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The Present Situation – History and Background

Globalization is a subject of great significance for Europe, too. The world has moved closer together. This is true also for the Islamic world and Europe. New chances for the shaping of a shared future in the twenty-first century, as well as challenges, result from this situation.

North Africa is closely linked with France by virtue of its colonial past, as are Bangladesh, Pakistan, and India with Great Britain. Nearly two million Muslims live in Britain; in France about six million; in Germany 3.2 million. The immigration of Muslims to Germany began roughly 45 years ago when, in the post-War period, the recruitment of workers from southern (and southeastern) Europe and, later, also from Anatolia (Turkey) appeared to be the solution for an expanding labor market.

The first ten thousand Muslims came to Germany beginning about 1960. They were primarily male workers without families; women and children followed later. Through revolutions and wars (above all, the Iranian Revolution of 1979, the war in the Balkans, and the Iran-Iraq war from 1980 to 1988), through the influx of refugees and asylum-seekers, and by virtue of a higher birth-rate compared with the Western population, the number of Muslim immigrants in Europe increased to roughly sixteen to twenty million persons.

Even in the last twenty years, when this development was foreseeable, European countries found it difficult to consider themselves as countries "open to immigration". There was repeated failure to discuss cultural, social, and political as well as religious commonalities and differences, to consider the mistakes that were made, and to work out rules for life together in the future. The German society, for example, assumed all too

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[1] Conference paper presented at Europe International House Pécs/Hungary, November 22, 2005 at the conference "Continents – Globalisation – Security", November 22-23, 2005

naturally that these people would prefer the Western, secular way of life to their own tradition, would give up their religious-cultural roots over time, and would "assimilate" themselves. Today, it is clearly evident that in many parts of Europe a contrary development – a return to tradition and a retreat into a world of one's own – long since has begun.

Most of the Muslims who live in Europe today will remain; their number will continue to increase. The political or economic situation in their home countries frequently offers them no perspective for a return; their children and grandchildren have grown up in Europe and they, too, will not return.

In view of this situation, several challenges result:

1. Social Aspects

Never before have so many people from the Islamic cultural sphere lived permanently in Europe. But, are they also at home in Europe?

Many young people of the second and third generation speak too little German (or French, Spanish, or Dutch) to be successful in a vocation. What future do these young people face? Not a few of them retreat into their own world, their own language, the mosque, and the Turkish or Arab neighborhood.

Forced marriages and murders of honor occur precisely within the parallel society in which its members take justice into their own hands. At long last, the duty of speaking the language of the host country finally is being discussed openly in Europe. Without the command of the language, there is no integration; without integration, there is no vocational success and no shared future.

Neither the immigrants nor their host countries originally reckoned with a permanent life together. Both sides at first thought their coexistence would last only a few years. Especially the majority society concerned itself too little and not intensively enough with the cultural and religious peculiarities of the immigrants. The "other culture" was either admired uncritically or ignored and rejected. The knowledge about Islam among many people in Europe is still too undeveloped. Many Muslims, at first, wanted to become "Europeans", but then turned away in disappointment. Many make contact with a mosque that preaches distance and withdrawal, and extols the nationalism from the home country and Islam as an identity as an alternative in a "godless" Western society. Then, it is perhaps only a small step to a turn toward political Islam (Islamism) or even to extremism.

A New Situation for Both Sides

The situation is new not only for Europeans, but also for the Muslim communities. They must undertake a new definition of their theological and political-social position here in the "diaspora" in a non-Muslim Western society. Many questions arise: Is it possible in non-Islamic countries to do without the amplification of the call to prayer by loudspeaker – in Muslim countries an everyday occurrence? May meat slaughtered by non-Muslims (and, of course, not *ritually* slaughtered by them) be eaten by Muslims – a situation that hardly ever will occur in Islamic countries? How are the Islamically-based social conventions (no contact between young men and girls) to be adhered to in a liberal, pluralistic society in which only a few people still stand up for religious values? Is one's own son allowed to marry a German, non-Muslim woman who possibly judges the family of her husband to be "unbelievers"? All of these are questions that never arose in the Islamic land of origin, and are questions to which the Muslim community must find answers, answers which can turn out to be quite different even within the Muslim community.

But even beyond the conduct of daily life, many questions arise in regard to religion: How can the Islamic faith be passed on to the younger generation that lives in the midst of a pluralistic secularized society that often is not very much characterized by visible ethical and religious values? Many families begin to practice their religion for the first time in the diaspora, in the desire to preserve their cultural roots. Others observe the regulations more strictly than they do in their lands of origin. Especially in Turkish Islam in Germany, a conservative religion is thus "conserved" that hardly exists in this form in present-day Turkey.

And how does the Western majority society act? Does it understand the tall minaret, which perhaps towers above all the other buildings in the neighborhood, as a cultural enrichment or as a threat? Or perhaps in earlier years as an enrichment, but today as a threat? Does it believe the peaceful declarations from the neighborhood mosque association, or does it consider the mosque to be the meeting place for "sleepers" and terrorists? Are the people who pray there those who practice their religion, or those who form political cells? Is the headscarf worn as a personal confession of faith, or as a political symbol? Do European societies at all desire a coexistence with the immigrants? And, does the majority of immigrants today still desire integration? How far do the tolerance and freedom of democratic societies reach, and where does indifference or rejection begin?

2. The Political Challenge

Today, everyone is aware of what is meant under the subject of the "political challenge": Many people in Europe in the last thirty years considered the occupation with this political dimension in Islamic countries to be subject matter appropriate for some Near East experts. It was assumed for a long time that extremist efforts limited themselves to internal conflicts in countries like Algeria, Palestine, or Iran. Today, this view has changed fundamentally, and quite rightly so.

Whoever focuses one's attention only on countries such as Afghanistan as areas of refuge for extremist networks will no longer grasp the present-day situation in all of its implications. European metropolis also have become the scenes of terrorist attacks, among them Amsterdam, Madrid, or London, which for quite a long while has been considered to be the hub of international political Islam. With logistical and financial support from the Near and Middle East, Europe has become the area of refuge and action for extremist groups. Mosques and Islamic centers have become scenes of significant incidents. International Islamistic terrorism, long underestimated in regard to its significance and its claim to power, has not stopped before the gates of Europe, but rather today – as dreadful as this conclusion is – has become an element of European reality. It is no longer the only goal of present-day extremist groups to pursue the conflict in and in the vicinity of Israel in the Middle East, or to struggle against the regimes in their own Islamic countries they deem to be "open to compromise" or "un-Islamic". Horror and terror are carried into the Western world, too, in the name of Islam, and Muslims as well as non-Muslims are killed because they are representatives of the "godless West" or because they are "collaborators" with it.

Islamism as a Political Power

Of course, political Islam does not consist only of violence and terror. Violent extremism is only one wing of political Islam and, in terms of numbers, on the whole a small spectrum. That area of Islamism that pursues its goals by legal means, with a strategy, with financial resources stemming in part from foreign donors, with well-schooled personnel, but not with less determination, is also to be counted as a form of political Islam. Politically motivated Islam exerts its influence over mosque associations and umbrella organizations, and this in two ways. First, it declares itself as organized Islam to be the spokesperson of "the" Muslims in Germany, and employs titles such as "Zentralrat der Muslime", although this

"central council" is likely to represent less than one percent of the Muslims in Germany. Altogether, from five to, at most, ten percent of all Muslims in the country belong to one of these organizations, that is, a minority. Nevertheless, politically organized Islam formulates statements proclaimed to the public. Since the Muslim community has no membership status or hierarchy comparable to those in the churches, organized Islam thus appoints itself to be the partner in dialogue with the church and to be the contact organization for the state, although a majority of at least 90 percent of all the Muslims in Germany do not desire to be represented by one of these organizations.

Representatives of Islamism seek influence in universities and in politics, demand equality with the Christian churches and increased rights, or even demand adjustments in legislation (the law for the protection of animals had to be altered to allow special permission for the ritual slaughter of animals not previously numbed). Other points of contention carried before the highest courts in the last few years also include the question of the headscarf for women teachers with civil servant status, or the call to prayer broadcast by loudspeaker.

The pre-eminent goal is the recognition of Islam as a religion possessing equal rights in Europe, and the acquaintance and pervasion of Western society with Islamic values. The second step is the establishment of Sharia, the Islamic order, first of all over the Muslim community. But, in addition, politically organized Islam also has an effect within the Muslim community through its desire to urge Muslims in Europe to adopt a stricter observance of Islam. If female teachers from organized Islam give instruction in religion in the public schools while wearing the headscarf, and if they thus display their traditional role that legally discriminates against women, then the pressure upon female students in this environment to wear the headscarf more frequently obviously becomes greater. Thus is a traditional, non-enlightened Islam fostered and carried into the parents' house.

Consideration of the background of political Islam, thus, is today neither "far-fetched" nor an off-beat intellectual field of activity, but rather is of the greatest significance for European society. Neither scare tactics nor minimalizing of the risk nor generalizing are appropriate here. A sober stocktaking is required.

Differentiation Creates Sobriety

If the background and motives of political Islamic groups, on the one hand, are recognized and analyzed soberly, then this will contribute to the sophisticated perception of the Muslim community and, in the end, to the

avoidance of false judgments. If apolitical Muslim groups distance themselves emphatically from violence, terror, and Islamism – indeed, it is even more valuable if they find arguments in the Koran and the writings of Muslim theologians that reject the justification of a violent Islam – then this will serve to make more clearly discernible the differences existing between it and the peaceful majority in the Muslim community in Europe. Neither a resistance directed against Muslim neighbors and fellow citizens arising out of fear, nor a minimalizing of the political activities of the known groups, will contribute to peaceful coexistence and the constructive shaping of a shared future.

Making an Accounting is Required

Critical questions also must be allowed if the urgently necessary objective discussion is to take place, critical questions of the majority as well as of the minority society. Subjects of such questions could be the mistakes of the past, the failed integration, but also subjects such as forced marriages and so called murders of honor. Both have existed in Germany for more than forty years, but until recently were of little interest to the majority society. The fact that today there is rather an increase in murders of honor, and that there is still a large number of forced marriages of young Turkish girls in Germany, at the same time poses the question about the defense of European values, such as how women are to be protected, and how European notions of the equality of men and women are to be established in an environment that, through the importation of antiquated traditions, fundamentally questions these values. Only a sober discussion of present problems will bring us a step forward.

3. The Question of Religion

In a time in which, in the West, the general mood is that religion has hardly any public significance any more and, in the consciousness of many, is so characterized by the Enlightenment and secularization that it has only little to do with the European order of values, Islam appears as an exceedingly energetic, worldwide networked, and above all self-confident religion with an apologetically presented claim upon absolute truth.

In Islam, of course, we encounter not only a religion, but also a social system that is clearly bound with religion and tradition. At the same time, religion is in a much greater measure an element of daily life, of public life, and of the family than is the case in general in Europe. The tradition woven closely together with Islam contains detailed rules in regard to

clothing and food, feasts and holidays, the conduct of men and women, marriage and divorce, the relationship of Muslims to non-Muslims, and war and peace. Because tradition and faith are bound closely to each other, and the tradition is grounded in religion, the tradition retains a determinative power in daily life. For this reason alone, it is not easy to separate the political sphere from the religious one in a question such as the significance of the headscarf or the function of the mosque. With religion and tradition (which does not always have to be specifically Islamic), social and political aspects are bound together. Thus, the headscarf is for many Muslim women simply more than only a personal confession of faith, but rather also stands for recognition of the legal stipulations in Sharia concerning marriage and the family, and of the legally disadvantaged position of the woman. Thus, the significance of the headscarf altogether goes far beyond a personal confession.

By virtue of the fact that Islam raises the subject of religion anew, Western society, too, will have to ask itself what values it wishes to defend. Do the values of European society rest upon the foundation of a Jewish-Christian legacy? If so, must this Jewish-Christian legacy be preserved in order to be able to preserve Europe's central values? Or, can both be decoupled from each other? The in part heated debate, within the framework of a possible entry of Turkey into the European Union, about whether Europe is a "Christian club" or not definitely has shown that this question in the last analysis always maintains an unspoken presence in the course of the confrontation with Islam. European countries first must answer this question for themselves before they will be able to give an acceptable answer to Turkey.

Discernible is also the fact that Islam has gained in attractive power rather than lost. One today can no longer speak of the much-invoked "wearing down" of religion in the second and third generation. There is certainly the sphere of "secularized" Islam – Muslims who pursue the same forms of leisure time entertainment, as do European or German youth – but considered as a whole, Islam has remained a lively religion among the immigrants. Not, perhaps, in the sense that every individual Islamic religious regulation is observed to the last detail in every family, but indeed in such a manner that Islam offers support and identity. It is, in part, the case that precisely young people – after their parents have lived a relatively enlightened form of Islam – again turn to a stricter observance of Islamic regulations.

Concrete Fields of Discussion

A sign of a detailed treatment of the subject of "Islam" would be a discussion about concepts and content that, in another religious-cultural context, could have a different meaning.

A.) The Question of Human Rights

There is, for example, the discussion about human rights. Muslim organizations have emphasized repeatedly that Islam not only respects human rights, but even has formulated more extensive catalogues of human rights than the West and is really the "author" of all human rights. At the same time, however, a second look at the contents of the human rights declarations in the Western and Islamic contexts reveals clearly that all the Islamic declarations place the Sharia as a preamble before any kind of human right. In practical application, this means that an apostate can no longer demand any human rights at all, since he, according to the stipulations of Sharia, has committed a crime worthy of death and, thus, can no longer claim any religious freedom or other human rights. In the opinion of the vast majority of Muslim theologians, the right to religious freedom and human rights ends with the defection from Islam – even if the death sentence only rarely is carried out by courts, but in most cases is done so by the offender's family or the society.

Here lies the real focus in the discussion between the Western and the Islamic understanding of human rights, and not in the superficial discussion of whether Islam recognizes human rights at all. If, however, there are reports from all Islamic countries about violations of human rights and limitations upon religious freedom – especially for converts – then these become understandable only in the context of the official Islamic definition of human and minority rights. Only on the basis of a detailed knowledge of the religion, culture, and legal system of Islam will it be possible to conduct this discussion at all in wider settings and in the public realm.

B.) Suicide Attacks

Another example: The terror attacks from 2001 and the following years were condemned repeatedly from the Muslim side with the argument that the Koran emphasizes that the one who kills a human being has *"killed the whole world"* (Sura 5: 32). Numerous Muslims emphasized that the attacks are in no way to be justified with the aid of Islam.

It is correct that the Koran (Sura 4: 29), as well as also Islamic tradition, disapproves of murder, just as well as it does suicide. Murder is one of the serious crimes listed in the Koran. The tradition explicitly condemns sui-

cide: Whoever commits suicide out of the fear of poverty or out of despair will not enter Paradise.

Of course, those who carry out attacks in Palestine and other places do not consider themselves as those who commit suicide, but rather first of all as martyrs, that is, as human beings who fight and die for the cause of Islam, for the cause of God. An attack that is carried out with the high probability of the attacker's own death is hardly ever interpreted as suicide, but rather as Jihad, as commitment to the cause of God, as the final weapon against the wrongful oppression of the community of Muslims. The Koran promises martyrs entry into Paradise (Sura 4: 74), without examination of their faith: *"I will let no action that one of you commits go unrewarded, whether it is done by a man or a woman… And those who, for my sake … have suffered hardship, and who have fought and been killed, I will forgive them their bad deeds, and, as a reward from God, I will let them enter gardens in whose valleys streams flow. With God, one is rewarded well"* (3: 195). The martyr, however, can expect Paradise (Sura 47: 4-6). *"And if you are killed or die for God's sake, then forgiveness and compassion from God are better than what you manage to do"* (3: 157).

C.) The Question of Tolerance

Another example is the question of tolerance and of the concept of tolerance. A frequently expressed reproach made by Muslim apologists is that Islam accepts Christianity, but the Christians do not accept Islam. It is not infrequently pointed out in this connection that Muslim conquerors – in contrast to the Christian churches and crusaders – did not force the Christians to choose between conversion to Islam or death. In addition, so the argument, Muslims accepted Jesus Christ quite fundamentally as a respected prophet and the Old and New Testaments as revelations, while Christians refused their recognition of Mohammed as well as of the Koran, also.

Here, too, a discussion about the concept of "tolerance" easily moves in the wrong direction without a detailed knowledge of Islam: What is understood under the term "tolerance" within Islam? In any case, not the recognition of another religion on an equal basis. The Koran already makes clear that Mohammed, to be sure, campaigned for the recognition of the new religion by Christians (and Jews) and urged Christians and Jews to become members of it, but, in his later years, after the Christians of his time refused to follow him, he considered the Christian faith more and more to be blasphemy and the Christian revelation to be falsified. Christians in areas conquered by Islam, indeed, were permitted as a rule to retain their faith. But, they became subjugated persons (Arabic: dhimmis – protected minorities),

who paid taxes for their "unbelief" and had to endure many legal disadvantages, even persecution and death.

The Koran, indeed, certifies the Old and New Testaments as God's revelation, and Jesus is a respected prophet in the Koran. But, he is respected only as a "herald of Islam", as a precursor to Mohammed who is only a human being and who brought salvation to no one. Jesus, so the Islamic position, was falsely revered by the Christians as God's Son, and thereby they distorted his "originally Islamic" message completely. The Christian revelation as a "falsified text", is given only very little respect in Islam, and the person of Jesus as it is represented in the Old and New Testaments, just as little.

Worrying is the fact that many Muslim organizations in Europe today urge that nothing "negative" be permitted to be published any more about Islam, since this would mean discrimination. In other words, everything not written from the Muslim point of view is to be prevented from being published (a development that is far more advanced, for example, in Great Britain thanks to the efforts of Islamic lobbyists). The point of departure for these considerations is the dhimma status assigned in the Muslim view to the Christians, that is, the status of the protected minority that is placed under Islam and is subjugated to Islamic law. Here, how "awake" Western society is will be very essential as it follows this development, as well as to what extent it is ready to defend the freedoms of the press and speech established only after great effort.

D.) The Question of Women

A further example is the frequently cited situation of women. Here, too, a detailed knowledge of Islam would lead to a better initial situation in the discussion and, finally, to more honesty in regard to the really controversial points. Muslim apologists emphasize that the woman in Islam enjoys equal status before God with men and, indeed, that Islam endows the woman with true dignity, freedom, protection, and respect. In the Western view, a woman with headscarf and cloak is an "oppressed creature". What is right?

The Koran, indeed, speaks of the fact that man and woman were created equal before God, without giving an indication that the woman might be a creature of "less value". At the same time, the Koran speaks – and the Islamic tradition even more clearly – of the different duties assigned to the man and the woman, from which different rights are derived and, indeed, with which the legal discrimination of the woman is sanctioned. She is legally discriminated against in the law of inheritance (she inherits only half of what the man inherits), in witness rights (her testimony is worth only half as much as the testimony of a man), and in marital law (a divorce

is made more difficult for her; in some countries it is almost impossible; in most countries, polygamy is allowed for the husband). A foundation of Islamic marital law that is recognized everywhere is the wife's duty to be obedient and the man's right of discipline in regard to her that forbids her to make her own self-determined decisions against his objections (to leave the house, to maintain contacts to persons of whom he disapproves, and similar restrictions). If she does not render him this obedience, then, according to the opinion of the majority of theologians, he is permitted to resort to means of discipline in accord with Sura 4:34.

It is, thus, much more this marital law (polygamy, duty to obey, discipline, law of inheritance) – that, in the Islamic world, is interpreted in the vast majority of cases in a conservative sense (Turkey forms a certain exception to this rule) – that stands much more in opposition to European conceptions of law than does a piece of clothing. But, these controversial "women's questions" have appeared to the present only too seldom in public discussion.

Summary

It is not necessarily the case that the same content lies at the root of the same concepts. This cultural-religious content results rather from the specific cultural-religious-political context in which it originated. Concepts such as "tolerance" and "equality" – robbed of their occidental roots – cannot simply be transferred without problem to other cultures and religions and then, as a matter of course, also offer the same content.

The present debate about the foundations of this society, and about the confrontation with a quite different value system and religion, has in a sense forced itself upon us with all its might. This frightens us deeply and, yet, at the same time opens paths to a sound discussion, as long, then, as Western society is able to resist falling into panic and raising the barricades, but rather is able to take stock soberly of the conditions in its countries and among the immigrants, and to seek constructive solutions. Perhaps the debate about "integration" also is so agitated because the cultural-social or religious peculiarities of Europe, which should be defended here, have been defined clearly only in rare cases. Does Islam perhaps make Western society's lack of goals and values particularly clear?

The majority of Muslims that lives and thinks apolitically in Europe and is worried about the rights that Islamic groups bit by bit successfully demand, expects an answer from the state, whose task it is – on the basis of a

detailed knowledge of Islam – to arrive at a reasonable demarcation over against political forces. There can not be any double legal standard – neither in regard to the position of women nor in regard to the recognition of polygamy, for example – for only an agreement upon a shared legal and value system will be able to guarantee the preservation of our state in the long run. It is rewarding to argue and to struggle for these shared values and to defend anew Europe's foundations for society, church, and state.

2 The Challenge of Islam: Are we Equipped?[2]

It would almost seem as though many people in Germany have only started taking notice of Islam since the terrorist attacks of September 11 shook the world. "Terrorism" and "The West" were, in the minds of many people, two separate worlds. Terrorism only happened in far – away countries, like Africa, Algeria, or the Middle – East. Since the aircraft attacks of "Nine-eleven", and successive terrorist attacks, often prevented in Europe by the security services, but succeeding in other parts of the world, this perception is changing. The awareness of the existence of Muslim extremism, and it's potential threat, has increased.

Are we, however, better informed now concerning Islam itself? Islamic extremism represents an alarming and spectacular threat, but is only a very small spectrum contained within Islam. It is not enough to be preoccupied with Islamic extremism, even though it certainly deserves urgent attention. It behooves us to acquire an over-view of Islam in it's entirety, and not simply an imaginary, self – constructed picture. Islam's own assumptions, it's theological variety, it's various goals, the specific goals of the Islamic community here in Germany, and the network of international relationships.

Are we adequately informed about Islam?

First and foremost we must be correctly and thoroughly informed. This statement sounds so self – evident that one would think it requires no further comment. It does appear, however, that this fundamental requirement for mutual understanding has been neglected for too long. Muslims have not only been living in Europe since the eleventh of September 2001, and did not appear here in Germany unexpectedly and overnight. As far back as 1961, that is, more than forty years ago, the first work-permits were issued for Turkish workers, recruited by the then government. The recruit-

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[2] Shortened version of: Christine Schirrmacher. "Herausforderung Islam – Sind wir darauf vorbereitet?" in: Evangelische Verantwortung (EAK der CDU/CSU) 11/2003: 7-12

ing of Turkish workers was halted in 1973, but the number of Muslims has increased to approximately 3.2 million – through the coming together of families, through a proportionally higher birth-rate than the rest of the population, as well as refugees and people applying for asylum. Amongst the Turkish population of about 2 million that form the Islamic landscape in Germany, there belong a large group of Kurds, and other minority Turkish groupings. About 150 000 people have not yet been able to return to Bosnia, several hundred thousand people have come from various Arabian countries, such as Morocco, Tunisia, and Egypt, as well as in excess of 100 000 Iranians, who fled from Iran after the outbreak of the Iranian revolution in the 1980's, and the Iran/Iraq war of 1980 – 1988.

From a theological perspective, the main group in Germany are the Sunnites, (also worldwide) with about 2.6 million adherents, followed by the Shiites, with around 600 000 followers. To this latter group belong also the Alevites, with about 400 000 followers, mostly from Turkey and Syria, as well as about 50 000 members of the Ahmadiyya movement, dismissed as a sect by other Muslims, but viewing themselves as strict and faithful Muslims, and very active in the building of mosques in Germany. Around 600 000 Muslims have German citizenship, including about 10 – 12 000 German converts.

Well, so much for statistics. Have we appreciated the variety contained within the Islamic community within our society? What is to be discovered behind such bland labels as "Sunnite", "Shiite", or "Alevite"?

All of these theological groupings, which sometimes coincide with ethnic origins, possess their own views of state and democracy, of life in a secular, postmodern society, and are, to varying degrees, bound by obligations to observe Sharia, the complete Islamic law, containing not only regulations concerning crime, punishment and civil law, but also directions concerning moral and religious observance.

Developments and tendencies amongst Muslims in Germany

The first generation of "Gastarbeitern" (Guest – workers) in Germany had the self-declared goal of working in Germany for a few years, and, having gathered up a modest pile of wealth, returning back home to Turkey. These plans changed, however, partly because of negative economic developments in Turkey, and also because the second and third generation of children were growing up here in Germany. In the 1980's, at the very

latest, one could see that most of these people now intended to stay. The assumption was, where this development had even been taken notice of, that these people would simply adapt themselves to western secular society, relinquish their religious-ethnic customs, and in time be "assimilated" within the rest of society. Nowadays it has become evident that this has not happened, and that rather, a reverse dynamic has come about.

Two examples:

1. Children brought up in Germany, but with poor German – language skills

It still happens that immigrant children – especially from Turkey and Arabian countries – commence primary school,[3]and are unable to speak German, having grown up so far in an exclusively Turkish or Arabian environment. This often is exacerbated by the tendency for Turkish Muslims living in Germany to marry relatives from Turkey. (Marrying a cousin is seen as particularly advantageous) Muslim immigrants in Germany often hold to strict Islamic rules of etiquette, concerning the strict separation of the sexes, the women being largely confined to the home, while husbands and fathers deal with all matters requiring contact with the outside world, sometimes even the weekly shopping. This means that married women living in Germany seldom attend German language courses, or establish any kind of contact with German society. Additionally, many immigrants choose to live in city-districts with high proportions of Muslim residents, leading to the formation of "Little Istanbuls", where all social and business affairs can be catered for by Turkish people, from hairdresser to baker, shopkeeper etc… as well, of course, the local mosque. It becomes possible to live on a daily basis with no contact at all with German society, and such contact as there is is often experienced as unpleasant and unfriendly. The resulting weakness in German-language skills often displayed in second and third generation Muslims has already led to the not-uncommon situation that secondary or special school leavers have little or no academic qualifications, and in considerably higher proportions than their German peers. One has to ask oneself what these young people have for a perspective, or future, with such a difficult employment situation in Germany.

