help them in being successful in making *dawah* as is clear from the *baa al-istiaanah* at the beginning of the phrase.[2]

An examination of those Quranic commentaries that are described as "*tafseer* based on opinion" (whether praiseworthy opinion or blameworthy opinion) reveals the following: Al-Maatureedi mentions, quoting from al-Hasan al-Basri, the *hikmah* and *mauidhah hasanah* refer to the Quran. He also mentions a second view, without attributing it to anyone, that *hikmah* refers to the proofs and evidences that convince one to follow the path of Allah while *mauidhah hasanah*

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(1) The scholars have mentioned various meanings for the word *hikmah* in the Quran and Sunnah. They include: prophethood; the Quran and its understanding, such as knowing the abrogated verses, the equivocal verses, and so on; being correct in both statement and action; recognizing the truth and acting by it; fear of Allah; the Sunnah; knowledge and acting by it and so forth. Al-Qahtaani states that those definitions are all close to each other. He concludes that the best definition is: "Being correct in both statements and actions and placing everything in its proper place." Cf., Saeed ibn Ali al-Qahtaani, *al-Hikmah fi al-Dawah ila Allah taala* (Published by its author, 1992), pp. 26-27. However, it must be noted that al-Qahtaani (and others with similar discussions) is speaking about the general meaning of the term *hikmah* as used throughout the Quran and Sunnah and not necessarily its implications in this particular verse. At the same time, though, it does seem that al-Qahtaani does accept a very general meaning for the term *hikmah* in this verse, including human experience. See his comments on p. 106.
(2) See Muhammad ibn Jareer al-Tabari, *Jaami al-Bayaan fi Taweel al-Quraan* (Beirut, Lebanon: Muasassah al-Risaalah, 2000), vol. 17, p. 321; Ismaaeel ibn Katheer, *Tafseer al-Quraan al-Adheem* (Riyadh, Saudi Arabia: Daar Taibah, 1999), vol. 4, p. 613; Al-Husain ibn Masood al-Baghawi, *Maalam al-Tanzeel fi Tafseer al-Quraan* (Riyadh, Saudi Arabia: Daar Taibah, 1997), vol. 5, p. 52; Muhammad ibn Abi Zamanain al-Maaliki, *Tafseer al-Quraan al-Azeez* (Cairo, Egypt: Al-Faarooq al-Hadeethah, 2002), vol. 2, p. 423.

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refers to reminding the people of Allah's bounties upon them.[1] The Mutazilite al-Zamakhshari has described *hikmah* as those clear, unequivocal evidences for the truth that remove any doubts or questions. *Al-Mauidhah al-Hasanah*, he says, are those arguments that make it clear that the caller has the called's sincere interest at heart and is trying to benefit him. Then he says, "It is possible that it means the Quran. That is, call them by the Book which is *hikmah* and *mauidhah hasanah*."[2] Many later Quranic commentaries are, to some extent, recensions of al-Zamakhshari's work. Thus, it is not surprising that Abu al-Saud[3] and al-Nasafi[4] say virtually verbatim what al-Zamakhshari said. Surprisingly, al-Baidhaawi, which is very closely related to al-Zamakhshari's work, repeats almost verbatim the first part of what al-Zamakhshari said while completely leaving out the portion quoted above that the terms could be in reference to the Quran.[5] Al-Raazi has a different approach to the interpretation of this verse. According to him, *dawah* to Allah is only to be done via *hikmah* and *mauidah hasanah*. However, he says that *hikmah* refers to *dawah* via definitive proofs while *mauidah hasanah* refers to *dawah* via conjectural proofs (*al-dalaail al-dhanniyyah*).[6] It seems that al-Raazi is straying from the traditional interpretations of this verse and, unfortunately, does not offer any evidence to support his interpretation.

Ibn Taimiyyah, though, argues that *hikmah*, *mauidhah* and *jidaal* ("argumentation") are to be used under different circumstances. For the person whose heart is good and of understanding, it is sufficient to present the truth to such a person. Therefore, *hikmah* is used in his case. He will accept the truth and act upon it. Others know the truth but due to some desire or weakness, they do not follow it. Such people need to be admonished, shown what is right and what is wrong and exhorted to follow the truth. In their case, *mauidah hasanah* is resorted to. Hence, *hikmah* and *mauidah hasanah* are used for the one who accepts the truth. For the one who does not accept the truth, one must make *jidaal* or argumentation. Ibn Taimiyyah further points out that all three of these aspects, and the arguments to be used in each stage, are to be found in the Quran.[7] Ibn Taimiyyah may be arguing that there are those with which one may not have a common ground. For them, one has to resort to *jidaal* or argumentation. The Quranic arguments will be the source of the knowledge but they cannot simply be presented as statements of Allah since that truth is

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(1) Abu Mansoor al-Maatureedi, *Tafseer al-Maatureedi: Taweelaat Ahl al-Sunnah* (Beirut, Lebanon: Daar al-Kutub al-Ilmiyyah, 2005), vol. 6, pp. 594-595.
(2) Mahmood Jaarullaah al-Zamakhshari, *al-Kashshaaf an Haqaaiq Ghawaamidh al-Tanzeel* (Beirut: Daar al-Kitaab al-Arabi, 1407 A.H.), vol. 2, p. 644.
(3) Muhammad ibn Muhammad Abu al-Saood, *Tafseer Abi al-Saood* (Beirut: Daar Ihyaa al-Turaath al-Arabi), vol. 5, p. 151.
(4) Abu al-Barakaat al-Nasafi, *Tafseer al-Nasafi* (Beirut, Lebanon: Daar al-Kalam al-Tayyib), vol. 2, p. 241-2.
(5) Abdullah ibn Umar al-Baidhaawi, *Anwaar al-Tanzeel wa Asraar al-Taweel* (Beirut, Lebanon: Daar Ihyaa al-Turaath al-Arabi, 1418 A.H.), vol. 3, p. 245.
(6) Fakhar al-Deen al-Raazi, *Mafaateeh al-Ghaib* (Beirut: Daar Ihyaa al-Turaath al-Arabi, 1420 A.H.), vol. 20, p. 287. Historically, the philosophers argued that *hikmah* referred to their dialectic and philosophical ways of proving Allah's existence. If this is what al-Raazi is referring to by definitive proofs, then there is no question that this interpretation is unacceptable as those arguments and premises were unknown to the Companions and never formed a part of the faith that the Prophet (peace and blessings of Allah be upon him) taught. Cf., Ahmad Ibn Taimiyyah, *Majmoo al-Fataawaa ibn Taimiyyah* (Riyadh, Saudi Arabia: Dar al-Iftaa, n.d.), vol. 19, p. 164.
(7) Ahmad Ibn Taimiyyah, *Majmoo al-Fataawaa ibn Taimiyyah* (Riyadh, Saudi Arabia: Dar al-Iftaa, n.d.), vol. 19, p. 164.

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not accepted by one's opponent.

In another relevant verse, Allah says,

﴿ قُلْ هَٰذِهِۦ سَبِيلِىٓ أَدْعُوٓاْ إِلَى ٱللَّهِ ۚ عَلَىٰ بَصِيرَةٍ أَنَا۠ وَمَنِ ٱتَّبَعَنِى ۖ وَسُبْحَٰنَ ٱللَّهِ وَمَآ أَنَا۠ مِنَ ٱلْمُشْرِكِينَ ﴾

"Say, 'This is my way; I invite to Allah with insight, I and those who follow me. And exalted is Allah; and I am not of those who associate others with Him'" (*Yoosuf* **108)**. Ibn Katheer explained this verse by saying, "They call to Allah with insight into it, with certainty and proofs—the Prophet (peace and blessings of Allah be upon him) and all who follow him. They all call to what the Messenger of Allah (peace and blessings of Allah be upon him) called to with insight, certainty and Shareeah and rational proofs."[1]

The point of this discussion is: Even when *dawah* is being "revived and renewed," what is being called to and what is used to call people to it do not substantially change. Even if one were to argue that newer issues are not directly dealt with in the revelation that the Prophet (peace and blessings of Allah be upon him) received, the correct stances on those issues can still be derived from the Quran and Sunnah. Those Quranic and Sunnaic arguments must form the basis of one's dawah if one hopes to be successful with the help of Allah. After those correct stances are derived, secondary evidences and proofs can be given to fortify or strengthen a discussion but only after the correct stance is derived. Although this point seems to be very obvious, it is a point that is sometimes neglected in the field of *dawah* today. In the contemporary examples given below, this methodology shall be followed: First, the conclusions concerning the topic are derived from the Quran and Sunnah. Some of the points that can be derived from the Quran and Sunnah shall be presented. In this light of these, secondary points shall be made and more general arguments will be made to support the Islamic positions.

Apologetics: Is there any way to avoid being "Apologetic"? Is there any need to do so?

Any attempt to "defend" Islam and "revisit" the *dawah* narrative will probably be viewed as apologetics. Apologetics, originally, did not have a negative connotation to it. The word comes from the Greek word *apologia* which means, "speaking in defense." Today, "apologetics" is defined by the Oxford English Dictionary as, "Reasoned arguments or writings in justification of something, typically a theory or religious doctrine."[2] There is no question that Christians seem to have developed a liking for apologetics, as they have a long history in this field, inclusive of their historical interactions with Muslims.[3] Thus, one can find works such as *The Apologetics Study Bible* and *Baker Encyclopedia of Christian Apologetics.*

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(1) Ismaaeel ibn Katheer, *Tafseer al-Quraan al-Adheem* (Riyadh, Saudi Arabia: Daar Teebah, 1999), vol. 4, p. 422.
(2) http://www.oxforddictionaries.com/us/definition/american_english/apologetics
(3) An interesting related study that has to do with the controversial story of the Monk Bahira and how Christian apologetics tried to use that story to their advantage is Barbara Roggema, *The Legend of Sergius Bahıra: Eastern Christian Apologetics and Apocalyptic in Response to Islam* (Leiden, Netherlands: Brill Publishers, 2009). Other interesting works include Adam S. Francisco, *Martin Luther and Islam: A Study in Sixteenth-Century Polemics and Apologetics* (Leiden, Netherlands: Brill Publishers, 2007); Sandra Toenies Keating, *Defending the 'People of Truth' in the Early Islamic Period: The Christian Apologies of Abu Raitah* (Leiden, Netherlands: Brill Publishers, 2006).

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Perhaps it is due to Christians defending untenable positions that "apologetics" has a negative connotation today.[1] The term "apologetic" it Cis often times in reference to the defense of unpopular positions. Even worse, it is sometimes seen as defense simply for the sake of defense, out of zealousness or patriotism, rather than a defense of a well-reasoned conclusion.

Judging by numerous Youtube videos, this author is of the view that many Callers to Islam do not recognize the difference between pure apologetics that may only resonate or make some followers happy and a true calling to the message of Islam based on well-established proofs and reasoning. Although it is not a "scholarly source," there was an online discussion that perhaps best highlighted the perils of "apologetics" and, by inference, *dawah* as well.[2]

In this discussion, an individual put forth the following question:

> Denotatively, an apologist is "a person who offers an argument in defense of something controversial." However, I've read "apologist" being used as something negative in forums, especially regarding religion. Why is being an apologist seen as something negative? How is one supposed to explain/defend their religion and/or other beliefs and avoid being labeled as one?

The response to the above inquiry was:

> Apologias, as I understand, were effectively religious propaganda. Even if well-reasoned and well-written, the apologist starts from the conclusion and works backward to the argument. As such, calling someone an apologist is meant to imply that their reasoning isn't really to be trusted, since even if you could disprove it, only the argument, not the conclusion would change. As such, calling someone an apologist is a fancy sounding way to accuse them of not engaging in an honest dialogue…

This led to the follow-up question:

> How can anyone support their beliefs without working backwards from a theory? If an evolutionist was presented with a novel example to which they must explain said example from their perspective (evolution), they must consider the proposed question and work backwards to make their argument about said example parallel the theory of evolution. The same must occur if someone believed in string theory vs. loop quantum gravity. You don't see people change their beliefs (i.e. their conclusions) often if an argument is made, and it seems natural to change your argument if there is a hole it in. Even Popper said for a theory to be considered scientific, it must be falsifiable. Are all debaters considered apologists to their respective field they advocate? At what point is labeling someone an apologist considered legitimate versus an

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(1) The Christian author Sean McDowell lists a number of other reasons why apologetics has a bad name. He mentions the following: Apologists Often Overstate Their Case; Apologists Often Do Not Speak with Gentleness, Love, and Respect; Apologists Often Are Not Emotionally Healthy; and Apologists Often Are Intellectually Elitist. http://www.equip.org/article/why-apologetics-has-a-bad-name/

(2) This discussion may be found at:
https://www.reddit.com/r/explainlikeimfive/comments/1mux6t/eli5_the_negative_connotation_to_being_called_an/
Note that to make it easier to read, a number of grammatical and spelling errors have been corrected.

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unwarranted ad hominem attack? Please, if there is error in my reasoning, tell me. I really just want to understand this. Thank you.

Finally, the responder replies:

I mean, as you note above, the technical definition is just a reasoned defense, usually related to religion. It's not a word that has to have a negative connotation, sort of how the word "discriminating" can have a completely neutral meaning, or a completely negative meaning. I don't think it's unreasonable to say that most people that spend time arguing for a side could be considered "apologists" if they take on the style of apologias.

