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AMJA Resolutions on Contemporary Dawah Issues in non- Muslim Lands

RENEWING THE DAWAH MESSAGE

- What is meant by renewing the Dawah Message is freeing its content from any stain of extremism and harshness, renewing the manner in which Dawah is given to make it appropriate for the time and place of those being addressed, changing juristic conclusions when the causes have changed and distinguishing between a renewal that is approved by the Shareeah vis-a-vis a blameworthy distortion of the Shareeah.
- The priorities of this renewing of the Dawah Message include preventing division and discord; instead, calling to unity and harmony. Additionally, emotive issues that are from the realm of permissible juristic opinions should be avoided. An environment of fairness in dealing with those one differs with should be fostered. There should be gentleness in refuting them. One must avoid hubris when dealing with them, as it is more beloved to Allah to be driven by shame to repentance than to insist on following falsehood.
- There must be the proper balance between the obligation of following the truth and the need to unite in dealing with those of opposing viewpoints. The role of instruction and personality-building requires proper beliefs and a sound methodology. However, the place of actions and works in public or community setting demands an attention to bringing people together, unity and working together for common dawah goals in the face of ongoing obstacles.
- The Dawah Message should concentrate on the permanent Shareeah requirements, reviving the proper relationship with Allah, in correcting understandings and repelling misconceptions. Consideration must also be given to the issues of concern to the domestic Muslim minority. The Dawah message should contain the essential aspects of beliefs, values, ethics, and law concerning which no Muslim should be ignorant. The masses should also be directed to seeking beneficial knowledge and prepared with the tools and means that they would need to achieve that goal.
- The differences in opinion of a scholarly juristic nature should not be broadcasted in a public forum. In this way, disputes will be contained and the parties will be more open

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to accepting the truth. Such disputes should be dealt with internally via the proper Islamic tools and means.

CONCERNING FUNDAMENTALISM AND

FUNDAMENTALISTS

- “Fundamentalism” is a modern theological that refers to returning to the fundamentals of Christian beliefs while rejecting any reform or critique. It is usually used in contemporary times in conjunction with fanaticism, violence and an unwillingness to accept the “other.”
- The word “fundamentalism” [translated into Arabic as *usooliyyah*] in that sense has not been used in Islamic culture. In Islamic culture, the term *usooli* is a reference to an expert in Islamic legal theory. He is the scholar who knows how to extract laws from the detailed evidences. In this sense, “fundamentalism” refers to “founding, rooting,” in other words, rooting the detailed laws in the fundamental general principles, especially in relation to new events and circumstances.
- Negative media concentration on “Islamic fundamentalism” more than on any other contemporary form of fundamentalism, such as Zionist, Christian and other fundamentalisms, is a wrongful form of discrimination that does not assist in solving the problem of religious extremism and radicalization in interpreting the texts.

CONCERNING SLAVERY

- Slavery is an ancient cultural legacy. Islam took steps to refine it, restricting its sources while expanding the means of releasing slaves. Islam set for the world an unprecedented standard to root it out from the hearts, giving the slaves back their humanity and honor. It laid down the path to a complete end to slavery when possible. Currently, slavery is something of the past now that the world has agreed upon abolishing it. There is no Islamic objection to abolishing slavery now that the world community has agreed upon abolishing it, as the Lawgiver favoring freeing of slaves is something well-established as part of the religion.

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CONCERNING POLYGyny

- Polygyny is an ancient religious legacy. It is a human need in some societies due to an increase in the relative number of women and the prohibition of taking mistresses and other forms of illicit relationships between men and women. Islam has placed a limit on the number of wives one can have and has also restricted by ability and justice among the wives. In a society in which polygyny is illegal, a Muslim should avoid it in order to avoid community and personal harm.