The discussion concerning a compulsory pre-school year for immigrant children to gain language skills is a step in the right direction, and long overdue. In Germany, the debate concerning "Leitkultur" (The "Leading Culture") sparked off no small controversy, (typically German, one is

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[3] Primary school children in Germany generally commence schooling when they are six years old.

tempted to comment) but it has long been clear in other countries with a high immigrant population that integration, success in job and career, and a healthy identification with the new homeland, with it's laws and customs, begins with a thorough founding in the language, and is not possible without it.

2. Withdrawal into Mosque and family

It is clear that Islam, as a religion, has become more, rather than less attractive. The frequently propagated idea that religion would become "watered down" in the second and third generation is no longer mentioned. There are, of course, "secularized" Muslims, who go in for the same kinds of leisure activities as their German peers, but all in all, Islam has remained very much alive as a religion among immigrants, perhaps not every small point of Islamic law being minutely observed in every family, but sufficiently so for Islam to offer a foundation and identity. Religion and custom are currently more strictly observed here, than in the country where the immigrants come from, and young people who form the second and third immigrant generation, whose parents live a fairly relaxed and "enlightened" form of Islam, are returning to a lifestyle of much stricter religious observance (examples being headscarves and fasting). In many surveys, Muslim youths often emphasize that the majority of them feel not only unaccepted, but clearly marginalized and discriminated against. Research amongst young people, such as the well-known "Shell Youth Study" demonstrate that Muslims and Non-Muslims in Germany keep themselves very much to themselves, and cross-cultural friendships are still more the exception than the rule. Thus, broad German society and culture remains opaque to Islamic sub-culture, and many Muslims remain ignorant concerning German society. They no longer live in Turkey, but have not really "arrived" in Germany, in terms of language, emotional identification, and active participation in German society. When difficulties and academic failure at school combine with experiences of rejection, and increased attachment to the local Mosque (which often will preach distance and withdrawal from German society, propagating Turkish nationalism and Islam as an identity) then it seems often that openness for broad German society and chances of successful integration are lost forever.

Only a more thorough knowledge of Islam, and the current developments among Muslims in Germany, including the special cultural facets of Islam, such as family values, will put us into the position where we can possibly have any kind of firm basis for thinking of ways to influence this development. This is also the only way we can avoid the situation where we only start to notice certain negative developments when the threat to

German society has already formed, (for example, recent events concerning the "King Fahd Academy"[4] or the long drawn out legal proceedings concerning the "Caliph from Cologne"[5]) It will not be sufficient merely to become familiar with the mind – set of a few violent extremists, but to get to know the thinking, faith and life of the Muslim minority as a whole. As long as this lack of knowledge concerning Muslim cultural values (such as the concept of "Honor and Shame" or the role of women) persists, then we will continue to have situations such as desperate women schoolteachers, who cannot understand why one of her male pupils refuses to acknowledge her authority in any way, and why his elder brother has him considerably more under control than she does, or why one of the girls in her class, whom she considered fairly modern and open-minded, suddenly, and without any warning, is bundled off to Turkey, for an arranged marriage, shortly after having participated in a school field – trip.

Western societies will only be able to define religious and social freedoms and boundaries for themselves, as well as for religious minorities – some of whom also have a political agenda – through a deeper and more thorough understanding of Islam.

Barriers to Religious Freedom?

A discerning knowledge of Middle-East culture will enable us to form a well-grounded and sober assessment of our own Western culture. This assessment will make it possible to differentiate between the demands made by religious groups which can be readily accepted, and fall into the category of "Religious Freedom", and those demands which call into question the basis for western society – values only relatively recently won, after hard struggles, and seen as great triumphs. (for example, sexual equality) This brings to light a distinguishing feature of Islam, namely, that it sees itself not just as a religion, but as a forming-influence in society, and, according to the views of Islamic authorities, a would – be political system. Islamists will therefore ever be attempting to re-order existing orders in society, to make Islamic law (Sharia) become more and more bind-

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[4] Reference to recent controversy concerning an Islamic school in Bonn, Germany, which allegedly taught it's pupils Islamistic viewpoints, including advocating violence under certain circumstances to propagate Islam.

[5] Reference to legal proceedings on the part of the German government to ban an extreme Islamic organization, whose leader has earned the nickname "Caliph from Cologne" The organization is now banned and the aforementioned Caliph is sent back to his home country.

ing. This is also the perspective from which to view the various court – orders which have had to be reached, concerning ritual animal-slaughter, the wearing of headscarves, or calls to prayer over loudspeakers. Also to be sorted into this context, is the striving to build ever larger Mosque complexes, with minaret's built as high as possible, some meters higher, in some cities, than the planning permission allowed, but until now always having been allowed to remain standing. Not a few people in this country are concerned that Islam is working toward their own conversion. Of course, a non-Muslim converting to Islam would be seen as a cause for rejoicing, but is by no means the main strategic direction from the Islamic camp.

Through a deeper understanding of Islam it would be possible to have a more realistic assessment of our own situation, and would enable us to see from what perspective Islam views our society – including the Church. The rather superficial discussions concerning the "Abrahamic Religions" could, with better grounded knowledge concerning the other religion, reach the point where one was able to speak about really sensitive themes, such as the perception of who God is, and what he is like, spiritual revelation, the way the Koran came to be written, why Islam claims to have existed before Christianity, and why Adam is seen as a proclaimer of Islam.

Muslims expect answers

Islam has become an enormous challenge for the state, society and the Church. Muslims, Muslim leaders and organizations expect well thought through answers from German society. They do not expect to be marginalized on a human level, nor discriminated against from our society. Our society has not experienced a "Muslim invasion", but Muslims live among us as people who were invited by German society to come and live and work here. Muslims also expect theological answers, so that they can see in Christianity a group that can be taken seriously, and engaged with in serious dialogue. Answers cannot be reached without a much deeper knowledge of Islam, and by simply assuming that both religions have the same content, or by refusing to face the differences which surface from the respective text traditions, Muslims themselves certainly do not believe that Islam and Christianity are the same, or stand for the same things. Clear Christian standpoints and values, lived-out by Christians in Church and society, would be taken for granted by Muslims, would require no justification, and would, furthermore, receive admiration and respect. Muslims respect this kind of clarity amongst themselves, and theological vagueness,

trying at all costs to maintain a false kind of "chumminess" is recognized for what it is by many Muslims, and despised. The majority of apolitical Muslims who live in Germany are very concerned about the rights which Islamic groups are gaining, step by step. It is the job of the state – from the position of a deeper knowledge of Islam – to find sensible ways of drawing clear boundaries for political groups and influences. There must not be double standards, for example, in the question of the woman's place in society, or acceptance of polygamy, for a state can only survive permanently, if there is common acceptance of the same laws and values. It is well worth the effort of standing up for these common values, in a fair and friendly manner, and to defend the basis of Society, Church and State.

3 Is Multi(Culti) at an End?[6]

"Multi-culti" – a catchword we all know. A concept that today is looked at rather critically but, in past decades, was to a large extent a guideline for the shared life of Christians and Muslims in Europe, even if by far not everyone was aware of this premise. Multi-culti – a result of an historical development into which we have stumbled rather than consciously planned and controlled. A development that, in addition, resulted from the false intellectual premises that accompanied the contemplation of the migration of Muslim workers to Germany, as well as from indifference and ignorance.

Stumbling into History

The history of Islam in Germany begins in the year 1961 – if we disregard the recruitment of twenty Turkish soldiers as "Lange Kerls" for the army of Friedrich Wilhelm I in 1731. In 1961, the Federal Republic of Germany concluded the first recruitment contracts with workers from Turkey. The majority of those who were fathers of families originated from Anatolia. More important than educational and vocational qualifications was the test of physical health – including an examination of the teeth – that had to be passed before entry into Germany was granted. Many came as unskilled workers and participated in furthering the tremendous economic growth in post-war Germany, for which, in a period of full employment, no further reserves of labor could be mobilized within European borders. Many men came without their families, as "guest workers", with the declared goal of returning to their home country after a few years and after achieving some affluence.

But, the economic and, in part, the political situation in Turkey did not appear to be very promising and when, in 1973, the Federal Republic ordered an end to the recruitment, but continued to facilitate the immigration of the workers' families, the return of the immigrants to their home coun-

tries did not take place. On the contrary, many wives and children followed their husbands and fathers and joined them in Germany. Thus, a second generation of Muslim immigrants grew up in Germany. By virtue of a birth rate higher in comparison with that in the German population, streams of refugees from different Islamic countries (above all, Balkan countries, Iran, and some Arab countries), and asylum-seekers and economic refugees, the number of Muslims in Germany grew to today's total of ca. 3.2 million people.

Thus, the history of Islam in Germany does not begin on September 11, 2001, but rather nearly 45 years ago – a fact of which not everyone really is aware. In these years, a number of clearly enunciated guidelines for shared life became established, but there were all the more unspoken ones, too.

False Premises have been Brought along

Contributing to the present problematic situation is the fact that the first phase of shared life beginning in 1961 was accompanied by many false intellectual premises, such as, for example, the assumption in the first two decades that the Muslim "guest workers" soon would return to their home countries. This assumption proved to be completely false, but this fact was acknowledged only very hesitantly. Later, in the 1980s, it was quietly assumed that the integration of those who remained would come to pass more or less by itself – again a false assumption. Indeed, even as late as the 1990s, responsible politicians supported the thesis, sometimes quite aggressively, that the immigrants from a Muslim culture would have "assimilated" themselves to such an extent (according to an original quotation from an interview partner from that time) that their Turkish or Arab background would no longer matter, and that their origin very soon would no longer be recognizable. This, too, was a false assumption, as is all too obvious today.

The second or, at least, the third generation would speak the German language fluently and as a matter of course; special language instruction would not be necessary – once again, a false assumption. And, finally, it was more or less presumed officially that Islam as a religion, and the cultural values founded upon it, would no longer play an appreciable role in the integration of the immigrants and in the shared life of Christians and Muslims, and indeed that the religion of Islam soon would be just as "enlightened" and would lead just as peripheral an existence as Christianity in western societies. – Even to question these intellectual premises was

considered in the best case as politically incorrect, and in the worst case as xenophobic.

Indifference and Ignorance were Cultivated

Added to this uncontrolled development and the false intellectual premises were indifference and ignorance, and this on the political as well as the personal level. An occupation with the developing problems that arose through the permanent residence of the immigrants, the further influx of more immigrants, and the fact that the Muslim communities were left to themselves, for a long time did not take place. If, however, the subject was taken up, then in most cases this was done only hesitantly and half-heartedly. In these first twenty or thirty years, it was not recognized that the second and third generations of working immigrants might need special support programs, but also, on the other side, it was not seen that, in many locations, mosque-centered cultures and political networks had arisen that in many respects vehemently placed the foundations of western society in question. But, since no one saw either religious-legal or cultural-social differences in comparison with the majority society, any special need for action, of course, was not conceded.

It was for this reason, too, that the task of integration was delegated almost without a murmur to the schools, where it was intended that this integration of the working immigrants was to take place without any fuss. Teachers – in most cases without additional budgeted time and without any teaching aids and necessary training – were supposed to compensate, in a certain sense incidentally, for the deficits of Muslim children in integration, culture, and language, and to raise these children to the level of knowledge possessed by the rest of their classmates. While in many locations this may have been managed in the case of individual children by the virtue of a great deal of dedication, this model had to fail when no longer one or two, but rather fifteen or twenty or twenty-five children without German language skills came together in an average school class. For much too long a time it was expected that these extra efforts in German instruction "on the side" would become superfluous, when the grandchildren of the first immigrants finally would speak German well "by themselves". Only today has it been recognized completely that this never will be the case without additional support programs.

But also, apart from grand politics, on a quite personal level, there was hardly any different attitude to be recorded. Muslim immigrants, even in the third generation, remained "strangers" in this country, "foreigners" or

"the Turks" who frequently were addressed with the question: "But you speak German really well. When are you going to go back home?" and who then with irritation could ask in return: "Back to where? I was born in Germany and have a German passport." In addition to the lack of any willingness for encounter among the people of such different worlds on both sides, there were false notions, or none at all, about Islamic religion, tradition, educational values, and culture.

Today, the problems that have grown out of this situation are only all too obvious. Much is sufficiently known:

The language problem has not taken care of itself. On the contrary, Muslim migrant children of the third generation to a large extent speak German more poorly than do their parents and grandparents.

The integration of the immigrants, as well, has not taken place by itself. Even those migrants naturalized in Germany have remained in many respects "foreigners" in the consciousness of the majority population to the present day. They never have been welcomed, never accepted as neighbors and friends. They see themselves as despised and pushed to the margins of society. Transplanted to Germany through a decision made by their parents or grandparents, they to the present day have not yet arrived emotionally in Germany. Many of them today do not desire to undertake any more efforts in this direction.

Instead of integration making any progress among them, a large portion of the Muslim migrant community has concentrated itself increasingly in its own urban neighborhoods and has retreated to the mosques and its own linguistic and cultural sphere.

Non-Integration has been Reaped

The consequences of an integration that, seen as a whole, has not taken place emerge openly today in many places:

Among Women…

Thus, for example, gender problems concerning girls and women, as well as in regard to young men, have become more critical. For young women not only in so far as the number of **headscarves** among female Muslim migrants clearly has increased, but also by virtue of the fact that they are worn at a far earlier age, indeed often even earlier than in the Is-

lamic countries of origin, where the headscarf worn before puberty is unusual. Social workers and teachers in Berlin especially – but also in other urban centers – increasingly observe that girls from six to eight years of age already are beginning to wear the veil, to be taken out of physical education classes, to be withdrawn from class trips, to be denied permission to ride bicycles, and also to be hindered in their movements in public.

Also, the number of those who, under pressure from Muslim political groups, feel themselves forced to wear the headscarf is increasing. Girls without a head covering are, in some cases, scorned, regulated, and threatened, or openly cursed as "whores" by other Muslims in their neighborhoods. Islamic dress regulations and, along with them, the moral doctrine connected with them are gaining ground – right in the middle of Germany.

Forced marriages also are no exception among those of the third generation. "Imported brides" are brought to Germany in part from rural areas of Turkey, in order to procure from among family relations a "clean" and compliant young woman for a son. Conservative husbands often grant especially these third-generation women fewer personal freedoms and rights than those enjoyed by their mothers and grandmothers, who not infrequently were gainfully employed. Their children, again, will be torn between two very different worlds, since they are reared by their mothers from rural Turkey according to Turkish educational ideals and exclusively in the Turkish language and, on their very first day at school, again will not speak a word of German.

And the subject of **honor killings** also is, sadly, a matter of present relevance. Unfortunately, we are not speaking here about a long outmoded custom from a thousand years ago, but rather about a practice carried out in the midst of the major cities of Germany. The last victim, Hatun Sürücü, was shot in broad daylight in February, 2005, in Berlin by her brothers because she "lived like a German" and was "a slut" that "didn't deserve any better" (original quote from several youths from the Turkish community). The number of honor murders in the third generation appears rather to be increasing, and this today when Muslim women who have grown up between two worlds dare, for example, to oppose the marriage plans of their families.

The injured **honor** of the world Muslim community, which the Koran characterizes as "the best community that ever came into being among human beings" (Sura 3, 110), is also at the core of many conflicts between the Islamic and western worlds, in part also in the conflicts in regard to the cartoons first published in September, 2005, in the Danish newspaper *Jyllands Posten*. But, honor also plays a role in the torture scandal at the

prison of Abu Ghraib in Iraq, for humiliation and the loss of face before the entire world weigh more heavily than everything else. And Osama bin Laden enjoys the sympathy of so many Muslims of the most varied origin and point of view because, in the eyes of many, he has restored the trampled upon honor of the Islamic world by rebelling against the continued oppression and the shame inflicted upon the Muslim world and by defying the western superpower of the USA.

… and Men

But, young men also have fallen by the wayside as a result of the integration that has not begun in earnest: Many studies describe them, above all, as the real losers of immigration. Many too many of them feel themselves accepted neither in Germany nor in the land of their parents and grandparents. Often coddled and neglected at the same time in their own families, they are affected by **educational failure** especially frequently at school. This is also because most of them receive little support and encouragement from the home – especially the PISA studies have made clear how decisive the "educational climate" in the family really is for a child's success in learning and at school. Much too often, migrant children leave high school without a diploma (in many Berlin neighborhoods, as many as 70%) or, because they too frequently must repeat individual classes, even must transfer to a special school. The family as shelter and refuge stands over against the lack of success in school and profession: the family cares for them, provides them with excuses, and frequently defends them when they are on trial in court, and thereby is often of no help to them in the process of confronting openly the realities of life and their future in Germany, a land in which educational and professional training – not family members and relationships – are among the basic prerequisites for advancement and promotion.

Without a school diploma, no professional training: It is no wonder that it is precisely young men who are affected by a high rate of **unemployment**. According to statistics, 65% of migrant families live under or barely above the poverty level. Thus, the social progression of the unskilled workers of the first generation of recruits up to the third generation has not yet taken place. Of course, it has been clear for a long time even in regard to the German society, that low income, a weak educational background, and the permanent receipt of public assistance will be passed on with high probability to the next generation. Also within the migrant community at

the present time, there seem to be no signs of social progress, a situation that naturally is not improved by the present situation on the labor market.

Whoever whiles away the time without hope of a job; whoever is denied recognition and a place in society, perhaps will think he can make a quick fortune with drugs or as a pimp, will join a gang, or engage in street fights with others. Unfortunately, making a show of physical strength and exercising **violence** with the use of weapons or fists is a much more frequent part of daily life in migrant families than in comparison with the hereditary German population; sometimes there are fistfights even in the Koran schools. Violence and power are marks of the patriarchal society, and are the evidence here for self-assurance and the power of self-assertion.

The most recent studies show also that, in regard to violence against one's own mother and sister, the number of those who have taken part in such violence is, among migrant children, many times higher than in families without a migrant background. In the process, of course, a certain view of women also is imparted to the young people involved, and the daily contempt and disdain for the woman as an independent personality is internalized. Violence, thus, is experienced as a legitimate method of conflict resolution.

More and more frequently, young men feel themselves rejected, disadvantaged, and discriminated against as Muslims and Turks and react, for their part, with a fundamental rejection of this society, which they ever more vehemently judge as racist. The number of those who consider the Koran and democracy as incompatible with each other is increasing, as well as is the influence of Islamist groups who reach young people through the mosques and the leisure-time activities offered there. When, in this situation, Turkish nationalism, Islam as the religion superior to all others, and the image of the West as godless and corrupt are imparted to them as young people, then more and more frequently a process of **radicalization** begins that makes all the efforts on behalf of these young people in schools, social projects, or public youth work appear almost hopeless.

These young people have grown up in a purely Turkish or Arabic family and living environment. No one ever has imparted to them the standards and values of this society, let alone the philosophical foundations of this culture and its history. This development must give cause for a great deal of concern since, after all, the number of ca. 800,000 young people with a Muslim background is much too high to permit us to continue to neglect the present symptoms as peripheral phenomena.

Today: The Pursuit of Research into Causes

The situation already described must give lasting pause for serious thought. It will not resolve itself, and the problems will not be solvable without the massive efforts of us all. It is good that a more open discussion of the present situation finally has begun, for only a sound, objective discussion that is as free as possible from any intellectual blinders will be able to bring objective solutions to light.

The discussion, though, about present difficulties – as important as it is as a first step – alone will not be enough. We will have to bore a level deeper and also speak about the underlying causes for the present problematic situation: about the foundations of western culture and civilization, as well as about the Near Eastern culture and social order, but also about the foundations of the Islamic religion, not without taking into consideration in the process the fact that religion, tradition, and culture cannot always be separated clearly from each other.

Only well-grounded research into causes will open up paths for constructive integration: Whoever cannot define the supporting, absolutely essential foundations of one's own culture and community of values inevitably must remain uncertain about what he can demand from immigrant society, and about the point where he can begin to enjoy cultural diversity as an enrichment of his own horizons.

The present problematic situation, thus, almost forces the discussion of values upon western society; indeed, it reveals the West's previous avoidance of such a discussion. Only when western society honestly engages in this long overdue discussion of values will it be able to cope with the present crisis and derive lasting profit from it. Otherwise, all that will be accomplished will be superficial touch-up jobs. For this reason, the present crisis is at the same time a chance for defining our position and our goals.

Discerning Islam in its Totality

In regard to Islam in Germany, this means, for example, the necessity of seeing Islam in its entire range as a religion and seeing it in the way that Islam understands itself: as a vital religion pointing the way to the future, but not only as a religion, but also as a social order that, for many Muslim authorities, also possesses a political dimension.

Whoever desires to understand present-day Islam in Germany must deal with its history and theology, and with the founder of Islam, the Prophet

Muhammad, at once the military leader, lawgiver, and community leader. Whoever desires to understand Muhammad's significance for today's Muslims will discover in history and theology that, as the last historical prophet sent by God, he already during his lifetime was considered an unassailable standard in all worldly as well as spiritual affairs, and that the Koran, as a literally divinely-inspired message, has not been subjected to any historical criticism to the present day.

Whoever desires to grasp the Palestinian conflict in its historical and theological dimensions, and whoever wishes to put into proper perspective the anti-Semitic statements of contemporary Muslim theologians and spokesmen, must know how negatively the Koran judges the Jewish community of that time – on the basis of Muhammad's struggles with Jewish groups. Also, that the Koran, to be sure, respects the Christian religion at the beginning of the period of Muhammad's proclamation, but that, toward the end of his life, it more and more vehemently condemns it as distorted. A process must take place that considers, on the basis of these statements from the Koran, what significance is to be attached to these verses as cited in contemporary mosque sermons, and to what actions Moslems are summoned there. And whoever wants to place into proper perspective the violent worldwide reactions, extending even to destruction of property and the murder of innocent bystanders, to the at first insignificant cartoons in a Danish newspaper depicting Muhammad, must know – along with the fact that these worldwide disturbances were fomented deliberately using misinformation – that Muhammad answered the mockery of his own person by the Jewish community in Medina with punitive military campaigns and retaliation beginning in 624 AD – at least, according to Islamic tradition.

Then, when we speak about Islam in Germany, we must recognize that, to the present, too little attention has been paid to the fact that we have to do not only with a Muslim community living in Germany, but also indirectly with political parties, ideologies, theologians, and movements from the Islamic home countries that, in part, exercise great influence on the Muslim community in Germany through the mosques, Islamic centers, and the media. The literature from Muslim legal scholars (muftis) and theologians is available in German in numerous mosques, their sermons are sold on cassette, or their opinions on legal matters are accessible via Internet or email. Whoever exercises influence on the Islamic community in Arabic countries will exercise this influence in a certain sense on European Muslims, too, for local groups here reflect the theological, national, and ideological diversity in those countries and the connections are, in part, quite intensive. Thus, if we want to understand the Muslim community in Ger-

many, then we must look at the same time at the Muslim countries of origin.

In order to make progress in integration, we thus must direct our attention to Islam and its historical, theological, cultural, and political significance. If we ignore one aspect, then our analysis will be based on an incomplete set of assumptions. In the present situation, the social values founded upon Islam are of especial significance, but in the end they have their roots in Islamic law, tradition, and theology.

Naming the Foundations of European Culture and Civilization

Precisely because Islam urgently poses the question about the cultural, political, and religious values of this society, it is high time to think about sound answers. About the answers, namely, that we have avoided up to now, partially out of indolence, ignorance, or an attitude of refusal, but answers that inevitably must be given in order to convert the present situation into something positive. For this to succeed, we first of all need to engage in "stocktaking", that is, stocktaking in regard to the values underlying indigenous culture as well as migrant culture.

Whoever thinks about the roots of European culture and history thereby has not declared him- or herself in favor of a super-culture, or for the creation of a monoculture. To think about one's own roots, rather, is a sign of genuine tolerance and open-mindedness: Whoever does not achieve clarity about one's own self will not be able to encounter others, too, in openness and freedom. A cosmopolitan outlook is called for – and this all the more in an age of globalization – but a cosmopolitan outlook that is conscious of its own history and tradition. Cultural strength can come only from a consciousness of one's own values and their history and tradition. The alternative would be the surrender of one's own self through a disoriented and limitless admiration – and the ensuing absorption into immigrant culture – or the complete rejection of all that may have the effect of being "foreign" here. Both, however, are in no way practicable paths into the future.

Recognizing the Basic Elements of the Jewish-Christian Legacy

Whoever considers European cultural history will recognize that it is based quite essentially upon its Jewish-Christian legacy, as well as upon the Enlightenment. What concrete profit is to be drawn from this, at first, seemingly abstract idea?

The more fundamentally this question is approached, the clearer will the real intersections with immigrant culture be recognized.

Separation of Powers and Equality before the Law

There is, first of all, the separation of powers, an essential precondition for the western concept of the rule of law. It is in no way the chance product of a modernizing society in transition from the Middle Ages to the modern age, and also not the necessary consequence of Enlightenment liberation from the "shackles of the Church". It is much more the case that the separation of the executive power from the legislative already is laid out in the Old Testament as a component part of the Jewish-Christian heritage and is confirmed and strengthened in the New Testament. Closely connected with it is the separation of church and state, the worldly and religious spheres, which, of course, was not always practiced in Christian church history. The classic formulation of this is found in Jesus' call to give the Emperor and God what belongs to each (Matthew 22:21).