When people use apologist negatively, they are implying not defense of a position, but the worst kind of "religious" argument: using ANY argument you can possibly think of, no matter how weak or attenuated, to justify your belief. Excusing, rather than arguing for. Or, to put another way, you don't believe your conclusion BECAUSE of your argument. You believe your conclusion, and then you are presenting an argument that supports that conclusion. And, even if there were some flaw in that conclusion, you would still come up with something to either explain it away or justify it. This is why it often comes up in religious debates. Because you don't believe in God because of your theory of Theodicy, you've developed your theory of Theodicy to defend your belief in God. If your argument allows for the nature of your belief to change based on the argument and counter arguments (maybe God is more forgiving than you thought, or suffering somehow different), you're far from the "negative" kind of apologia. If, on the other hand, your argument is just a pretext, a way to shield your existing faith from another's critique without really engaging either the critique or the facts, than you're closer to that meaning. The same could happen in a scientific context I imagine too…

The conclusion from this is that if a response or discussion on an issue by a Muslim is seen as simply a "defense" of his faith, whether it is reasonable or not, then that may actually harm the *dawah* efforts.[1] These kinds of apologetics give the audience the impression that there is no

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(1) The worst case scenario concerning religious apologetics is when apologetics actually distorts and tarnishes the veracity of the religious texts themselves. Such, it seems, took place with respect to the Christian texts. In summarizing the essence of his work, Kannaday writes, "Also among those historical and editorial influences upon the New Testament texts were dynamics that proceeded from a defensive posture against pagan opponents of the Jesus movement. In the process of locating, juxtaposing, comparing, and analyzing intentional variant readings produced by copyists of the canonical Gospels with the dominant themes and strategies of second and third century Christian apologists, this study has sought to inform our understanding of the extent to which, the frequency with which, the methods by which, and the reasoning behind which scribes sometimes modified their exemplars under the influence of apologetic interests." Wayne C. Kannaday, *Apologetic Discourse and the Scribal Tradition: Evidence of the Influence of Apologetic Interests on the Text of the Canonical Gospels* (Leiden, Netherlands: Brill Publishers, 2004), p. 239. (His conclusions and points echo, in many ways, Bart Ehrman's *The Orthodox Corruption of Scripture: The Effect of Early Christological Controversies on the Text of the New Testament.*) From a contemporary Islamic viewpoint, it is probably not possible for any apologist to distort the Islamic texts. However, Muslim apologists have been involved in compromises and distortions of the teachings of the faith that have led to virtually erecting a new faith or version of the faith. A study of such transforming apologetic discourse—unfortunately though not from an Islamically critical perspective—is Aisha Khalil Abdel-Karim, *Apologetic Discourse: A Study in Liberal Islamic Thought* (Ph.D. Dissertation: The University of Exeter, 1998).

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sound response to the criticisms of the faith. Therefore, the caller to Islam should have a good understanding of certain general principles of how to respond to contemporary challenging issues.

General Guidelines in Dealing with Contemporary "Challenging" Issues

For many Muslims, especially the youth, some contemporary issues are challenging because they give the impression that the Islamic view or practice is somehow backwards, barbaric or no longer relevant. This is especially true when those beliefs or practices are viewed from the perspective of the "Western paradigm," which, it must be admitted, the dominant paradigm today. A close inspection of such challenging issues reveals that they fall into distinct categories. The appropriate category that an issue falls into needs to be identified first. Afterwards, the relevant response can be appropriately constructed. In essence, the possible cases are the following: cases where the Muslim practice or conception is the problem, cases where there is actual flexibility within the Shareeah, cases where the Islamic conception has been painted as if fact to be barbaric or outdated. Examples of each of these categories are given below.

Cases where the Muslim Practice or Conception is the Problem

One category—which is perhaps the easiest category to analyze but a most difficult category to remedy—is where a Muslim practice or conception is improper from a Shareeah point of view and also a source of confusion or challenge from a *dawah* perspective. An analysis of the Quran and Sunnah would demonstrate that the practice is unacceptable or forbidden in Islam. However, many Muslims may practice it, consider it part of their faith and even defend it from the point of view of the faith.

The Example of Honor Killings
Honor killing is defined in Wikipedia as,

> An honor killing is the homicide of a member of a family by other members, due to the perpetrators' belief that the victim has brought shame or dishonor upon the family, or has violated the principles of a community or a religion, usually for reasons such as refusing to enter an arranged marriage, being in a relationship that is disapproved by their family, having sex outside marriage, becoming the victim of rape, dressing in ways which are deemed inappropriate, or engaging in homosexual relations.[1]

Numerous evidences can be presented to demonstrate how it is not permissible for such individuals to take the law into their own hands and kill someone due to "violating honor." Malik, Ahmad and Abu Dawood all record that Abu Hurairah narrated:

أَنَّ سَعْدَ بْنَ عُبَادَةَ، قَالَ: يَا رَسُولَ اللهِ، إِنْ وَجَدْتُ مَعَ امْرَأَتِي رَجُلًا أُمْهِلُهُ حَتَّى آتِيَ بِأَرْبَعَةِ شُهَدَاءَ؟

قَالَ: " نَعَمْ

Saad b. 'Ubadah said to the Messenger of Allah (peace and blessings of Allah be upon him), "What do you think if I find with my wife a man, should I give him some time until

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[1] https://en.wikipedia.org/wiki/Honor_killing. Of course, as the Wikipedia article notes, honor killings are not carried out by Muslims alone. For example, there has been a case where an Arab woman was killed by her Christian family for embracing Islam. (See http://www.almonitor.com/pulse/originals/2014/05/honorkillingsjordansurge.html.) Nonetheless, it is a problem if any Muslim takes part in such an act.

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I bring four witnesses?" He said, "Yes."[1] In the narration found in *Sahih Muslim* from Abu Hurairah, it states,

أَنَّ سَعْدَ بْنَ عُبَادَةَ الْأَنْصَارِيَّ، قَالَ: يَا رَسُولَ الله، أَرَأَيْتَ الرَّجُلَ يَجِدُ مَعَ امْرَأَتِهِ رَجُلًا أَيَقْتُلُهُ؟ قَالَ رَسُولُ الله صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَا»، قَالَ سَعْدٌ: بَلَى، وَالَّذِي أَكْرَمَكَ بِالْحَقِّ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: اسْمَعُوا إِلَى مَا يَقُولُ سَيِّدُكُمْ

Saad b. 'Ubada al-Ansari said, "Messenger of Allah, tell me if a man finds his wife with another person, should he kill him?" Allah's Messenger (peace and blessings of Allah be upon him) said, "No." Saad said, "Why not? I swear by Him Who has honored you with the Truth." There upon Allah's Messenger (peace and blessings of Allah be upon him) said, "Listen to what your chief says." In another narration in al-Bukhari where Saad swears that he would kill the man, the Prophet commented,

أَتَعْجَبُونَ مِنْ غَيْرَةِ سَعْدٍ، لَأَنَا أَغْيَرُ مِنْهُ، وَاللهُ أَغْيَرُ مِنِّي

 "Do you wonder at Saad's sense of *geerah* (self-respect)? Verily, I have more sense of *gheerah* than Saad, and Allah has more sense of *gheerah* than I." Commenting on this hadith, ibn Battaal stated that this hadith proves that a man is to be put to death if he kills a man for being with his wife. This is so because Allah, even though He has more *gheerah* than Saad, has obligated that there be witnesses in the case of *hudood* (legal punishments). No one, he says, can transgress the limits of Allah and simply kill someone based on a claim.[2] Finally, other hadith describe that the husband has recourse to *liaan*[3] if he finds his wife with another man. Al-Bukhari and others record, as part of a lengthy hadith:

فَجَاءَ عُوَيْمِرٌ، فَقَالَ: يَا رَسُولَ اللَّهَّ رَجُلٌ وَجَدَ مَعَ امْرَأَتِهِ رَجُلًا أَيَقْتُلُهُ فَتَقْتُلُونَهُ أَمْ كَيْفَ يَصْنَعُ؟ فَقَالَ رَسُولُ اللَّهَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «قَدْ أَنْزَلَ اللهُ الْقُرْآنَ فِيكَ وَفِي صَاحِبَتِكَ»، فَأَمَرَهُمَا رَسُولُ اللَّهَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْمُلَاعَنَةِ بِمَا سَمَّى اللهُّ فِي كِتَابِهِ

Uwaimir came (to the Prophet) and said, "O Allah's Messenger! A man has found another man with his wife! Should he kill him whereupon you would kill him (in retaliation) or what should he do?" Allah's Messenger (peace and blessings of Allah be upon him) said, "Allah has revealed regarding you and your wife's case in the Qur'an."

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(1) Recorded by Malik, Ahmad, Abu Dawood and others. According to al-Albaani and according to al-Arnaaoot, et al., it is authentic. Cf., Muhammad Naasir al-Deen al-Albaani, *Al-Taleeqaat al-Hasaan ala Saheeh ibn Hibbaan wa Tamyeez Saqeemahu min Saheehihi wa Shaadhahu min Mahfoodhihi* (Jeddah, Saudi Arabia: Daar Baawazeer, 2003), vol. 6, p. 332; Shuaib al-Arnaaoot, et al., *Musnad al-Imaam Ahmad* (Beirut, Lebanon: Muasassah al-Risaalah, 2001), vol. 16, p. 63.

(2) Abu al-Hasan Ali ibn Battaal, *Sharh Saheeh al-Bukhaari* (Riyadh, Saudi Arabia: Maktabah al-Rushd, 2003), vol. 8, p. 480.

(3) *Liaan* is described in the following verses of the Quran: "Those who accuse their wives [of adultery] and have no witnesses except themselves - then the witness of one of them [shall be] four testimonies [swearing] by Allah that indeed, he is of the truthful. And the fifth [oath will be] that the curse of Allah be upon him if he should be among the liars. But it will prevent punishment from her if she gives four testimonies [swearing] by Allah that indeed, he is of the liars. And the fifth [oath will be] that the wrath of Allah be upon her if he was of the truthful" (*al-Noor* 6-9).

So Allah's Messenger (peace and blessings of Allah be upon him) ordered them to perform the measures of *liaan* according to what Allah had mentioned in His Book.

Unfortunately, even though the texts related to this issue seem to be explicitly clear and beyond any question, one has to recognize that there are Muslim organizations and individuals that have come to the defense of the practice of "honor killings." This has been perhaps most notable in Jordan, where honor killings have been legally accepted, in one way or another. Mohammed Fadel has written,

> Article 340 of the Jordan Penal Code, reads in part, "Anyone catching his wife or one of his immediate family in a flagrant act of fornication with another person, and kills, injures or harms both or either of them, will benefit from the exculpating excuse…" In response to recent moves by King Abdullah II of Jordan to eliminate this part of the code, one "Islamic" group responded, "those who are voicing their concern for the lives of a group of women, they ought to show concern for their lives as chaste women with their honor protected, otherwise, what is life worth for a woman who profaned her honor and stained the reputation of everyone related to her? Who would repair the moral damage that she has inflicted upon her family? Her killing would probably be a salvation for her from the misery of living with her sin."[1]

The following quote also demonstrates how much this act has permeated this Muslim society:

> The government's proposals to abolish or amend Article 340 met with fierce resistance from the public and its leaders alike. Clearly, honor murders enjoy the approval of the majority of Jordanian society. A *Jordan Times* survey revealed that 62 percent of Jordanians oppose the amendment of Article 340, mostly out of fear of "moral corruption in society."[2]

Perhaps what makes the stance of those Muslim groups even more bizarre is that the law allowing such honor crimes is actually the result of a blind acceptance of a Napoleonic law that was adopted by the Ottomans, Syria, Lebanon and Jordan and now it is being defended as part of Muslim culture.[3]

Perhaps one word best describes the behavior of a Muslim who would kill another Muslim in the name of "honor": Extremist. That Muslim has gone beyond the limits that the Prophet (peace and blessings of Allah be upon him) clearly set in the above quoted hadith. That is the essence of extremism. In addition, it is a form of turning away from what the Prophet (peace and blessings of Allah be upon him) brought—probably much worse than the one who intended not to marry as a means to worship Allah—while the Prophet (peace and blessings of Allah be upon him) has said,

مَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي

"Whoever turns away from my Sunnah is not from me." (Recorded by al-Bukhari.)

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(1) http://www.islamawareness.net/HonourKilling/honor1.html
(2) http://www.meforum.org/50/honormurderswhytheperpsgetoffeasy
(3) For the details of the history of the law, see Ferris K. Nesheiwat, "Honor Crimes in Jordan: Their Treatment under Islamic and Jordanian Criminal Laws," (23 Penn St. Int'l L. Rev. 251 2004-2005), pp. 271-274.

In sum, it has to be recognized that this practice is not part of Islam at all. Indeed, it is obligatory upon Muslims, especially the scholars, to eradicate this practice which is clearly a violation of Islamic Law.