CONCERNING MUSIC

- The default concerning musical instruments is that they are prohibited as they are from the forbidden deeds or at least those that seem prohibited at the very least. This prohibition is emphasized if the music is such that it excites the desires, and leads one to immoral acts, or leads to harm. An exception is made for the *daff* [a type of hand drum] used for weddings and the like.
- An exemption is made for benefiting from what others have produced of educational, information or cultural programs and beneficial cartoons for children. Although these programs contain music, it is not such that it excites the senses. This exemption is based on the general prevalence of the use of such music and the lack of reasonable alternatives for such material. In addition, one should distinguish between hearing and listening. The person who is watching or using this material is not intending to listen to the music nor is he or she even paying attention to it in any way. In that way, it is similar to the music that is used to introduce news that scholars all over have agreed it is permissible to hear and see. At the same time, though, one should always be aware of the ruling concerning musical instruments and try to limit one's exposure as much as possible.

CONCERNING HONOR KILLINGS

- An honor killing is the killing of a person accused of illegal sexual intercourse by the victim's own family in order, supposedly, to protect their honor and nobility. There is agreement that illegal sexual intercourse and violating a person's honor is forbidden in Islam. However, the punishment for such acts rest with the state and those with the authority, power and ability to execute such punishments justly. It is not for individuals or groups to take the laws into their own hands. Furthermore, the prescribed

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punishments are dropped if there is reasonable doubt. Contravening the state and killing based on suspicion and out of emotion supposedly defending honor is a crime in itself that requires legal punishment.

CONCERNING THE UNDERSTANDING OF JIHAD

- Jihad is to exert efforts in spread the religion, repel religious persecution and assist the oppressed. It could be by one's "tongue," such as conveying from Allah and His Message and establishing the proof against humans via wisdom and beautiful exhortation. It could also be by one's "hand," such as fending off banditry, halting either existing or expected aggression against Muslims and coming to the aid of the oppressed. Jihad is a grave matter that is to be implemented by the political ruler. It is not engaged in by individuals, except in the case of personal self-defense. In addition, one resorts to it only when has the necessary power and expects that its benefits outweighs its harms.
- Given the current open environment among nations, the respect given to individual religious practices, the culture of protecting human rights and the criminality of religious persecution, there is no need for an offensive jihad that is only sanctioned to protect the Dawah, prevent religious persecution and support the oppressed.
- Violence against people's honor, innocent individuals, and destruction of people's infrastructure, Muslim or non-Muslim, regardless of whether it be done by individuals, groups, nations or governments, is definitively prohibited in Islam.

THE PHENOMENON OF TERRORISM IN CONTEMPORARY TIMES

- There is no question that Islam is a religion of justice and tolerance. There is no question that living in proximity to one another is the backbone of a society and is considered a bond joining the people of a land together, regardless of the differences in their religions. This relationship creates common rights and obligations that make the blood, wealth and honor of all of its people inviolable. None of those rights can be infringed upon except according to the law of the land and the existing system.
- From an Islamic perspective, terrorism is an unjust act of aggression carried out by an individual, group, or nation state against others with respect to their religion, lives, minds, wealth, or honor. In this sense, it is definitely forbidden in Islam. It is closest to the crime of brigandage or plundering for which the Shareeah has prescribed the

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strictest of punishments. Nowadays, it is a vague term which is defined in different ways according to the interest of the one who defines it.

- Terrorism is condemned in all of its forms and calls must be made to repel it wherever it occurs. It is not to be excused at all, regardless of its source and regardless of what religion it is ascribed to. This does not mean that wrongs and oppression are accepted, such as unjust wars, oppression and occupation. However, it must be emphasized that such wrongs do not justify other wrongs. Indeed, one must make a distinction between terrorism and Shareeah sanctioned self-defense.
- One must emphasize the necessity of solving the causes that led to—and which still continue to lead to—the spread and growth of the phenomenon of terrorism. These sources include despotic regimes, drying up of the sources of religiousness, persecution of sincere scholars, criminal acts performed by ethnic, hate-filled groups, illegal and unjust wars, organized plundering of the wealth and capabilities of nations, and hate-speech that defends oneself and dehumanizes the “other.”
- The moderation and balance of Islam must be propagated and taught on a massive scale. Extremist views must be censured. Those who hold extremist views must be counseled and advised. The dangers of *takfeer* (declaring others to be non-Muslim) must be exposed. The claims and misconceptions of the proponents of extremism must be refuted. There must be an emphasis that the Shareeah punishments—including the prescribed punishments—are to be performed by those who have the Shareeah political authority. It is not to be implemented by individuals, organizations or groups. Time should be devoted to calling people to Islam and clarifying the faith rather than making declarations about and classifying others. These are some of the strongest practical steps to combat religious extremism.