The most important consequence of the fact that the separation of legislative and executive powers, the powers of the priest, the proclaimer of God's laws, and of the king, already existed in Israel in Old Testament times was perhaps that the king did not enact the law, but much rather that he was subject to it. If he broke the law – and the Old Testament contains numerous reports about power-mad, corrupt, lawless, and godless kings – he was reminded of God's law by a prophet and brought to account for his failings. Perhaps the most famous example of this is the story of King David, who believed he could abuse his power and commit adultery and murder because he was the most powerful man in Israel. The prophet Nathan, however, confronted him mercilessly with his guilt, for which he had to pay with the death of his first son (2. Samuel 11-12). Derived from this again and again in the Old and New Testaments is the teaching: "God is no respecter of persons" (2. Chron. 19:7, and many other passages).

... in Western Societies

One can dismiss this story as insignificant – yet, it portrays one of the foundations of our concept of the state and our sense of the law. Only when the representative of state power stands under, and not above, the law can there be a possibility of appeal for the citizen against the state. Only in this case does a healthy sense of self-responsibility in the face of an excess of authority or abuse of power grow. Only the person who can call upon the state to act against itself, and can remind the administrators of the law to comply with it, who can demand an accounting from the state or even file suit against it, is a free citizen who possesses his or her own personal dignity as an individual, and is not just a subject. Only then, when there is a counterweight to state power – the possibility of appeal to the highest instance – can justice and an administration of justice bound to the law arise. Hand in hand with this goes the prohibition – which also was formulated already in the Old Testament (Exodus 23:8) – on accepting bribes, that is, putting the law up for sale – the epitome of the door to injustice.

When a person in public life arrogates things to him- or herself that would not be possible for a common citizen – such as tax evasion to the sum of millions, or the unlawful use of personal advantage – the inhabitant of the western hemisphere rebels. But, why should this be? Are not those who work hard and bear great responsibility also permitted to enjoy more extensive rights? The fact that this, as ever, is not the prevailing conviction and general public opinion, but rather that a just punishment of such lawbreakers, even those in the highest positions, is expected, is to be sought above all in the fundamental Christian values of our society – the equality of all before the law irrespective of reputation and position.

and in Islamic Countries

Without wanting to claim in black and white terms that the law in western states is implemented in perfect accord with these principles, one nevertheless will have to see that the contrast with conditions elsewhere is exceedingly distinct when one looks at the foundations of other cultures. Is it mere coincidence that none of the core Arabic-Islamic countries today can be termed a constitutional state?

On the basis of our original consideration that the separation of powers makes the rule of law possible, we can observe first of all that, in the original Islamic congregation, such a separation of powers was renounced straightforwardly in the person of Muhammad, as well as in regard to his

successors, the caliphs. Muhammad, as the religious leader of his congregation and conveyor of the divine message, was at the same time a lawgiver in worldly affairs, as well as the leader of the army and a field general. It is the worldwide goal of Islamist movements to restore this original Islamic unity of state and religious congregation, and to unite the Islamic community under the leadership of a caliph.

What about Muhammad's position in regard to the Islamic law that he himself proclaimed to his congregation? Even Muslim theologians do not deny that, in different situations, Muhammad placed himself above instead of under the law, or claimed for his own person revelations applying only to himself and, in this way, justified special rights for himself (for example, in regard to the large number of his wives, the violation of peace treaties, or the marriage with his daughter-in-law, Zainab, which in principle was forbidden for anyone else).

Is it mere coincidence that no Islamic country today recognizes a citizen's right of appeal against the state in the real sense of the term? Is it mere coincidence that, to be sure, concessions in reaction to obvious injustices are made here and there (as, for example, in the form of the "reconciliation commission" like that appointed by King Mohammed VI in 2004 to investigate the human rights situation in Morocco), but that the common citizen hardly can sue for justice or take legal action against a state that in most cases is experienced as overpowering? Is it mere coincidence that arbitrary arrest, unlimited incarceration without trial and attorney-assisted defense, and, indeed, that overwhelming state power in the form of torture and arbitrariness in many places are nothing unusual? Is it mere coincidence that the question of who gets to feel the despotism of the state and the power wielded by the powerful depends rather upon a person's social position, his family and social connections to the powerful people in the country, as well as upon his financial possibilities when it is a legal question of right or wrong? And, is it mere coincidence that all of this is the case particularly in those countries that plead for the complete introduction of Sharia as the divine law that creates justice? Is it a coincidence that in so many Islamic countries the outcome of a trial is so often unpredictable and that every outcome – for example, an acquittal as well as a death sentence in the case of defection from Islam – appears to be possible up to the day of judgment? Or, that the law in many places appears to be so easy to pervert, and that in many societies it is indispensable, for self-preservation, to avoid government authorities in the search for justice – for example, precisely in the case when a woman desires to file a charge of rape – and not to ask for help and support from those authorities where even greater injustice can befall the petitioner? Or, that the common man on the street does

not experience a policeman primarily as a representative of law and justice, but rather not seldom as someone who first of all delivers him into the hands of injustice?

Monopoly in the Use of Force, and Retribution

To the guarantee of security and the creation of justice in a society also belongs the assertion by the state of a monopoly on the use of force and the renunciation of every kind of private retribution, against which the New Testament already warns (Romans 13). Private retribution, when others repay injustice as they see fit instead of the state and which is bound by its own laws, causes an escalation of injustice, inevitably makes innocent family members liable, and leads to the dissolution of constitutional structures.

There has been family liability and retribution suffered on behalf of others in many societies, not least of all during the Third Reich. It is always a sign of despotism, the more so since it lies in the nature of the matter to overrule the theoretical necessity of a clearly demonstrable injustice and its punishment according to the principle of equality, and to give way to anarchy.

The Koran, too, recognizes the unlimited private retribution practiced in pre-Islamic times, which it limits but does not abolish. It expressly permits retribution for bodily injury and manslaughter through the same such injury or execution of the guilty person or a representative. The representative principle, thus, is not renounced fundamentally. This, too, is an aspect of the current "cartoon dispute", in which, first, Danish products and firms, too, were included under the retribution for slandering Muhammad, and then people of different nationalities, but primarily those of Christian confession, were threatened and killed and the embassies of several countries sent up in flames – they all belonged to the collective group of western societies that were held in wholesale responsibility.

Dignity and Freedom of all People

From where can the dignity and freedom of a human being be derived? According to the Christian view, this is possible above all on the basis of the human being's creation in the image of God, according to which the human being is seen as a distinct, uniquely gifted creature called into life by God. Since the dignity of the human being comes, in the last analysis, from God himself, it is in the Christian view inviolable. This applies to the

dignity of every human being, whether it be a Christian or a non-Christian, a man or a woman, a citizen or a guest, indeed whether a criminal or one true to the law. The idea of the indivisible dignity of each individual is closely linked with the idea of equality before God and the law, but also just as much with respect and genuine tolerance, which can arise only where this legal and natural equality of all human beings is a part of basic consensus.

… in the Christian View

The Christian, who "shall cultivate and preserve" the earth (Genesis 1), experiences this equality and dignity, but also the freedom given by God. He is obligated to keep God's commandments, but he does this as a free creator of his world in obligation to his conscience. Creativity, inventiveness, enterprise, and free scholarship – the foundations of all economic and intellectual growth and progress – but also the freedom of speech, the press, and religion are the concrete expressions of this fundamental orientation in Christianity on the dignity and freedom of a human being. Only Christianity has rejected slavery fundamentally. Important representatives of their faith fought against it despite energetic resistance from the highest authorities, and declared it to be incompatible with human dignity.

Critical thought, reflection upon one's own being, upon life on this earth and in the hereafter, indeed, even the reproach and the accusation directed against God are not taboos already in the Old Testament– one need think only of Job or the psalms of lament, which mercilessly expose the eternal God to criticism by limited human beings. This God is, on the one hand, inscrutable, but, on the other, exhorts human beings to reflect and inquire. For this reason, the Christian faith constantly raises questions, is discussed anew, and is re-examined on the basis of social realities. It inquires, weighs, compares, and questions the meaning of history and personal existence, but also lets itself be questioned in the process – and this, too, already in the Old and New Testaments – without being damaged fundamentally or having to fear for its honor.

Criticism and fundamental questioning of itself, creativity and freedom, did not have to be wrung from the Christian faith, but rather were compatible with its central concern from the very beginning, so that, finally, the ideas of the Enlightenment could be taken up, too – even if the social reality often did not reflect this ideal.

and in Islamic Theology

A comparison with the realities of Islamic theology and the social facts of life shows that these values, too, are not universal matters of fact. In a theology that, to be sure, considers the human being to be a creation of God, but does not grant him the special dignity inhering in a creature made in the image of God, it is then only a logical consequence that the human being primarily is not a free and questioning creature, but rather is a subjected one, a "Muslim" (Islam= submission, devotion). For this reason, the one subjected enjoys basically more rights in the Islamic state than the Jew or the Christian, neither of whom subjects himself to God in the religion of Islam, is thus a non-Muslim, and for this reason is subjected as a second-class citizen in the Islamic state through special taxes or discrimination. In the same way, the man enjoys more rights in Islamic inheritance, witness, and marital law than a woman, for there can be no equality among those who are fundamentally unequal – a fundamental principle of Islamic law.

For this reason, the human being is not bound by his conscience, but rather by the law with its numerous individual regulations regarding foods and ablutions, clothing and the direction in which prayers are to be made, the prescribed formulation of prayers, the prayer times determined to the very minute, and the ritual of pilgrimage. Submission instead of critical questioning, an educational system oriented on the whole much too much on repetition instead of free research, the limitation of personal freedoms such as the freedom of the press or of speech, or the withheld right to found political parties, are a part of daily life in Islamic countries. Art, culture, literature, and religious freedom may have had better opportunities for development to a degree in the past, but however are very limited in Islamic countries today. Sharia recognizes only the right to turn to Islam, but for 1400 years it has threatened the defection from Islam with a death sentence.

There are further aspects that could be examined comparatively, for example the features of the Christian work ethic, which declares every form of work to be valuable because it is service done at the same time both for God and for the neighbor. The educational mission and the care of the sick and the dying, the poor and the handicapped irrespective of their "value", their confession, their sex, or their origins are, in their foundations, specifically Christian values and in no case universal matters of fact.

No Fear of the Discussion of Values

There finally must be a well-grounded discussion about these values, which have their roots in religion, legal thought, and tradition and which underlie a society. It is absolutely not the case that everything that sounds similar is also the "same" in content. Only when the foundations of our society – as well as the foundations of the immigrant society – and their consequences for life together are frankly analyzed and illuminated – for example, in regard to the role of men and women, tolerance, and legal thought – will the values essential for our society emerge. These then also must be demanded of immigrants in order to be able to shape a constructive life together.

However, if this society persists in its uncertainty about its own values and identity, then it will be able to offer only little resistance in opposition to such a challenging culture and tradition that possesses its own firmly established framework of values. In the long run, it will be able only to admire that culture in a disoriented fashion, or must dissociate itself from it for the sake of survival. Both, however, are no alternatives for a common future, which, without any doubt, we must shape together.

A discussion of values and the rules for life together derived from such a discussion, thus, cannot be a sign of arrogance or of a "forced germanization", but on the contrary a sign of good will on behalf of a genuine shared existence. Whoever carelessly casts his or her own history and identity overboard, already has given up him- or herself and will live tomorrow in a crumbling order of values, in which parallel value and legal systems establish themselves.

Christian values supplemented by the Enlightenment and humanism offer a stable framework for a life together that has meaning and exhibits equality. This is because these values make possible the respect of every person, tolerance on the basis of equality, the rights of women and minorities, rights of freedom and religion, and the common shaping of the future in equality and under a common canon of values "without respect of persons".

Islam has become an irrevocable component of German and European society. Let us finally establish common rules. For, a successful life together, because of the divergent notions of values, will not arise by itself. On the contrary, because of the long period of neglect of the problems, greater efforts are necessary today. Politics needs to propose additional programs in the instruction of language and values, for children as well as also for those resident here for thirty years. New solutions are needed for

finding work and training for those who have failed and left school early. Additional educational programs and perhaps even a new housing policy are needed to prevent the formation of additional ghettoes and the development there of independent notions of the law. But, every citizen also has a responsibility in his or her own environment when encounter with others and engagement in politics and society, support und demands, programs and the drawing of boundaries are at issue.

This society at the moment stands at a crossroads: Will it summon the energy to reassure itself once again of its culture and civilization, to find sound arguments for it, and to defend it successfully in the confrontation with other philosophies of life? The future of us all already has begun – let us find the courage to shape it together.

4 Islam – Religion of Peace?[7]

Is Islam really a religion of peace, as for instance the "Islamic Charter" of the Central Council of Muslims in Germany (ZMD) put it in 2002? Does the very term *Islam* have or contain the meaning *peace*? Is *Islam* etymologically related to the Arabic word *salaam* (*peace*, cf. Hebrew *shalom*)? Does Islam live up to its claim to bring peace to mankind?

A person who accepts Islam *"is at peace with themselves and with their environment"[8], or more fully "Islam is the religion and lifestyle of peacemakers. The goal of Islam is peace in all areas ... Human beings are to make their peace with God and to be at peace with themselves and God's creation. Islam means a life of rest and peace in which the eternal grace of God is manifest."[9]*

Does the word *Islam* mean peace?

It is true that *Islam* and *salaam* derive from the same Arabic triliterate root s-l-m, but this need not imply semantic overlap or proximity, since any number of Arabic words may derive from the same root without necessarily having the same or similar meaning.

In any case Muslims lay less emphasis on etymology and stress rather the theological axiom that where Islam is dominant it brings peace.

The common Muslim greeting, echoing sura 6.54, is "as-salaam 'alaykum", "peace be with you", answered by "wa-'alaykum as-salaam", "and to you too peace."

Conservative opinion recommends limiting this greeting to Muslims on the grounds that only Islam and thus Muslims can bring world peace. Non-

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[7] First published in: *Islam und Christlicher Glaube/Islam and Christianity. Journal of the Islam Institute of the German Evangelical Alliance*. 7/2007, 2: 14-21

[8] That's the definition of the "Muslimische Studenten der TU-Ilmenau" (Muslim students of the technical university of Ilmenau): http://www.stud.-tu-ilmenau.de (18.09.2007)

[9] "Die Stimme des Islam" http://www.moslem.at/islam/frieden.html (18.09.2007)

Muslims cannot be real peacemakers. The consensus among Oriental scholars is, however, that Jews and Christians used this greeting in its Aramaic (*salaam*) or Hebrew (*shalom*) form before the birth of Islam.[10]

Scholars who do not render Islam as peace interpret the term as *"entrance into the state of salvation"*[11] and Muslim as *"a person entering[12] the state of salvation."*[13] J. Ch. Bürgel considers *Islam* to be a combination of two strands, *"attainment of salvation through submission"*[14], i.e. without the submission demanded by Islam, no salvation. In addition to submission and surrender Helmer Ringgren sees *"unquestioning obedience"* and *"utter heart dedication to God"* as possible renderings of *Islam*.[15]

There can be no doubt that etymologically *Islam* in Arabic means *"devotion"*, *"submission"*. It was submission to the one almighty God that Muhammad demanded from his Arab contemporaries when around 610 AD he began to preach monotheism and the Last Judgment. The derivate term *Muslim* designates a person who has accepted Islam and means literally *"submitting oneself"*, one who submits or dedicates themselves to God.

Was early Islam peaceful?

The fact is that even in its primitive form Islam neither brought peace either for Muslims or non-Muslims nor did it represent a state of peace. As military commander of his followers Muhammad fended off armed attacks and himself conducted aggressive campaigns, particularly after his move to Medina in 622 AD.

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[10] C. van Arendonk; [C. Gimaret]. Salam. In: Encyclopaedia of Islam, Bd. VIII, Leiden: E. J. Brill, 1995, p. 916

[11] Johann Christoph Bürgel. *Allmacht und Mächtigkeit. Religion und Welt im Islam.* C. H. Beck: Munich, 1991, p. 23

[12] "Here, salvation does not mean redemption from sins through the self-sacrifice of the Son of God but entering the universe put in order by God and his almighty power. It means to be a partner of the almighty power of God". Bürgel. *Allmacht.* op. cit., p. 24

[13] More disputed is the connection between the term 'Islam' and salaam/salvation, covenant of peace or Islam as a synonym for dedicating one's own life to Allah. Helmer Ringgren. "Islam, 'aslama and muslim." in: Horae soederblomianae *2.* Uppsala 1949. pp. S. 2-5

[14] Bürgel. Allmacht. op. cit., p. 24

[15] Helmer Ringgren. "Islam, 'aslama and muslim." in: Horae soederblomianae 2. Uppsala 1949. pp. 1-34

In Mecca Muhammad originally sought recognition and disciples among the Arab tribes and recognized Jews and Christians as possessing divine revelation, even if he did not share their convictions. *"Say: you unbelievers! I do not worship what you worship, and you not worship what I worship. I do not worship what you used to worship. You have your religion, I have mine"* (sura 109). Muhammad did not threaten retribution but appealed for followers and let Muslims and non-Muslims exist side by side. God would be the ultimate judge. *"What I do is my concern, and what you do is yours. You are innocent of what I do, and I am innocent of what you do."* (10:41)

In the context of contemporary dialogue the words of sura 2:256 is frequently cited: *"There is no compulsion in religion"* but this affirmation is subject to differing interpretations. Some think it means those who have already their religion (i.e. Muslims) cannot be compelled to perform certain religious practices, others see it as referring to heart religion which cannot be subject to compulsion. After all, Jews and Christians living in areas conquered by Islam have not as a rule been compelled to submit to Islam but tolerated in their own religious practice.

In Medina Muhammad's role increasingly shifted from that of a preacher warning of impending judgment and calling people to turn to the One true God, to that of legislator for the young Muslim community as well as army commander and warlord.[16] There was also a shift in Muhammad's relationship to Jews and Christians to increasing remoteness and enmity, which for the three large indigenous Jewish tribes in Medina, Banu Nadir, Banu Qainuqa' and Banu Quraiza in the years 624-627 climaxed in repression, expulsion and extermination.

Having consolidated his power, Muhammad made a final attempt in later years to return to his birthplace Mecca and in 632 was ultimately able to make a "farewell" pilgrimage to the Ka'aba just months before his death, thus once and for all incorporating into Islam the pre-Islamic sacrificial and pilgrimage rites. A previous revelation declared banning Muslims from the proper place of worship, the Ka'aba, to be *"more heinous"* than breaking an armistice, and *"persecution"*, *"impediment"* or enticing others away from Islam *"graver than killing"* (2:217). This rather fuzzy definition of *"enticement"* or *"impediment"* furnishes Islamic extremists with sufficient grounds from the Qur'an and the life of Muhammad to declare Muslims

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[16] Compare also the description of the role shifting of Muhammad with Earle H. Waugh. Peace. in: Encyclopaedia of the Qur'an. E. J. Brill: Leiden, 2004, Vol. 4, p. 35

who are impeded in their practice of Islam to be objects of aggression. If planning permission is refused for a mosque or limits set on the height of the building, does that not count as repression and impeding the faithful from practicing Islam? This would justify resistance, since such enticement is *"graver than killing."*

Whatever else it may be, it is definitely injustice on the part of non-Muslims, since only the unhindered practice of Islam guarantees justice and peace on earth. Hindrances put in the way of Islam ultimately impede the implementation and spread of God's rule on earth. *"Muslims are charged with defending the human right of freedom to publicly express their faith in God at all costs, if need be by force."*[17] It is not difficult to imagine how such a struggle for the untrammeled liberty of (Islamic) belief is susceptible to abuse. The emphasis that a Muslim *"must be active in protecting those who invoke God's help in resisting tyranny"*[18] is a call for solidarity with all who could in any way be regarded as an oppressed minority of fellow-Muslims. *"What about you, who do not struggle in Allah's way for the helpless man, women and children who say 'Lord lead us out of this city who inhabitants are oppressors and grant us a protector and helper sent by you!'"* (4:75)

The Qur'an and later Muslim apologetic writings justify the attacks on Jews and Arabs who resisted Muhammad and his proclamation of Islam by arguing the Jews had derided Muhammad and he was acting in self-defense. The Islamic community has an absolute right of self-defense (22:39-40) and to fight those who fail to abide by treaties and who deride Muslims. *"If they break their covenantal oath and disdain your faith, you are to fight the leaders of the infidels … to make them desist."* (9:12) Muhammad led crusades to attack Arab tribes who refused to side with him. The Qur'an condemns them as enemies of Muhammad and God. *"Arm yourselves with as many troops and horses you can to intimidate your enemies and God's."* (8:60)

In the first centuries after Muhammad, during the reign of the first four Caliphs from 632-661, the spread of Islam throughout the Arabian peninsula, across North Africa was not always by bloody conquest but led in every case to the subjugation of Jews and Christians as "wards" in an Islamic area and consequently a curb on their religious liberties. The original Christian majority's resistance to Islamic conquest was also weakened by internal ecclesiastical rivalry, bribery, the threat of higher taxes for non-

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[17] "Was sagt der Islam zu Krieg und Frieden", http://www.enfal.de/krieg.htm

[18] "Was sagt der Islam zu Krieg und Frieden", http://www.enfal.de/krieg.htm, p. 3

Muslims and illusions about the new rulers' tolerance, all of which played into the hands of those furthering the progressive islamization of what had been overwhelmingly Christian areas.[19]

The Way to Peace

A number of verses in the Qur'an affirm that a person who has accepted Islam goes *"the way of peace." "God leads those who aim to please him the way of peace (or salvation) and brings them with his permission from darkness to light and leads them in a straight way."* (5:16) Whoever goes God's way and follows his right direction knows peace (20:47).

In the Qur'an peace is intimately associated with entering Paradise. The angels pronounce peace to those who have obtained God's favor in the Last Judgment (16:32). Whoever enters Paradise will receive an accolade of greeting and peace (25:75) and hear the greeting of peace (10:10). Peace reigns in Paradise (19.62) for it is the *"the place where peace dwells"* (10:25).

For the individual, peace is found now and in the hereafter through the acceptance of Islam. Were everyone to accept Islam and live according to God's Sharia law, society would also know peace. On this view conflict arises from the existence of non-Muslims and *"peace will only come when the frontiers of Islam have reached the end of the earth."*[20]

The Qur'an also commends efforts to make peace on an interpersonal level, although primarily disputes between Muslims, whether spouses (4:35) or simply "brothers" (49:10). In disputes with "infidels" the Muslim party should come to terms if the other party is also *"inclined to peace."* (8:61; 4:90) Combat against infidels should be broken off if the godless submit to Islam. *"Fight in Allah's way against those who fight against you, but do not transgress. Allah does not love transgressors. Kill them, wherever you encounter them, expel them from where they expelled you, for to persecute is worse than to kill. Do not attack them in a protected place of*

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[19] Martin Tamcke mentions some concrete examples: "Der Patriarch und seine arabischen Christen. Die nestorianischen Katholikoi-Partriarchen in ihren Anweisungen für Kirchenglieder auf der Arabischen Halbinsel in frühomajadischer Zeit." in: Detlev Kreikenbom u.a. (Hg.). *Arabische Christen – Christen in Arabien.* Nordostafrikanisch / Westasiatische Studien 6, Peter Lang: Frankfurt, 2007, pp. 105-119

[20] A. Th. Khoury. "Frieden." in: A. Th. Khoury; Ludwig Hagemann; Peter Heine. *Islam-Lexikon*, Vol. 1, p. 259

*prayer until they (first) attack you, but if they fight you, then kill them.
Such is the desert of infidels. However if they desist, Allah is merciful and
forgiving."* (2:190-192).

In the verse *"Fight against them until there is no persecution (or unbe-
lief, apostasy or turning others from the faith) left and (all) religion is Al-
lah's"* (2:192), the Qur'an demands the struggle continue until Islam is the
only surviving religion, since Muslim eschatology presupposes that in the
last days, when the apocalyptic beast appears (27:82), the dead will be
summoned to judgment (21:96), Jesus will reappear on earth to combat the
Antichrist, Islam alone will predominate and a universal reign of peace will
dawn, once the adherents of other religions have either converted to Islam
or been killed – ultimate peace through the creation of a homogenous Is-
lamic society. So peace has to do with subjugation, Muslims' submission
to God, the subjugation of non-Muslims to Muslims, until finally freedom
(the submission of all mankind) comes at the end of time.

The Meaning of Peace

To assess the assertion that Islam means peace one must first, as in the
parallel case of human rights for men and women, define what is meant by
peace. Islam does not lead to peace in the sense that Muslims and non-
Muslims enjoy equal rights in Islamic societies or that religious communi-
ties meet on equal terms without discrimination. It does bring "peace" in
the sense of an order which defines the legal discrimination and subjuga-
tion of non-Muslims in accordance with Islamic law.

For the "tolerated" Jewish and Christian minorities in Islamic areas
"peace" means being classed as "wards" with inferior social, political and
often also economic status in the dominant Muslim community. Even if in
the course of later history individuals sometimes rose to influential posi-
tions, they retained inferior legal status were subject to incessant pressure
to convert and occasionally suffered threats or persecution.[21] Islam's
proclaimed "tolerance" for non-Muslims means that Christians and Jews
did not as a rule have to abandon their faith, while the payment of a poll-
tax discharged them from the obligatory participation in jihad. So "peace"
in this instance does not imply a relationship of equality but a hierarchy of

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[21] Some of the classical discriminating sharia laws imposed n Jews and Christians in
the "house of Islam" are mentioned by Yohanan Friedmann. *Tolerance and Coer-
cion in Islam. Interfaith Relations in the Muslim Tradition.* Cambridge University
Press: Cambridge, 2003, p. 37

the privileged and the underprivileged as second-class citizens existing side by side in an Islamic area.