The Example of Female Genital Mutilation

Although female circumcision (what is sometimes referred to as a clitoral hood reduction or hoodectomy) is sanctioned in the Shareeah,[1] there are some Muslim cultures that insist on and justify a practice that goes well beyond what is called for in the Shareeah.[2] These Muslims practice what is internationally known as Type II and Type III forms of female genital cutting, wherein some of the female sexual organs are actually removed. This has caused the ire of many human rights activists, NGOs and Islamophobes.[3] However, it is clear from many works on fiqh that such a violation of the woman's body is considered mutilation from an Islamic perspective and that blood-money must be paid by the one who has inflicted such an assault on another individual.[4]

The Example of Terrorism

Although it will be concluded that terrorism has no place in Islam, it is appropriate to put terrorism in this category because, whether Muslims wish to admit or not, there are Muslims in the world who advocate terrorism as part of their perverted forms of jihad.

Cases where there is Flexibility in the Shareeah to Meet the Demands of Various Times and Places

The Shareeah that has been revealed by Allah is a mercy for all of humanity until the Day of Judgment. As a result, part of its beauty is its ability to satisfy the needs of a human beings at different stages of technological development or in the light of civilizational changes. Unfortunately, though, due to the entrenchment of *taqleed* (blind following of *madhhab*s) and an overall conservative attitude, many of the rules of fiqh that were most appropriate for certain epochs of history are continually clung onto in their most literal form even when the

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(1) Cf., Hatem al-Haj, *Khitaan al-Inaath bain al-Fiqh wa al-Tibb*. Available at http://www.drhatemalhaj.com/ar/%D8%A7%D9%84%D8%B7%D8%A8/%D8%AE%D8%AA%D8%A7%D9%86-%D8%A7%D9%84%D8%A8%D9%86%D8%A7%D8%AA-%D8%A8%D9%8A%D9%86-%D8%A7%D9%84%D9%81%D9%82%D9%87-%D9%88%D8%A7%D9%84%D8%B7%D8%A8/

(2) An example of how the practiced is mixed with a number of indigenous, non-Islamic beliefs, see Janice Boddy, *Wombs and Alien Spirits: Women, Men and the Zar Cult in Northern Sudan* (Madison, WI: The University of Wisconsin Press, 1989).

(3) Ayaan Hirsi Ali and Nonie Darwish often make reference to this practice. As stated above, the more extensive forms of cutting are not acceptable from a Shareeah point of view. However, it should be noted, that the arguments of the human rights activists and others may actually not be that strong and, many times, are lacking any voice from the cultures in which this act is practiced. See, for example, John Tierney, "'Circumcision' or 'Mutilation'? And Other Questions About a Rite in Africa," http://tierneylab.blogs.nytimes.com/2007/12/05/circumcisionormutilationandotherquestionsaboutariteinafrica/? ; Carla Makhlouf Obermeyer, "Female Genital Surgeries: The Known, the Unknown and the Unknowable," *Medical Anthropology Quarterly*, vol. 13, No. 1 (Mar. 1999), pp. 79-106; Richard A. Schweder, "What about 'Female Genital Mutilation'? And Why Understanding Culture Matters in the First Place," available at http://www.jstor.org/stable/20027671; Fuambai S. Ahmadu and Richard A. Shweder, "Disputing the Myth of the Sexual Dysfunction of Circumcised Women: An Interview with Fuambai S. Ahmadu," available at http://www.jstor.org/stable/25599050.

(4) See, for example, Muhammad ibn Idrees al-Shaafiee, *al-Umm* (Beirut, Lebanon: Daar al-Marifah, 1990), vol. 6, p. 80; Muwaffaq al-Deen ibn Qudaamah al-Maqdisi, *al-Mughni* (Cairo, Egypt: Maktabah al-Qaahirah, 1968), vol. 8, p. 469; Muhammad ibn Ahmad al-Dasooqi, *Haashiyah al-Dasooqi ala al-Sharh al-Kabeer* (Daar al-Fikr, n.d.), vol. 4, p. 273.

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circumstances warrant a changed ruling.

It is a well-established principle in fiqh that *ijtihaad* and fatwaas are supposed to change given changed circumstances and customs. With respect to this principle, two extremes have appeared. The one extreme, alluded to above, do not change established *fiqh* or *madhhab* positions regardless of the demands of the change in circumstances. The other extreme seeks to alter and change rulings which are not based on circumstances or custom but that are fixed by the texts of the Quran and Sunnah. Laws of this nature are meant to be permanent and not changed simply due to changes in custom or circumstances.

When analyzing a contemporary issue, it is important to first recognize what category of rulings it is related to. With respect to many issues, one will find that it will contain some aspects which are "fixed" and others which are "flexible." Those that are "flexible" are meant to be flexible. In other words, the rulings concerning them must be changed in order for the Shareeah to meet its goals of satisfying the needs of the people. If Muslims recognize something as a flexible part of fiqh and circumstances demand that the understanding of it should be changed yet they insist, due to conservatism, on not taking a new fiqh approach on that issue, they may end up harming themselves and harming the *Dawah* of Islam as well.

The Example of "the Abode of War" and "the Abode of Peace"

After detailing the definitions given for "the abode of war" (*daar al-harb*) and "the abode of peace" (*daar al-Islaam*), Abdul Rahmaan al-Luwaihiq made the following important points:

> After explaining the determining factor for the rule concerning a land and after describing *daar al-Islaam* and *daar al-kufr*, there are a number of other very important points related to this topic I need to discuss.
>
> First, the question of dividing the countries into different categories is a novel one [meaning, it was not discussed in the texts of the Quran and Sunnah]. It has no clear definite basis in the texts. It is something that the jurists determined during the time when the fiqh was being recorded. Muhammad Abu Zahrah stated, "The jurists dividing the world into two or three categories: *daar al-Islaam*, *daar harb* and *daar ahd* (a country in which there is a treaty between it and the Muslim state) is not a Shareeah ruling. It is something the *mujtahideen* jurists derived for the reality they were facing." I [al-Luwaihiq] searched through some of the texts that would possibly be a place wherein this division would be found and I did not find anything definitive.[1] The most that could be used for this differentiation are the verses and hadith that are related encouraging people to make the *hijrah* (migration). The most explicit of those pieces of evidence is the previously quoted narration from Buraidah who said, "Whenever the Messenger of Allah (peace and

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(1) [There is a hadith in *Mujam al-Kabeer* by al-Tabaraani which states, "The center of *daar al-Islaam* is al-Shaam." According to al-Haithami, the narrators of that hadith are trustworthy. Furthermore, in *Ahkaam al-Sultaaniyyah* by al-Maawardi, he quotes a hadith that states, "The *daar al-Islaam* protects what is in it and the *daar al-shirk* makes allowable what is in it." Unfortunately, al-Maawardi neither mentioned the chain of this hadith nor its source. This translator has never been able to trace that hadith in any of the source works of hadith. Indeed, al-Harastaani and al-Zaghli, in their footnotes to al-Maawardi's work, state, "This is not a hadith." Cf., Abu al-Hasan Ali al-Maawardi, *al-Ahkaam al-Sultaaniyyah wa al-Walaayaat al-Deeniyyah* (Beirut: al-Maktab al-Islaami, 1996), p. 99. Allah knows best.—JZ]

blessings of Allah be upon him) would appoint a commander for an army or expedition, he would advise him personally to have fear of Allah and to treat the Muslims with him in a good way. Then he would say, 'Fight in the name of Allah, for the sake of Allah. Fight whoever disbelieves in Allah… Ask them to move from their residence to the land of the Emigrants [in Madinah].'"[1] One scholar wrote [al-Albaani], "'From their residence,' means from the land of *kufr* to 'the land of the Emigrants,' meaning to the land of Islam."

Abu Yoosuf also recorded a report from Khaalid ibn al-Waleed who wrote a pact for the people of al-Heerah, "I have determined for them: Any old man who is too weak to work, has been afflicted with an affliction or was rich and is now poor such that his fellow religionists give him charity, he does not have to pay the jizyah and he shall be supported from the public treasury of the Muslims as well as his dependents for as long as he remains in the land of *hijrah* and the land of Islam. If he leaves to other than the land of *hijrah* and the land of Islam, the Muslims are not required to support his dependents."

The mention of the land of the *hijrah* is not a definitive proof distinguishing the two types of lands. Such a distinguishing between the two lands was simply a result of the circumstances in which the Muslims were living at that time. It is as if when the earliest jurists noted the rulings concerning *hijrah* and jihad, they determined that there must be a distinction between the land of *kufr* and the land of Islam. None of them who stated such a distinction based their determinations concerning the lands on a clear definitive text. It was a matter of *ijtihaad* wherein the scholar studied to see what would be the effective legal reason for such a distinction.

The *ijtihaad* regarding the determining factor was influenced by the political situation in which jurists lived, wherein the Muslim nation was united, powerful, spreading and ruled by the Shareeah or otherwise [without any in-between cases].

However, with respect to the available evidence, the issue is ambiguous and cloudy concerning two matters:

(a) The source of the distinction between the two lands, as there is no clear definitive source for that distinction.

(b) Identifying the determining factor for the rulings, as all of that was a matter of *ijtihaad* from the jurists, may Allah have mercy on them.

The earliest whom I could find that made a distinction between the two lands were Abu Haneefah and his two companions Abu Yoosuf and Muhammad al-Hasan, may Allah have mercy on them.

The second important issue is that the scholars were driven to divide the world into two types of lands, the land of *kufr* and the land of Islam, due to the following:

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(1) Recorded by Muslim, Abu Dawood and al-Tirmidhi.

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(1) In the light of the Islamic conquests, it became of utmost importance to distinguish between *daar al-Islaam* and *daar al-harb* at the time of jihad, since both lands have their own particular rulings. Hence, this issue of differentiating the lands is really an issue of jihad [or, in other words, something directly related to the regulations related to jihad].

(2) The Islamic lands were under one banner at that time, the banner of the Islamic caliphate, while there existed other nations, like the Byzantine Empire. Therefore, this categorization came to establish the foundation of the practical relationship between the Muslims and others, whose ruling was predominantly one of being in a warring state.

(3) There are some Shareeah laws that, according to some scholars, differed depending on which land one was in. Hence, there developed this categorization.[1]

(It should be noted that not all contemporary scholars agree with al-Luwaihiq's conclusion above the division of lands is not specifically rooted in the Quran and Sunnah.[2])

The above discussion does not imply that there was no benefit to the distinction of *Daar al-Islaam* and *Daar al-Kufr* or that there is not one now or that there will not be benefit to it in the future. For example, no matter what one terms the land, there will always be a qualitative difference and sometimes a fiqh difference between a land in which Islam is respected as a supreme law and Muslims practice Islam and a land in which Islam is not so respected and Islam is not practiced on a wide scale. In some cases, there may even be specific rulings that could differ depending on the land in which one is in.[3]

The relationship between the Islamic lands and the non-Muslim lands in the past were often definitely antagonistic, especially the lands representing Christianity. The relationship between them was not much different from what the world had previously experienced during the Cold War, which was sometimes "hot." There was a continual feeling of distrust between the two

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(1) Abdul Rahmaan al-Luwaihiq al-Mutairi, *Religious Extremism in the Lives of Contemporary Muslims* (Denver, CO: Al-Basheer Publications, 2001), pp. 371-374.

(2) For example, al-Shahri writes that the rulings of the two *daar*s have been affirmed in the Quran, Sunnah and Consensus. He says that the scholars have agreed upon them from the time of the Companions until contemporary times. He also argues that it is not correct to say that this division of the lands is based solely on the realities that the lands and jurists faced during their times. He argues therefore that it is not a temporary division that leaves when the circumstances change. He spends a good number of pages quoting two verses and a few hadith to establish his point. However, al-Luwaihiq has responded to the points that he made. Similar is true for al-Sufyaani's arguments, which are very close to al-Shahri's. All of them accept, however, that *Daar al-Kufr* is of two types: *Daar al-Harb* and *Daar al-Ahd*. That agreement is significant for the points that are going to be made in this article. What is perhaps further needed is to recognize that not all "*Daar al-Islaam*" are alike, some living up to its definition much more than others. Note that it is not being argued here that: (1) In a state of peace, there is no such thing as the two *Daar*s or (2) there is no longer any obligation in current times and hence there is no significance to the two *Daar*s. Scholars such as Abdul Wahhaab Khallaaf and Wahba al-Zuhaili have put forth arguments of that nature but they do not seem to be supported by the evidence. Cf., Milfaa al-Shahri, *Haqeeqah al-Daarain: Daar al-Islaam wa Daar al-Kufr* (N.c.: Daar al-Muraabiteen, 2010), pp. 13-37. For a refutation of Khallaaf and al-Zuhaili in particular, see Aabid al-Sufyaani, *Daar al-Islaam wa Daar al-Harb wa Asl al-Alaaqah Bainahumaa* (Master's Thesis, Jaamiah Malik Abdul Azeez, 1401 A.H.), pp. 23-48.

(3) For a comprehensive study of those possible laws, see Abdul Azeez al-Ahmadi, *Ikhtilaaf al-Daarain wa Athaaruhu fi Ahkaam al-Shareeah al-Islaamiyyah* (published by its author, 2004), *passim*.