CONCERNING HARMING THE ENVIRONMENT

- The practice of harming the environment, in all of its manifestations, must come to an end. Every ongoing or expected transgressions against the environment must be opposed. These steps must be done to uphold the right of the future generations to live in an environment free of all forms of pollutants and waste material. The development of clean manufacturing and technology must also be encouraged in order to stave off the dangers and calamities that afflict all of humanity in its entirety.

بسم الله الرحمن الرحيم

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CONCERNING NEUTRALITY IN INTERNATIONAL RELATIONS

- Neutrality means to voluntarily abstain from warfare and not to support any of the parties to an existing international dispute. This is the option that a country resorts to when there is an armed conflict that does not concern it or that they are not directly related to. This approach developed during the atmosphere of international relations during the Cold War. The neutral country is trying to protect its people and land from any possibilities arising from armed conflicts.
- The decision to remain neutral is left up to those in authority in the Muslim communities. Those in authority have the best ability to decide on the appropriate stance in the light of the specific circumstances of time and place as well as the nature of the dispute between the two warring parties.
- Neutrality and avoiding the war does not mean that one does not assist the oppressed or that one does not try to stop the transgressor in the political realm or use what international means there may be to bring a peaceful solution to hostilities. It also does not mean that one does not build up one's defenses and military in order to deter any aggressive party from considering attacking the neutral nation.

CONCERNING THE PUNISHMENT FOR APOSTASY

- The basic stance is that there is no compulsion in religion and that jihad is only sanctioned to protect this right and to defend against religious persecution. The punishment for apostasy is from the discretionary punishments that is left to the judiciary to determine its punishment. The argument that it is restricted to the apostate who opposes the state is a plausible one. Like all other Shareeah punishments, it is left to the state who has the legal authority to implement it in the proper and just judicial manner. It is best to exert efforts to study apostasy and its causes and to prepare the callers to Islam with the means to refute the misconceptions and doubts that appear and to safeguard against the appearance of apostasy.

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CONCERNING THE CLASH OF CIVILIZATIONS

- Islamic civilization is the refuge for the crisis of the contemporary materialistic civilizations. Islamic civilization is humanity-based and oriented. It is universal in its horizons and message. It is believed in based on knowledge in affirming its fundamentals. It concentrates on faith in its purest fundamentals. It addresses both the mind and the heart. It combines both emotion and thought. It brings together the sacred and the mundane. It is miraculous in its tolerance. There has never been any civilization based on religion similar to it.
- The default when it comes to the relations between civilizations is that of mutual respect, dialogue and assistance. However, it can reach the state of being rivalrous and contentious. Even in that case, though, it must still be in the shade of respecting the humanity of human beings and a practical acceptance of the variety of human cultures, with each from the various civilizations having the right to preserve their cultural values and legacy. There should also be a rejection of profaning the religious, ethical and cultural values or holy places of others. There should also be a recognition that the sources of knowledge are various from time to time and place to place. Those views and practices that seek to cause discord and friction between civilizations should be stunted. The common ground between civilizations should be forged. The principles of justice, fairness, peace and security must be adhered to. There should be a commitment to including all peoples and communities without discrimination when it comes to declaring resolutions and distributing benefits domestically and internationally.

CONCERNING THE RELATIONS WITH NON-ISLAMIC STATES

- The default concerning the majority non-Muslim countries of today is that they are *daar ahd* (countries with which mutual pacts have concluded). One must adhere to the tenets of those pacts concerning which visas and residence status have been issues. It is a must to work together in preventing wrongdoing and transgressions, working together to bring about what is best for humanity. This is especially to be respected given that the international community has entered into peaceful relations via membership in the United Nations, in which the member states have agreed upon cooperation and solving any disputes in a peaceful matter.