The religion of "the people of the book" is no more than tolerated because Islam is superior to all other religions on account of its *"immunity against (later) abrogation"[22]* as the only genuine faith, since *"Islam is truly God's religion"* (3:19)

At the same time the Muslim community has priority over all non-Muslims (3:110) for the *"the task of the political community of Muslims ... is to bear and maintain God's rights and safeguard the human rights emancipated according to the standard of divine right."[23]* Sura 9:29 orders Muslims to combat the people of the book who *"do not belong to the true religion"* *"until they meekly pay tribute."* Here too peace in the sense of an end to conflict comes through subjugation and the recognition of Islamic rule.

In the 11th century AD the Sunni legal expert al-Mawardi advocated a hypothesis that still finds supporters today, especially among Islamists. He divided the world into the *"house of Islam"* (Arabic *daar al-islaam*) where Islam and Islamic law are in force, and the *"house of war"* (Arabic *daar al-harb*) where Islam does not yet rule. This classification is found neither in the Qur'an nor the tradition but is a definition of Muslim theology. According to this hypothesis the *"house of Islam"* is involved in a continuing struggle against the *"house of war"* and this just war of conquest, jihad, will continue until the *"house of war"* becomes the *"house of Islam."* Such a perspective leaves no room for co-existence between the only true faith (Islam) and unbelief (Arabic *kufr*) or polytheism (Arabic *shirk*).

For other groups only a peaceful proclamation of Islam is legitimate, since the true faith cannot be foisted on people by political means or by force. Islamic mystics see the essence of Islam in ascetic piety, meditation and contemplation and reject armed struggle and political programs. This goes for the Ahmadiyya movement too, persecuted on the Indian subcontinent, which lays strong emphasis on *Da'wa*, the *"invitation"* or *"call to Islam"* but holds itself aloof from any form of violence.

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[22] As defined by Yohanan Friedmann. *Tolerance*, op. cit. p. 26

[23] A. Th. Khoury. "Frieden." in: A. Th. Khoury; Ludwig Hagemann; Peter Heine. *Islam-Lexikon*, Vol. 1, p. S. 261

Islam – political or apolitical?

Various answers are given to the question what constitutes "real" Islam. Can it be reduced to the early period in Mecca? Can Islam stripped off political ambitions command a majority today? If so, will it be possible to find religious leaders who can separate the practice of religion from the example of Muhammad's political action in Medina as long as they hold fast to the idea of the unquestionable authority of the Qur'an as divine revelation and Muhammad's binding instructions preserved in the tradition? The question seems to be still open.

It remains open because up till now there has been no critical research into the Qur'an in the Islamic world and therefore no discussion recognized by theological authorities of the separation of the practice of religion from the political inheritance of the past. There is a continuous trickle of individual dissidents, writers, intellectuals, theologians, forced into exile in the West for having called down the wrath of the authorities or of segments of the population for their criticism of the Qur'an or society. The latest and most prominent example is Nasr Hamid Abu Zaid, now teaching in Leyden in the Netherlands. Literary figures (not Qur'an exegetes!) such as Nagib Machfuz or Farag Fouda have been targets of assassination attempts because their writings were seen as critical of society and by implication derogatory to Islam.

Historical-critical research into the history of Islam and the text of the Qur'an officially presented from the pulpits of universities and mosques hardly exists in the Arab world. Advocacy of a "Meccan" Islam which rejects Muhammad's political activity in Medina may serve well enough as a personal creed, but to make such a statement in public would be a delicate matter fraught with social and political consequences, since many conservative theologians in the university and the mosque would regard it as verging on heresy.

Muhammad's example

Every believer's duty to live according to Muhammad's "sunna", his example handed down by tradition and unquestioned in Islamic theology, does not make it any easier to see how his political and military activity while in Medina can be phased out while still retaining the untrammeled authority of the Qur'an. The "Hadith", traditional accounts of the life of Muhammad forming a kind of background explanation of difficult passages in the Qur'an, is much more voluminous than the Qur'an itself and

provides details of how Muhammad and his family, his associates and his successors, the four Caliphs, lived. Tradition relates what clothes Muhammad wore, his personal preferences (he loved cats, for example) and aversions (men who dressed in silk and gold).

This tradition is important for the present topic of peace because legal decisions referred to in it, such as those relating to the criminal code or marital and family law, are on principle regarded as divine revelation and thus as binding as the Qur'an text itself.

This creates an inflexible linkage between the Qur'an's directive (33:21) that Muhammad's example is a *"beautiful model"* to imitate and to be followed in legal matters, and the present time. From the perspective of non-Muslims it turns the secular history of the past into binding prescriptions for behavior in the present. This makes it seem problematic to play down the second half of Muhammad's life in Medina as invalid and out of date, since the tradition relates reports of and instructions for the struggle against the enemies of Islam and "infidels". The critical question is how such verses are to be applied today and what conclusions the Muslim community can or should draw from them. The extremists' answer to this question obviously differs considerably from that given by apolitical members of the Muslim community.

Conclusion

In Muhammad's lifetime Islamic rule was already a symbiosis between the spiritual and the secular. Islam is not simply a religion but also a way of life and a social framework for individuals, families and the state, since the Qur'an claims that inheritance, family and criminal law are all part of the Sharia, the eternally valid law of God. It is therefore entirely consistent for politically active Islamic groups to apply the universally accepted duty of imitating Muhammad's life in the political arena and even to the struggle for the defense and spread of Islam.

Muhammad needs to be seen in the perspective of his own time of tribal conflicts and vendettas in 6th and 7th century Arabia. Seen against this background his methods were neither disproportionate nor particularly cruel. The question is whether they were divinely revealed or appropriate for making peace? Muhammad fought for what he saw as his rights with the sword, he enacted retribution on political adversaries, wrought vengeance on his enemies, strove to extend his rule and claimed for himself as Prophet and leader extraordinary rights denied to other members of his

community. He bequeathed to them the vision that Islam would one day cover the earth. The Qur'an does speak of peace, but of peace between Muslims and the peace that comes through universal submission to the Sharia.

By contrast, peace and universal reconciliation are a central concern in the Bible. Jesus, the Prince of Peace (Isaiah 9:5) was not content to describe how peace should work in theory but uniquely created peace and reconciliation by his own life and death, peace between God and man, but also peace among men. Because God is a God of peace (Romans 15:33), peace is a central topic of the Bible. Jesus became a human being in order to make peace between God and man (Colossians 1:20). It is hardly surprising his followers are called to be messengers of peace (Isaiah 52:7), peacemakers (Matthew 5:9; Romans 14:19) and at peace with all men (Romans 12:18). One can only live up to this high vocation by accepting the peace God offers, being at peace with God and oneself, and learning to be a peacemaker in one's own environment.

5 How Muslims view Christians –
What does the Koran Teach?[24]

Muslims (sometimes even Nonmuslims) complain about Christians – or Western society – insisting on portraying Islam as "the enemy". They believe that Christians especially precondemn Muslims whereas Muslims "tolerate" Christians and accept them "without prejudice". But is that really the whole picture? What does the Qur'an and Muslim Tradition (hadith) teach when it comes to Christians, the Christian faith and the Bible? What will an "average" Muslim think coming into contact with a Christian? Would he think more positively about Christians or be hesitant and distance himself from them?

The Islamic view of Christians: Qur'an and Hadith

Since Islam was not proclaimed by Muhammad until the 7th century AD the Bible can contain no explicit judgment about Islam. Any opinion that Christians have about Islam arises out of their general understanding of Scripture which leads to an enormous variety of opinions and positions about Islam both inside and outside the Christians churches.

When Christians are accused of not being enough open for interreligious dialogue with Muslims and of not even expecting to find part of God's revelation and truth in Islam, people often do not keep in mind that convinced Muslims would never accept such an approach to dialogue either. Contrary to the Christian who has to find his own position concerning Islam, the Muslim picture of Christianity and the Christian faith is already relatively fixed. It is fixed because of the Qur'anic statements which as a revelation after Christ makes many statements about Christians and the Christian faith which have been later all in all underlined and confirmed by Muslim tradition (hadith). Since there has never been an "Islamic enlight-

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[24] First published in: *Islam und Christlicher Glaube/Islam and Christianity. Journal of the Islam Institute of the German Evangelical Alliance*. 0/2000, 1: 8-12 and 1/2001, 1: 12-17

enment" in the European sense of the word and no official historical-critical Qur'an exegesis or Qur'an analysis, there is only limited maneuvering space for exegesis and alternative interpretation of Qur'an texts and traditions as normative texts.

Christians as seen by the Qur'an

In the Qur'an we find a complex picture of Christians and the Christian faith:

We know that Muhammad must have got some knowledge of Christianity in the 7th century AD on the Arabian Peninsula as well as during his trade tours to Syria (and perhaps other surrounding countries). As far as we know Muhammad only met single Christians – eremites, monks – but there seems to have been no church of the New Testament type on the Arabian Peninsula in his time. As far as the few written sources tell us, there was no complete Arabic Bible translation in existence at Muhammad's lifetime. The Christian faith on the Arabian Peninsula was practiced mostly in church languages like Syrian which ordinary Arabic speaking people could not understand. As a consequence, most churches must have been as far as sources tell us – unbalanced in their doctrines, since at least some mono-physitistic Christian churches in Syria and Abessinia venerated Mary as being the "mother of God", adhered to a Nestorian form of Christianity or practiced a monophysitistic form of faith.

The piety of the Christians

At the beginning of his proclamation of Islam, Muhammad very much hoped to be accepted as a prophet of God by Christians as well as by Jews. He considered both religions more highly developed than that of the Arabs, the "heathens", and he accepted Jews and Christians as "people of the book" (arab. ahl al-kitab). He likewise hoped that they would accept him as a prophet sent to the Arabs with a revelation from God. Not only did he accept Jews and Christians as "people of the book", but he first also proclaimed a similar form of fasting like the Jews practiced it, and he proclaimed Jerusalem as the direction for ritual prayer. Later, he abolished both of these practices by other revelations.

Additionally to that, Muhammad first praised the **piety** of the Christians, their **love**, their **humbleness**, their **faith**, as we read in Sura 5:82: "And you will find the nearest of them in affection to those who believe (to be)

those who say: 'We are Christians. That is because there are among them priests and monks, and because they are not proud'" (5:82).

Probably at about the same time the Qur'an tells us that the Christians do have **knowledge of God,** that they **believe in God and the Last Day** and that they do not have any reason to be afraid of the Last Judgment (2:62). Also sura 3:110 confirms: "Some of them are **believers**", although the same sura in the next sentence restricts: "but most of them are evil-livers" (blasphemers). At the same time this verse also considers the Muslims to be of higher rank than any other group: "You are the best community that has been raised up for mankind. You enjoin right conduct and forbid indecency; and you believe in Allah" (3:110).

Especially this statement about the "best community" (arab. kuntum haira ummatin), i.e. the community of the Muslims, is still quite important for the convinced Muslim's own identity in relationship to Nonmuslims.

The Qur'an further states that the Christians tried to convert Muhammad to Christianity (2:135), to which he responded by calling them become his followers as he claimed to be the 'interpreter' of their scriptures (5:15) who corrects what they have falsified. Both the Jews as well as the Christians refused (2:111).

The Christians' disapproval of Muhammad

As Muhammad continued to preach in Medina after 622 AD, the Muslim-Christian relationship came to a standstill because of the two sides' mutual disapproval of the other's theological position. The prophet's dislike of the Christians grew, while he actively opposed the three great Jewish tribes politically and expulsed them from and killed them in Medina. He was convinced that he was not bringing a new revelation but only proclaiming the only message that had ever been sent down from eternity in a pure form, the same message preached by all prophets ever since Adam. Since Christians rejected Muhammad's claim to be a prophet from God, and since their message deviated from his, he accused them of falsifying Scripture and opposed those Christian dogmas which deviated from his revelations, which he believed to correspond to the original message.

One of the most important reproaches to the Christians involves the Trinity (2:116; 5:73), which Muhammad however misunderstood as a "trinity" of the father, Jesus Christ, the son, and Mary, his mother. According to the Muslims, this Christian doctrine is the greatest sin possible, the unforgivable offense of "shirk" ("shirk": associating a partner at God's

side). Christians err in their understanding of the sonship of Jesus (5:72; 9:30), since Jesus according to the Qur'an is only a human being, a prophet and messenger of God sent to Israel. And the Christians err in their belief in the crucifixion of Jesus 84:157-158) and in their doctrine on the fall of mankind.

It was perhaps at this time of growing estrangement from the Christians that Muhammad proclaimed to have received the revelation of a Qur'an verse which has been often quoted by today's Muslim fundamentalistic groups. This text openly refers to Christians as "evil-doers" or "evil-livers" and warns the Muslims against taking Christians as their friends: "O you who believe! Take not the Jews and Christians for friends. They are friends one to another. He among you who takes them for friends is (one) of them. Lo! Many of mankind are evil-livers" (5:51).

Are Christians unbelievers?

During this period of increasing disassociation, the Qur'an also tells us that Christians insist on their (false) theological positions and that they are "turned away" (5:75). They "confound the truth with falsehood and knowingly conceal the truth" (3:71) and therefore "Allah fights against them. How perverse are they!" (9:30), because they stick to the sonship of Jesus.

Also many exhortations "to kill (or slay) the unbelievers" are found in the Qur'an (e. g. 2:191; 4:89) as well as the statement that the unbelievers "will abide in the fires of hell". But neither the Qur'an nor Muslim theology provides a clear-cut unanimous identification of the "unbelievers": if it is the Christians, if the "people of the book" can be understood to be unbelievers or not, if this verse is only of contemporary importance and means those unbelievers of Muhammad's lifetime or if it still refers to those who have heard the call of Islam but have refused to follow. Qur'anic statements about Non-Muslims are so complex and elastic that specific interpretations and their consequences for modern applications depend on presumptions not to be found within the text but only in the personal attitude of the individual.

Emotional problems for Muslims by Western Criticism of the Qur'an

In many Muslim countries Christians are a minority, sometimes Christians do not have access to better schools and jobs, do not play any impor-

tant role in society and are willfully held back from positions of influence and prestige. In other countries they suffer from persecution. In all these countries, the Muslim majority would be never exposed to open criticism of Islam. Muslims are of the opinion that this is only as it should be, as Christians are considered to be "dhimmis" (protegés) under Islamic guardianship. At the same time, the Quran as well as many Muslim writers and theologians openly and sometimes even harshly criticize the Christians, the Bible and the Christian faith. Therefore, some Muslims are under shock when they immigrate to the West because in their eyes Islam is criticized "all the time" there, as a Muslim complained about in recent email conversation. This creates emotional problems for many Muslims as the Christian majority holds a position in Western society where they are no subjugates to Islam, but it is them who are making the rules for the Muslim immigrants. And anybody criticizing any religion does not have to look for an excuse. In this way, things are turned upside down in the Muslims' eyes.

Everyone knows how unwise it is in most cases to question Muhammad or to criticize Islam in a conversation with a Muslim friend as doors may be closed forever (only in some cases open conversation may be possible if both are already good friends, the Muslim is alone with his Christian friend and not with his family – otherwise he lose his face – and he is not a very devout Muslim).

Christians and Christianity as viewed by Contemporary Muslims

It is only to be expected that later Muslim scholars reiterated and wrote within the confines of this rather ambivalent Quranic presentation of Christianity. Islamic apologetics more often emphasize the later, negative Quranic sayings. Over time, these have acquired normative value, abrogating those earlier, more positive statements about Christianity. Christians violate Islam's central dogma of *tauhid* (uniqueness of God) – and this is the gravest sin possible as many writers hold. This is only made worse by their rejection of Muhammad as the messenger of God. At the same time one has to concede that individual Muslims often respect practicing Christians and some of the values contained in their religion more than Islamic theology would allow them to do.

Islam's Superiority over Christianity

Muslims view Christianity as an offshoot of Islam which, in turn, is regarded as the universal religion of mankind. Hence, Islam has been in existence since Adam and will endure as the only religion till the end of time. Christians will not find mercy before God's judgment seat since they have fallen into grave doctrinal errors. The Quran repeatedly states that Christians who "disbelieve" will go to hell: "Those who disbelieve among the People of the Book and the Polytheists, will be thrown in hellfire, to dwell therein. They are the worst of creatures" (98:6). It can be assumed that the phrase "those who disbelieve among the People of the Book" refers to Christians who rejected Muhammad's prophethood and Islamic monotheism.

Many Muslims of today claim that Christians not only err in their belief, however. The rapid moral decline of the West, accompanied by alcoholism, prostitution, homosexuality, the existence of old-peoples homes, unmarried couples living together, drugs and wasteful consumption, all seem to underline the belief that Islam holds a valid alternative. Support for this view is taken from the Quran (3:110) which confirms that "you are the best of peoples that evolved for mankind, commanding what is right and forbidding what is wrong". The moral decline of the West "proves" Islam to be true and superior, as many contemporary Muslim scholars and writers claim. Islam, they argue, has all the answers to cure the ills of western society. Only turning to Islam will bring healing and stability. – It goes without saying that weaknesses and problems of the Muslim world are not discussed at the same time. Or if they are mentioned at all not very few Muslim writers hold that any weakness in the Muslim world (like unemployment, lack of infrastructure, schooling, jobs, adequate housing etc.) are due to Western imperialism and the desire of the West to destroy the Muslim world and Islam.

Christianity as Viewed by Selected Muslim Scholars

In writings of Muslim scholars about Christianity one finds surprisingly few affirmative statements, many are rather disapproving and derogative. In their studies, contemporary writers frequently refer back to Muslim apologetic literature that emerged during Islam's medieval period.

Muhammad Rashid Rida (1865-1935)

Muhammad Rashid Rida is regarded as one of the most influential Muslim scholars at the turn of the last century. Unlike his mentor, the renowned Egyptian reformer Muhammad Abduh, Rida vehemently opposed Christianity. In addition to being a Mufti (giving Islamic legal opinions) Rida published the renowned Quranic commentary *al-Manar*, which he compiled from notes and expositions by his former teacher.[25]

In his writings Rashid Rida addresses the question of the reliability of the Christian scriptures, which he regarded as a combination of myths, legend and history that have become interwoven with the message of God[26].

In his assault on the Christian revelation, Rida readily employs Biblical historical criticism, first developed by Christian theologians in the West, and applied to 19th century Islamic apologetics. In order to demonstrate the absurdity of the Christian religion, Rida studied the works of European theologians, philosophers and writers. Many of them published their works in order to undermine and destroy the Christian faith in Europe.

Muhammad Muhammad Abu Zahra (1898-1974)

The late Muhammad Abu Zahra must be regarded as one of most influential personalities among Muslim scholars and apologist of the 20th century. In addition to his post as professor for Religious Studies at the al-Azhar, he lectured at the University of Cairo's Faculty of Law. He wrote about the reliability of the Christian scriptures.

It was in 1942 that Abu Zahra first began a series of "lectures about Christianity. Like Rashid Rida before him, Abu Zahra expresses outright opposition to Christianity in his writings. Abu Zahra applies methods of historical criticism that had emerged earlier from Europe's theological and philosophical literature.

As a starting point, Abu Zahra He argues, that initial Christianity, as taught by Jesus Christ himself, was in perfect harmony with Islam. However, due to the later corruption of the Biblical text, this ideal Christianity can no longer be found in the Christian scriptures but has to be sought in the Quran[27]. For Abu Zahra, the Trinity, which caused a major split in the

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[25] Malcolm Kerr. *Islamic Reform. The Political and Legal Theories of Muhammad 'Abduh and Rashid Rida.* Berkeley 1966

[26] Mahmoud Ayoub. "Muslim Views of Christianity." in: Islamochristiana (Rom) 10/1984, p. 58

[27] Muhammad Muhammad Abu Zahra. *muhadarat* fi-n nasraniya. al-Qahira, 1966³ p. 166

Christian church, is not part of this initial Christian teaching but was introduced only as a result of the Philosophical School in Alexandria.[28]

Abu Zahra's also goes on to include the contemporary Christian faith. In the 3rd edition of his lectures he denies attacking the Christian religion, stressing that it is his intention to 'merely present scientific fact'[29]. What is conveyed, however, is the Islamic reading vis-à-vis the corruption of the Christian text, presented here as the result of scientific research. The possibility that a different set of assumptions or approaches could produce different results is not considered: Islam and religion can only be viewed from an Islamic perspective. Abu Zahra only knew Arabic, therefore his judgment of Christianity is based entirely on apologetic literature available in his mother tongue. Not surprisingly, his description follows the accepted Muslim reading of the Biblical texts. The Christian faith is denied self-representation.[30]

Ahmad Shalabi (1921-)

The Egyptian Ahmad Shalabi graduated from the University of Cambridge with a PhD in history. As a religious scholar he published the treatise 'A Comparison of Religions' (*muqaranat al-adyan*) where he discusses Christianity, and especially the themes of trinity, crucifixion, and redemption.

The Christian religion, according to Shalabi, is a combination of the Apostle Paul's personal opinions coupled with pagan elements which he introduced into Christianity.[31]

Shalabi argues that the accounts of Jesus' birth, temptation and resurrection, as found in the four gospels, have been influenced by Buddhist legends and stories about pagan gods in India and the Middle East.[32]

One could easily find more literature of the like. In most cases Muslim theologians of the 19th and 20th century are more negative towards Chris-

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[28] Muhammad Muhammad Abu Zahra. *muhadarat* fi-n nasraniya. al-Qahira, 1966[3] pp. 103-110; 129ff.

[29] Hugh Goddard. *Muslim Perceptions of Christianity*. Grey Seal, London, 1996, p. 61

[30] Hugh Goddard. *Muslim Perceptions of Christianity*. Grey Seal, London, 1996, p. 83f.

[31] Ahmad Shalabi *muqaranat al-adyan*. al-Qahira, 1960[2], pp. 130-140; Mahmoud Ayoub. "Muslim Views of Christianity." in: Islamochristiana (Rom) 10/1984, p. 64.

[32] Ahmad Shalabi *muqaranat al-adyan*. al-Qahira, 1960[2], p. 25ff; Mahmoud Ayoub. "Muslim Views of Christianity." in: Islamochristiana (Rom) 10/1984, p. 62.

tians and the Christian faith and scriptures than former ones. But on the other side, the average Muslim who never earned a degree in Muslim theology will not have any concrete knowledge of apologetically literature in most cases.

Core Arguments in Islamic Apologetics Against Christianity today

1. Christianity has been corrupted during the course of its history.

2. The biblical prophecies point to Muhammad, therefore he is the messenger of God for Christians too.

3. Christianity has been allied with western imperialism to subdue the Islamic world and subvert the Muslim faith.[33]

Overall, the arguments presented are those of the medieval Muslim writers with the exception that, by incorporating modern methods of historical criticism, they are slightly modified to suit the modern context. In all these writings a failure to consult reliable primary sources (like the Bible in itself) is evident. As Hugh Goddard[34] correctly remarks, "the primary intent of these authors is in no way to understand Christianity. The intent is to buttress traditional Islamic belief or to rebut western influence politically, socially and intellectually. Any 'comparative religion' is designed to assert the superiority of Islam."

It appears that Islamic statements about Christian-Muslim relations serve one purpose mainly, the reassertion of the Muslin faith. While some publications are widely accessible, the existence of many others is only known about as they do not enter the public sphere. Some of these "internal notes", and especially if they are written in the local language, are more disapproving of Christianity than those meant for a wider circulation.

In general, contemporary treatises about Christianity do not diverge from the basic teaching of the Quran. There seems to be a variety of arguments brought forward against Christianity/the West under three or four headings:

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[33] Hugh Goddard. *Muslim Perceptions of Christianity*. Grey Seal, London, 1996, p. 93.

[34] Hugh Goddard. *Muslim Perceptions of Christianity*. Grey Seal, London, 1996, p. 94.

Theology – Morality – Culture

1. Theology: When it comes to theology, some Muslim magazines and journals which are published for Muslim readers in the West discuss questions like "shirk" (idolatry) and more or less openly declare Christians to venerate three gods or label them as "kafir" (unbelievers) alongside with atheists.[35] Christians err in their belief in the trinity and Jesus' sonship, in his death on the cross, which is an abomination to Islam and rejected outrightly.

Other Muslim scholars openly call for an end to Christian mission as a prerogative for genuine dialogue, peace and understanding. From their perspective only Islam has the right to proselytize. While Christians are tolerated in countries where Muslims are in the majority, they do not have the right to expand or propagate their religion. "Equal rights" to proclaim faith for Muslims as well as for Christians does not sound acceptable to many Muslims even in a country which is not totally Muslim.

2. Morality: Other articles reflect the moral concerns of many Muslims living in a non-Muslim society. They characterize Western society as such as a "*Zina*-society", that has become obsessed by fornication and adultery.[36] Fears to be defiled arise, since adultery, according to the Quran, is one of the gravest sins a man or women can commit. In Islamic jurisprudence it merits the fixed *hadd* (death) penalty i.e. a an unalterable punishment prescribed by canon law, which is considered a 'right of God' (*haqq Allah*). The overall decline of morality and the break-up of the family make many Muslims feel insecure.

3. Culture: When it comes to culture, there are also many problems for devout Muslims: Islam prohibits the consumption of alcohol, blood, carrion, as well as pork and products derived from it. Muslims are concerned that such unlawful substances or traces of such, possibly undeclared, could have entered the food chain or be found in medical drugs. Any contact with such unlawful substances ritually defiles a Muslim, his worshipping is invalid. A person in a state of ritual impurity may not touch the Quran or pray. And finally, there are the important issues of marriage, divorce, the ritual slaughter of animals, the right to Islamic holidays and the separation of boys and girls during physical education which is not observed in the West.

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[35] *Huda – Die Rechtleitung*. Muslimischer Studentenverein Karlsruhe e.V., 1/01.3; 1999, p. 20.