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societies and a perpetual state of "ready," in preparation for the attack from the other side. This was due to the clash that these two sides with universalistic beliefs were forcing on the world, with proxy wars throughout the world. In many ways, that was similar to the dichotomy between Daar al-Islaam and Daar al-Kufr that our earlier jurists spoke about.

In the modern era, it could be argued that the nature of the relationships between countries has changed—at least theoretically or outwardly! Most of the countries today have signed documents that could be considered "non-aggression" pacts. Meaning that they are not seeking to impose their wills upon other nations. On the other hand, most Muslim countries have become secular in their outlook and are not necessarily out to spread Islam or even to uphold Islam in their own land.

This means that this question—if and when it has some ramification to it—needs to be restudied in the light of current predicaments. One need not stick with the two or three divisions that are traditionally mentioned, as those are not fixed by the Shareeah. The term, for example, that one comes up with for Muslim-majority countries ruled by secular law today will probably be something different than *Daar al-Islaam*.

Recognizing that Muslim-majority countries today are not necessarily the same as the traditional *Daar al-Islaam* is of extreme relevance to the question of "jihad versus peace versus neutrality" in Islam. There are two forms of jihad in Islam: "Defensive jihad" and "offensive jihad." As for "defensive jihad," it refers to the defense of one's land when it is attacked or invaded by a foreign enemy. It seems that no one today should have any objection to this form of jihad, after all Article 51 of the United Nations Charter states,

> Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.[1]

"Offensive jihad" has become quite controversial nowadays with many simply trying to deny that it even exists. It is interesting that so many people object to the concept of an "offensive jihad" while they themselves believe in their own forms of "offensive jihads." From an Islamic perspective, "offensive jihad" is akin to—but not exactly the same as—humanitarian intervention, fighting to defend human rights or fighting to spread democracy. In other words, as dear as those values are to the ones who hold them and as important it is, in their eyes, to spread them, Islam and the system of Islam is as dear and important to spread in the eyes of the believers—and the believers will argue that it is important to spread Islam for the benefit of every human, not just the believers. However, in the current secular world, it seems acceptable to spread secular concepts by force but not religious ones.

Furthermore, it should be noted that Islam strictly prohibits the taking of life except with due legal justification. Indeed, taking life unjustifiably is one of the greatest sins. The Prophet (peace and blessings of Allah be upon him) said,

<div dir="rtl">أَكْبَرُ الْكَبَائِرِ الْإِشْرَاكُ بِاللهَّ وَقَتْلُ النَّفْسِ وَعُقُوقُ الْوَالِدَيْنِ وَقَوْلُ الزُّورِ أَوْ قَالَ وَشَهَادَةُ الزُّورِ</div>

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(1) http://www.refworld.org/pdfid/3ae6b3930.pdf

"The greatest of the great sins is to join others as partners in worship with Allah, to murder a human being, (3) to be undutiful to one's parents (4) and to make a false statement," or, "to give a false witness." (Recorded by al-Bukhari.) Additionally, ibn Umar narrated that the Prophet (peace and blessings of Allah be upon him) said,

لَنْ يَزَالَ الْمُؤْمِنُ فِي فُسْحَةٍ مِنْ دِينِهِ مَا لَمْ يُصِبْ دَمًا حَرَامًا.

"A faithful believer remains at liberty regarding his religion unless he kills somebody unlawfully,"

Another hadith also delineates what is proper jihad. Abu Musaa narrated:

جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللهَّ مَا الْقِتَالُ فِي سَبِيلِ اللهِ فَإِنَّ أَحَدَنَا يُقَاتِلُ غَضَبًا وَيُقَاتِلُ حَمِيَّةً فَرَفَعَ إِلَيْهِ رَأْسَهُ قَالَ وَمَا رَفَعَ إِلَيْهِ رَأْسَهُ إِلَّا أَنَّهُ كَانَ قَائِمًا فَقَالَ مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ اللهَّ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللهِ عَزَّ وَجَلَّ.

A man came to the Prophet and asked, "O Messenger of Allah (peace and blessings of Allah be upon him), what kind of fighting is in Allah's cause? (I ask this), for some of us fight because of being enraged and angry and some for the sake of his pride and haughtiness." The Prophet raised his head (as the questioner was standing) and said, "He who fights so that Allah's Word (Islam) should be superior, then he fights in Allah's cause." (Recorded by al-Bukhari.)

It is beyond the scope of this paper analyze the different wars that modern nationalistic and secular countries have entered into. Many of them cannot be described as "defensive" or even within the rather accommodating Western concept of "just war." Most likely, none of them can be described as "for the sake of Allah" as well. Given these realities and given the gravity of taking another person's life wrongfully, a contemporary Muslim does not have much option except to be a conscientious object and pacifist.

The Example of Slavery

Slavery poses a problem for *Dawah* not necessarily due to the excesses of ISIS or the envisioned inherent evil of slavery itself but because of the syndrome it has caused for the West. Toledano highlighted this point in his introduction to *The Ottoman Slave Trade and Its Suppression: 1840-1890*, writing,

> But Western culture—sometimes surprisingly tolerant of various forms of abuse and violation of human rights—is unlikely to show any sympathy or understanding toward even the mildest version of servitude coming under the rubric of "slavery." The zeal of abolitionism, often imbued with religious fervor, absolved the West of the heavy guilt incurred as a result of European and American slavery. It became a symbol and the cause of a world-wide crusade spearheaded by Britain. The word "slavery" acquired a spell and turned into a powerful weapon against what were considered inferior, backward cultures.[1]

Thus, the discussion of slavery is difficult but, if emotions are removed from the picture, it can be discussed objectively.

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(1) Ehud Toledano, *The Ottoman Slave Trade and Its Suppression: 1840-1890* (Princeton, NJ: Princeton University Press, 1982), epub edition.

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Slavery would have to fall into the category concerning which there is flexibility in the Shareeah. Islam brought about a number of reforms when it comes to slavery, it put heavy responsibilities on the shoulders of the slave owner and it encouraged the freeing of slaves in many instances. However, it is blatantly false to say that Islam brought an end to slavery. There is no text in the Quran or Sunnah prohibiting it or indicating its future prohibition. It is also difficult to argue that Islam meant to bring an end to slavery. It has been argued that it was only due to the social and economic system at the time that the Prophet (peace and blessings of Allah be upon him) was not able to rid the world of slavery. This is conjecture at best. There were numerous difficult societal ills that the Prophet (peace and blessings of Allah be upon him) ended, such as alcohol and *ribaa* (interest). It is harder to imagine that the message of Islam would have willed to end slavery completely but it would not have been able to do so as, in general, the believers listened and obeyed whatever came from Allah and His Messenger.

Consequently, Wahbah al-Zuhaili stated,

> With respect to slavery, I would like to point out that it is a must to distinguish between the cancellation of slavery as a system and the non-existence of slaves… What exists currently is the non-existence of slaves as international treaties have agreed upon the prohibition of slavery. However, we cannot say from an Islamic perspective that slavery has been nullified… It is a system that is affirmed in the Quran and Sunnah and no one has the right to ever overrule it. At the same time, Muslim rulers and leaders can agree to not have slaves or permit slavery… That does not mean, though, even if slavery is removed from the entire world… mean that it has been nullified as a system in Islam.[1]

He goes on to say that Islam blocked all the means to slavery except via jihad and if the countries of the world today should renege on their current treaties and start enslaving people again, that option will be open for the Muslim rulers as well.[2] Similarly, al-Albaani has stated, "Slavery is permissible. It is neither obligatory nor recommended. As such it is permissible to discard it as an agreement between Muslims and disbelievers, as is the current arrangement."[3]

As much as the term "slavery" is hated today, it must have been the case that there was some overall benefit to slavery. That statement is not referring to simply some economic or political benefit but benefits from the point of view of the larger picture of Islam: bringing people to the path of Allah and His Pleasure. The Prophet (peace and blessings of Allah be upon him) said,

$$عَجِبَ اللهُ مِنْ قَوْمٍ يَدْخُلُونَ الْجَنَّةَ فِي السَّلَاسِلِ$$

"Allah wonders at those people who will enter Paradise in chains." (Recorded by al-Bukhari.) If it were not for the unique system of slavery in Islam, it is possible that many people would not

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(1) Wahbah al-Zuhaili, "Comments," in Bait al-Zakaat, *Abhaath wa Amaal Al-Nadwah al-Thaaniyah li-Qadhaayaa al-Zakaat al-Muaasirah* (Kuwait: 1989), p. 414.
(2) Ibid.
(3) Quoted in Ali ibn Hasan al-Halabi al-Athari, *Daaish! Al-Iraaq wa al-Shaam fi Meezaan al-Sunnah wa al-Islaam* (published by its author), p. 148.

have blossomed under the shade of Islam. It is an established fact that many of the leading scholars of the era of the Followers were from the *mawaali* class.[1] Two notable examples stand out. One is Naafi the freed slave of ibn Umar and the other is Ikrimah the freed slave of ibn Abbaas. Both of them were non-Arabs, perhaps both Berbers or Naafi could have been from somewhere east of Iraq. They both greatly benefited from their close interaction with their ex-masters and were considered the experts in the knowledge of their respective masters.

For the purpose of understanding this topic properly, it is of extreme importance that Islamic slavery be distinguished from the brutal savagery of recent Western slavery. Definitely slavery—being owned by somebody else—is not a desired position to be in. However, some forms of it can definitely be worse than others. Islamic laws and ethics did provide for greater protection and treatment of slaves than what occurred in the West.

Due to space limitations, the distinction between slavery in Muslim lands and that of the recent United States[2] cannot be discussed in detail here. A few points, though should suffice. It was not, for example, until 1821 that each state in the United States had passed a law protecting the lives of slaves, with South Caroline being the last. Based on interviews with ex-slaves, there is anecdotal evidence of many slaves being killed by the masters or overseers. Sometimes this was due to excessive whipping as a form of punishment, which was not considered murder. The penalty for such an act in most Southern states was simply a fine. In one case, a baby was killed because it was crying too much and was disturbing its master's mother. The law did nothing to punish the killer in that case.[3] Famed American slavery historian Eugene Genovese stated that the clothing afforded the slaves were not even enough to protect them from the elements. He quoted a congressman from Virginia, T. T. Boulden, who, in 1835 said, "Many negroes had died from exposure as a consequence of flimsy fabric that will turn neither cold wind nor weather." Even slaveholder publications warned against such atrocities—as it was harming the slave-owners'

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(1) The term *mawaali* has many meanings to it, making it difficult sometimes to understand exactly what is meant by it. One of its meaning is "freed slave." However, it can also be used for a "client relationship" (*haleef*). There are times in which the term was used for converts to Islam as well, especially when converting at the hands of specific individuals or tribes. In Arab culture, these various relationships did create specific bonds between individuals. For an interesting study of the interplay of these concepts and their usage during Umayyad and early Abbasid times, see Elizabeth Urban, "The Early Islamic Mawali: A Window onto Processes of Identity Construction and Social Change" (Ph.D. Dissertation, University of Chicago, 2012), *passim*. For the influence of the *mawaali* as a whole in the field of Quranic *tafseer*, see Abdul Rahmaan al-Umari, "*Ashhar al-Mufassireen min al-Mawaali fi Asr al-Taabieen wa Atharuhum fi al-Tafseer*" *Majallah Umm al-Quraa li-Uloom al-Shareeah wa al-Diraasaat al-Islaamiyyah* (No. 54, Muharram 1433), pp. 241-338.

(2) Under different slavery systems, slaves did have some sets of rights (although probably never as extensive as under Islam). Unfortunately, in the land that became the United States, the slavery system became very repressive. On this point, Foner writes, "Centuries before the voyages of Columbus, Spain had enacted *Las Siete Partidas*, a series of laws granting slaves certain rights relating to marriage, the holding of property, and access to freedom. These laws were transferred to Spain's American empire. They were often violated, but nonetheless gave slaves opportunities to claim rights under the law. Moreover, the Catholic Church often encouraged masters to free individual slaves. The law of slavery in English North America would become far more repressive than in the Spanish empire, especially on the all-important question of whether avenues existed by which slaves could obtain freedom." Eric Foner, *Give Me Liberty: An American History* (New York, NY: W.W. Norton & Company, 2011, Third Edition), p. 105.

(3) See George P. Rawick, ed., *The American Slave: A Composite Autobiography* (Westport, CN: Greenwood Publishing Company, 1972), vol. IV, pp. 25-26.

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investments.[1]

From the Islamic perspective, the Prophet (peace and blessings of Allah be upon him) has said about slaves,

هُمْ إِخْوَانُكُمْ جَعَلَهُمُ اللهُ تَحْتَ أَيْدِيكُمْ فَأَطْعِمُوهُمْ مِمَّا تَأْكُلُونَ وَأَلْبِسُوهُمْ مِمَّا تَلْبَسُونَ وَلَا تُكَلِّفُوهُمْ مَا يَغْلِبُهُمْ فَإِنْ كَلَّفْتُمُوهُمْ فَأَعِينُوهُمْ

"They (your slaves) are your brothers. Allah has put them in your care, so feed them with what you eat, clothe them with what you wear. Do not burden them beyond their capacities; but if you burden them (with an unbearable burden), then help them (by sharing their extra burden)." (Recorded by al-Bukhari and Muslim.)