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- If the status quo of this relationship should change, such that, for example, a Muslim and non-Muslim state should go to war, then the pacts that the individual Muslim has entered into still reign over him, regardless of whether he be a citizen, non-citizen resident or simply a protected visitor to the land.

CONCERNING FOLLOWING-UP CURRENT, GENERAL EVENTS WITH RULINGS AND DECLARATIONS

- Giving religious rulings for current events is a communal obligation. First and foremost, the responsibility falls upon the people of knowledge in the area in which the event has occurred. Other scholars should aid them if needed.
- Not all current events are the same. Some are of a general interest covered by the media, such as famous statements or acts of violence that are attributed to some Muslims. In these cases, a religious ruling is a must, stating Islam's ruling on such an issue and demonstrating that Islam is free of such actions. After that, the scholars can decide among themselves as to whether or not the media should be contacted concerning that ruling or if it can be ignored. Under all circumstances, though, if a scholar is directed a question from any source and no one other than him is qualified to respond to it, then he must respond and it becomes obligatory upon him to clarify the issue in an appropriate manner given the specific circumstances of the time, place, and event.

GUIDEPOSTS CONCERNING PUBLIC POLICY RELATED TO ISSUING RELIGIOUS RULINGS RELATED TO CURRENT EVENTS

- Religious rulings concerning current events should be left to the qualified scholars of the specific area in which the event occurred if they sufficiently fulfill that responsibility. They are the ones most aware of the situations and the consequences of any ruling. It is wise during times of tribulations not to spread the fires from one area to another.
- Choosing what issues in the West or East to discuss is a "discretionary policy matter" (*al-siyaasah al-shariyyah*) in which one must weigh the costs and benefits of any action. The

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decision will be made based on the most probable correct stance and as long as there is still a communal obligation to address such issues.

- Declaring the Shareeah ruling for an incident must be within an academic framework, distant from negative, emotional content that could cause legal or media-related harm or that could lead to conflicts with those involved. As is said, emotions (*awaatif*) lead to storms (*awaasif*).
- The communique should focus on how to deal on a dawah, media and political level with those issues which contradict what is well-known and established in the religion. It is not sufficient simply to give the Islamic ruling concerning those issues because in most cases the ruling is well-known to all, [it is how to handle the issue that needs explanation]. At the same time, it is recognized that what is know of the faith “by necessity” is a relative issue and may be different with a change of time, place and circumstances.
- The communique should also focus on the wisdom behind the Shareeah ruling, invoking the goals of the Shareeah and providing rational and logical arguments for the ruling, so that one is intellectually convinced while adhering to the Shareeah. It is not sufficient simply to reproduce the texts of the Quran and Sunnah as it would be when addressing only those who agree on the point that the Message and the Messenger are infallible.

CONCERNING GETTING ASSISTANCE IN DAWAH FROM PERSONALITIES KNOWN FOR ILLICIT BEHAVIOR OR HERESIES

- An exemption is made, when it is clear that there is some benefit to it, to seek assistance from a well-known personality for the sake of calling to people to Allah, even if this person is known to have some mixture of immoral behavior or heresy. It is not though permitted if one feels that this would be a means for that person to support his heresy [or immorality], causing more harm than any expected dawah benefit.

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CONCERNING ENTERING INTO PLACES OF

IMMORALITY IN ORDER TO MAKE DAWAH THEREIN

- An exemption is made to enter into places of immorality in order to call the people there to Allah only if one would not be able to reach them outside of such a place, one has probable reason that they will respond to the call, the one doing the calling is intelligent enough and mature enough to protect himself from temptation, one is accompanied by a witness who can testify that he did not enter for any doubtful reason and one remains therein only to the amount needed. Otherwise, texts have stated the prohibition of eating with and accompanying sinners in their places if that were not for the purpose of calling them to Allah and correcting their behavior.