[36] For example in the journal *al-Islam*, 1/01, 4-8.

Summary

Quran and Islamic Tradition present a multi-faceted picture of Christians, Christianity and the Christian revelation. Initially, at the start of Muhammad's mission in AD 610, acceptance rather then rejection characterized Muslim attitudes towards Christianity. Christians are viewed as "People of the Book" (ahl al-kitab), commended for their religious devotion (Sura 5:82), and approved of for their faith in one God and creator . This apparent acceptance is closely linked with the hope which Muhammad cherished earlier, that Jews and Christians would believe in his divine mission. Only after he learned that both Jews and Christians rejected his claim to prophethood, with Christians holding on to the Trinity of God, Jesus' sonship and his crucifixion, did Muhammad withdraw his earlier support. Thereafter he reasoned that they had deviated from their original revelation and fallen into grave error (2:116; 5:72-73; 4:157-158). This subsequent period is marked by an increase of Quranic utterances, which clearly distance and separate Islam from Christianity, warn Muslims against having close links with Christians, and even condemn them for their disbelief (98:6).

Therefore, Muslim-Christian relations are characterized by an overall ambivalence. Muhammad's own shifting positions vis-à-vis Christianity which is reflected in the Quran, is how many Muslims feel: Indeed, on the one hand there are many Muslims who appreciate the faith, moral principles and family values of practicing Christians. They also see similarities in that both religions hold (prophets including Adam, Abraham, Moses, Mary and Jesus). However, on the other hand there remain what appears to be insurmountable barriers – trinity, sonship, crucifixion, and the consequent accusation that Christians are idolaters.

In spite of the sympathies Muslims have for the 'People of the Book' and their faith, the dominant voices of Islamic scholarship suggest distancing, disapproval and denial. This is even more fuelled by cultural and moral issues. Devout Muslims who may be members of a Muslim organization or even be politically active may have more negative feelings towards Christians and distance themselves from Christians or even tell them openly their dislike. The less they know about apologetics, Muslim theology and arguments against the Bible the easier conversation may be.

6 What is a Fatwa?[37]

Fatwa's (the Arabic plural is *Fatawa*) are Islamic scholars' legal opinions, in which scholars, either on their own initiative or on behalf of an institution of ruler, give their personal assessment of a particular point of Islamic law in the form of a written pronouncement.

The questions put to scholars stem as a rule from the applicant's wish to hear from a theological authority what the Koran, the tradition (reports of Muhammad's decisions in particular matters) or more generally the Sharia says on the point at issue or whether there is a binding rule of conduct for believing Muslims in the matter in question.

The person responsible for issuing such a legal pronouncement is the mufti, who will answer the question to the best of his theological knowledge in accordance with the guidelines of the legal school to which he belongs. This mostly takes the form of a prohibition of the action at issue or a declaration that it is unobjectionable and therefore permitted. A mufti need not have followed a prescribed course of training, nor does he occupy a particular office, but he must be a Muslim of good reputation and familiar with Islamic law in order to be able to assess the issue put to him. A woman may also be a mufti, but not a judge.

Theoretically muftis were independent and bound only by their knowledge of Islamic law and their conscience in arriving at a verdict on the issue before them, but in practice they were given official posts and remunerated by rulers who appointed and dismissed them at will. They have thus been and still tend to be spokesmen of a theological institution or government. Celebrated muftis have published their answers either to genuine questions or imaginary examples, and such compilations have become frequently consulted works of reference on controversial issues.

Historically muftis enjoyed considerable authority even though in Sunni Islam their pronouncements do not have the force of law. The weight attributed to what is essentially one scholar's personal opinion will depend

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on his eminence, prestige and standing, but no-one is legally bound by it. The person requesting an answer to a particular issue, nowadays often via the Internet, is not required to abide by the verdict given but is free to seek a second opinion without being obliged to abide by either. In Shiite Islam however Fatwa's are binding and must be complied with, which explains why the fatwa pronounced by the supreme Shiite scholar Ayatollah Khomeini against the British-born Muslim author Salman Rushdie in the late 1980s had the force of law.

This institution of legal opinions makes it possible pronouncements on contemporary issues not referred to in the normative legal texts dating from the early period of Islam. It is therefore hardly surprising if Saudi-Arabia, whose theologians propagate a particularly rigid form of Islam, makes frequent public pronouncements via fatwa's.

7 Islamic "Mission" (Da'wa)[38]

Muslim apologists (defenders of their faith) frequently emphasize – not least of all in events featuring religious dialogue – that Islam, in contrast to the Christian churches, knows no kind of "mission". In some cases, even a renunciation of Christian mission is demanded since, as is claimed, it is one of the greatest barriers to dialogue. This discussion about the legitimacy of mission is conducted at all only in the West since, in Islamic countries, Christian mission is forbidden everywhere, because it is judged invariably to be a danger to the civil order and the political stability of a country. If Christians in Islamic countries nevertheless speak with Muslims about their faith, then nationals of Western states can be deported to their home countries, while native Christians have to reckon in some cases with heavy punishment (fines, prison terms). In some countries – as, for example, in Saudi Arabia – practicing Christians obtain work permits in most cases only with difficulty, or even not at all. Foreign skilled workers from Western countries lose their rights of residence there when they visit one of the worship services held quietly in private houses. Asians, in most cases, are jailed, sometimes mistreated, or even lose their lives. Frequently, Christian mission is condemned by the press in Arabic countries while, on the other hand, Islamic mission is hardly ever discussed. Thus, at first glance, it might appear that it is only the Christian church that campaigns for the faith and thereby causes displeasure, and that Islam, on the other hand, does not.

Mission – a Matter only for the Church?

This, however, is not the case. Even if the identical concept of "mission" does not exist in Islam, it still quite definitely recognizes the promotion of the faith, propaganda, or the "call", the "invitation" (Arabic: da'wah) to Islam. For, the call proclaimed already in the Koran to recognize Islam as the only true, divinely-revealed faith (sura 21:25; 9:33) and to submit one-

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self to Allah ("Islam" = "submission", "devotion") is directed in principle toward all human beings. Indeed, even Muslims take the view that *"From the very beginning, Islam was a missionary religion"*[39], for *"Who would have something better to say than the one who calls people to God, who does what is right, and says: 'I belong to those who have devoted themselves to God'?"* (sura 41:33)

This universal claim made by Islam becomes clear in the course of history as well as in the eschatological view present in Islamic texts. In the areas conquered by Islamic forces, Christians were "protected minorities" (Arabic: dhimmis) who, as second-class citizens, were subjected to Islamic rule and were required to pay a head tax, in some cases even a land tax. These taxes, as well as various restrictions (e.g., the prohibition upon the marriage of a non-Muslim man with a Muslim woman) and discrimination (e.g., at that time as today, in regard to university study, military service, or the attainment of influential positions in society), were a constant incentive, indeed frequently a form of pressure, for conversion to Islam. In this connection, of course, the Koran verse *"There is no compulsion in religion"* (sura 2:256) is cited repeatedly. What is correct is that Jews and Christians in Islamic areas enjoyed a special status as "possessors of the book" and, thereby, also a certain legal recognition. But, since Islam sees itself as absolute and places itself above – in its view, falsified – Judaism and Christianity, indeed holds the Muslim community to be superior to all other religious communities (sura 3:110), this has more the significance of a toleration than of a fundamental recognition on the basis of equality. For this reason, according to majority conviction, Jews and Christians, too, must be called to accept Islam: *"With a little knowledge ... about the Bible [we can] prepare ourselves for dialogue with Christians. Most Christians do not know their own Bible at all, but only what they hear again and again in church."*[40]

Human rights organizations report repeatedly about the kidnapping of Christian children or women in countries with underprivileged Christian minorities such as Pakistan, or even Egypt or the Sudan, and also about the forced conversions of children and/or the forced marriages of women to a Muslim husband. Although such action will be condemned by many Muslims as an act forbidden in Islam, it is still a fact that the family members

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[39] *Meaning and Significance of Dawah ila-Allah. A Guide to the Propagation of Islam* (Markazi Maktaba Islami: Dehli, 1983), p. 43.

[40] Sadiya Plath. "Sie entstellen die Schrift an ihren richtigen Stellen...' (Sure 5:13). Bibeltextstellen für Muslime im Dialog mit Christen". In: al-Islam, 4/2000, pp. 11-14, here p. 11.

concerned in such cases only very seldom receive effective support from the Islamic government in their country, which in many cases is not willing or able to put an effective stop to such injustice against the Christian minority.

The "invitation", or call, to accept Islam should be extended, in the Muslim view, to all non-Muslims, but also to all Muslims who do not observe Islam completely. Calling non-Muslims and "inconsistent" Muslims to Islam is considered by Muslim theologians to be an unconditional duty inherent to Islam that the Muslim community as a whole must fulfill, even if every individual cannot be a "da'iya", a "propagandist", for Islam: *"Every Muslim is, on the basis of his faith, a missionary for Islam"*[41], and everyone who does not comply with this duty to pursue da'wah will be called to account for this failure on the day of judgment. In addition, the one who fails in this duty makes himself into an outsider in regard to the worldwide "ummah" (community of Muslims)[42]

Muslim theologians take the view that da'wah is *"an important form of jihad"*[43], that is, of the "effort on the path of God", and sometimes also that jihad is a form of da'wah. Thus, da'wah work is not a task that belongs to the past, but rather exists wherever Muslims live as a minority among a non-Muslim majority, a concern more urgent than ever, *"an invaluable opportunity"*[44], for *"da'wa opportunities are everywhere"*[45].

The goal of the dissemination of Islam is ultimately the creation of a uniform society in which, first of all, Islamic law (Sharia) is established over all people. Such a homogenous community, in which everyone is a Muslim, then will be a society, in this view, in which peace and justice rule. The Muslim community should work toward the reshaping of society already today; in any case, though, this society of justice will be established at the end of times, after the appearance of the Antichrist, after all non-Muslims once again have had the opportunity to turn to Islam.

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[41] Ibid., p. 12.

[42] Dr. Ahmad H. Sakr. "Dialogue with Non-Muslims". In: *The Muslim World League Journal*, vol. 25/11, March 1998, pp. 18-20, here p. 18.

[43] Ahmad al-Khalifa. "Da'wa in Deutschland – Probleme und Perspektiven". In: *al-Islam. Zeitschrift von Muslimen in Deutschland*, 3/2001, pp. 11-13, here p. 11.

[44] Sakr. "Dialogue", p. 18.

[45] www.netmuslims.com/resources/dawah-intro.html (5.8.2003)

How does Islamic Mission Occur?

In the past decades, Saudi-Arabia especially has devoted itself increasingly to the expansion of Islam and, above all in Subsaharan Africa, conducts "missionary work" that is linked with conversion-dependent aid. The initiators of this work are, in some cases, Islamic propaganda organizations and, in some cases, wealthy individuals – from the Gulf States, for example – who sometimes contribute considerable sums of donated funds to the spread of Islam. Where the only accessible school in a village instructs every child in Islam or only in this case waives the school fees; where access to water and medical assistance is available only to the "newly converted", it is not seldom the case that extended families or even entire villages convert from animism or Christianity to Islam. An instruction for the Muslim "missionary" thus runs so: *"Visit the sick … help the needy… exchange gifts"*[46], for *"it is exactly other deeds [doing good], too, that win especially the hearts of the poor and of the unliberated for Islam"*[47].

The expansion of Islam also occurs through influence upon public life (e.g., the media, churches, and politics), through the assertion of special rights for the Muslim community in courts of law, through the sending of teachers of the Koran, the training of African or Asian imams and legal scholars in Arabia, through the printing and dissemination of copies of the Koran and of Islamic literature, through prison visits, correspondence courses, lectures, open house at mosques, radio and television broadcasts, through CDs and videos that are produced in many languages of the world, subsidized and then given away free in mosques and bookstores.

Especially in Saudi-Arabia, various organizations have been founded that, with the support of the Saudi government, conduct da'wah at home and abroad on a high organizational and financial level. Thus, the "World Assembly of Muslim Youth" (WAMY), founded in 1972, has the goal *"to introduce Islam to non-Muslims in its purest form as a comprehensive system and a way of life"*, and *"to assist Muslim organizations all over the world through training, communication, and cooperation."*[48] The building of mosques, especially in poorer Islamic countries, as well as the subsequent sending of prayer leaders (imams) to them, who then export the rigid

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[46] www.muslima-aktiv.de/5dawah.htm (5.8.2003)

[47] Ahmad von Denffer. *Da'wa in der Zeit des Propheten*, Schriftenreihe des Islamischen Zentrums München, 12, Munich, 2001, p. 12.

[48] www.wamy.co.uk/bd_about.htm

Saudi-Arabian interpretation of Islam, also serves the pervasion with Islam of a district only partially or not at all Islamicized.

In the course of construction of the mosque, a Koran school also is erected in most cases, in which the children very early on are made acquainted with the fundamentals of the religion. Along with the erection of the Koran school, pressure is frequently applied to adopt an Islamic dress code, especially for the women, so that in this society the consciousness for "appropriate" clothing and conduct gradually aligns itself on Islamic norms. Non-Muslim women who do not observe this dress code are molested in some cases, are harassed in public, or are denied the right of school attendance. Such cases and those of a similar nature are reported, for example, from some of the federal states in northern Nigeria that, beginning in 2000, have proclaimed the complete introduction of Sharia. Here it is clear that, in the process of the Islamization of a society, Muslim activists first of all emphasize that the demanded changes in law apply only to Muslims, but that in a second step non-Muslims, too, are to be forced under the dictates of Sharia – the divine law with eternal, universal validity.

Practical Tips for Da'wah

In Islamic periodicals and especially on the Internet, there are numerous practical tips for da'wah work; some recall principles important for the public relations practiced by Christian churches.[49] The personal conversation as a means of promoting Islam is especially favored: *"Personal conversation in private is the method of choice"*[50].

In order to be successful in da'wah work, it is important first of all for the person to acquire knowledge about Islam and to know the Koran, the tradition, and the stories about Mohammed's life. Only then will it be possible to provide answers in conversation with those of a different faith. On the other hand, words are not everything: *Da'wa can occur through writing, speaking, through proper conduct, one's own attitude, through behavior, through sympathy and aid"*[51]. It is also important that one presents

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[49] Thus, for example, it is reported that Christians have developed a method of going from house to house and inviting people to engage in conversations about God. "Islamic Dawah: Presenting Islam." In: *The Muslim World League Journal,* vol. 25/8, Dec 1997, S. 17-20, here p. 18.

[50] Ibid.

[51] Dr. Ahmad H. Sakr. "The Islamic Concept of Dawah." In: *The Muslim World*

himself as a positive example: *"The best Da'wa is being a good example"[52]*. Politeness and respect are seen as the preconditions for da'wah: *"To invite someone also means being polite, friendly, and inviting, taking care of that person, and showing him understanding"[53]*, or: *"Be friendly and try to be humorous"[54]*. A pleasant outward appearance is also important (*"be clean and neat"*), *"never eat raw onions or garlic when you go to the mosque or meet with people"[55]*, and *"chew gum or something for good breath"[56]*.

Those proclaiming Islam are advised against judging other religions negatively or conducting debates, for: *"Debates may be a pleasure for Muslims, but for others they can be an agony, and if one torments another, one will not win him to his cause"[57]*. An appeal is also made for modesty and for appropriate manners: *"No one should boast about what he does, also not about the effect he may have, or what he has achieved. No one should claim that he applies the best of all methods"[58]*. Or: *"The task of bringing someone closer to Allah … should not be connected with arrogance, thinking you're the teacher and everyone else should be lucky you've embarked on a crusade to save them"[59]*. Some instructions for da'wah forbid the propagandist to become angry in response to criticism from his partner in conversation: *"Do not become annoyed or vow revenge if one has attacked you"[60]*.

In a country with religious freedom, there is nothing to be said against a respectful, peaceful promotion of Islam that does not exert pressure or disdains those who believe differently, and does not apply pressure through the awarding of privileges. More clarity, though, could be created if representatives of Islam would profess this goal openly, also in regard to German society. Christians, for their part, should not let themselves be de-

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League Journal, vol. 25/8, December 1997, pp. 12-16, here p. 15.

[52] www.netmuslims.com/resources/dawah-intro.html (5.8.2003)

[53] Islamic Dawah: Presenting Islam. In: *The Muslim World League Journal,* vol. 25/8, Dec 1997, p. 17-20, here p. 17.

[54] Sakr. "Dialogue", p. 20.

[55] www.muslima-aktiv.de/5dawah.htm (5.8.2003)

[56] www.netmuslims.com/resources/dawah-intro.html (5.8.2003)

[57] Islamic Dawah: Presenting Islam. In: *The Muslim World League Journal,* vol. 25/8, Dec 1997, pp. 17-20, here p. 19.

[58] Sakr. "Concept", p. 15.

[59] www.themodernreligion.com/dawah/dawah-12tips.html (5.8.2003)

[60] www.muslima-aktiv.de/5dawah.htm (5.8.2003)

terred from speaking of their faith to Muslims, too, but also should not become weary of continuing to point out the imbalance that arises from the fact that Muslims in the West enjoy a great deal of religious freedom, while this human right is denied to Christians everywhere in the Islamic world.

8 Apostasy and Sharia[61]

Muslim theology considers Islamic law (*shari'ah* means "path to the wa-ter well") to be God-given, not of human origin. Muhammad received these laws and rules by revelation. They are summarized in the Koran and tradition. The *sharia* (the body of regulations which must be followed by a Muslim if he wishes to fulfill the requirements of his faith) is considered to be a perfect system of law for the best of mankind at all times and all over the world. Muslim theologians hold that if all peoples were to follow the regulations of the *sharia,* all people would live in perfect peace, harmony and justice.

Fundamentals of Islamic Law and jurisprudence

But since the Koran only deals with a very limited number of legal is-sues these few cases are insufficient to form the basis of a complete system of regulations that would solve all legal questions which arise in human society. They were insufficient to form the basis of a complete system of regulations even in the seventh century, let alone in modern times. In cases which the Koran does not deal with, Muslim theologians and jurists tried to find guidelines with the help of the *hadith* (Muslim tradition) and the cases described therein. At no time in history has the *sharia* as such been applied completely. Even though Islamic fundamentalists today demand a "return" to the *sharia* in its entirety (as in the Sudan or Saudi-Arabia), the question remains whether this is possible at all. Until modern times the *sharia* has only been applied to single areas like family law. It has never been applied in its entirety anywhere.

Thus, the term *sharia* means an *ideal* corpus of law (the God-given laws and rules), which was never put into practice. Today, the law codes of the different Muslim countries are mostly a mixture of Koran regulations, local customary law, elements of law codes dating back to the Persians or the Romans and some elements from European law codifications. In the twen-

tieth century European law compendiums influenced several codifications of Muslim law, so that some countries (especially those which came under colonial rule) adopted parts of the European legal regulations.

The *sharia* in itself comprises legal norms concerning inheritance law, family law, criminal law and property law, but also cultic and ritual regulations (Arab. *ibadat*) such as keeping the religious holidays, prayer (Arab. *salat*), almsgiving (Arab. *zakat*), fasting (Arab. *sawm*), the pilgrimage to Mecca (Arab. *hadjdj*) and the "Holy war" (Arab. *djihad*). The *sharia* regulates the relationship of the individual towards God, his family and society. This means that whether a Muslim gets married according to the regulations of the *sharia* or whether he will perform prayer in the prescribed way is by no means his personal decision or a question of how much he personally would like to abide by the prescriptions of his faith. Rather, it is a legal issue. This is why there is no "private sphere" in Islam in the literal sense of the word. The *sharia* gives rules not only for practicing Islam as a religion, but also for the conduct of daily affairs in one's family and in society: e.g. how to greet each other, how to get married, how to raise children, how to behave towards one's parents, how to keep contracts or how to dress properly is equally prescribed by *sharia* law. This is one of the reasons why apostasy is not considered a "private matter" as would be the case in a Western context.

The Koran itself contains relatively few legislative regulations. It does contain some regulations against unfair business practices and against violating contracts. Moreover, it contains some regulations concerning criminal law such as punishment for theft, murder or adultery. However, the described cases are mostly individual regulations, not part of a systematic law code.

Following Muhammad's death in 632 AD, there was no comprehensive Islamic law code that could have been used to establish a functioning administration and jurisdiction in the quickly expanding Muslim empire. A solutions had to be found to solve this problem.

One starting point was the texts of traditions that were collected in the eighth century. Muhammad's decisions, his likes and dislikes (and also the conduct of his companions) were considered to be of normative value because Muhammad was considered to be the perfect example for his followers. During the rule of the Umayyads, the first Islamic dynasty after Muhammad (661–750), the *sunna* (the habit) of the prophet and the first four caliphs were considered to be of growing importance for the Muslim community (Arab. *umma*). Since the habits and behavior of Muhammad were considered to be of divine character also each *hadith* was traced back to

Muhammad himself, thus establishing a "chain" of transmitters. Therefore *sunna* has the same authority as the text of the Koran itself.

Early Developments of Islamic Law

The famous scholar Muhammad ibn Idris ash Shafii (767–820) was the founder and "father" of Islamic jurisprudence (Arab. *fiqh*). He combining the regulations of the Koran and *sunna* of Muhammad as recorded in the *hadith* texts with the early legal practices of the Muslim community. Thus he developed the discipline of Islamic jurisprudence or the "principles of jurisprudence" (Arab. *usul al-fiqh*). According to ash-Shafii, Islamic jurisprudence is based on four elements:

1. The "book" (Arab. al-kitab), i.e. the Koran.

2. The sunna of the prophet (as it is reported in the texts of tradition).

3. Analogies or reasoning (Arab. qiyas), i.e. decision-making in analogy with cases described in the Koran or hadith.

4. Consensus of opinion (Arab. idjma), i.e. the consensus of all Muslim believers concerning a specific legal question, as they are represented by Muslim theologians.

In principle, these four sources of Muslim law were accepted by all orthodox schools of law, even if these schools of law interpreted them differently or gave one or another element preference over others.

Five Categories of Good and Bad

Even when we look at those legal questions the Koran deals with, still relatively few things are forbidden or allowed in plain words. Many things seem to be disapproved of, but not forbidden. Therefore Islamic jurisprudence has developed a system which categorizes everything a Muslim may do:

(1) *Prescribed or obligatory.* Something may be prescribed (Arab. *fard*) or obligatory (Arab. *wadjib*), mandatory or required (Arab. *lazim*). It may be an obligation for the individual Muslim (Arab. *fard al-'ayn*), such as the daily prayer, or for the whole Muslim community (Arab. *fard al-kifaya*) such as fighting the *djihad*. Failure to perform something that is obligatory is considered to be sin and should be punished.

(2) *Recommended.* Something may be recommended (Arab. *mandub*) or preferred (Arab. *mustahabb*), meritorious or desirable. A Muslim who does not perform extra prayer which is recommended on certain religious holidays will not be punished, but one who performs extra prayer will be rewarded by Allah.

(3) *Permissible or allowed.* Something which is permissible or allowed (Arab. *mubah*), such as travelling in an airplane, is "neutral" because there is no law that forbids it, and those who do such things will not be punished nor reprimanded.

(4) *Reprehensible or not recommended.* Something which is reprehensible or not recommended (Arab. *makruh*), such as eating specific types of fish, will not be punished because it is not sin, but neither is it neutral or recommended.

(5) *Forbidden or prohibited.* Something that is forbidden or prohibited (Arab. *haram*) is not left to the decision of the individual believer and is not accepted or tolerated by society or the State; e.g. drinking alcohol or getting married to two sister at the same time.

Sunni and Shiite Schools of Law

Sunni Islam today knows four schools of law (Arab. *madhahib*), which were developed during the course of the eighth century AD in the centers of Islamic learning. Each of them is named after its founder or his students. They differ in dogmatics and the interpretation of Koranic regulations. In addition there is mainly one Shiite school of legal thought.

Hanifite School

The Hanifite school of law was founded by Abu Hanifa (ca. 700–767 AD) and became the school of law of the Caliph dynasty of the Abbasids (750–1258 AD). It spread from Baghdad, the capital of the Abbasids, eastwards towards India. The Hanifite school became the official school of law of the Ottoman empire. Today it is predominant on the Balkans, in the Caucasus, Afghanistan, Pakistan, Central Asia, India, China, Bangladesh and Turkey. In Austria the Muslim community of the Hanifite school has gained official recognition by the State. The Hanifite school accepts ash-Shafii's four sources of law, but also adds personal reasoning (Arab. *ra'I*) to it as well the consideration of what is the best solution to a problem in regard to the well-being of society (Arab. *istihsaan*). The Hanifite school is the most liberal school.

Maliki School

The Maliki school was founded by Abd Allah Malik ibn Anas (c. 715–795 AD), a leading jurist of Medina. The Maliki school, which emerged as a counterpart to the Hanifite school, spread mainly to North Africa (Tunisia, Algeria and Morocco), Spain, West Africa and Central Africa. Today the Maliki school may also be found in Upper Egypt, Mauretania, Nigeria, West Africa, Kuwait and Bahrain. Apart from the four sources of jurisprudence of ash-Shafii, the Maliki school of law additionally recognizes the "public interest" (Arab. *istislah*) to be of importance for a decision.

Shafi'ite School

The Shafi'ite school of law was founded by Muhammad ibn Idris ash-Shafii (767–820 AD). Ash-Shafii was a student of Malik ibn Anas and tried to reconcile the Maliki and the Hanifite school of law. However by attempting so, his own school of law emerged. Ash-Shafii tried to limit the amount of *hadith* texts to those that truly report Muhammd's conduct. One of the characteristics of the Shafi'ite school is the fact that ash-Shafii accepted only the four sources of law mentioned above.