Mention has already been made of the role of the *mawaali* and how they contributed to early Islamic society. Muslims did not always live up to the requirements of Islamic Law when it came to enslaving individuals and the treatment of slaves. No doubt, examples of harsh and improper treatment can be given. However, even up to its last years of slavery, during the Ottoman times, one can still find examples of a marked difference between slavery in Muslim lands and slavery in the West. Toledano writes about the Ottoman Slave Trade,

> Indeed, slaves in Ottoman society did actually *belong* to the family and were not merely owned and employed by its members.[2] Master-slave relations were socially and legally far more binding and entailed greater commitment on both sides than master-free servant relations. Even after manumission and marriage, these ties were often maintained, to the benefit of all involved. In fact, one may argue that the mild nature of Ottoman slavery conduced master and slave alike to oppose the abolition of the institution. Interference with slavery was thus considered an intrusion on family life and a violation of its strongly protected privacy.[3]

Similarly, Martin Klein writes about the same period,

> Some scholars have asked why Islam did not develop an abolition movement. Two answers can be given. One is that the humane regulations in Islam meant that most Muslims saw the institution as moral and acceptable. This reality was striking in Turkey. Late-nineteenth-century modernizers wanted to reform Turkish society to make it more able to defend itself against European demands. Many of them were sympathetic to an end of the exploitation of slave labor, but slavery also reproduced a good part of the Ottoman elite. This was true both of female slaves who produced much of the elite, but also of male

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(1) Eugene Genovese, *Roll, Jordan, Roll* (New York, NY: Vintage Books, 1976), p. 550.
(2) The author's reference to the relationship continuing after manumission is probably related to the earlier mentioned *mawaali* system. In pre-Islamic times, they had a form of manumission known as *walaa al-saaibah*, where the master frees the slave and then has no responsibility or bonds to the slave at all. There is a narration from ibn Umar that clearly states that Islam has nullified such a practice. In Islam, manumission took the form known as *walaa al-itaaqah*, also known as *walaa al-nimah*, where the master still has the obligation to look after the well-being of the ex-slave if necessary. In fact, if either of them dies leaving no heirs, the ex-master/ex-slave shall inherit from the ex-slave/ex-master respectively. See al-Umari, pp. 248-250
(3) Toledano, epub edition.

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slaves who were taken into the houses of powerful pashas, educated, and trained for bureaucratic service. It was very difficult for Ottoman reformers to be convinced that an institution that produced much of their elite was immoral.[1]

In sum, Islamic Law has no issue with the discontinuation of slavery. As long as the nations of the world agree on that, Islam would have no objection to abiding by it. However, if slavery should ever be reintroduced by any nations of the world, Islamic Law does not prevent Muslims from resorting to it again. However, at no time would Islamic Law ever condone the form of savage slavery that mires the recent history of the West. Islam has its own laws and produces a "milder," more benevolent form of slavery which—one can assume based on principles of Islamic Law—definitely has some benefit to it.[2]

One final note needs to be made regarding slavery. It was mentioned that slavery is a hypersensitive issue for the Western psyche. The last thing that is needed for the *dawah* is to have Muslims putting out statements that seem to be clearly disingenuous and a distortion of what Islam says. It is exactly these kinds of statements that the Islamophobes jump on and use to their advantage. When Muslims make exaggerated statements about how Islam "ended" slavery, they are doing exactly that.

Cases where the Islamic Concept has Been Painted as Barbaric, Non-Modern or Uncivilized

This category of *dawah* issues is, in some ways, more difficult to approach than the previous. This is where aspects of Islam are attacked or critiqued as if those aspects somehow contradict established facts or incontrovertible principles. The reality, though, is that these "facts" or "incontrovertible realities" are nothing but cultural choices and preferences. There is nothing to demonstrate that they are superior or better than other cultural choices. However, people are naturally inclined to their own civilizations—especially when they face a lot of propaganda telling them that their civilization is the greatest of human history. Therefore, it becomes easy for them to look down upon other cultural choices as backwards or somehow wrong.

Daniel Pipes, for example, has made the argument that as long as Muslim societies do not accept the concept of interest (*ribaa*), they will never be able to become modern.[3] The premise of his statement is clear and very few would probably question it. Interest has become such an integral part of contemporary capitalism that it is easy to forget that economists have struggled to provide any sound reasoning for its existence, not to speak of its necessity, as Pipes implies. The famed economist Haberler stated many years ago,

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(1) Mark Klein, "Islam and Antislavery," in Peter Hinks and John McKivigan, *Encyclopedia of Antislavery and Abolition* (Westport, CN: Greenwood Press, 2007), vol. 1, pp. 376-377.

(2) It should also be noted that currently there are modern forms of slavery and human trafficking. "Slavery" has gone from ownership to savage exploitation. This practice is a great form of *dhulm* or wrongdoing and completely unacceptable under Islamic Law. Muslim scholars should take the lead in opposing this practice. An interesting read on this issue is United Nations Office on Drugs and Crime, *Combatting Trafficking in Persons in Accordance with the Principles of Islamic Law* (New York, NY: United Nations, 2010), *passim.*

(3) See "Moderate Islam: Ally or Myth? (Wafa Sultan VS. Daniel Pipes debate)," https://www.youtube.com/watch?v=VXubg8QP-hI

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> The theory of interest has for a long time been a weak spot in the science of economics, and the explanation and the determination of the interest rate still gives rise to more disagreement amongst economists than any other branch of general economic theory.[1]

In reality, among economists, "There is not a single adequate and generally accepted theory of interest which can give a sound explanation of the origin and the cause of interest."[2] The point is that Pipes is presenting something as a fact and very few, given today's contemporary paradigm, are going to question his premise and his statement.

Another common attack on Islam has to do with the *hudood* punishments. Perhaps it is a given that every society needs some means to punish criminals. However, once again, the hidden or perhaps stated premise is that "those" punishments of the Muslims are "barbaric" while the contemporary Western penal system is not barbaric—instead it is civilized. Is this a matter of fact or, again, simply cultural preferences? Can someone prove that sending a person to live among violent criminals for a period of a few years or perhaps life, away from family and friends, is more just and appropriate than simply amputating a person's hand or perhaps flogging a person? Recently, Peter Moskos[3] has written a book entitled *In Defense of Flogging*. He, among many others today, prevents a scathing indictment of the contemporary prison system in the United States. Towards, the end of the work, he writes,

> When I defend flogging, and perhaps I shouldn't be surprised, I sometimes get strange looks. Some friends have been known to question my sincerity and others my sanity. Too often, they just don't get it. One colleague begged me to reconsider for the sake of my professional career (I hope she's wrong). But also worrisome is when people say, "Great idea! Right on!" The need for flogging is not something that should be celebrated. I have no intention or desire to glorify caning. On the contrary, I hope never to see it. *And yet I firmly believe flogging is better than what we have, both for society and for those being punished*.[4]

This does not mean to imply that he is calling for the implementation of the Shareeah. His next sentence is, "Flogging is not a slippery step toward amputation, public stoning, or sharia law." But as he stated, some people question his sanity and one colleague was concerned about his career simply because he is suggesting that flogging is better than what exists today in the United States. This statement demonstrates the steep hill that the caller has to ascend when discussing issues of this nature which, again, are not built upon "fact" but "cultural preferences." Perhaps if more Western law professors, like Moskos, are willing to question the contemporary practices they may appreciate some of the benefits of even amputation and public stoning.

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(1) Haberler, *Prosperity and Depression* (1st edition), p. 195. Quoted from Afzal-ur-Rahman, *Economic Doctrines of Islam* (Lahore, Pakistan: Islamic Publications Limited, 1976), vol. III, p. 9.
(2) Afzal-ur-Rahman, p. 9. For more details, one may say this author's "Interest and its Role in Economy and Life," available at http://www.islamreligion.com/articles/538/viewall/interest-and-its-role-in-economy-and-life/
(3) Associate Professor of Law, Police Science, and Criminal Justice Administration at the John Jay College of Criminal Justice and CUNY's Doctoral Program in Sociology, also a former police officer.
(4) Peter Moskos, *In Defense of Flogging* (New York, NY: Basic Books), p. 178 (emphasis added).

With respect to some of the issues that fall into category, the critics of Islam have definitely stepped up their arguments. Shweder, when speaking about female genital cutting, quotes anthropologist Robert Edgerton who noted that when the British colonialists and missionaries first came to Kenya, they tried to eradicate the practice of female genital cutting. Edgerton notes that they did not actually find anything harmful in the practice. "Nonetheless," he writes, "the practice offended Christian sensibilities." Commenting on this Shweder writes,

> Of course, these days at least two things have changed since the 1920s and 1930s in Africa: anesthesia is more available, and the "civilizing" missionary efforts of militant Protestants have been supplemented and even supported by the evangelical interventions of global feminists and human rights activists.[1]

These days both male and female circumcision are targeted as violations of human rights.[2] The stakes have indeed been raised because now these acts not simply culturally backwards but are also against international law, some advocates claim, which comes with its own repercussions. Again, however, these matters are actually simply a reflection of cultural likes and dislikes—which are akin to *ahwaa*—rather than "science" or facts.

This makes the challenge of *Dawah* more challenging but not insurmountable. It is simply a matter of laying out the premises and reasons behind such "beliefs." The argument needs to be turned around and people must be made to realize that these are not "facts" but are being dealt with but simply cultural preferences and beliefs.

The Example of Polygyny:

Polygyny is a practice found in numerous cultures historically. It is affirmed in the Bible, for example. In Islamic Law, polygyny is very closely regulated by specific principles found in the Quran and Sunnah.[3]

Muslim scholars have traditionally given a number of arguments in defense of polygyny.[4] Those will not be the focus of the section. This section will focus on the contemporary challenges to the question of polygyny.

It may seem paradoxical that a culture that legalizes pre-marital sex, extra marital affairs, (in many countries) prostitution and now same-sex marriages would have any strong issues with polygyny, a legally structured system where wives and children are given due and numerous

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(1) Richard A. Shweder, "When Cultures Collide: Which Rights? Whose Tradition of Values? A Critique of the Global Anti-FGM Campaign," in Christopher L. Eisgruber and Andras Sajo, eds., *Global Justice and the Bulwarks of Localism* (Netherlands: Brill, 2005), p. 184.

(2) See for example, George C. Denniston, Frederick Mansfield Hodges and Marilyn Fayre Milos, eds., *Circumcision and Human Rights* (N.c.: Springer, 2009), *passim*. In the preface (p. v), the editors note, "We believe that, aside from the demands of obvious medical emergencies, everyone has the right to keep all of his or her natural body parts." They did use very appropriate words in that sentence: "We believe…" It is indeed a matter of belief. This leads to the follow-up question: What right do these human rights advocates have to force their beliefs on the rest of humanity, especially when they also claim to believe in freedom of belief?

(3) On these points, see Bilal Philips and Jameelah Jones, *Polygamy in Islam* (Riyadh, Saudi Arabia: International Islamic Publishing House, 2005), *passim.*

(4) See Ibid., pp. 43-55.

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rights.[1] However, such is definitely the case. In fact, in the words of Heather Johnson, "[P]olygyny is one of the greatest sources of criticism for Islam both within and without its ranks."[2] Johnson herself is one of the strong critics of this practice among Muslims. In her conclusions, she writes,

> Nevertheless, a more active standpoint on the part of Muslim reformers to end polygyny may be necessary, as it *is* still practiced, and both the practice and *the threat and insult presented by its very existence are detrimental to women and to the image of Islam*. Although there may have been a time in history when women were safer to be married to an already married man, that time has passed, and justice is no longer served *by permitting men to keep multiple wives the way they might acquire additional cars or cattle.*[3]

In fact, in "The General Recommendations Adopted by the Committee on the Elimination of Discrimination against Women," (CEDAW) they write about polygamous marriages,

> States parties' reports also disclose that polygamy is practised in a number of countries. Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependants [*sic*] that such marriages ought to be discouraged and prohibited. The Committee notes with concern that some States parties, whose constitutions guarantee equal rights, permit polygamous marriage in accordance with personal or customary law. This violates the constitutional rights of women, and breaches the provisions of article 5 (a) of the Convention.[4]

Similar to what has occurred with respect to Female Genital Mutilation,[5] the rhetoric and propaganda seem to greatly outstrip any empirical evidence. In fact, Lawson, et al., in an article

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(1) In fact, under French Law, with trends in the same direction in the United States and other countries, children born out of wedlock are being treated as legitimate. This leads to a situation interestingly depicted by Dominique Legros. In the words of Legros, "In the context of this comparative understanding, the legislative changes made by France regarding the status of out-of-wedlock children are shown to have surreptitiously created a situation that entitles its citizens, males or females, to enter into bonds that are either true polygynous or true polyandrous marriages. A Frenchman may today have legitimate children and legal heirs from several women that he is seeing concurrently; a French woman may live with and keep several male partners and have legitimate children and legal heirs from any of them. From an anthropological perspective, where, then, lies the difference with African or other polygynous or polyandrous family structures? New, equivalent legal frameworks have been created with similar results in the very heartland of so-called modernity: not only in France, but also in Great Britain, Germany, the United States, Colombia and Guatemala, to name only a limited number of examples. Few Westerners will readily accept the results of such an objective analysis." Dominique Legros, *Mainstream Polygamy: The Non-Marital Child Paradox in the West* (New York, NY: Spring, 2014), p. vii.