CONCERNING ATTENDING EVENTS IN WHICH

ALCOHOL IS BEING SERVED

- The default ruling is that it is not permissible to sit in a gathering in which alcohol is being served, based on the texts that specifically prohibit that. If the Muslim can distance himself from that location without causing any negative reactions, then it is obligatory upon him to do so. If that is not feasible, he must reject the act in his heart if there is no way that he can avoid that setting, while striving to distance himself from the alcohol to the best of his ability. As for other reprehensible acts, such as eating pork, mixing between the sexes and the like, there is no harm in sitting in such a gathering if needed for one's employment or worldly needs or if one has reason to believe that the others will be receptive to the call to Islam. All along, though, the person must clearly reject those actions in his heart and not actually take part in them in any way.

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CONCERNING ARRANGING EVENTS IN COOPERATION WITH NON-MUSLIMS OR WITH THOSE OPENLY KNOWN FOR IMMORAL ACTS

- The default ruling concerning interactions between Muslims and non-Muslims is that of permissibility, as long as that interaction does not entail any prohibition or lead one to fail to perform an obligation. The strongest such relationship is that of marriage which makes a non-Muslim the aunts and uncles of a Muslim. That is from among the strongest of all ties and differences of religion do not prevent such a tie.
- However, such intermixing with them still has to be based on specific principles, including:
 - The individual should have a good intention present, such as calling them to Islam, keeping the ties of kinship and the like, or if it is a situation that the individual cannot dispense with, such as the necessities of work.
 - There is no harm as well if a Muslim has associates within his inner circle that are non-Muslim relatives or associates, as the Prophet (peace be upon him) had Abu Taalib as one of his closest confidants. However, the default is that a Muslim's inner circle should be only from the pious believers.
 - One must distinguish between an independent evil and an evil which is present as a secondary issue. For example, there is a difference between attending a conference that supports same-sex marriage, which is definitely not approved by the Shareeah, and attending a conference that supports civil and political rights for all citizens, which would be inclusive of homosexuals. For the latter, there would be an exemption to attend if needs require that.
 - It is not permissible for a Muslim to remain in a gathering in which the Signs of Allah are being ridiculed and derided. If the present evils are something less than such ridiculing and he is not able to object to them, then he should also not remain in that gathering unless there is some clear need or overriding benefit to do so, all along objecting strongly in his heart to the wrong.
 - If the gathering as a whole is concerning good issues, it is permissible for a Muslim to participate in it if needed, even if it may have some stains of wrong in

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it, as long as the expectation of benefit remains, the person's intention is sound and the benefit of the gathering outweighs its evil.

- The sanctioned mixing with non-Muslims will require some level of tolerance and acceptance [of otherwise unacceptable deeds]. Marriage to a non-Muslim woman is a similar example. Unless stated in a prenuptial agreement, the Muslim husband cannot prevent her from drinking alcohol, bringing a crucifix into their home or saying her prayers in his house towards her direction of prayer. It is also permissible to ignore some objectionable acts for the purpose of living together. Of course, necessities and needs are only excused to the amount that they are truly needed. However, when a person fears that he may grow accustomed to a sinful act, he should no longer interact with the people performing that sin. Marriage with a Jewish or Christian woman will always contain some level of danger for the family and its future. An intelligent person must avoid such a marriage to the best of his ability, especially in current times when the Muslim nation is in a state of weakness and defeat.

CONCERNING SHAKING HANDS WITH A NON-RELATED WOMAN

- The default is that one should refrain from shaking hands with a woman one is not related to, due to what has been narrating prohibiting it. However, this prohibition is concerning an act that is a means to something greater and preventing those means to move to something greater. As such, an exemption is made if there is some necessity or general need to do so, such as when one feels that by not shaking a woman's hand some evil will result, like being blocked from the path of Allah, losing one's rights or facing some harm. One should try one's best to avoid having to shake hands as much as possible, such as simply nodding with one's head or waving from a distance and the like. As for elderly people shaking hands, the matter is much more flexible if there is no fear of any temptation.