The Shafi'ite school of law was established in Bagdad and Cairo and spread to Syria, Horasan and Buchara. Today, it can be found mostly in Indonesia, East Africa, Southern Arabia, South East Asia, Yemen, Malaysia, Singapore, the Philippines, Somalia, Djibouti, Tanzania, Kenya and Uganda.

Hanbali School

The Hanbali school of law was founded by Ahmad ibn Muhammad ibn Hanbal (780–855 AD). He is the author of an extensive *hadith* collection called *al-Musnad*, which contains approximately 80,000 *hadith* texts. Ahmad ibn Hanbal was a student of ash-Shafii and became famous when he argued that the Koran was the non-created word of God. For this belief he was imprisoned and persecuted by the Abbasid Caliph al-Mamun, who held that the Koran was "created."

The Hanbali school is more a mixture of various groups of *hadith* scholars rather than Ahmad ibn Hanbal's own school. In principle this school advocated accepting only the Koran and the *hadith* as the basis of Islamic jurisprudence. It opposed any form of humanly influenced decisions. Until the eighteenth century the Hanbali school did not have any significance. But then Hanbalit Muhammad ibn 'Abd al-Wahhab (1703–1792) revived the Hanbali school with the so-called Wahhabi movement, which has strongly influenced not only the whole of the Arabian Peninsula, but also Africa, Egypt and India up until the present day.

Shiite Schools of law

The most important Shiite school of law is the school of the "Jafarites" or "Imamites." According to Shiite belief it goes back to the sixth Imam Hazrat Ja'far as-Sadiq (700—765 AD).

The Closing of the Door of Ijtihad

After the beginning of the tenth century no further school of law came into existence. Legal problems were solved in accordance to the Koran and *hadith* texts, but new sources of law were not accepted. Muslim theologians called this phenomenon later "the closing of the door of *idjtihad*." *Idjtihad* means independent reasoning or analytical thought, i.e. the interpretation of the available sources in order to come to a decision in cases that are not specifically dealt with in the Koran or the *hadith*. It is yet unclear how the closing of the gate of *idjtihad* came about. From the nineteenth century onwards Islamic theologians have demanded the "re-opening of the door of *ijtihad*" in order to be able to address the issues of modern life in an adequate way. Muslim reform theologians of the nineteenth century saw the reason for the decline of the Islamic world in modern times in the fact that the door of *idjtihad* had been closed already in the tenth century and that there was no further possibility of development regarding how to deal with modern legal issues.

Summary

1. *Not practicable*: *Sharia* is not an easy subject to deal with. There are many different opinions among Muslims about what the *sharia* really teaches and how *sharia* should be applied in modern society. In theory, the Muslim world is of the unanimous opinion that the *sharia* is the ideal law and would bring about peace and justice for everyone. But how that can be achieved in a practicable way remains an open question, since the *sharia* has never been fully applied in any Muslim country, and those countries that have tried to apply it (such as Iran) have realized that it has caused a lot of suffering to the people and in fact did not automatically lead to greater wealth or more justice within society.

2. *Process of development?* Since the "door of *ijtihad*" was believed to have been closed in the tenth century AD there is little maneuvering space for adjusting the *sharia* to modern times. Any discussion about the validity

of the *sharia* must be dealt with under the heading of *how* to apply the *sharia* and not *whether* it can be applied to contemporary society.

3. *Variety of application*: Some people in the West would like to have a handbook of *sharia,* so that, for example if there is a case of adultery reported in the press in a country like Nigeria or Sudan, one could turn to one's handbook and ascertain what should happen to the couple involved according to *sharia* law. But there is no such handbook, and moreover, one could never be written. Although *sharia* deals with the case of adultery and gives some guidelines for dealing with it there remain several possibilities regarding whether the woman or the man involved in the case should be punished and if so how they should be punished. In some cases the woman may be publicly accused of adultery (less likely the man) and she would be sued at court. But if the woman belongs to a more wealthy, respected family and has some protectors in high positions in the government she would probably not be accused. Perhaps nothing at all will happens as long as the adultery does not come to public notice. Alternatively the family of the woman involved may decides to solve the problem by themselves and either keep the woman in the house and forbid her to leave it any more, or send her away -or even kill her to restore their honor. In this case there will be no "case of adultery" followed up in court -although the *sharia* prescribes a public trial and the proof of four male witnesses or a confession from the woman.

4. *Ways to bypass sharia*: In the case of a divorce, the *sharia* prescribes that the children may remain with her mother as long as they are toddlers (in case of boys) or until puberty (in case of girls), at which point they then "belong" to their father and his family. But if the former husband is not able to care for the children or his second wife will not accept them, he might leave the children with his former wife if she refrains from claiming her "mahr" (i.e. the second part of her dowry, which she should get on the day of her divorce). This is clearly against the *sharia*, but happens every day in the Muslim world.

5. *Can God tolerate man's failures?* When taking a closer look at the *sharia* and especially the *hadith* texts, one realizes that the *hadith* texts very often and very harshly threaten those who do not follow the many detailed regulation of the "sunna" with hell-fire. At the same time, there are many exceptions and ways to bypass individual regulations in order to make the burden of the believer lighter, as the Koran states in several verses. It seems to me that the reason for this harsh damnation on the one hand and on the other hand the availability of many ways to avoid following all the regulations is in the image of God and the concept of sin in Is-

lam. If there is no reason for a Muslim to fail in his duty because he is able to perform what is right at any time if he is only prepared to try, there is no reason for God to have mercy on him, and he will be punished with hell-fire.

9 The Significance of Islamic Tradition[62]

Islamic tradition (Arabic*: hadith* – transmission, tradition, report) is substantially more extensive than the Koran. It is concerned with reports about Mohammed compiled by Muslim theologians in several collections as late as approximately two centuries after his death. These *hadithe* provide information about how Mohammed (and the first "companions of the Prophet") lived and which views they held in regard to particular questions. But, the tradition also includes detailed instructions on the necessary ablutions before ritual prayer, explanations of the order of prayer (also in the mosque), regulations for the fast during Ramadan or the pilgrimage to Mecca, clothing regulations for men and women, rites pertaining to Muslim burial, as well as dietary commandments (prohibition of alcohol and pork). In addition, the traditional texts also treat questions of Islamic law, above all of marital and family law, but also of criminal and inheritance law and of the law of testimony.

In the Muslim view, the traditional texts have the same authority in legal questions as does the text of the Koran. That is, the traditions acknowledged as "genuine" are considered to be just as inspired by God as is the Koran. Indeed, in cases of conflict, the tradition can claim an even higher authority than the Koran. If, for example, the tradition demands the stoning of married adulterers, but the Koran, in contrast, demands "only" the whipping of them (sura 24:2), then the traditional stoning rule, and not whipping, is considered by the overwhelming majority of Muslim theologians as binding. And if the Koran names no penalty for apostates who turn their back upon Islam, but merely threatens them with condemnation to Hell in the afterlife, but the tradition on the basis of Mohammed's word ("Whoever changes his religion is to be killed!") demands the death penalty, then this instruction is considered as binding by the four Sunni legal schools – that is, by the absolute majority in Muslim theology.

The tradition, thus, explains and interprets the text of the Koran, or even sharpens its meaning. In legal questions, therefore, it is not enough just to

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follow the rules of the Koran, for the instructions from the tradition also are binding upon the believer. In all other non-legal questions, Mohammed's way of life, his "habit" (Arabic: *sunna Muhammadiya*) is to be considered by Muslims as a binding guide. This way of life must be emulated in every way possible. Thus, if the tradition disapproves of men wearing gold and silk (reason: whoever wears gold and silk in this world will not wear them in Paradise) and reports that Mohammed, for this reason, is said to have worn a silver ring, then it is appropriate to the emulation of Mohammed's "habit" to wear silver rings exclusively.

The question of the authenticity of individual texts from the tradition has been answered differently by Muslims and non-Muslims. Soon after Mohammed's death, many stories about his behavior, habits, and his alleged or actual comments were circulating in the Muslim community. Later, reports about his comrades-in-arms and the first caliphs (rulers after Mohammed), even about Mohammed's favorite wife, Aisha, also were added to these. At this time –in the first two centuries after Mohammed's death in 632 A.D.— the tradition in all probability was not yet systematically collected and, was, at best, only partially compiled in a written form.

Prompted by the necessity to create a binding legal system for the rapidly expanding Muslim world empire –and in the knowledge that the Koran alone contained too few, and hardly any systematically gathered, legal statements, as well as in the desire to record reports about Mohammed and his way of life for the Muslim community, Muslim scholars beginning in the ninth century A.D., when the *hadithe* already in circulation were quite numerous and the question of the authenticity of such traditions must have been a burning issue, compiled six collections which today are acknowledged by Muslims as "authentic tradition":

1. The compiler of the *hadith* collection which is the oldest, most famous, and considered as authoritative is 'Abd Allah ibn Isma'il al-Buhari (ca. 810-870 A.D.). His collection of tradition encompasses 97 chapters and 3460 sub-chapters. The Arabic title of the work is *al jami' as-sahih al-musnad min al-hadith rasul Allah*, or *sahih*, for short.

2. Muslim ibn al-Hajjaj (died 875 A.D.) composed the work *al-jami' as-sahih*, which contains approximately 12,000 traditional texts.

3. Abu-Dawud al-Sijistani (ca. 817-888/889 A.D.) compiled approximately 4800 traditional texts in his *kitab as-sunan*.

4. Abu 'Abd Allah Muhammad b. Maja (ca. 819-886 A.D.) collected about 4341 traditions in his work *kitab as-sunan*.

5. Abu 'Isa Muhammad at-Tirmidhi (ca. 820-892 A.D.) collected 4000 traditions.

6. Abu Abd ar-Rahman an-Nasa'i (ca. 830-915 A.D.) collected approximately 5000 traditions in his work *kitab as-sunan*.

The question of the authenticity of a tradition was discussed intensely by theologians and compilers already in the early Muslim period, and numerous texts were rejected as legend. A text then was acknowledged as authentic when it:

1. possessed, above all other aspects, a flawless, that is, an unbroken, chain of transmission (Arabic: *isnad*) back to a direct companion of the Prophet (someone, thus, who personally knew Mohammed),

2. was testified to in several sources, and

3. the transmitter of the tradition was known as a reliable informant of good repute.

Because of the great weight placed upon an unbroken chain of transmission, a tradition (*Hadith*) always consists of two parts: the chain of those handing down the tradition back to Mohammed (Arabic: *isnad*), and the story itself, the text (Arabic: *matn*). According to the opinion of the majority of Muslim theologians, it is not the content of a tradition that can determine the authenticity of the tradition, but rather always only a flawless chain of transmission. Some traditions contain statements and regulations that for non-professionals are difficult to understand. Others, in the non-Islamic view, appear quite one-sided or even problematic.

Examples from Tradition[63]

What is the deficiency of a woman? She is deficient in her intelligence and her religion

"Once Allah's messenger went out to the Musalla (to offer the prayer) of 'id-al-Adha or al-Fitr prayer. Then he passed by the women and said: "O women! Give alms, as I have seen that the majority of the dwellers of Hell-fire were you (women)." They asked: "Why is it so, O Allah's Messenger?" He replied: "You curse frequently and are ungrateful to your husbands. I have not seen anyone more deficient in intelligence and religion than you. A cautious sensible man could be led astray by some of you." The women asked: "O Allah's Messenger! What is deficient in our intelligence and religion?" He said: "Is not the evidence

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[63] The chains of transmission are not given here.

of two women equal to the witness of one man?" They replied in the affirmative. He said: "This is the deficiency in her intelligence. Isn't it true that a woman can neither pray nor fast during her menses?" The women replied in the affirmative. He said: "This is the deficiency in her religion."[64]

What is true faith?

To do good to one another: "To wish for one's (Muslim) brother what one likes for one-self is a part of faith. None of you will have faith till he wishes for his (Muslim) brother what he likes for himself"

To love Muhammad more than one's father, children and all mankind: "To love the Messenger (Muhammad) is a part of faith. Allah's Messenger said: 'By Him in whose hands my life is, none of you will have faith till he loves me more than his father and his children'"[65]

Hospitality

"Abu Huraira … narrated, that Allah's messenger [Muhammad] … had said: 'Whoever believes in Allah and the last judgment shall treat his guests with due respect. This is one day and one night and feeding them for three days. Beyond that it is *sadaqa* [a gift]. And the guests are not allowed to stay with their host until they make him feel embarrassed.'"[66]

Prayer is expiation of sins

"Narrated Abu Huraira …: 'I heard Allah's messenger … saying: 'If there was a river at the door of anyone of you and he took a bath in it five times a day would you notice any dirt on him?'' They said: 'Not a trace of dirt would be left.' The Prophet … added: 'That is the example of the five prayers with which Allah annuls evil deeds.'"[67]

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[64] "The Book of Menses." in: *Sahih al-Bukhari Arabic-English.* Vol. 1, ed. by Dr. Muhammad Muhsin Khan. Kitab Bhavan: New Delhi, 1984, pp. 179-180

[65] "The Book of Belief (Faith)" in: *Sahîh al-Bukhari Arabic-English*. Vol. 1. hg. v. Dr. Muhammad Muhsin Khan. Kitab Bhavan: New Delhi, 1984, pp. 19-20

[66] Al-Buhari. Hadith No. 6135, quoted from: *Auszüge aus Sahih Al-Buharyy. Aus dem Arabischen übertragen und kommentiert von Abu-r-Rida' Muhammad Ibn Ahmad Ibn Rassoul.* IB Verlag Islamische Bibliothek: Köln, 1989, p. 618

[67] "The Book of the Times of Prayers." In: *Sahih al-Bukhari Arabic-English*. Vol 1, ed. by Muhammad Muhsin Khan. Kitab Bhavan. New Delhi, 1984, p. 301

10 Women in Islam[68]

There is only very little that can be said in general about all women in Islam. The differences in the circumstances of life created by the urban or rural environment are too large; the gap between women in Afghanistan and Tunisia, between sternly religious families and secularized Muslims in the Western world, is too great. The question whether the woman concerned obtains access to schooling changes the circumstances of her life just as decisively as does her age at marriage and the view of the individual family about which Islamic regulations are to be applied in this family and how strictly. This article names several of these fundamental guidelines without, thereby, claiming automatically to describe the concrete living conditions of all Muslim women.

Men and women – Equal before God?

The public debate over women's role in Islam tends in the West to centre round the issue of the head-scarf, seen as symbolizing women's inferiority, yet not all practicing Muslim women wear the scarf and not all of them are of the opinion that this is indispensable. In fact it is Islamic marriage law which cements women's inferior legal status as divinely ordained. The relevant provisions of the Sharia are linked to local cultural norms and time-honored traditions with roots in tribal society which were retained with the arrival of Islam. Some of the widely accepted standards of decency are a mixture of culture, religion and tradition.

Muslim apologists have always insisted that Islam believes in the equality of men and women and adduce as evidence that the Koranic creation account makes no distinction between man and woman (39:6). God is said to have created man and woman "from a single soul" (sura 4:1) to be mutual "friends" and "protectors" (9:71) and set "love and mercy" between them (30:21). The tradition praises the man who treats his wife "best" as

being the best believer. Muslim apologetic further adduces the common duty of men and women to observe the five pillars of Islam: the Creed, Prayers, the Fast, the Alms, the Pilgrimage, as well as the promise to both of great rewards in the after-life: *"to whoever does right and believes, be it man or woman, we will give a good life. And we will apportion them their reward according to their best deeds"* (16:97).

Despite their fundamental equality Muslim theologians assert the tasks God has given women differ from men's. As women bear the children and the responsibility for home and family, so men are responsible for the family's protection and maintenance, in other words to be the breadwinner who has dealings with society at large. Differing tasks mean different rights, so it is no more than an expression of "justice between the sexes" that only a half-share of an inheritance falls to the woman, since she does not bear the financial responsibility for the family. The principle enunciated in the Koran that a man's testimony can only be outweighed by the testimony of two women takes account of the fact that women's biology predisposes them to greater emotional fluctuations than men and that it would be an imposition on their often insufficient capacity of recall to ask them to decide another person's fate in a court of law.

Men and women are equal in Islam in the sense that both are promised access to paradise and expected to observe the "five pillars" of Islam. On the other hand women are excluded from religious practice during menstruation, childbirth and childbed.

Touching the Koran, entering a mosque, saying liturgical prayers and fasting during Ramadan are all prohibited. Only men are required to attend Friday prayers at the mosque and to listen to the sermon whose content is frequently of political or social importance. If women attend the mosque at all, a practice frowned upon by some theologians and even prohibited by others, they do so separated from the men in a small and usually bare room in the balcony or basement which is sometimes in a bad state of neglect through disuse. Only a sixth of the 1.2 billion Muslims are native Arabic speakers, and it is difficult for women who are unfamiliar with the language to recite the prescribed ritual prayers in Arabic correctly and in full, to read and understand the Koran or to undertake the pilgrimage to Mecca.

Women's Status in Family and Society

The social separation of the sexes is regarded as means of maintaining decorum. Men and women live virtually in different worlds, to a certain

extent even within the family circle. This is apparent in the dress code, which does not permit men to see a woman to whom they are not related unveiled, but also in the fact that Islam knows no neutral ground where men and women can meet. The wider family admits of a certain level of contact, but innocuous intermingling of the sexes outside the family circle is impossible and smacks of adultery. Muslim theologians have even recommended women should refrain from greeting relatives in public because other passers-by will not be aware they are related.

Children in Islam are brought up very differently according to sex. Sons especially develop a close emotional attachment to the mother, while the father is primarily respected as the authority figure. After circumcision, usually between four and nine years of age, fathers increasingly initiate sons into the male world, while the mother traditionally instructs daughters in household responsibilities, training them for their future role as housewife and mother. Except in the case of serious impediment, marriage is the norm for men and women and guarantees a woman's livelihood.

Woman's legal Status

Islamic marriage and family law is prejudicial to women in a number of ways. It is not only men's right, according to the majority of Muslim theologians, to punish his wife by ignoring her or to beat her in case of discord (sura 4:34). Aside from questions of inheritance and legal testimony, women are at a disadvantage compared with men in marital law, divorce and custody proceedings.

The Koran permits men up to four wives and an unspecified number of concubines (4:3). The traditional divorce procedure allows a man to divorce his wife simply by pronouncing the formula "I repudiate you" without the need for giving grounds or going to court. Some Muslim countries have already introduced checks to this procedure and lay down that an attempt at reconciliation must be made in court.

Women can only obtain a divorce in court and are only granted one if they can prove serious misconduct by the husband. A husband is only bound to pay alimony for a few months, so divorce leaves a woman without means and without children, for Islamic marriage law invariably grants custody to the husband once the children are out of infancy. Several Muslim countries have improved the legal status of women today.

Marriage Contracts in Islam

The vast majority of Muslim marriages are today still arranged by the parents.

Only in large cities is there a change in the trend. Arranged marriages tend traditionally to be associated with decency and respectability, while marriages "for love" smack of immorality and Westernization. Marriage within the extended family is favored because familiarity with the cousin and his parents make it easier to assess the chances of a successful marriage than in the case of an outright stranger. It also guarantees the "compatibility" of the marriage partners with respect to social background, education, religion and character which Islam requires, and ensures the dowry stays within the family. It is also easier for the bride's family to put pressure on a relative to save the marriage where it is in danger of breaking up.

A Muslim marriage is very different from its Christian counterpart. Apart from the dowry, which provides financial security against a possible divorce, there is always a marriage contract having the character of a civil contract in law and setting out the mutual rights and duties of the marriage partners.

Cornerstone of the marriage contract are the husband's responsibility to earn a livelihood and the wife's duty of obedience (sura 4:34). The duty of obedience has of late led some wives to include "escape clauses" in the marriage contract permitting them for instance to pursue education or career subsequent to marriage, since the husband in principle has the right to determine how often and to what purpose his wife may leave the house. Otherwise should he forbid his wife to attend university after the wedding on the grounds that he does not consider it compatible with decency, she must submit without demur.

Islamic marriage law demands submission particularly in sexual relations, for by paying the dowry the husband acquires the right over his wife's body, and she has no grounds to refuse him except ritual impurity or during the fast, since according to established precedent refusal, like infertility, gives the husband the right to repudiate her.

The traditional religious wedding ceremony is presided over by an imam, the mosque precentor or religious official, in urban areas marriages are also registered. The groom and the two obligatory witnesses sign the marriage contract. The bride does not even need to be present, the contract being generally signed on her behalf by her guardian (wali in Arabic) acting as her legal representative. The most important clause in the contract

lays down the amount of the dowry, consisting of the "dawn gift" of cloth-ing, furniture, jewellery and money which the wife receives from groom's family at the wedding, and the "evening gift", the compensation due to the wife if they are divorced, since alimony only has to be paid for three months or until the delivery of a yet unborn child.

God's blessing is not invoked at a Muslim wedding, a civil rather than a religious ceremony whose purpose is to seal a contract which explicitly anticipates the possibility of divorce in the form of the "evening gift". In the wedding ceremony the marriage partners take no vow of mutual fidelity nor make a promise of mutual care "for better or for worse". Quite the reverse: except in Turkey and Tunisia the husband has the right to take up to three additional wives. Unlike Christian marriage vows there is no promise of lifelong, exclusive devotion to one person. If the worse does come to the worst, such things as incurable illness, a prison sentence, im-potence or infertility are generally regarded in Islam as grounds for divorce for both husband and wife. The idea of lifelong spiritual fellowship before God, marriage as partnership for service, is not central to the Muslim view of marriage, rather a compact setting out the rights and privileges of both sides. Nor is there any promise or vow to "love and honor" one's partner, for the biblical commitment to mutual love is foreign to Muslim marriage.

Up to Four Women

Polygyny (multiple wives) – possibly unlimited – probably existed in pre-Islamic Arabia. In sura 4:3, the Koran limits the number of a man's wives to four and, beyond this, allows an unlimited number of concubines: "And if you fear not acting justly in regard to the orphans, than marry women as it befits you: two, three, or four. But, if you fear not acting justly, then marry only one, or whatever [female slaves] you possess. In this way, you can most easily avoid doing injustice" (4:3).

A few countries, such as Tunisia, legally forbid polygamy. In the other countries, however – provided that the marriage contract makes no other provision – a woman can do nothing if her husband desires to take a sec-ond wife. In several Islamic countries today, though, she can require in the marriage contract that she be guaranteed the right to a divorce if her hus-band takes a second wife during her lifetime. In the other Islamic countries, polygamy is in no way the rule, but – simply for economic reasons – al-ways the exception, since the Koran and Islamic tradition demand that all women be treated justly in regard to the material care and affection pro-vided by the husband.

A few Muslim theologians have interpreted the only Koran verse that mentions the number of four wives (in sura 4: 3) in the sense that the Koran here actually speaks explicitly against polygamy, since the equal treatment of several wives is never really possible, as the Koran itself concedes: "And you will not really be able to treat your wives justly, however much you try to do so" (4: 129). The majority of Muslim theologians, however, has held fast to the permission, in principle, to marry four wives.

The Duty of Marriage

In Islam, voluntary unmarried existence is actually unthinkable. The Koran, of course, clearly commands marriages in sura 24: 32: "And give in marriage those among you who are single." The Islamic tradition declares marriage to be a good custom that is to be observed, that is, it is *sunna*: "Marriage is a part of my *sunna*, and whoever is against my *sunna* is against me," so Mohammed is reported to have said.[69] Unmarried, divorced, or widowed women in the Islamic world usually do not live alone but, rather, move in again with their extended family, which has the goal of seeing them married again. The fundamental reason for this is the Islamic concept of marriage that assumes that, without the control of the extended family, a single woman living alone would give rise to rumors about her moral conduct.

Early Marriages

The Koran makes no concrete statements about an acceptable age for marriage. It is known of Mohammed that he married some of his wives while they were very young or still children, especially his later favorite wife Aisha, who was six years old at the time. This fact later was cited repeatedly as justification for child marriages. Today, the law books of most Islamic countries contain provisions that determine a minimum age for marriage, which is frequently set at 14 to 16 years for girls and approximately 16 to 18 years for boys, a regulation that, in practice in rural areas, is not infrequently circumvented by the misrepresentation of birth dates. Thus, for example, Moroccan women report that, as recently as several decades ago, girls not yet in puberty, at the age of eleven or twelve years, were given in marriage. However, it happened that the marriage of

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[69] Hans Bauer. *Von der Ehe. Das 12. Buch von al-Gazâlî's Hauptwerk*. Halle: Max Niemeyer, 1917, p. 5.

nine year-olds also occurred, and that girls became mothers already at the age of ten or eleven.[70]

Arranged Marriages and Marriage Contracts

To the present day, marriages occur frequently within the network of family relations, above all between cousins, because marriage also is considered very much under the aspect of a bond between two families. Once young people reach marriageable age and are not yet promised to a cousin, the traditional way is the arrangement of a marriage through the mother or an older female relation of the groom. Of course, modern marriages are certainly not arranged everywhere, and the number of "love marriages" – above all in urban areas – is steadily increasing.

If the family arranges the marriage, however, the mother of the groom will make inquiries at the appropriate time about the family of the chosen young woman and about her financial circumstances, but above all about her reputation, her health, and her domestic abilities. One or two visits in the home of the young woman take place, on the occasion of which the amount of the marriage portion and the festivities are discussed. If both families reach agreement, then an official date for the wedding is set and the couple is considered engaged. The assent on the part of the young woman plays a more important role today than in earlier times. Today, she is free to reject at most one candidate, but a second or third candidate less so, since she then easily can be considered difficult and unmarriageable and, thus, can bring shame upon her family.

The actual marriage ceremony is simple; the presence of the bride is not absolutely necessary. She can have her father, brother, or other male relative stand in for her. Originally, the inclusion of an administrative authority in the ceremony, for the registration of the marriage, was not required, but only the presence of a clergyman as well as two witnesses. Today, marriages are also frequently registered with the state authorities. The marriage is purely a contract in civil law between the groom and the legal representative of the bride, and is given no particular divine blessing and includes no promises of lifelong fidelity.