(2) Heather Johnson, "There are Worse Things than Being Alone: Polygamy in Islam, Past, Present, and Future," 11 Wm. & Mary J. Women & L. 563 (2005), http://scholarship.law.wm.edu/wmjowl/vol11/iss3/11, p. 564.

(3) Johnson, p. 596. Emphasis added. This quote definitely makes it look like, at least, the author has lost some impartiality.

(4) http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/A_49_38(SUPP)_4733_E.pdf

(5) After reviewing the evidence on the negative effects of female genital surgeries, Obermeyer and Reynolds wrote, "This review has shown that the evidence on the consequences for reproductive health and sexuality is clearly insufficient to support the powerful rhetoric that presents these practices as a grave danger to women's health." Carla Makhlouf Obermeyer and Robert F. Reynolds, "Female Genital Surgeries, Reproductive Health and Sexuality: A Review of the Evidence," *Reproductive Health Matters* (Vol 7, No. 13, May 1999), p. 118.

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entitled, "No Evidence that Polygynous Marriage is a Harmful Cultural Practice in Northern Tanzania," after quoting part of the CEDAW statement above, wrote, "Such statements are frequently presented as stylized facts and made without discussion of supporting evidence."[1] As their study title suggests, they found no evidence of any harm. They mention the significance of this by saying,

> These results support models of polygyny based on female choice and suggest that, in some contexts, prohibiting polygyny could be costly for women and children by restricting marital options. Our study highlights the dangers of naive analyses of aggregated population data[2] and the importance of considering locally realizable alternatives and context dependency when considering the health implications of cultural practices.[3]

Emily Duncan focuses on polygyny within the United States. She states that some 30,000 to 100,000 people in North America practice polygyny. It is most common among members of splinter Mormon groups.[4] She says that according to many, their religious beliefs concerning polygyny "foster incest, underage marriage, sexual abuse, rape, physical abuse, nonconsensual marriage, birth defects, welfare fraud, poverty, and a deprivation of education and other opportunities."[5] She notes, though, that the reason behind those evils is that since polygyny is illegal, the authorities turn a blind eye to it and those polygynous societies then become secretive leading to such excesses. The solution the author declares is to legalize polygyny, make it open, regulate it and control it by law.[6] Needless to say, that is Islam's approach to polygyny as a whole.

It seems that it would be very difficult to generate definite empirical evidence to demonstrate that polygyny is a harmful way of life.[7] In fact, one could most likely provide alternative evidence

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(1) David Lawson, Susan James, Esther Ngadaya, Bernard Ngowi, Sayoki Mfinanga and Monique Borgerhoff Mulder, "No Evidence that Polygynous Marriage is a Harmful Cultural Practice in Northern Tanzania," *PNAS* (vol. 112, no, 45, Nov. 10, 2015), p. 12827. Available at www.pnas.org/cgi/doi/10.1073/pnas.1507151112.

(2) Their paper points to the flaws of some studies that demonstrated negative effects of polygyny.

(3) Ibid.

(4) According to Duncan, "the Church of Jesus Christ of Latter-day Saints ("LDS"), fundamentalists continue to follow its founder Joseph Smith's belief, known as 'the principle' or 'the marriage revelation,' that 'a man need[s] at least three wives to attain the "fullness of exaltation" in the afterlife.'" More specifically, women 'sealed with men for eternity' grant men the ability to reach the third and highest level of heaven where they become gods." Emily J. Duncan, "The Positive Effects of Legalizing Polygamy: 'Love Is a Many Splendored Thing'" *Duke Journal of Gender Law & Policy* (Volume 15, 2008), p. 315. Of course, Mormons are not the only group in America who practice polygyny. Muslims do so as well. An interesting study on polygyny among African-American Muslims is that by Debra Majeed, an African-American female convert to Islam and follower of W. D. Muhammad. She started off, as she states, thinking (p. vi), "Like many people, I thought such relationships were merely about sex, male privilege, and female submission—just another variety of female exploitation. I also figured that the women involved must be crazy!" Eventually she ends up highlighting some of the potential benefits of polygyny, especially within the African-American community and ends up, as she describes it (p. 133), neither condoning nor promoting polygyny but calling for its legalization. See Debra Majeed, *Polygyny: What it Means when African American Muslim Women Share Their Husbands* (Gainesville, FL: University Press of Florida, 2015).

(5) Duncan, p. 316.

(6) Ibid., *passim*.

(7) One work that did find negative repercussions from polygyny, for the women, children and even men involved, was Alean Al-Krenawi, *Psychosocial Impact of Polygamy in the Middle East* (New York, NY: Springer, n.d.), *passim*. This book (or the author's articles on the same material) have been cited in

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to demonstrate the benefits of polygyny.[1] Lawson, et al., write concerning the effect of polygyny on children, for example,

> We challenge the widespread notion that polygyny is harmful to children… Within villages, polygynous households, at least those headed by males, often had higher food security and better child outcomes than monogamous households. Polygynous households were also wealthier in terms of livelihood-specific forms of wealth (land and livestock), although not in asset ownership, which is the foundation of wealth indices favored by national demographic surveys. These findings are consistent with classic evolutionary and economic models suggesting that sharing a husband can be in a woman's strategic interest, at least in contexts where women depend on men for resources, by enabling access to equal or greater wealth than could be achieved by opting for monogamy. Our results also highlight the inherent weaknesses of highly aggregated samples… That polygyny is associated with better outcomes for specifically male-headed households indicates that cowives resident with their husband are most likely to benefit from polygyny.[2]

However, even if there is absolutely no empirical evidence indicating the harms of polygyny, there is still a major objection to polygyny from a "human rights" perspective. Polygyny is a violation of human rights because it gives one gender rights that it does not give the other. In fact, this is one of the more common and perhaps the strongest argument against polygyny. In the words of Gaffney-Rhys,

> Although polygyny is not expressly prohibited by any international instrument, it is implicitly forbidden because it discriminates against women and violates their right to dignity. Furthermore the actual practice of polygyny often contravenes other rights of women contained in those treaties e.g. the right to privacy.
>
> Each of the instruments discussed above prohibits discrimination on the grounds of sex and as a consequence, a system of law that permits a man to take an additional wife but not a woman to take another husband arguably contravenes these provisions

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some anti-polygyny literature. However, the title of this book is somewhat misleading. The work is only a study of Bedouin Arab tribes of the Negev section of Israel. As a socio-economic class, Bedouins many times form a special case and those Bedouin Arabs living within Israel might have additional psychological and sociological issues to deal with. Thus, one definitely cannot generalize from a study of this nature to make a judgment about polygyny as a whole or even polygyny in the Middle East for that matter. (It should also be noted that to some extent the author distanced Islam from these problems from polygyny, noting that not all Muslims live up to the dictates of Islamic Law.) Interestingly, another study on those same Bedouin tribes dealing specifically with scholastic achievements of students from monogamous as opposed to polygynous families concluded, "However, the major overall finding was that polygamous family marital structures did not affect deleteriously the scholastic achievement levels of the Bedouin Arab participants." See Salman Elbedoura, William M. Bartb and Joel M. Hektnerb, "Abstract," from "Scholastic Achievement and Family Marital Structure: Bedouin Arab Adolescents from Monogamous and Polygamous Families in Israel," *The Journal of Social Psychology* (Volume 140, Issue 4, 2000).

(1) In the African American context, Majeed writes, "The pages that follow consider multiple-wife marriage in Islam as one remedy for and a demographic challenge to the absence of marriageable African American men as well as the high number of female-led households in black America." Majeed, p. x.

(2) Lawson, et al., p. 13829.

The position under the Convention on the Elimination of All Forms of Discrimination Against Women 1979 is similar to the treaties above, as article 16 requires contracting states 'to take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations' but does not expressly refer to polygynous marriages. However, article 16(a) provides women with 'the same right to enter into marriage' as men. It can thus be argued that state parties that allow men, but not women, to have plural spouses are in breach of article 16(a). Comments and recommendations made by the Committee on the Elimination of Discrimination Against Women clearly indicate that polygyny should be prohibited in order to ensure compliance with the Convention.[1]

With respect to polygyny within Islam, a number of points need to be kept in mind. First, polygyny is an option, it is not a mandate. It is an option, as such, for both males and females. Polygyny is often portrayed and looked upon as an unfair right and an option for men only in Islamic societies. However, a man cannot marry a woman in Islamic law unless she accepts the marriage. Therefore, since women have the right of refusal, polygyny can equally be looked at as an option for the Muslim woman. In other words, if she thinks she will benefit from being in a polygynous household, she can accept that proposal. If it does not look pleasing to her, she simply turns down that offer.

When entering into a marriage, the woman has the right to put a condition in the marriage contract stating that the husband is not allowed to take another wife or he cannot do so without her approval.[2] If she puts a condition in her marriage contract absolutely forbidding her husband to take a second wife then if she changes her mind later, she can unilaterally annul that clause while the husband can never unilaterally annul that clause.

It is also important to note there is an important premise that is underlying much of the criticism of polygyny. This premise is a cornerstone of the contemporary, Western-dominated, individualistic human rights paradigm. It states that every right must be given to each gender in exactly the same manner or otherwise it would be unjust and discriminatory. In turn, any unjust and discriminatory practice must be rejected. However, this premise is actually an ideology and not a scientific fact. It is an ideology that gives preference to individual rights over any other rights, such as society's rights, while both can be considered types of human rights. If this perception is changed, one will find that this premise is incorrect. Its bogus nature can be highlighted in the following scenario:

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(1) Ruth Gaffney-Rhys, "Polygamy: A Human Right or Human Rights' Violation?" available at http://genderstudies.research.southwales.ac.uk/media/files/documents/2014-07-08/WIS.2.1.doc. See also, for example, Susan Deller Ross, "Should Polygamy Be Permitted in the United States?" *Human Rights* (Vol. 38, No. 2, Spring 2011), *passim.* Ross highlights, among other things, the difference between same-sex marriages and polygamy, in that same-sex marriages give the same rights to all while polygyny does not.

(2) For the validity of such stipulations in the marriage contract, see Saalih al-Sadlaan, *al-Shuroot fi al-Nikaah* (published by its author), pp. 48-60; Khadeejah Abu al-Ataa, *Al-Shuroot al-Mushtaratah fi Aqd al-Nikaah* (Master's Thesis, al-Jaamiah al-Islaamiyyah, Gaza, 2007), pp. 32-40

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(1) Suppose there is a specific right that is related to a system/practice that is beneficial for society as a whole. Polygyny is a possible case.[1]

(2) Suppose that it would simply be impractical to provide that specific right to both genders, perhaps due to other individual rights or societal needs, such as the right to and preservation of paternity.[2] It may be determined that the practice will only be beneficial if the right is given to one sex only.

(3) Therefore, the correct approach would be to grant that right to one sex only to meet the overall benefit for society.

Thus, the idea that every right under every circumstance must be given to both sexes otherwise it is unjust, inequitable or discriminatory simply does not make any sense. It is not correct because it is possible for members of both genders to benefit as a whole from a right given only to one gender. Those who believe in affirmative action in the US should be able to understand and appreciate this type of argument as they argue that certain individuals should be granted some privileges over others in order to meet other greater goals. If that can be accepted as a non-violation of international human rights agreements, then polygyny for a similar overriding benefit must also be considered a non-violation of human rights.

The Example of Fundamentalism:

Terry Mattingly writes, "Few hot-button 'fighting words' are tossed around with wilder abandon in journalism today than the historical term 'fundamentalist.'"[3]

"Fundamentalism" is a Western term that has been exported to the Muslim lands. Westerners, both in academia and the media, transferred the term "Fundamentalism" and branded some Muslim groups with that name. The French magazine *Le Monde* was one of the first to apply the French equivalent of that term to Muslim groups in 1978.[4] It has been used in reference to much of the Islamic revival that has taken place in the past fifty years or so.

Originally, the word in its Western context was used in reference to a specific group of Christians. Although fundamentalists usually believe in the literal meaning of the Gospels, the tenets of fundamentalist Christianity goes well beyond that, as explained by James Barr.[5] Barr says that fundamentalism has a number of shared attributes not accepted by the majority of Christians.[6] The most prominent of those attributes, as mentioned by that author and others who

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(1) Many Muslim authors have argued for the benefits of polygyny, such as Philips and Jones, op cit. The economics Marina Adshade has even demonstrated that under certain conditions, polygyny would be Pareto optimal. See some of her points at http://marinaadshade.com/?p=1733. Also see the quotes from her in, "Polygamy is Feminist," http://bigthink.com/dangerousideas/22polygamyisfeminist (that blog goes on to refute the view of Adshade).

(2) Starting from this premise that matters can be just only if all persons are given the same rights, one author writes, "It is only possible for polygamous spouses to treat one another as equals if each spouse marries every other spouse in the family or if peripheral spouses may marry outside the family. Polyfidelity and molecular polygamy significantly revise the traditional conception of polygamy and challenge our understanding of marriage, but they at least eliminate the inequalities that will otherwise pervade polygamous marriages." Greg Strauss, "Is Polygamy Inherently Unequal?" *Ethics* (Vol. 122, No. 3, April 2012), p. 544.