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NEW MUSLIMS DEALING WITH THEIR [NOW]

FORBIDDEN ITEMS

- An exemption is made for new Muslims to keep or sell items that are considered impermissible, such as musical instruments, sculptures and drawings whenever there is the overriding benefit of affirming them in the faith and deterring their apostasy. In fact, one may even apply the weaker fiqh opinion—in our view—that musical instruments are permissible in general. The benefit of confirming the person on the faith is greater than the harm of following a weaker fiqh opinion. If such a new Muslim needs to sell any such item due to need for money, Muslims may purchase it from them with the goal of destroying them and encouraging the individual to repent. This can even be done through the category [of Zakat known as] “those whose hearts are to be brought closer [to Islam].”

CONCERNING ACCEPTING A PERSON’S ISLAM UPON AN INVALID CONDITION

- An exemption is made for accepting a person’s Islam upon an invalid condition as long as it is not related to foundational aspects of the faith. Acceptable conditions may include that a woman will remain with her non-Muslim husband or she will not wear *hijab* and so on. At the same time, the invalidity of that condition must be explained in such a way that it will not lead to a greater harm. All efforts should be made to instruct and purify the person and guide them to ways that will solve their problems for them. The hope is that their acting upon Islam will lead them to correct this shortcoming that they have stipulated.

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CONCERNING PERFORMING THE FUNERAL PRAYER OVER AN APOSTATE WHEN HIS MUSLIM FAMILY BRINGS THE DECEASED FOR THE PRAYER

- The default ruling is that funeral prayer should be performed for everyone who attaches themselves to Islam, as long as it has not been affirmed that they have apostatized, such as by declaring their attachment to another faith. However, as for the one concerning whom it is not definitive that he apostatized, then one can pray over that person given that he or she may have remained in their original state of Islam and their affair will rest with Allah. The principle is that what is known at what time with certainty is not later removed by doubt. Furthermore, it is better to be mistaken in prayer over a non-Muslim than abandon the prayer over a Muslim.
- As for an immoral Muslim who died, it is agreed upon that there is no harm for the leading religious figures of a community to avoid that person's funeral prayer in order to set an example for others not to follow in that sins. However, the other Muslims should still perform the funeral prayer for that Muslim.

CONCERNING PARTICIPATING WITH THE NON- MUSLIMS IN THEIR HOLIDAYS

- The default is that one should be good and just in dealing with non-Muslims. This includes participating with them in social events, such as marriage, the arrival of a baby and so on, and congratulating them with the hopes of good interactions with them and bringing their hearts closer to Islam. However, religious celebrations are considered particular to the members of that religion and remain specific to them. Thus, it is not allowed to participate with them in any religious event. However, if there is some benefit in doing so, it is permissible to greet them in a general way, that does not refer to their specific religious practice or false worship, such as saying something like "happy holidays," or "happy weekend," to non-Muslims. If the greeting or the occasion has lost any religious significance, then the matter is more flexible.

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COMMUNAL PRAYERS WITH NON-MUSLIMS IN INTERFAITH SETTINGS

- If what is meant by “prayer” is simply supplications, then there is no harm in participating in a congregational “prayer” with non-Muslims as long as the supplication does not involve associating partners with Allah or any proscribed aspects. Prayer for guidance, societal peace, protection from harm and similar prayers would be acceptable, regardless of whether the one stating the words is a Muslim or a non-Muslim. If what is meant by “prayer” is a formal ritualistic prayer, then it is not allowed to participate in any heretical prayer or any prayer of a polytheistic nature with anyone, Muslim or non-Muslim.

CONCERNING NON-MUSLIMS ENTERING THE MOSQUE

- An exemption is made for non-Muslims to enter into a mosque as long as they do not violate the sanctity of the mosque or disturb those who are praying.
- It is preferred for the dawah activities directed to non-Muslims to take place outside of the prayer hall. There is no harm in them being taken on a quick tour through the prayer hall after or before a gathering, so that they may become familiar with the place of worship of Muslim.
- An exemption is also made for non-Muslims to join with the Muslims in prayer if they wish. One can also give a garment to cover the women as a gift for them if they wish to participate. However, one should try not to have them break the lines; they should be either at the end of a line or in a line by themselves. This would be permitted as long as it does not lead to greater harm.

