

THE THIRD CHOICE

Islam, Dhimmitude and Freedom

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Foreword by Bat Ye'or



DEROR BOOKS

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The problem of misinformation

Misinformation about Islam is a constant issue for non-Muslims. A report in the *Herald Sun*, a major Melbourne daily newspaper, was published on August 8, 2005 stating that the senior Muslim Imam of Victoria, Sheikh Fehmi (subsequently appointed as Australia's mufti) reassured non-Muslims in Victoria that Muslims wish only to live in peace with their non-Muslim neighbors:

'Muslims live cheerfully and happily with all denominations', Sheik Fehmi said. 'This is what Islam is. The Prophet has lived among Jews and Christians. In many parts of the world Muslims, Jews and Christians are living happily.'

Who would not applaud Sheikh Fehmi's desire for people of different faiths to live together in harmony? The problem arises when he appeals to Muhammad's example as the basis for non-Muslims to have confidence that Muslim neighbors represent no threat to peaceful coexistence. Although there was a time early in Muhammad's life when he lived peacefully alongside non-Muslims, large sections of Muhammad's biographies and the Quran deal with periods when he was embattled

- 1 Barbara G. Baker, 'Christian Principal accused of blasphemy.' *Christianity Today*, 21 May, 2001, viewed 8 May 2009, <<http://www.christianitytoday.com/ct/2001/may21/25.31.html>>.
- 2 Complaint lodged in 2002 with the Equal Opportunity Commission of Victoria by the Islamic Council of Victoria.
- 3 See Christine Schirrmacher, *The Islamic View of Major Christian Teachings*; Mark Durie, 'The Apostasy Fatwas', viewed 8 May 2009, <<http://acommonword.blogspot.com/2008/02/apostasy-fatwas-and-common-word-between.html>>; Sayyid Abul Ala Mawdudi, *The punishment of the apostate according to Islamic law*.

with his non-Muslim Jewish neighbors. As we shall see in the next chapter, Muhammad ordered assassinations of Jewish women and old men, and oversaw a mass decapitation and enslavement of hundreds of his Jewish neighbors. This darker material Sheikh Fehmi could not fail to be familiar with, as these victories of Islam over the Jews of Arabia are as well known to Muslim children as Joshua's conquest of Jericho is to Christian Sunday School children.

How then are Fehmi's non-Muslim, fellow Victorians to interpret his reassurances that they can have nothing to worry about, because Islam takes Muhammad as its example?

If a non-Muslim were to write in response to Sheikh Fehmi's comment in the *Herald Sun*, pointing out Muhammad's less than happy, and indeed fatal, relationships with his non-Muslim neighbors, how could this be done without sounding like incitement of interfaith conflict and a rejection of Fehmi's apparently moderate and peaceful stance? By relying on acceptance of the excellence of Muhammad's example as a pre-condition of interfaith harmony, Sheikh Fehmi's words serve to lock up the truth about Muhammad even more tightly in the dark box of ignorance.

These are not easy subjects to deal with, but deal with them we must, and one of the keys to a free and frank conversation with Muslims about such matters of importance is that non-Muslims must study Islam for themselves. They cannot rely on Muslim spokespeople as their only source of information on Islam. The same can be said for Muslims: they also should not rely solely on secondary sources, not even on Islamic clerics, to understand their faith.

Lawful lying, misleading impressions and harm prevention

On Friday 20 March 2001, Zachariah Matthews, a prominent Australian Muslim youth leader, presented a lecture to the Muslim Society at the University of Western Sydney. His subject was the proper method of establishing Islam in the lands of immigration. He argued that it was necessary to adhere to principles derived from the example of Muhammad's *Hijrah* 'migration' to Medina, since 'The Prophetic Method of *Dawah* is the only method that will bring us success.' Matthews listed six 'Hijrah Management Principles', which were based

upon episodes in Muhammad's life. Of these the third was 'secrets should be hidden' and the sixth 'deception is necessary'.¹

Is it true that the use of deception is a legitimate part of establishing Islam?