The marriage contract regulates, above all, the financial aspect of the marriage portion (Arabic: *mahr*). The groom either pays the marriage por-

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[70] Fatima Mernissi (ed.). *Der Harem ist nicht die Welt. Elf Berichte aus dem Leben marokkanischer Frauen*, Hamburg: Lüchterhand, 1988.

tion completely to his bride as her property at the time of the marriage ceremony, or it is agreed upon that the first part ("morning portion") is due at the time of the wedding ceremony and the second part ("evening portion") in the case of divorce or the death of the husband, as a means of providing the wife with some financial security in these cases.

The Wedding Celebration

At the following wedding celebration, men and women by tradition celebrate separately. The high point of the festivities is the act of bringing the bride into the house of the groom. There, the marriage is consummated and, as proof of the virginity of the young woman, the bed sheets are shown to the female relatives. The respectability of the bride and the honor of the whole family are thus demonstrated. If the husband discovers that his bride is no longer a virgin, she is sent back to her family in shame and dishonor. For the family of the girl and for the bride herself, this is certainly the greatest conceivable disgrace of her life. Absolute abstinence before marriage, as a rule, is not expected from the husband to the same extent as from the woman.

The Provision for the Family

The husband is obligated to provide for the family. The wife, for her part, legally cannot be forced to contribute to the livelihood of the family. The wife has the obligation to care for the household and the children. Joint ownership of property in our understanding of the concept does not exist, since neither husband nor wife acquires the right to the property of the other through the marriage. The morning portion at the time of the marriage ceremony, as well as the evening portion in the case of divorce, is considered the property of the wife and is not permitted to be used in meeting the costs of living.

Once married the man, according to the Koran, has an unlimited right to marital intercourse whenever he wishes. "Your women are a fertile field for you. Go to your field whenever you wish" (2: 223). Refusal on the part of the woman is always grounds for divorce, and there are some traditions that pronounce a curse on the wife for her refusal. The wife, too, can sue for divorce in this regard, but only after a long period of continuous sexual neglect.

Sons and Daughters

An Islamic marriage never will voluntarily remain childless. Childlessness is considered to be a disgrace and the wife is almost always given the blame for it. Infertility is a frequent ground for divorce. Often the "Evil Eye" of a third party is seen as the cause of childlessness, and many infertile women visit the graves of holy figures, or consult conjurors in order to attain fulfillment of their desire for children by use of magical practices, sacrifices, and occult ceremonies.

A birth is always a joyful event, especially the birth of a boy. The wife is awarded full recognition really only through the birth of a child, for she now has fulfilled the most important expectation of her parents and in-laws. To have given birth to a son is such a tremendous event that many mothers afterward are no longer called by their own names, but rather only as the "mother of Azîz'" (Arabic: *umm Azîz*) or "mother of Ismâ'il'. The tradition says that "Paradise lies at the feet of mothers", and the Koran demands esteem for and the respectful treatment of parents, especially in their old age: "And we have commanded the people to be good to their parents" (46:15). Only when the parents keep their child from the faith is the child theoretically allowed to be disobedient.[71]

At the birth of a child, the prayer call is whispered in its left ear and the confession of faith ("There is no God but Allah, and Mohammed is his Prophet.") in its right ear. Special care is taken to ensure that the "Evil Eye" might not possibly strike the child, for the high rate of infant mortality in the Islamic world was and is still today attributed above all to the effects of the "Evil Eye", that is, to the adverse magical practices of a third party. For this reason, it is attempted to protect the child from this influence by using various protective magical practices, such as blue beads sewn to the clothing of the child. Annemarie Schimmel mentions the custom of asking forty men named Mohammed for money and then buying clothing for the child from the money received.[72] Sometimes, among other practices, a boy will be dressed in girl's clothes so that the demons are led astray from thinking that they have a boy before them.

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[71] Jacques Jomier., *How to Understand Islam.* London: SCM Press Ltd., 1989, p. 75.

[72] Annemarie Schimmel, "Traditionelle Frömmigkeit", in: Munir D. Ahmed and others, *Der Islam, III. Islamische Kultur, Zeitgenössische Strömungen, Volksfrömmigkeit* (Stuttgart: W. Kohlhammer, 1990), pp. 242-266, here: p. 244.

Circumcision for Boys and Girls

Circumcision, which the Koran nowhere explicitly demands, is obligatory for boys in the entire Islamic world, and is celebrated with a family festival, usually when the boy is between seven and ten years of age. Afterwards, the boy belongs to masculine society and is gradually made acquainted with the duties of his religion.

In spite of the official state prohibition of it in most Islamic countries, the circumcision of girls is practiced to a greater or lesser extent in several states, primarily in southern Egypt, Somalia, Sudan, as well as by the Bedouins of North Africa. The Koran provides no basis at all for this custom that has survived in only a few Islamic countries, where traditional groups defend it stubbornly as a means of preserving the chastity of the unmarried women. Some Muslim states condemn the circumcision of girls as reprehensible, but cannot effectively prevent its practice in certain areas of the society. Only recently, the circumcision of girls, legally forbidden in Egypt as early as 1959, was re-legalized there. It is possible that this custom has its origins in African religions. In Egypt, the circumcision of girls was carried out during the time of the Pharaohs.[73] Thus, the circumcision of girls should not be considered as specifically Islamic.

The Veil

Although in all Islamic countries full or partial veiling is practiced by at least a portion of the women, the command to wear the veil is not at all so easy to derive from the Koran. The Koran says merely that women should cover themselves in a virtuous way for their own protection: "Oh, Prophet! Speak to your wives and daughters and to the women of the believers that they should draw their garments down low over themselves. Thus it is most readily ensured that they are recognized and not molested. God is, however, compassionate and ready to forgive" (33:59).

In the case of some of these instructions it is not easy to decide from the context whether they concern only Mohammed's wives or whether, because his wives are intended to be models for all women, all women in general are addressed here indirectly.

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[73] Frank Bliss, *Frau und Gesellschaft in Nordafrika. Islamische Theorie und gesellschaftliche Wirklichkeit* (Bad Honnef: Deutsche Stiftung für Internationale Entwicklung, 1986), p. 118.

The veil, or the headscarf, is worn from about the age of puberty. The woman then can show herself unveiled only before the men of her extended family. The Koran gives no clear instruction about whether the "veil" means merely a headscarf worn over the usual clothing, as is frequently usual in Turkey, or a full-length veil that leaves the face free or provides only slits for the eyes, as is currently usual in Afghanistan.

Punishing the Wife for her "Rebellion"

Most Muslim theologians agree that the Koran concedes to the man the right in certain situations to punish his wife (or wives): "The men take precedence over the women because God has honored them more than the others and because they give (to their wives) from their property … And if you fear that the wives rebel (against you), then remove yourselves from them in the marriage bed and beat them. If they then obey you, then undertake nothing further against them!" (4:34)

The husband, as it seems, is given the right to resort to means of corporal punishment if he merely fears that his wife could rebel against him. He can use such punishment to compel her to obedience if admonishment and the refusal of marital intercourse have not moved her to relent. Whoever examines the exact wording of the Koran verse could even say that the man not only has the right, but even the duty to punish, for sura 4:34 is formulated as a command to husbands: "Beat them!"

This is not to say that in every Muslim family the husband beats his wife and in any non-Muslim family he does not! Some Muslim theologians and also some female feminists are totally opposed to the idea that the Koran allows the husband to beat his wife by arguing that the traditional translation of sura 4:34 is simply wrong. But till today they do not seem to be influential enough to shake the arguments of mainstream Muslim theologians.

So there is also just as little justification for claiming that men in the Islamic world would not avail themselves of this right. N. Tomiche mentions, for example, that the right of punishment is legally established in Egypt. There are said to be courts there that concern themselves with the permissible length of the stick with which the woman can be beaten.[74]

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[74] N. Tomiche. "Mar'a". in: *Encyclopedia of Islam*, vol. VI (Leiden: E.J. Brill, 1991), pp. 466-472, here: p. 471, and Frank Bliss. *Frau und Gesellschaft in Nordafrika. Islamische Theorie und gesellschaftliche Wirklichkeit.* Bad Honnef: Deutsche Stiftung für Internationale Entwicklung, 1986, p. 69.

"Moderate" punishment by the husband will hardly be a cause for legal action against him, since the wife is assumed to be fundamentally responsible for the success of the marriage and, in the case of punishment, the assumption is abnormal behavior on her part.

In the tradition, it is reported of Mohammed himself that he confirmed the right of punishment for the case that a wife received as a guest in her home someone who the husband is not able to abide: "But, she should not allow anyone to sit in your private quarters who you do not like. If she, however, does this anyway, then you are permitted to punish her, but not too hard. Her rights in regard to you are that you provide her in an appropriate form with food and clothing"[75].

The famous theologian Abû Hamîd al-Ghazâlî (died 1111) demands that the "malice" of the wife be treated with "discipline and severity"[76] and, in the case of "disobedience on the part of the wife", he advocates "forcibly returning [her] to obedience"[77]. If her husband punishes her and, as a last resort, beats her, then "he should beat her without causing her injury …, that is, he should cause her pain, but not so that one of her bones is broken or she bleeds. He also is not permitted to strike her in the face; that is forbidden"[78].

Adultery

Adultery in general is considered in Islam to be a serious offence; the Koran requires 100 lashes for the man and the woman (24:2) and warns explicitly against leniency and compassion. In Islamic law, however, the penalty of death by stoning has come to be accepted since the tradition mentions this punishment and it is assumed that earlier the Koran also once contained this "stoning verse".

However, four witnesses are required to provide proof of adultery, a circumstance that is likely to be extremely rare. If this condition cannot be fulfilled, then the charge is interpreted as a false accusation, which, accord-

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[75] From a translation by Talib Y. Fehlhaber. cited in: Ahmad v. Denffer, *Wallfahrt nach Mekka. Das Wichtigste über umra und hadsch*, Schriftenreihe des Islamischen Zentrums München, Nr. 15, Munich, 1987, p. 84, unfortunately with no source reference.

[76] Hans Bauer. *Von der Ehe. Das 12. Buch von al-Gazâlî's Hauptwerk* Halle: Max Niemeyer, 1917, p. 78.

[77] Ibid., p. 87.

[78] Ibid.

ing to Islamic law, likewise is punishable by death. A wife can ward off the accusation of adultery made by her husband, but which he cannot prove through the evidence of four witnesses, by calling upon God four times as her witness that her husband is lying and the fifth time swearing to God that she is innocent and imploring God that he otherwise might punish her with his curse (24:6-9).

So are the legal provisions, which offer only few possibilities for legal proceedings. It is quite another question how adultery, or the suspicion of it, is punished in practice. One can certainly assume that a woman is not very frequently charged with adultery in a court of law, but that the family of a woman fallen into "disrepute" itself much more frequently assumes the responsibility of punishment.

In fact, it appears that, in practice, the proven case of adultery is not always required for the punishment of a woman, but rather that only minor deviations from socially accepted behavior are sufficient. For an unmarried woman, this immoral behavior would exist, for example, in a conversation with an unrelated man. The woman then gains a bad reputation and thus has fewer chances for marriage. It can happen that a girl who once has exchanged a few words with a young man in a public place is then shut up completely at home and monitored constantly until she is married.

Jürgen Frembgen reports from his experiences gathered during several lengthy stays in Pakistan: "Among the Pakhtun and Baluch, the forbidden glance of a woman in the direction of a strange man, or a short conversation, already can be interpreted as unchaste behavior and adultery, which makes further life together with her husband impossible and often enough means the killing of the wife"[79], or "contacts between a man and a woman who are not married to each other can … be interpreted as adultery and result in a vendetta"[80].

Divorce and Repudiation of the Wife

The tradition, to be sure, records that Mohammed characterized divorce as the most reprehensible of all permitted actions. Yet, divorces in Islamic law were and are very simple for the man and, accordingly, frequent. The husband can repudiate his wife at any time and without naming his grounds

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[79] Jürgen Frembgen, *Alltagsverhalten in Pakistan* (Berlin: Express Edition, 1987), p. 32.

[80] Ibid., p. 74.

for it by repeating the divorce formula (for example: "I repudiate you!") three times. If he pronounces the formula only once or twice, then the divorce is still revocable. He takes his wife back again before the "waiting period", the period in which a possible pregnancy would become evident, has run out and consummates marital intercourse with her, which amounts to a repeal of the divorce. If, however, the divorce formula has been spoken three times, then the man can marry this particular woman again only if she, in the intervening period, has been the wife of another man and again has been divorced from him (2:228-230).

This regulation of the three-fold divorce formula is intended actually to protect the woman from impulsive divorces that are pronounced in annoyance, intoxication, or just in fun. Divorce, however, remained even in the Islamic era a comparatively uncomplicated process for the husband, since his decision alone is sufficient.

Today, however, this simple divorce has been made *de facto* more difficult in several Islamic countries. Often (but not everywhere), legal proceedings in a court of law are necessary. In some cases, too, the man must initiate a legal action in order to obtain a divorce; sometimes he is urged to undertake attempts at reconciliation. A particularly frequent ground for divorce today is still likely to be the infertility of the wife or the birth of several daughters and no son.

In most Islamic countries today, a wife, too, can obtain a divorce in certain cases, but always with the help of a formal trial. Among the grounds that a wife can present before a court are several years' absence of her husband from the home and his presence at an unknown location, the neglect of his obligation to pay support, a term in prison extending over several years, continued impotence, neglect of marital duties for at least three years, mental illness, dangerous, contagious, or repulsive diseases such as leprosy or elephantiasis, exceptional cruelties on the part of the husband, robbery of the wife's property, hindrance of the wife in the practice of her religious duties, verifiably unequal treatment of wives, seduction of the wife to immorality, and a permanently immoral lifestyle (individual "lapses" are not grounds for divorce[81]). The principle of irreconcilable differences in the marriage also is applied today under certain conditions.

According to Islamic law, the children from a divorced marriage always belong to the father. They can remain with the mother until they have

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[81] So Asaf A. A. Fyzee, *Outlines of Muhammadan Law* (Geoffrey Cumberlege: Oxford University Press, 1949/1955), pp. 145-147, for at least the Indo-Pakistani sphere.

grown out of infancy, that is, girls until ten or twelve and boys no older than seven (in Iran only until the age of two). Afterwards, the children come to their father or to his family and belong to him alone. The wife then no longer has any rights in regard to her children, also no right of visitation.

The Islamic Women's Movement

The model and goal of the women's movement in the Islamic world, which is active in all countries at different levels of intensity, is not the adoption of the – what in the Islamic view is considered to be a – decadent and morally reprehensible western social order, and also not the liberation from the regulations of the Koran. The women's movement argues that neither the Koran nor the tradition is correctly interpreted today, and that Mohammed's wives possessed a more privileged position than women today. "Back to original Islam and its rights for women!" is the frequent demand of Islamic women's movements. A call for the assertion of women's rights in the framework of a suspension of Islam would have no chance of being heard on a broad scale in the Islamic world. Women's rights advocates who would do so would be charged with being godless and western. For this reason, women in the Islamic world have attempted repeatedly to sue for their rights by "correctly interpreting" the statements of the Koran and the tradition.

Differences with Christian Marriage

The Islamic marriage differs from the Christian marriage in many respects. Through the provision for the security of the bride with the evening portion, the Islamic marriage in a certain sense reckons already at the time of the marriage ceremony with the possibility of a later divorce and also with the possibility of the man marrying additional women. A promise on the part of the marriage partners with God's help to remain true to each other until death does not exist. Marriage in Islam is generally only a contract in civil law that determines mutual obligations and is not an eternal bond founded by God and blessed by him. The fear of a threatening divorce is quite real for almost every Muslim woman when she does not fulfill the expectations of her husband in the management of the household and the number of children.

The Christian marriage, in contrast, is intended as lifelong companionship with only one partner. Precisely because of the commitment to one human being, that is, to exclusivity, it is compared in the Bible again and again with the covenant between God and human beings, which likewise is committed to exclusivity and is concluded for eternity. Married Christians swear an oath before God that only death should separate them. Also in contrast to Islam, mental illness, prison, or the impossibility of finding a sufficient livelihood would not be a ground for divorce according to the Bible, for it is exactly here that it ought to be demonstrated that Christian marriages are maintained not only so long as the marriage partners "function" flawlessly, but precisely in those instances when he or she most urgently needs counsel, help, and support. The Christian marriage vow to be there for the partner in "good as well as evil days" obligates the partner to sacrifice himself or herself for the other precisely in times of need. The Bible speaks in many places of the fact that love for the neighbor or for the marriage partner is not just a feeling, but also that there must be a decision of the will for love, and that love means devotion and sacrifice (cf. Ephesians 5:25-31). The Bible repeatedly exhorts husbands and wives to exercise love in the marriage. It is not the codification of certain obligations in the marriage, such as provision for the family or the care of children, that forms the chief component of Christian marriage, but it is rather the intellectual-spiritual communion of the marriage partners in their relationship to God and the mutual completion of two, in nature, different human beings borne by love and forgiveness that stands at the center of Christian marriage. The story of creation already makes this especially clear. Adam misses a partner that is like him, does not stand under him like the animals, and does not stand over him like God, his Lord. After he has given all the animals a name, he rejoices at the creation of the woman, for God says: "It is not good for the man to be alone; I will make a partner for him that is suitable to him" (Genesis 2:18).

Divorce was an "abomination" to God already in the Old Testament (Malachi 2:11, 14-16) and was allowed at all only because of the "hardheartedness" of the people (Jesus in Matthew 19:8, Mark 10:5). Divorce in the biblical understanding thus is intended to be an absolute exception, but not allowed for from the very beginning. On the basis of this idea of lifelong companionship, a divorce in German law, too, is still a quite tedious affair that "enforces" a complete year's time to reconsider, even in severe cases of irreconcilable differences. If only one marriage partner desires the divorce, then even several years can pass before the divorce is finalized.

On the other hand, the Koran nowhere speaks explicitly about the intellectual and spiritual communion of marriage partners and, to my knowl-

edge, this component remains practically unconsidered among the commentators on the Koran and in the literature on questions concerning marriage and the family. Since Islam has no ecclesiastical structure encompassing all the faithful and the mosque offers women only a limited sphere of activity, a woman can live out her faith only in private. She cannot, however, intellectually and spiritually shape her environment and culture together with her husband.

11 "Islam" is not just "Islam": Sunni and Shiite Islam compared[82]

Sunni and Shiite Islam compared	
Sunnism	**Shiism**
1. Sunni Muslims believe that the ruler of the Muslim community has to belong to Muhammad's tribe, to the Quraysh. He has to be elected by the community and then confirmed in his position. This ruler is the caliph who enables his subjects to live according to the laws and regulations of the *sharia*. He is judge and military leader and applies the God-given law but he has no teaching authority.	**1.** Shii Muslims believe that only a relative of Muhammad is entitled to rule the Muslim community. The legal ruler is the Imam, a religious leader. He lives "in secrecy" today and sends his messages to his community. He has the highest authority to teach, he is infallible and sinless. A Shii tradition says: *"Whoever does not know the Imam of his time will die the death of an unbeliever."*
2. Sunni Muslims expect Jesus to come back on earth at the end of the times – either in the Umayyad mosque in Damascus or in Jerusalem – then he will return to the earth as a prophet of Islam.	**2.** Shii Muslims expect the Imam to return to the earth at the end of the times. The Imam is believed to live in secrecy since the 10th century.
3. Most Sunni Muslims believe that a temporary marriage for which the wife will get a payment at the end has to be considered as a form of "prostitution" and is therefore forbidden.	**3.** Most Shii Muslims consider the temporary marriage (*mut'a-marriage*) as a form of marriage practiced by Muhammad and therefore allowed if not recommended.

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4. Sunni Islam has developed four schools of law (traditions) until the 10th century which go back to famous jurists and theologians of the early Islamic times and are practiced till today.	**4.** Shii Islam has developed its own traditions and interpretations of Islamic law. Shii Islam does not accept the traditions of the first three Sunni caliphs (followers of Muhammad's), since they are considered as "usurpers". Shii Muslims therefore often curse them.
5. The four schools of law show some minor differences concerning the interpretation of *sharia* and the practice of the faith (e.g. when it comes to ritual prayer), but they acknowledge each other in principle.	**5.** Shii Muslims pray in Shii mosques if ever possible, and their ritual prayer differs from the Sunni majority to some respects. Many Shii believers use a little piece of dried clay from Kerbela (where Muhammad's grandson was killed) on which they fall down with their forehead while praying.
6. Sunni Muslims believe that the Koran text has been sent down unto Muhammad and was transferred to him by the angel Gabriel. Since then, it has been preserved without any faults and errors till today.	**6.** Shii Muslims claimed from the very beginning that the Koran text had been falsified by Sunni Muslims, as to their belief Muhammad had designated his son-in-law and nephew 'Ali to become his successor. This claim has not been accepted by the Sunni majority after Muhammad's death.
7. In Sunni theology the concept of suffering and redemption is of no importance. The Koran denies the death of Jesus Christ on the cross (sura 4:157-159) and Sunni theologians unanimously reject it.	**7.** Shii theology considers the suffering of the Imams in history and even more the suffering of Muhammad's grandson al-Husai who has died a "martyr's" death in 680 AD to be of eminent importance for the redemption of today's Shii Muslim community.
8. If a Sunni Muslim has asked a scholar for a *fatwa* (legal opinion) concerning a certain question and he hesitates to follow his advice, the believer is entitled to approach an-	**8.** If a Shii believer sticks to the tradition ("imitation") of a certain Shii scholar, he is obliged to follow the advice given to him in his *fatwa*.

other scholar to hear his opinion and ask for a second *fatwa*.	
9. In view of Sunni Islam it is not the duty of the Muslim community to search for a "hidden meaning" in the Koran text, as we have it today.	**9.** Shii Muslims believe that the Koran text has many hidden, inner meanings beside the "outer" meaning which is easy to be understood. The hidden meanings are only known to the Imam.
10. For Sunni Muslims the Muharram processions and the visits of the graves of Shii saints and Imams – especially if considered to be a substitute for the pilgrimage to Mecca – comes near to apostasy and heresy.	**10.** For Shii Muslims the mourning ceremonies in the month of Muharram are of utmost importance in order to repent and to receive redemption by remembering the death of the last descendant of the Prophet Muhammad in Kerbela 680.

Taqiya – The Dictate of Secrecy in Emergency

Rivalry and animosity characterized the relationship between Sunni and Shiite Muslims from the very start, the key issue being the legitimacy of rule, but there were also disputes about the "correct" text of the Koran and the "correct" tradition, as well as numerous legal questions, with each side accusing the other of "unbelief" and "heresy" till today.

Shiites have at times suffered persecution from Sunni rulers and dynasties such as the Umayyads and Abbasids, and their places of pilgrimage have again and again been destroyed by Sunnis. In modern Saudi-Arabia, which recognizes only Sunni-Wahhabite Islam as the true faith, Shiites do not enjoy genuine freedom of religion and are often regarded with suspicion if not animosity. As a result many conceal their affiliation with the Shiite community. The same is often true in the Gulf States. The Shiite minority is all too often suspected of lack of identification with or loyalty to the Sunni regime, and of entertaining relations with Shiite circles in Iran with a view to overthrowing the government and introducing the Iranian revolution. Fear of subversion has often led the Gulf States and Saudi-Arabia to deport Shiite groups regardless of whether they were in fact politically active or not.

The centuries-old and sometimes severe persecution of their minority community led Shiites to take the view that in such an emergency they should either emigrate or compulsorily conceal their faith to avoid unnec-

essary martyrdom and protect themselves and their community. This practice of *taqiya*, meaning 'prudence' or 'concealment' seems to have arisen under the strict Sunni rule of the Abbasids in the 8ᵗʰ century AD. [83] Justification was found in sura 16.106, which exonerates from divine wrath on voluntary unbelievers those who *"are externally driven to unbelief although their heart has found eternal rest in faith"*. The Koran extends these dispensations to other emergencies such as threat of starvation or fear of non-Muslim enemies, in which case one is allowed to eat meat which has not been ritually slaughtered (6.119) and to entertaining friendships with "unbelievers" (3.28). The term *taqiya* later came to be synonymous with "hide", "conceal" or even "lie", and "practising taqiya" meant dissimulation to deceive others. .The term *taqiya* today is also applied to *Da'wah* (the call or invitation to Islam), meaning to proceed in a tactical way in order to proselytize.

Even Sunni theologians accept the principle of *taqiya*. One of the most famous, al-Tabari (died 855) gave the following interpretation of sura 16.106: *"If any one is compelled and professes unbelief with his tongue, while his heart contradicts him, in order to escape his enemies, no blame falls on him, because God takes his servants as their hearts believe."*[84] Others held the view that *taqiya* was to be recommended for women, children and handicapped but not binding on single persons, who could bear persecution as long as it was limited to prison or non-fatal beating.[85]

The opinion of the vast majority of Shiites is that the persecuted believer should practice "prudence" or "dissimulation" and pretend to be Sunni to avoid persecution.[86] Some Shiite scholars even went so far as teach publically as Sunni theologians while secretly presiding over their Shiite communities.[87] Genuine equality and mutual recognition between Sunnis and Shiites has never been attained in Muslim history and theology.

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[83] Moojan Momen. *An Introduction to Shi'i Islam. The History and Doctrines of Twelver Shi'ism*. New Haven/London, 1985, p. 39.

[84] al-Tabari. *Tafsir*. Bulak 1323, XXIV,122, quoted from R. Strothmann-[Mokhtar-Djebli]. "Takiyya." in: *Encyclopaedia of Islam*. vol. 10, Leiden 2000, pp.134-136, see p. 134

[85] Ibid. p. 134

[86] Only the Shii group of the Zaidites is against *taqiya*.