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CONCERNING PEOPLE OF KNOWLEDGE WEARING

SPECIAL ATTIRE

- The default ruling concerning clothing is permissibility as long as it does not contain any prohibited aspect, such as uncovering the private parts, imitation of immoral people, imitation of specific religious dress of non-Muslims or imitation of the opposite sex.
- There is no harm in scholars distinguishing themselves with specific dress in some customary fashion. There is also no harm in Islamic workers wearing athletic clothing, ties or the like.

CONCERNING THE MEDIUM OF DAWAH

- The means of dawah are not all the same. Some means the Shareeah has paved the way to be prohibited, such as dancing, whistling and clapping during sessions of making remembrance. Other means the door has been opened to their permissibility, such as graphics and presentations to clarify an issue. There are others that the Shareeah has remained silent about. These are the ones that need to be investigated. The default is that they are from the issues of *al-siyaasah al-shariyyah* (policy decisions). Differences of opinion on some of these means should not lead to declaring someone a heretic or sinner, as there is not to be any objection in matters of personal juristic reasoning (*ijtihaad*).
- Media is a fundamental means by which to transmit knowledge, ideas and behavior from one generation to the next. It is also a fundamental means of Islamic Dawah to affect public opinion, deserving the attention of all Muslims in general but also Islamic workers in all times and places. It should be used with wisdom, good exhortation and debating in the manner that is best.
- As for media in its basic essence and understanding, the default ruling is that of permissibility. However, it runs the full gamut of the given rulings—obligation, recommendation, permissibility, dislike and prohibition—depending on the information it provides, the means for which it is used, the consequences resulting from it and results and actions that are done in practicing media arts.

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CONCERNING THE RULING OF PHOTOGRAPHY

- The default ruling concerning photography is that it is permissible because it is simply taking a picture of Allah's doing and creation. It is not in competition with Allah's act of creating. However, it is not permissible if it leads to religious or ethical evils, such as photographing something to be worshipped, photographing people's private parts and other forbidden usages.
- The permissible forms of photography could fall under any of the five rulings of the Shareeah depending on the intention behind it. If the person intends something forbidden by it, then it is forbidden. If he intends something obligatory behind it, then it is obligatory, such as pictures for criminal records in order to preserve people's rights. In fact, sometimes photographs become obligatory in order to affirm rights, curb criminals and achieve justice. Analogous rulings can be made for other cases.

CONCERNING ACTING AND PERFORMANCES

- Acting is an art, scripted or not. It has specific qualities to it and either enacts a historical event or an imaginary event for the purpose of entertainment or in order to give lessons.
- The ruling concerning acting is a matter of *ijtihad* (personal juristic reasoning), as it contains both beneficial and harmful aspects and the jurists are divided in their conclusions about it. There are some issues which are agreed upon and others which are differed over.
- The scholars are agreed that it is forbidden to portray the Lord Himself, Exalted be He, as everything that they will try to imagine will not capture a true description of Allah, as there is none similar to Him. It is also forbidden to portray angels, prophets and the mothers of the believers. However, concerning any others is a matter of *ijtihad*.

The Issue of Watching is More Flexible than Acting in Such Media

- The issue of watching is more flexible than participating by acting. Not everything that is forbidden to participate in is also forbidden to be seen. The issue has to be weighed according to the benefits and harms. An exemption is made for watching that that is believed to be overall beneficial and that does not incite one to polytheism, extreme heresies or immorality. A lesser harm may be overlooked in the face of a greater benefit.

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Concerning Attending Movie Theaters

- The default ruling concerning frequenting cinemas and similar places during our current times is that of prohibition due to the objectionable aspects that occur there. If the specific place is free of some objectionable aspects and what is being shown there is meaningful—and rarely is this the case—then there is some flexibility, although it would still be best to avoid such places especially since there are alternatives available, such as via the Internet.