(3) http://www.vcstar.com/news/2011/may/12/can-anyone-define-fundamentalist/

(4) Zainab Abdul Azeez, *Hadm al-Islaam bi-l-Mustalahaat al-Mustauradah: al-Hadaathah wa al-Usooliyyah* (Damascus, Syria: Daar al-Kitaab al-Arabi, 2004), p. 67.

(5) James Barr, *Fundamentalism* (London: SCM Press, Ltd., 1981).

(6) Ibid., p. 1.

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have researched fundamentalist Christianity, are as follows:

(1) Believing in the infallibility of the Gospel and an emphasis that it is absolutely free of any type of mistake, whether it be in creed or ethics or even with anything related to history or the unseen.

(2) Taking the Gospels at face value (or literally) without reinterpreting its meaning.

(3) Believing that everything that is stated in the Gospels must be a foundation for the life of a Christian. From this premise comes the name, "fundamentalist."

(4) Rejecting modern views and theories in theology and studies that include a criticism of the Gospels.

(5) Rejecting scientific opinion that contradicts what is found in the Gospels, such as the theory of evolution. The goal of fundamentalism is to block any attempt aimed at using modern scientific theories in dealing with the texts of the Gospels.

(6) Rejecting the concept of separation of church and state and calling upon the politicians to form their platforms according to the commands of God.

(7) Believing in millennialism. Based on this belief, they support the bringing about of the War of Armageddon, as such is the beginning of the end of this civilization and the fulfillment of expected prophecy.

(8) [Accepting that] the understanding of the Fundamentalists is the true and only correct belief among all the Christian beliefs. One researcher stated, "The fundamentalists… believe with an absolute belief that their understanding of the religion is absolutely the true and only understanding."[1]

In recent decades, Christian fundamentalists have become more politically involved, drawing the ire of many.[2] As long as they kept to themselves and did not try to live their beliefs on a public or political level, they were tolerated.

With respect to the Arab world, it was a Syrian-Armenian American Christian who made the term most famous via the 1989 translation of his book *Islam in Revolution: Fundamentalism in the Arab World*, translated as *al-Usooliyyah fi al-Aalam al-Arabi*. He divided Muslim fundamentalists into passive and activist fundamentalists. He gives a long list of the characteristics of both groups and the last of his characteristics of activist fundamentalists is, "The activists, in contrast to passive fundamentalists, periodically engage in acts of 'purifying' violence directed against places of illicit pleasure, night clubs…"[3] Note that on that last point, he was describing "fundamentalists," not extremists, radicals or terrorists.

There are a few important points that should be noted on this question. First, if fundamentalism means, "indicating unwavering attachment to a set of irreducible beliefs,"[4] then it is definitely not only "religious individuals" who are fundamentalist. Fundamentalists can be found in all fields and from various philosophical perspectives—even though one rarely hears this

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(1) Ibid., p. 338.
(2) See, for example, William Martin, *With God On Our Side: The Rise of the Religious Right in America* (New York: Broadway Books 2005), *passim*; David Domke, *God Willing? Political Fundamentalism in the White House, the "War on Terror" and the Echoing Press* (London, England: Pluto Press, 2004).
(3) R. Hrair Dekmejian, *Islam in Revolution: Fundamentalism in the Arab World* (Syracuse, New York: Syracuse University Press, 1985), p. 55.
(4) https://en.wikipedia.org/wiki/Fundamentalism

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term in reference to other than religion. In fact, the famous atheist and biologist Richard Dawkins has been described as a fundamentalist by more than one person[1]—and he did not like it.[2] Craig Freedman gives an illuminating example from the field of economics, writing about leading economists George Stigler and Milton Freidman, two Nobel Prize winning economists from the University of Chicago, whom he says saw themselves as freedom fighters in a struggle between good and evil. His work demonstrates that fundamentalism also sometimes passes as "science." Craig Freedman writes,

> This is the tie in between ideology and methodology demonstrated consistently by this particular collection [of articles in his book]. A priori beliefs support a practically unconscious unwillingness to read, evaluate and understand sharply opposing views. The battle transcends theoretical issues or even the egocentric need to be right. With policy issues suggesting differences in fundamental values, among the first casualties is a concern for performing a painstaking analysis of economic literature. What we find is what we need to discover. This is illustrated by the approach consistently adopted by both Friedman and Stigler.[3]

Second, fundamentalist Christians are, for the most part, considered a fringe element in society. One reason for that is that they do not have any strong or real reasons to believe that the Bible has been perfectly preserved or that its teachings are compatible with scientific realities. Therefore, it frankly does not make sense to believe in these fundamentalist concepts. Muslims, on the other hand, are in a very different situation. Historically speaking and scientifically speaking, it is logical for a Muslim to believe in the Quran, that it has been minutely preserved and, due to its miraculous nature, that it has been revealed by God. In this sense, for a Muslim to be "fundamentalist" concerning these issues is neither irrational nor objectionable.

However, there is no question that the word has a bad connotation, so much so that *The Associated Press Stylebook and Briefing in Media Law with Internet Guide and Glossary*, states about "fundamentalist,"

> The word gained usage in an early 20th century fundamentalist-modernist controversy within Protestantism. In recent years, however, *fundamentalist* has to a large extent taken on pejorative connotations except when applied to groups that stress strict, literal interpretations of Scripture and separation from other Christians.

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(1) From *The Guardian*, see "Peter Higgs criticises Richard Dawkins over anti-religious 'fundamentalism'," http://www.theguardian.com/science/2012/dec/26/peterhiggsricharddawkinsfundamentalism. Also see Alister McGrath and Joanna Collicutt McGrath, *The Dawkins Delusion? Atheist Fundamentalism and the Denial of the Divine* (Downers Grove, IL: InterVarsity Press, 2007), *passim*. Jeff Nall sees fundamentalist atheism as a response to the rise of the Religious Right. See Jeff Nall, "Fundamentalist Atheism and Its Intellectual Failures," *Humanity & Society* (Vol. 32, August 2008), *passim.* Nall points in particular to Dawkins, Christopher Hitchens and Sam Harris. Ben Branstetter argues that fundamentalist atheists such as Dawkins are actually hurting the atheist cause. See Ben Branstetter, "Atheism deserves better than Richard Dawkins: 'Secular fundamentalism' is actively hurting the movement," http://www.salon.com/2015/10/15/atheism_deserves_better_than_richard_dawkins_secular

(2) http://www.3quarksdaily.com/3quarksdaily/2007/09/howdareyouca.html

(3) Craig Freedman, *Chicago Fundamentalism: Ideology and Methodology in Economics* (Singapore: World Scientific Publishing Co., 2008), p. 6.

In general, do not use *fundamentalist* unless a group applies the word to itself.[1]

Barr stated, "Now fundamentalism is a bad word… It is often felt to be a hostile and opprobrious term, suggesting narrowness, bigotry, obscurantism and sectarianism."[2] He stresses that such was the cause for the sensitivity and repulsion in the feelings of the people in the West towards those who are called by this name.[3] Due to the nature of the term "fundamentalist," Christian fundamentalists dislike being called by it. They prefer the terms "evangelical" or "conservative evangelical."[4]

One can understand why the term is so disliked upon reading As'ad Abukhalil's description of fundamentalists, "In reality, the fundamentalists of the three faiths are quite similar in outlook and objective: they all are intolerant, misogynist, obscurantist, homophobic, puritanical, armed, and willing to use violence to advance their causes."[5] This is typical of a secular view of religious fundamentalism. Unfortunately, a discussion of the details of that comment is well beyond the scope of this paper.

In sum, fundamentalism is a term that is foreign to Islam. Within an Islamic context, much of what "fundamentalism," in its root meaning, is all about should not be problematic. However, because it grew out of a very different environment and because it has such a negative connotation to it, it should not be used in reference to Islam or Muslims.

The Example of the Clash of Civilizations

Christianity, Islam and contemporary "Western/democratic/human rights" paradigms all see themselves as "universal," appropriate and best for all of humanity. As such, it is not surprising to see that sometimes they are on a collision course or open to clashes. In recent times, though, the emphasis on a concept of clash of civilizations has gained some unique importance. The term or the concept actually has deep roots.

The famed and strongly anti-Muslim missionary Samuel Zwemer wrote as early as 1916 in *Muhammad or Christ*, "The coming struggle will not be solely religious, but an educational, industrial, social, and political upheaval in which religion plays a chief part. It is a struggle between two civilizations; between the ideals of the Moslem world and those of Christendom."[6]

Safar al-Hawali says that a report with President Johnson, a dedicated Christian, in 1964 stated, "We must realize that the difference between Israel and the Arabs is not between states or peoples but it is based on civilizations."[7] Most likely this is in reference to a writing by Bernard

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(1) The Associated Press, *The Associated Press Stylebook and Briefing in Media Law with Internet Guide and Glossary* (New York, NY: 2002), p. 217.
(2) James Barr, *Fundamentalism*, p. 2.
(3) Ibid., p. 2.
(4) Ibid., p. 3.
(5) As'ad AbuKhalil, *Bin Laden, Islam, and America's New "War on Terrorism"* (New York, NY: Seven Stories Press, 2002), p. 30.
(6) Quoted in Roy P. Mottahedeh, "The Clash of Civilizations: An Islamicist's Critique," in Emran Qureshi and Michael A. Sells, eds. *The New Crusades: Constructing the Muslim Enemy* (New York: Columbia University Press, 2003), pp. 143-144.
(7) Safar al-Hawaali, *al-Ilmaaniyyah* (Daar al-Hijrah), p. 532.

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Lewis, the regular consultant to the Bush Administration after 9/11. Trumpbour writes,

> As early as 1964 Bernard Lewis proclaimed the clash of civilizations between Islam and the West: "The crisis in the Middle East . . . arises not from a quarrel between states but from a clash between civilizations." He elaborated the sources of anti-Western revolt in the Muslim: "His writers, his artists, his architects, even his tailors, testify by their work to the continued supremacy of Western civilization—the ancient rival, the conqueror and now the model, of the Muslim." Calling it "a deeply wounding, deeply humiliating experience," Lewis noted that "even the gadgets and garments, the tools and amenities of his everyday life are symbols of bondage to an alien and dominant culture, which he hates and admires, imitates but cannot share." Lewis's idea did not achieve prominence until 1990 when the *Atlantic* ran his now famous think piece, "The Roots of Muslim Rage." With a cover illustration of a turbaned Middle Eastern figure, gasping with rage and possessing eyes permeated by American flags, Lewis's article told of centuries of Islamic humiliation at the hands of the West and of long desires to lash back against the culture responsible for the wounds of modernity. To his credit, Lewis subsequently expressed regret that the magazine's editors chose such an inflammatory depiction of an Islamic figure. Oddly, he did not think that the content of his article in any way inspired such artistic license.[1]

Eventually, in *National Review* (Dec. 17, 2003), Lewis stated that the United States has two policy options with respect to the Muslim World: "Get tough or get out."[2] Needless to say, the United States has not shown any willingness to get out of the Middle East.

More recently and commonly, though, the term is most closely associated with Samuel Huntington, Harvard political scientist and former National Security Adviser. He first wrote an article with this title in *Foreign Affairs* in 1993. After the large response to that article, he followed it up in 1996 with a full-sized book entitled *The Clash of Civilizations and the Making of the New World Order*.

In many ways, the book is somewhat very strange and the conclusions that one gets could be very different from that which Huntington wants one to get and which is being promoted by himself and by others. For example, in the book he states three fallacies concerning "Western civilization." In his own words,

> In the emerging world of ethnic conflict and civilizational clash, Western belief in the universality of Western culture suffers from three problems: it is false; it is immoral; and it is dangerous.[3]

He then goes on to state that Western civilization is unique to the West, it is immoral to force it upon others and trying to spread it is dangerous because it may lead to the defeat of the West.

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(1) John Trumpbour, "The Clash of Civilizations: Samuel P. Huntington, Bernard Lewis, and the Remaking of the Post–Cold War World Order," in Emran Qureshi and Michael A. Sells, eds. *The New Crusades: Constructing the Muslim Enemy* (New York: Columbia University Press, 2003), p. 93.
(2) See Trumpbour, p. 92.
(3) Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996), p. 310.

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He concludes that the job of the West is "to preserve, protect, and renew the unique qualities of Western civilization." He even amazingly states that, "Western intervention in the affairs of other civilizations is probably the single most dangerous source of instability and potential global conflict in a multicivilizational world." He says that right after recommending that the United States intervene in a number of ways. For example, he suggested that the US should "restrain the development of the conventional and unconventional military power of Islamic and Sinic countries." [1] It would definitely be fair for one to then ask: Doesn't that call for Western intervention?