While it must be acknowledged that lying is considered a very serious sin in Islam, there are situations where lying is permissible, according to Islamic authorities, based, of course, upon Muhammad's example. For example, a chapter in the *Sahih al-Bukhari* is headed 'He who makes peace between people is not a liar.' The *hadith* given is:

Narrated Umm Kulthum bint Uqba that

she heard Allah's Messenger saying, 'He who makes peace between the people by inventing good information or saying good things, is not a liar.'²

According to this teaching, one of the circumstances in which Muslims are permitted to say untrue things is when reconciling people, if the lies are of a positive nature.

Harm prevention

According to the Quran, another circumstance for deception is when Muslims are in danger from non-Muslims.

Let not the Believers take for friends or helpers Unbelievers rather than Believers: if any do that, in nothing will there be help from Allah, **except by way of precaution, that ye may guard yourselves from them.** But Allah cautions you (to remember) Himself; for the final goal is to Allah. [Q3:28 – Yusuf Ali's translation³]

The word translated 'guard' here is based upon the root *w-q-y*, which means to prevent harm. From this is derived the term *taqiyya*,⁴ which refers to the practice of deception in order to keep Muslims safe. The expression 'friends or helpers' translates *auliya*, which, despite Yusuf Ali's choice of words, implies guardianship or legal subjection. Thus Sunni

1 Zachariah Matthews, 'The Hijrah: a necessary phase in the Dawah.' *Salam Magazine*, March/April 2001. The article is archived at <<http://web.archive.org/web/20050615002854/www.famsy.com/salam/Hijrah41.htm>>. It must be acknowledged that after being publicly criticized for this teaching, Matthews delivered an address emphasizing that Islam regards lying as wrong.

2 *Sahih al-Bukhari*. The Book of Peacemaking (or Reconciliation). 3:53:2692.

3 For Q3:28 Arberry's translation is so far from the standard interpretation that it is unusable.

4 It is not correct to use the term *taqiyya* to refer to lawful deception in general. *Taqiyya* involves lying about one's beliefs in order to prevent harm, but the teaching and practice of lawful deception in both Sunni and Shi'ite Islam are more extensive than this. Also, it should be noted that although some claim lawful deception to be only a Shi'ite, and not a Sunni doctrine, this claim is not true.

commentaries on Q3:28 take the view that *taqiyya* is permitted when Muslims are subject to the power of non-Muslims (so that Muslims could have reason to fear them):

It was permitted for [Muslims] to take [non-Muslims] as guardians [i.e. to accept non-Muslims in a position of power] if they feared them. What is meant by this guardianship is the contrary of the apparent relationship [i.e. the relationship is not what it seems]; the heart is comforted by enmity and hatefulness [towards the non-Muslims] ... (al-Zamakhshari, d. 1143)¹

If the believer is living amongst the infidels and he is afraid of them, he may praise them with his tongue while his heart is comforted with faith, to avoid harm to himself [i.e. from the infidels] ... *Taqiyya* is not to be used except when in fear for one's life. (al-Baghawi, d. 1122)²

... if the infidels have apparent authority over [Muslims], then [the Muslims] show them kindness but oppose them in religion [i.e. in their heart's convictions] (al-Suyuti, d. 1505).³

... believers who in some areas or times fear for their safety from the disbelievers ... are allowed to show friendship to the disbelievers outwardly, but never inwardly. For instance, al-Bukhari recorded that Abu Ad-Darda' said, 'We smile in the face of some people although our hearts curse them.' Al-Bukhari said that al-Hasan said, 'The *Tuqyah* [*taqiyya*] is allowed until the Day of Resurrection.' (Ibn Kathir)⁴

... it is lawful for a believer ... to keep his faith concealed and to behave in such a manner as to create the impression that he is on the same side as his enemies. A person whose Muslim identity is discovered is permitted to adopt a friendly attitude towards the unbelievers in order to save his life. ... he may even state that he is not a believer. ... If one is constrained in extraordinary circumstances to resort to a prudent concealment of faith (*taqiyyah*) in order to save one's life, this concealment should remain within reasonable limits. (Mawdudi, d. 1979)⁵

Al-Khazin (c. 1340) reports that some scholars say *taqiyya* was only for the early stages of Islam, before Muslims gained power, so the doctrine no longer applied after Muslims gained the upper hand.⁶ However the logic of this view would imply that when Muslims are no longer in power, the concession for *taqiyya* must come back into force.