CONCERNING VISITING JERUSALEM GIVEN THE CURRENT CIRCUMSTANCES

- There is a consensus among the Muslim scholars concerning the virtues of visiting al-Masjid al-Aqsa. Contemporary scholars differ over the question of visiting Jerusalem under the current circumstances, as that may lead to a normalization of the state of occupation.
- As for leaders of Islamic countries visiting Jerusalem, even though the default is that it is permissible, is a matter that needs to be studied by the scholars in the East to determine what may be the harms or benefits of such a visit. The ruling must be in the light of the conclusions of weighing both sides. In contemporary times, this has become an issue that is a matter of government policy and the scholars and people of influence in the East should be consulted by the ruler concerning this act.
- There is no harm in leaders from non-Islamic countries visiting Jerusalem as it is hoped that this may lead to the residents of the Holy Land being helped and assisted without their being any negative ramifications to the visit.

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CONCERNING DISTRIBUTING WRITTEN, AUDIO OR VISUAL MATERIAL THAT CONTAINS OBJECTIONABLE ASPECTS

- As for those media concerning which it is easy to isolate and protect oneself from its harm, such as music as a background on an educational video or program, then one can benefit from its beneficial aspects while being aware of its lesser evil.
- As for those media that contain aspects that it is difficult to guard oneself from, such as a book that mixes truth with falsehood and it would not be possible to avoid the falsehood, and if the good of it outweighs the evil and there is no pure substitute free of any such evil, then one must examine the potential reader, be he a novice, intermediate or advanced reader. The novice should be directed to books that are free of such evils. The intermediate should be presented what he is capable of distinguishing [between its good and harms]. The advanced should be left free as he should possess enough knowledge to protect himself by the grace and mercy of Allah. "Prevention is better than cure."

CONCERNING THE LEGALIZATION OF SAME-SEX MARRIAGES AND HOW TO DEAL WITH IT IN DIFFERENT ARENAS

- Marriage between two people of the same sex is prohibited. A marriage can only be between one man and one woman. It is prohibited for a man to have sexual relations with another man or for a woman to have sexual relations with another woman. This is part of what is known of the religion of Islam by necessity. In fact, all religions agree upon that, even though some modern legislatures have permitted. There should be no reason for any difference of opinion or conflict on this point.
- However, in dealing with this phenomenon, one should observe the following:

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- First, it is obligatory to explain the correct stance. It is something forbidden by the religions but permitted by secular law. In particular, the following points should be made:
 - The Muslim minority is not trying to enforce its religion upon others. Instead, Muslims simply try to call to others and advise them. Islam prohibits the tyranny of individuals or groups against the legitimate authority concerning those matters which are exclusive to governance.
 - Islam also prohibits its followers from spying on others and trying to expose others' secrets.
 - Islam does not prohibit simply the feelings that someone may get that he cannot control or repel or that he could repel but with great effort. Similarly, Islam does not look down upon any specific manner of behavior or walking or speech as long as is not fake and meant to imitate women. None of that is an issue unless the person makes a statement or does an action that is reprehensible.
 - A Muslim must refrain from attacking or wronging fellow citizens, regardless of whether they be homosexuals or anyone else. Wrongdoing and harming is disdainful in every religion.
- Muslims should not engage in the media, legal and political battles over this issue. If our advice is sought, we give our advice and if we are asked about the teachings of the faith, we clarify them. We should concentrate our efforts on taking care of our youth and protecting them from slipping into this error.

CONCERNING A WOMAN TAKING HER HUSBAND'S NAME OR HUSBAND'S FAMILY NAME AFTER MARRIAGE

- It is not allowed for any individual to ascribe themselves by a term or implication to anyone other than their father. However, if the attribution is simply one of recognition and is a general custom, such that it will not cause any confusion concerning paternity, then there is no harm in it. Thus, for example, there is no harm in a woman taking her husband's name, coming after the name of her family. It is still, though, best not to do

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that as there is no need to do that and one cannot be certain that there will not be any doubts raised concerning paternity.



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