He also points out some of the reasons why people are opposed to this "Western civilization," stating that the West has not been living up to its own claims. He says,

> The West is attempting and will continue to attempt to sustain its preeminent position and defend its interest by defining those interests as the interests of the "world community." That phrase has become the euphemistic collective noun (replacing "the Free World") to give global legitimacy to actions reflecting the interests of the United States and other Western powers. The west is, for instance, attempting to integrate the economies of non-Western societies into a global economic system which it dominates. Through the IMF and other international economic institutions, the West promotes its economic interests and imposes on other nations the economic policy it thinks is appropriate…

> Non-Westerners also do not hesitate to point to the gaps between Western principle and Western action. Hypocrisy, double standards, and "but nots" are the price of universalist pretensions. Democracy is promoted but not if it brings Islamic fundamentalists to power; nonproliferation is preached for Iran and Iraq but not for Israel; free trade is the elixir of economic growth but not for agriculture. [2]

Finally, he tries to make the argument that the "West," which even he admits is questionable whether it will continue to persist anyway, is under threat by, in particular, Islam. One of the reasons for this is the demographic changes that are occurring. He emphasizes that Islam is the enemy and should be treated as such. Summarizing his views, Qureshi and Sells write,

> "We" should cooperate with those civilizations that are less inimical to us. But in the face of an inherently hostile civilization like Islam, we should adopt a posture that treats Islam as the enemy it is. We should maintain a strong defense: we should limit is military threat, maintain our own military superiority over it, and "exploit the interior differences and conflicts among Confucian and Islamic states." [3]

It is interesting to note that questions like "truth," "what is best for humanity," and other seemingly important questions do not enter into Huntington's discussion. One could easily

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(1) Huntington, p. 312.
(2) Huntington, p. 184.
(3) Emran Qureshi and Michael A. Sells, "Introduction: Constructing the Muslim Enemy," in Emran Qureshi and Michael A. Sells, eds. *The New Crusades: Constructing the Muslim Enemy* (New York: Columbia University Press, 2003), p. 13.

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conclude from his book that Western civilization is probably doomed to fade away, like other civilizations, and yet there are those who wish to cling on to it at, literally, all costs, which includes seeing Islam as the enemy or an enemy among others. Needless to say, this is a very pessimistic and potentially very dangerous way of looking at the world.

But it does bring up the question of whether or not there is a clash of civilizations between the Western capitalist-materialist-hedonist paradigm and Islam. The answer is that there *definitely must be so*. Islam stands for something very different. In reality, any spiritual or religious teaching will probably have a clash with what contemporary materialism stands for. Recently, Pope Francis called unbridled capitalism "the dung of the devil" and also said that materialism robs humans of their humanity.[1] He further said, "We see signs of an idolatry of wealth, power and pleasure, which come at a high cost to human lives."[2] If the Pope, whose religion is central to the Western world, is essentially complaining about a clash of civilizations, one would hope that Muslims themselves would recognize that there is a clash between their beliefs and aspirations and what this current paradigm is offering.

The essence of what *dawah* is all about is about calling people to something very different from the way of life that they are presently upon. Many humans, as a result of the dominant civilization today, are suffering from a spiritual vacuum that is essentially built into the current system of materialism and consumption without any true purpose to life. Perhaps Shames expressed it best when he said,

> Consumption without excuses and without the need of justification—the beauty part was that it finessed the irksome question of values and of purpose. During the past decade [the 1980's], many people came to believe there didn't have to *be* a purpose. The mechanism didn't require it. Consumption kept the workers working, which kept the paychecks coming, which kept the people spending, which kept investors investing, which meant there was more to consume. The system, properly understood, was independent of values and needed no philosophy to prop it up. It was a perfect circle, complete in itself—and empty in the middle.[3]

Islam definitely has to be "clashing" with that way of life.

The word "clash" simply means that there is some form of conflict or opposition. It does not imply necessarily that the clash has to be a violent one or that there cannot be peaceful coexistence in the face of that clash. As people are fond of saying these days, it is a battle over "the hearts and minds." Hearts and minds are not won over by force or coercion. That could probably be counterproductive, especially in this day and age. As Jaafar Idris noted,

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(1)   See http://www.theguardian.com/world/2015/jul/10/poormustchangenewcolonialismofeconomicordersayspopefrancis   and http://www.catholicnewsagency.com/news/materialismrobsusofourhumanitywarnspopefrancis/ respectively.

(2)   http://www.independent.co.uk/news/people/news/popefranciswarnsofspiritualcancercausedbymaterialisminsouthkorea9672464.html

(3) Laurence Shames, *The Hunger for More: Searching for Values in an Age of Greed* (New York: Times Books, 1989), back cover.

Muslims, in my view, have a special stake in peace. If peace prevails, Islam will have a better chance of being heard and accepted in the West and elsewhere. Many people in the West and other parts of the world are coming back to religion so much so that what is called fundamentalism has become a universal phenomenon. People have discovered that science much as it is respected and valued by them cannot replace religion.[1]

From a *dawah* perspective, however, it would be best to avoid using the term "clash of civilizations," even though Muslims must be very clear that Islam stands for a way of life that is very different from today's materialistic culture, just like Pope Francis is very open about that. The term should be avoided because it has negative connotations. Definitely, individuals like Huntington have influenced many and made the use of this term toxic. More importantly, though, the "clash" that exists is not the most challenging problem. The greater problem occurs when the clash is used as a smokescreen for political agendas to justify specific responses, in particular violent ones. There are plenty of extremists on both sides of the issues who will try take advantage of the "clash" with negative repercussions for all concerned parties and humanity at large.

How to Handle these "Cultural," "Non-Factual," "Non-Scientific" Critiques of Islam

These types of *dawah* "challenges" are quite common and, especially those related to human rights, constitute a formidable challenge for many Muslims. For the most part, these challenges are related to the social sciences as opposed to the physical sciences. The social sciences cannot be investigated in the same manner that the physical sciences can. It is not possible to isolate a particular problem and analyze it free of any outside interference. As a result, certainty is very difficult to achieve in the social sciences. In fact, not only is certainty difficult to achieve, even reasonably proven conclusions are difficult to achieve. Anyone familiar with the debates between the Keynesian and Monetarist economists knows that statistical data does not take one very far—the rest is simply ideology. For example, probably no one will be able to definitely demonstrate that polygyny is better than non-polygyny. Each side can present theories, anecdotal evidence and perhaps some statistics. But that is far from definitive. If one does not have facts or knowledge to base one's choices and cultural preferences on, then those choices are, in reality, not meaningfully different than *ahwaa* ("likes and desires").[2]

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(1) http://www.jaafaridris.com/clash-or-peaceful-coexistence/
(2) From the Quranic perspective, one is either following knowledge or *ahwaa* (desires, likes) and *dhann* (conjecture). In fact, the Prophet (peace and blessings of Allah be upon him) himself has been warned about abandoning the knowledge he received in favor of others' desires. For example, Allah says, "And if, after all the' knowledge you have received, you were to yield to their desires, you shall find neither any friend nor helper to protect you from Allah's wrath" (*al-Baqarah* 120), and, "So if you were to follow their desires after what has come to you of knowledge, indeed, you would then be among the wrongdoers" (*al-Baqarah* 145). In Western thought, there has been a lot of debate concerning how much is culture based on reason and whether or not reason can actually master "everything." A number of early thinkers were adamant that beyond what is reached by reason, there are aspects of belief or ideology that make up culture. Cahoone writes, "For the Scotsmen Thomas Reid, Adam Smith, and David Hume and the Irishman Edmund Burke, the realm of legitimate belief extended beyond what reason can ground. They held that reason *per se* is inadequate to life, in particular to practical-ethical (hence political) life, there being beliefs we inevitably or legitimately hold which reason nevertheless cannot know to be true."

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But how, then, is the Muslim approach and view different from that of others? There is a big fundamental difference between the two approaches. The Islamic position on these issues stem from the belief that the Islamic revelation comes from God, the Creator of humankind and the One most knowledgeable of all of the intricacies of life. It also stems from the belief that God has the right to lay down laws for His creatures and that, in fact, He is the best in laying down such laws. This should be considered logical by anyone who believes in God. Even though it can be considered logical, this argument is repugnant to many of the West, even those who believe in God. However, this fact has more to do with the West's unique history with its own religion rather than with the logic of the argument being made. The West experienced a period in which they realized that their scriptures are not truly from God, due to their manifest contradiction with science. This led the West to move away from "God's law" to man-made laws. However, that experience cannot be generalized to Islam, as Islam never had any issues with the preservation of its texts nor with being compatible with scientific realities.

In sum, concerning all of these issues, the Muslim follows what he believes to be a revelation from God, which is a very logical stance to take. All secular approaches are groping in the dark, trying to learn from human experience and attempting to analyze and study phenomenon related to the social sciences. However, even given valiant attempts at finding truths, the realities of the social sciences virtually ensures that definitive conclusions cannot be achieved and, in the end, their choices are more related to cultural likings and preferences rather than facts and science. Hence, the Muslim should feel confident that the path that he is following concerning these issues is the truth, coming from the source of the realities, and that the challenges to them are nothing more than mere conjecture (*dhann* and *ahwaa*).[1]

"For the Sake of Completion"

With respect to "revisiting and reviving the *Dawah*," there are a couple of other points to be made for the sake of "completeness."

Definitive Vis-à-vis Conjectural Issues

One has to distinguish between what is affirmed through definitive means vis-à-vis conjectural means. Ibn Taimiyyah's thesis that he established in *Dar Taarudh al-Aql wa al-Naql* deals with the relationship between matters affirmed through revealed, textual, transmitted reports (*naql*) and through rational or empirical evidence (*aql*). Both the revelation and the factual realities of existence of this cosmos come from Allah. Hence, there could never be any true contradiction between what is definitively determined by both *naql* and *aql*. In other words, what is known definitively through *aql* could only conflict with what is known conjecturally via *naql* or what is known definitively through *naql* could only conflict with what is known conjecturally via *aql*. In either of those two cases, what is definitive will take precedence over what is conjectural,

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Lawrence E Cahoone, *Cultural Revolutions: Reason Versus Culture in Philosophy, Politics and Jihad* (University Park, PA: The Pennsylvania State University Press, 2005), p. 205.

(1) The Islamic laws of apostasy also fit into this category of aspects of Islam which are pictured as barbaric and backwards. Elsewhere this author has demonstrated that there does not seem to be any logical, historical or philosophical argument that proves that Islam's law of apostasy is unacceptable or irrational, especially when applied within the strict confines of the principles of Islamic Law. See Jamaal Zarabozo, "Apostasy and Islam: The Current Hype," available at http://www.zeriislam.com/artikulli.php?id=921

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as the conjectural is simply mistaken. (Obviously, what is known conjecturally via *aql* could conflict with what is known via *naql*.)

For example, there is definitive *aql* evidence to demonstrate that the Earth as a whole is not flat. There may still be some who cling to conjectural interpretations of verses to claim that the Earth is flat. It is true that the Earth is flat in a relative sense, and that is a great blessing from Allah. When building homes, for example, one does not have to worry about the Earth's curvature as the Earth is virtually flat at any one small area. However, as a whole, the Earth is clearly not flat. In this case, the definitive *aql* proofs must take precedence over any conjectural arguments derived from the texts.

There are plenty of examples of the opposite nature. Much "science" these days is conjectural theories and not fact. As a result, many perceptions change, flip-flopping over time. On some such issues, the texts are definitive and take precedence over the speculative *aql*. Examples of this nature include attitudes toward breastfeeding, circumcision and alcohol. The texts of the Quran and Sunnah are clear on all of these issues. However, in the West, there has been periods in which breastfeeding, for example, was emphasized, then it was discouraged and now it is being revived. Yet each of those views were based on "scientific studies." The Muslim attitude on issues of these nature is simple and clear: One follows what is definitively established in the texts without worrying which direction the conjectural rational evidences are steering people.

Blatant Lies against Islam

In the contemporary realm of *dawah* as well as in the past, there are times in which people simply fabricate things about Islam. Unfortunately, it is easier to fabricate something than to prove something is a fabrication—and the enemies of Islam seem to realize this fact. If the false claim is taken seriously, then one will have to make the effort to disprove the false claim and, at the same time, the fabricator should be exposed.

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Conclusions

In conclusion, to this author's knowledge, there are no insurmountable topics in the realm of *dawah* today. There are those aspects of Muslim culture that are critiqued and that deserved to be critiqued, such as honor killings, terrorism and FGM. There are those aspects of Islam concerning which Islam is flexible and not bound to a particular approach. It is part of the everlasting universality and flexibility of the Shareeah that those aspects are allowed to be adjusted according to circumstances and need. For example, the nature of the concept *daar* needs to change given "the realities on the ground." Then there are those aspects that are presented as if they were some problems with Islam and its teachings. The reality, though, is that criticisms of Islam are not truly based on "facts" and "realities," but simply cultural preferences and choices often times presented as facts and realities.

Dawah can certainly be strong and healthy today. What is needed are pious knowledgeable individuals who are good examples to lead the people. The foundation of their thought and *dawah* must be rooted in the knowledge that is the Quran and Sunnah. *Dawah* cannot truly be done without that *hikmah* and knowledge. However, in this day and age, in order to give a message that will resonate with the concerns and challenges of today, Muslims scholars may be required to get out of their comfort zone and study thoughts not covered in the traditional books of *tafseer* and *fiqh*. For those living in the United States, there is an entire generation that has grown up with a different way of seeing things than in most Muslim cultures. After being well-grounded in the basics, those working in the field of *dawah* must equip themselves substantially to meet the needs of this new Muslim reality.

And Allah alone knows best.

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