1 *al-Kasbsbaf*, Commentary on Q3:28, viewed 21 February 2008, <<http://altafsir.com>>.

2 *Ma'alam al-tanzil*. Commentary on Q3:28, viewed 21 February 2008, <<http://altafsir.com>>.

3 *Dur al-Manthur*. Commentary on Q3:28, viewed 21 February 2008, <<http://altafsir.com>>.

4 *Tafsir Ibn Kathir*, vol. 2:142. (Commentary on Q3:28.)

5 Mawdudi, *Towards understanding the Qur'an*, p.130. Commentary on Q3:28.

6 *Tafsir Lubab al-Ta'wil*. Commentary on Q3:28, viewed 21 February 2008, <<http://altafsir.com>>.

The consensus of Sunni commentaries is that Muslims, when living under the political dominance of non-Muslims, are allowed to show friendliness and kindness to non-Muslims as a protective measure, so long as they hold fast to their faith (and enmity) in their hearts.

One implication of this doctrine is that observant Muslims' behavior towards non-Muslims might be expected to become less friendly, and their beliefs less veiled, as their political power increases.

Misleading impressions

In Islam deception is not limited to contexts where Muslims fear persecution. An extended discussion of the subject of lawful lying is found in the *Sharia* manual, the *Reliance of the Traveller*, in four sections:

- r8.1 LYING,
- r8.2 PERMISSIBLE LYING,
- r9 EXAGGERATION and
- r10 GIVING A MISLEADING IMPRESSION.

After first emphasizing that lying is 'among the ugliest sins', the *Reliance of the Traveller* goes on to say that '... lying is sometimes permissible for a given interest, scholars having established criteria defining what types of it are lawful.'¹ A *hadith* is then cited which reports that Muhammad permitted untruth in warfare, settling disputes (as shown by the *hadith* cited above), and between husband and wife to 'smooth over differences'.

The *Reliance* then quotes the renowned Islamic authority al-Ghazali:

Speaking is a means to achieve objectives. If a praiseworthy aim is attainable through both telling the truth and lying, it is unlawful to accomplish it through lying because there is no need for it. When it is possible to achieve such an aim by lying but not by telling the truth, **it is permissible to lie if attaining the goal is permissible ... and obligatory to lie if the goal is obligatory.** ... Whether the purpose is war, settling a disagreement, or gaining the sympathy of a victim legally entitled to retaliate against one so that he will forbear to do so; it is not unlawful to lie when any of these aims can only be attained through lying. But **it is religiously more precautionary ... in all such cases to employ words that give a misleading impression,** meaning to intend by one's words something that is literally true, in respect to which one is not lying ...

One should compare the bad consequences entailed by lying to those entailed by telling the truth, and if the consequences of telling the truth are more damaging, one is entitled to lie ...²

1 Nuh Ha Mim Keller, ed. and trans., *Reliance of the Traveller*, p.745.

2 Ibid., p.745-46, paragraph r8.2.

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Essentially al-Ghazali is advocating a utilitarian ethic, that in lying, the end justifies the means.

The editor of the *Reliance of the Traveller*, Nuh Ha Mim Keller, cites 'Abd al-Wakil Durubi to offer an example of the difference between lying and giving a misleading impression. If someone asks you whether a particular person is present in your house, and you do not want to give the person's whereabouts away, you could lawfully give a misleading impression by saying 'He is not here', meaning the empty space between you and the questioner, but intending that the questioner would think you are referring to the house.¹

¹ Ibid., p.748.