[87] Momen. "Introduction." pp. 319-320 mentions some examples.

12 Suicide, Martyrdom and Jihad[88]

"Whosoever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he had killed all mankind, and whoso saves the life of one, it shall be as if he had saved the life of all mankind" (sura 5:32).

Does Islam Condone Violence?

The foregoing verse from the 5th sura, echoing almost verbatim passages referring to Israel in Mishna and Talmud[89], has been frequently cited in recent discussion about Islamic suicide attacks. Should it be taken to mean Islam prohibits such attacks? The almost daily occurrence in recent years of suicide attacks perpetrated by extremists who appeal to Islam to justify their actions has raised the question whether Islam is inherently militant or a religion of peace, a question to which Muslims themselves give differing answers.

While some insist on the fundamental incompatibility of violence with Islam on the grounds that *"terror has nothing to do with our religion"[90]*, others maintain that attacks resulting in "innocent" victims are wrong and not to be countenanced by Islam. There are also those who consider that in a war such as the one currently opposing Israel and Palestine, casualties are inevitable and justifiable: *"We are at war, as we have never been before*

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[88] First published in: *Islam und Christlicher Glaube/Islam and Christianity. Journal of the Islam Institute of the German Evangelical Alliance.* 4/2004, 1: 04-14

[89] 4th Book ("Nezikin"). chap. "Sanhedrin". par. 4, V. 5. Herbert Danby. *Mishna.* London 1993

[90] According to the Chairman of the "Central council of Muslims in Germany" (ZMD), Nadeem Elyas, in the *Stuttgarter Zeitung*, 3 April 2004: "Manchen passt es nicht, dass wir den Terror verurteilen" (Our condemnation of terrorism does not suit everyone).

throughout history. If civilians are killed in the course of Palestinian operations, this is not a crime[91].

In connection with the 11 September attacks there were Muslims who concluded the attackers could not possibly be Muslims but terrorists whose religious affiliation had no relevance for their deeds. This somewhat facile solution to the problem fails to do justice to the fact that many extremists claim, orally or in writing, that Islam is the mainspring and motive of their attacks.

The simple answer to the question whether Islam is a militant religion or a peaceful one that is being misappropriated for political ends is probably "both".

It is important to define the terms of the discussion. There can be no doubt that the Koran unequivocally condemns killing innocent people. In Islamic jurisprudence murder, manslaughter, terror and attacks against innocent victims, including bodily injury, are serious crimes punishable in a court of law. The Sharia reserves execution as a punishment for capital offences such as adultery, sedition, apostasy or in martial law.

However not all Muslims would class a suicide bomb attack as murder or manslaughter. This results from the differing conclusions Muslims draw from Muhammad's example. In the early part of his career from around 610 to 622 AD, Muhammad was a preacher calling his compatriots to faith in Allah as sole creator and judge and pronouncing ethical principles such as appeals for fair trading or solicitude for ageing parents.

In the last ten years of his life subsequent to his emigration (*hijra*) to Medina in 622 AD, Muhammad acted as military commander, politician and legislator and was able to gather many more followers round him, whom he led in a number of military campaigns against those who resisted his message and rule, principally three large Jewish and a number of Arabic tribes. The Koran condemns these "infidels" and their opposition to Islam, which in numerous verses is equated with opposition to God and his Prophet. Muhammad's enemies are denoted "friends of Satan": *"Those who do believe battle for the cause of Allah; and those who disbelieve battle for the cause of idols. So fight the friends of satan (the devil). The devil's strategy is ever weak"* (4:76).

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[91] 'Abd as-Sabur Shahin, lecturer of Dar al-Ulum in Kairo, in: "al-Ahram al-'Arabi". 15. Dec 2001, cited by Haim Malka. "Must Innocents Die? The Islamic Cebate over Suicide Attacks." in: *Middle East Quarterly*, Spring 2003, p. 5 (see also www.meforum.org/article/530)

Muhammad preached and lived out ethical principles and military combat, and following his example is one of the immutable duties of every pious Muslim. Theologians differ as to whether every individual Muslim is bound to participate in the struggle to defend and propagate Islam.

The Koran calls upon Muslim believers to take up the struggle against the enemy and the adversary and the following passages show Muhammad appealed more than once to his followers to fight: *"Warfare is ordained for you, though it is hateful unto you; but it may happen that you hate a thing which is good for you, and it may happen that you love a thing what is bad for you. Allah knows, you know not"* (2:216). And: *"So fight in the way of Allah – you are not taxed (with the responsibility for anyone) except for yourself – and urge on the believers"* (4:84)

"Infidels" and "hypocrites" are the target of the struggle: *"O prophet! Strive against the infidels and the hypocrites! Be harsh with them. Their ultimate abode is hell, a hapless journey's-end"* (9:73)

Extremists who apply the early Muslim community's struggle against "infidels" to present-day conflicts can hardly be accused of misinterpreting the Koran, for people who resist the spread of Islam can scarcely be considered as "innocent victims", particularly in Israel, where there is not a family without someone serving in the armed forces. From the extremists' perspective it is easy to see how even those not involved in the war can be considered enemies of Islam. According to this view, it is legitimate to take the life of Islam's enemies, who resist its spread, as Israel does by its very existence, as this ultimately counts as defending Islam.

For Shiite Muslims suffering plays a particular role in the struggle against the oppressor. In 680 AD al-Husain, Muhammad's grandson and last direct descendant, was defeated by a superior Sunnite army, sealing the end of hopes of Shiite accession to power. The annual passion plays in the month of Muharram recall al-Husain's suffering as an example of the suffering and unjust death of all oppressed in Islam, whose heirs the Shiites consider themselves to be. Last but not least, defending and affirming Palestinian rights is seen against the background of Islamic Middle-eastern culture as defending the honor of the Arab nation and/or Muslim community against an overweening "Christian" West.

Martyrdom

A word must be said in this context about the Koran's view of martyrdom and its place in Muslim theology. In the mind of most Muslims to die

in *Jihad*, i.e. in God's cause or striving for God's purposes, promoting the way of God, is rewarded by immediate access to Paradise. Several passages in the Koran assert that those killed in battle do not really die but simply exchange life on earth for life in the hereafter: *"Let those fight in the way of Allah who sell the life of this world for the other. Whoso fights in the way of Allah, be he slain or be he victorious, on him we shall bestow a vast reward"* (4:74). Or: *"Think not of those, who are slain in the way of Allah, as dead. No, they are living ... jubilant because of that which Allah has bestowed upon them of his bounty, rejoicing for the sake of those who have not joined them but are left behind: that there shall no fear come upon them neither shall they grieve"* (3:169-170).

According to Muslim tradition those who die a natural death undergo interrogation as to their faith by the two angels of the grave and may for a time have to endure suffering for their sins, from which they can be released by Muhammad's intercession and enter Paradise. Martyrs, on the other hand, whose faith is not in question, enter Paradise immediately after death without the need for awkward questions or any kind of purgatorial suffering. Martyrs are also buried in their own blood-stained clothes without the need for ritual ablution of the body.

There are a number of Koran verses which associate Paradise with sacrificial involvement for God's cause possibly resulting in death: *"Now when you meet in battle those who disbelieve, then it is smiting of the necks until, when you have routed them, then making fast of bonds ... and those who are slain in the way of Allah, he renders not their actions vain. He will guide them and improve their state, and bring them into the Garden which he has made known to them"* (47:4-6).

This concept of a martyr as one who actively lays down his life for God differs from that of the New Testament and the Early Church of a martyr as a person whose life is taken because they refuse to deny their faith when faced with the alternative: renounce or die.

The Prohibition of Suicide and the Duty of Jihad

Both the Koran (4:29) and Muslim tradition forbid suicide in the sense of persons taking their own life in despair at their circumstances, overwhelmed by need or from fear of torture and thereby deny God's providential care.

An attack which is likely to prove lethal for its perpetrator is according to this logic thus not classed as suicide but as *Jihad*, striking a legitimate

blow in God's cause as a last resort against the illegitimate oppression of the Muslim community. *Jihad* may also be seen as defending the human rights of Muslims in Palestine who are deprived of them and as a check on tyranny and injustice. From a Muslim point of view such action may take peaceful forms such as the propagation of Islam on the internet, distributing copies of the Koran or donating grants for students at Muslim Universities.

On the other hand *Jihad* may also find militant expression, especially when it involves defending Islam against its "enemies", and the Koran promises such militants forgiveness: *"And what though you be slain in Allah's way or die therein? Surely pardon from Allah and mercy are better than all that they amass"* (3:157). Indeed, anyone laying down their life in *Jihad* is not even to be regarded as dead: *"And call not those who are slain in the way of Allah 'dead'. No, they are living, only you perceive not"* (2:154).

The Koran promises the great reward of Paradise to all who die in the path of divine duty: *"I suffer not the work of any worker, male or female, to be lost ... and those who fled and were driven force from their homes and suffered damage for my cause, and fought and were slain, verily I shall remit their evil deeds from them and verily I shall bring them into Gardens underneath which rivers flow – a reward from Allah. And with Allah is the fairest of rewards"* (3:195).

Palestinian or Indonesian suicide bombers do not see themselves as suicides who face divine retribution in the after-life but as militants who lay down their lives in defense of Islam to end the (Western) aggressors' oppression of the Muslim community (*umma*). While it is still true that Islam forbids the murder of innocent people and appeals for peace, but a peace which in the traditional view which will come when all humanity is governed by the Sharia and Islam has received universal recognition. Muslim opinion differs widely on the question of which means are legitimate to enforce the Sharia, whether Muslim propaganda, legal pressure in the courts or terrorism and war.

Because of this, Muslim academics generally find it difficult to condemn suicide attacks outright. They tend to be condemned in pronouncements aimed at Western countries but condoned in statements destined for the Muslim community. The grand sheikh of al-Azhar, the grand mufti of Egypt, Sayyid Mohammed Tantawi, recently denied their legitimacy in pronouncements to the West and commented on the attack on the US embassy in Kenya in 1998 in the following terms: *"Any explosion that leads to the death of innocent women and children is a criminal act, carried out*

only by people who are base, cowards and traitors"[92]. He made a similar pronouncement subsequent to the attacks on the World Trade Centre in New York 2001. The Sharia *"rejects all attempts on human life, and in the name of shari'a we condemn all attacks on civilians, whatever their community or state responsible for such an attack"*[93].

But as early as 1998 Tantawi declared publicly to Arab audiences that Palestinian attacks were legitimate: *"It is every Muslim, Palestinian and Arab's right to blow himself up in the heart of Israel*"[94], and: *"Suicide operations are of self-defense and a kind of martyrdom, as long as the intention behind them is to kill the enemy's soldiers and not women and children*"[95].

The well-known Egyptian-born Sheikh Yusuf al-Qaradawi, the highest Sunni authority in Qatar and acknowledged legal expert (Mufti), makes a distinction between "terrorism" and "martyrdom", regarding Palestinian suicide attacks as legitimate but not the 2001attacks on the World Trade Center: *"The Palestinian who blows himself up is a person who is defending his homeland. When he attacks an occupier enemy, he is attacking a legitimate target. This is different from someone who leaves his country and goes to strike a target with which he has no dispute"*.[96]

The failure of Muslims to condemn suicide attacks needs to be understood in the context of the duty of solidarity within the Umma, the community of all Muslims which forbids public criticism of other Muslims and thus taking the part of non-Muslims. Some Muslims may perhaps regard death in a suicide attack as predestined (*maktub*) and criticism of it as an unlawful querying of a decree of divine providence. Finally account must betaken of possible linguistic differences in the semantic value of terms used in English pronouncements for the West and their Arabic equivalent.

Those who take Muhammad's early life as their guide and regard the propagation of and invitation to Islam as legitimate means in God's cause today can see Islam as a religion of peace. For those who apply the

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[92] Yotam Feldner. "Debating the Religious, Political and Moral Legitimacy of Suicide Bombings (I)". MEMRI, Inquiry and Analysis, 2 May 2001

[93] Grand Sheikh condemns suicide bombings. BBC NEWS 4 Dec 2001

[94] Feldner. Ibid.

[95] Sut El-Ama (Ägypten), 26.4.2001, cited in: "Al-Hayat". London-Beirut, 27.4. 2001 and in: "Debating the Religious, Political and Moral Legitimacy of Suicide Bombings (I)". MEMRI, Inquiry and Analysis Series, No. 53, 2 May 2001

[96] Ar-Raya, Doha, 26. Oct 2002, cited from Haim Malka. "Must Innocents Die? The Islamic Cebate over Suicide Attacks." in: *Middle East Quarterly*, Spring 2003, p. 4

Koranic texts dealing with the struggle against infidels one-to-one to the contemporary events in Palestine or the Western "oppression" of Muslim countries, Islam can prove to be a religion with potential for violence.

13 Honor Killings and Ideas of Honor[97]

"Senel Habes, from Kilis, goes to the police station and reports that she is being threatened by her divorced husband. In panic, she requests protection from the public prosecutor's office. The authorities, however, ignored her appeal for help, although an unmistakable danger for the victim was plain. She bore distinct scars on her face from the acid that her husband had poured on her. Twenty days later, Senel Habes was killed by her ex-husband."[98]

Honor killings take place today not only in the eastern part of Turkey. In Germany, too, and in the other countries of Europe, women die "for reasons of honor". Till now, German criminal investigative departments do not compile any separate statistics, but unofficial statistics quote at least 49 honor killings or attempts at such in Germany between 1996 and 2005.[99] The United Nations estimate that ca. 5000 honor killings (along with a high number of unreported cases) have been committed world-wide.[100]

Honor killings are known to have been committed in eastern Turkey, in the neighboring lands among the Kurdish population, in Jordan and Syria, in Pakistan, India, and Bangladesh, in Iran, Iraq, Israel/Palestine, Lebanon, Ethiopia, and Kosovo, as well as in several countries outside the Mediterranean area, such as Mexico, Ecuador, Brazil, East Africa, Malaysia, Papua- New Guinea, and Cambodia, as well as in migrant cultures in west-

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[97] First published in: *Islam und Christlicher Glaube/Islam and Christianity. Journal of the Islam Institute of the German Evangelical Alliance.* 6/2006, 2: 30-35

[98] Internationales Zentrum für Menschenrechte der Kurden IMK e. V. (Hg.). Mord im Namen der Ehre. Entwicklungen und Hintergründe von Ehrenmorden. Bonn 2003, p. 20

[99] M. Böhmecke. *Studie: Ehrenmord*, Tübingen n. d. (2005), www.frauenrechte.de/tdf/pdf/EU-Studie_Ehrenmord.pdf (1.7. 2006) p. 18f.+22 according to a statistics of Papatya (Ed.). *Verbrechen im Namen der Ehre in Deutschland.* Berlin 2005

[100] N. Sadik. *The State of World Population 2000: Lives together, worlds apart: men and women in a time of change.* United Nations Populations fund, www.unfpa.org/upload/lib_pub_file/468_filename_swp2000.pdf (1.7.2006), p. 9+33

ern countries.[101] Silvia Tellenbach, in addition, cites the region of the
Maghreb and Yemen, for which she assumes 400 honor killings for the
year 1997 alone.[102] Amnesty International assumes that several hundred
honor killings were committed in Pakistan in 2004,[103] others claim 1500
murders yearly for Pakistan.[104] Everywhere, there is a high number of un-
reported cases.

When Honor is offended against ...

A girl or a woman is killed by a member of her own family for "reasons
of honor" when it is believed that she has not exhibited the respectable
conduct demanded of her in relationships between the sexes, has violated
her sexual integrity, and, thus, has ruined the honor of the entire family.
The loss of virginity is considered to be particularly reprehensible. In the
culture of the Near and Middle East, in which shame plays a major role,
the family is obliged to act when a violation of the social boundaries be-
comes public knowledge.

Thus, the reputation of a woman must be preserved without reproach at
all times. For this reason, the danger of falling victim to an honor murder
begins with puberty and ends only at death. A young woman who acts in a
disreputable way will have hardly any chance to marry and must fear
death. An older married or divorced woman can be locked away or beaten.
Older women watch over the younger ones; indeed, many a mother *"her-
self ... even takes part ... when her own daughter is pushed under the trac-
tor and dies".[105]*

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[101] C. Stolle. "Nachwort". in: H. Gashi. *Mein Schmerz trägt Deinen Namen. Ein
Ehrenmord in Deutschland.* Hamburg 2005, p. 249

[102] S. Tellenbach. "Ehrenmorde an Frauen in der arabischen Welt. Anmerkungen zu
Jordanien und anderen Ländern." in: *Wuquf – Beiträge zur Entwicklung von Staat
und Gesellschaft in Nordafrika* 13 (2003), 74-89, www.gair.uni-erlangen.de/
Tellenbach_Wuquf13.pdf, 1-14 (2.7.2006), p. 2

[103] Amnesty International (Hg.). *Pakistan. Honour killings of girls and women* (1999),
web.amnesty.org/library/print/ENGASA330181999 (5.7.2006)

[104] This number was mentioned by Kai Müller at a conference in Berlin: "Verbrechen
im Namen der Ehre", 9. März 2005 in Berlin, Friedrich-Ebert-Stiftung, amnesty
international, Terre des Femmes, www.frauenrechte.de/tdf/pdf/Fachtagung_
Dokumentation_2005.pdf (2.7.2006), p. 3

[105] IMK. op. cit., p. 16

Wherever these laws are in effect, the mere suspicion of conduct deviating from the norm already can bring a woman into disrepute. No action at all is necessary; the woman has made herself the subject of gossip, and that suffices. She has withdrawn herself from the legitimate control of her husband or her father and, for this reason, a wrong or the desire to do wrong can be imputed to her. Other reasons for an honor murder are the woman's resistance to an arranged marriage, her wish for a divorce, illegitimate pregnancies – and, as a rule, of course, even in those cases where the woman is a victim of a crime. It may be the case that this woman will have to marry the man who raped her, an act that would terminate any possible police investigation, since, after all, the injustice caused the family is considered as compensated for through the marriage.

In Pakistan, it is said that honor killings carried out because of economic considerations are not a rarity, as in cases, for example, where a woman refuses to renounce her inheritance.[106] These murders are considered to be "fake honor killings", that is, as crimes based on a pretended defense of honor. Or, a family may be deep in debt and may kill one of its own women on the basis of alleged immoral behavior, but then accuses the man in whose debt the family stands of being her lover. Because a rumor is treated as an actual fact, the accused cannot defend himself effectively and is obliged to waive the existing debts as "compensation" for the family's supposed loss of honor. The wrong done to the woman – duress, forced marriage, or rape – is not a matter for discussion, for only the wrong done to the man through the loss of honor demands compensation or punishment.

The Family Council

If a family is confronted with a loss of honor, then, as a rule, the family council will decide what is to be done. In minor cases, a girl will be taken out of school, and a woman will be locked away, beaten, or given in marriage to a man in another city without having a say in the matter. In serious cases, the family will resolve to kill the woman, but will not inform the victim of the decision. One day, or night, she will be shot, strangled, stabbed, bludgeoned, stoned, burnt, pushed in front of a car, or thrown from a bridge. Murder motives arising from reasons of honor frequently are at the root of the acid attacks upon women especially widespread in Bangladesh or of the burnings in India disguised as kitchen accidents, al-

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[106] S. Tellenbach. op. cit. p. 5

though the ostensible reasons for them are the too meager dowry payments made by the parents of the bride. Other deaths are passed off as suicides. The honor murder is the greatest possible use of violence against a woman, planned out of especially base motives; it is actually an execution.

The Compulsion to Act

The honor that in the tribal society counts for more than the life of a human being must be defended, if necessary by removing the "stain", as the leader of a Jordanian tribe formulated it: *"A woman is like an olive tree. When its branch catches woodworm, it has to be chopped off so that society stays clean and pure".*[107]

If a father or brother does not defend the family honor, then he himself will be judged as weak, unmanly, and without honor. He loses face and respect, or even his economic existence. For this reason, men are to be considered as victims just as much as perpetrators. A twenty-five year-old Palestinian discusses this duty: *"I did not kill her, but rather helped her to commit suicide and to carry out the death penalty she sentenced herself to. I did it to wash with her blood the family honour that was violated because of her and in response to the will of society that would not have had any mercy on me if I didn't."*[108]

Hence, an honor murder in most cases also is not considered by the society to be a murder in the real sense of the term. The precondition for this attitude is a society that has a higher opinion of the collective than of the individual. Frequently, an underage member of the family is chosen as the perpetrator so that the punishment – in case the crime comes before the court at all – and the loss of working capacity are limited as much as possible.

Although the tradition of the honor murder must be thousands of years old, it has been researched only very little to the present day. The veil of silence lies upon the ancient tradition and has been lifted only in the last few years, above all by organizations for human rights and for women's rights. Honor killings are tainted with the aura of disgrace and, for this reason, any judicial or police investigations often lead nowhere and are obstructed by a wall of silence.

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[107] Tarrad Fayiz in: "The Jordan Times" (Amman), Febr 5, 2000, quoted from Y. Feldner. "'Honour' murders – Why the perps get off easy" (sic), in: MEQ 2000, 41-50, www.meforum.org/article/50, 1-8 (2.7.2006), p. 1

[108] Al-Ayyam (Ramallah). 1.6. 2000, quoted from Y. Feldner, op. cit. p. 2

Honor Killings and Islam

On the one hand, there is no question that the honor murder finds justification neither in the Koran nor in Islamic tradition nor classical theology, the more so since the tradition of the honor murder is considerably older than Islam itself. On the other hand, honor killings are recorded today primarily – although not exclusively – in Islamic societies. There, above all in rural areas, many societies are dominated by semi-feudal, tribal structures, in which women frequently are treated *de facto* as a kind of "property" belonging to the man. These traditional standards of conduct are intertwined with the religious standards of Islam.

A factor deepening the imbalance between men and women in Islamic countries is the demand anchored in Islamic marital law for the obedience of the wife to her husband, based on Sura 4:34 and numerous traditions stemming from Muhammad that emphasize the elevated legal and social position of the man and that, in the primarily traditional opinion of Muslim theologians, even include the corporal punishment of the wife in cases of conflict (cf. Sura 4:34). Even if many a theologian rejects this interpretation and the practice in many Muslim families is quite different, the texts handed down and the conservative interpretations of them still create a climate in which violence against women frequently is considered as much a part of daily life as are the principle of obedience and the limitations placed on the rights of women. Thus, under the influence of a way of life and a culture that that is organized according to a patriarchal-tribal system and is oriented on the values of traditional Islam, the woman is assigned the sole responsibility for the preservation of honor. For this reason, the conservative traditional interpretation of the role of the woman, founded upon Muslim values, favors the control of her, the legitimation of violence, and then, in a certain sense, also the honor murder. To be sure, leading religious personalities in various countries also have spoken out against the honor murder. But, up to now, their appeals have not led to a social reorientation since the "felt" justification for the honor murder apparently is deeply rooted.

Punishment for Honor Killing

A consistent criminal prosecution of the honor murder is the exception; it is kept secret or hushed up out of fear, solidarity, or conviction. The woman finds hardly any protection in filing a complaint with the police; the guilty party escapes criminal prosecution. It may be, however, that he

even turns himself in to the police, proud of the fact of having restored the honor of his family[109] and in the knowledge that he has the majority of the society on his side.

In many countries of the Near and Middle East, a reduction of the sentence for an honor murder is granted on the basis of a "provocation" caused by the dishonorable conduct of a wife or daughter. Article 340 of the Jordanian penal code previously even allowed impunity for the honor murderer if he had caught his wife red-handed in the act of adultery. Article 98 permits a reduction of sentence if the perpetrator commits a criminal offence out of justifiable anger at the false and compromising conduct of his victim.[110] In 2001, Article 340 was through royal decree so altered so that now a reduction in punishment is provided for in place of impunity for the honor murder of a woman caught in the act.[111] In 2003, however, the modification to the law in Article 340 was supposed to be ratified by the Jordanian parliament, but was rejected by the lower house. For this reason, the status of Article 340 is still uncertain.[112] A reduction in punishment for the honor murderer is possible not only in Jordan, but also in most of the countries with a predominantly Muslim population.[113] In Pakistan, the current legal regulation states that an honor murder is to be treated as a murder, but also that the judge can initiate a compromise, in the course of which the family can forgive the offender and he can be acquitted.[114]

In Turkey, up until 2003, the penal code provided in Article 462 for a reduced punishment for honor killings committed out of "provocation" (a presumed or actual act of adultery). The corresponding change in the law, effective in 2005, is a step in the right direction, but the law still has to be applied to its full extent. A continuing problem with the law is the fact that a murder committed *"in high passion"* because of serious provocation still may expect a judgment passed in consideration of extenuating circum-

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[109] S. Tellenbach. op. cit., p. 5

[110] Ibid. p. 11

[111] S. Tellenbach. op. cit., p. 14

[112] M. Böhmecke. op. cit. p. 24

[113] The penal codes of the following countries conclude such: Egypt: art. 237 StGB 1937 (no. 58), Iraq: art. 409 StGB 1966, Kuwait: art. 153 StGB, Libanon: art. 562 StGB 1942 (with several changes 1983-1999), Libya: art. 375 StGB, Marrocco: art. 418 +420 StGB 1963, Syria: art. 548 StGB 1949 (changed 1953), Tunesia: art. 207 StGB 1991, VAE: art. 334, law No. 3 StGB 1978, Algeria: .art. 279 StGB 1991, Oman: art. 252 StGB

[114] Majida Rizvi of the National Commission on the Status of Women in Pakistan in: Fachtagung, op. cit., p. 7

stances.[115] In the rural areas of Turkey, there has been up to now *de facto* no punishment in the vast majority of cases.

Supporters of the Muslim Brotherhood, represented in the Jordanian parliament, branded the deletion of Article 340 as "un-Islamic" and as directed against Sharia. A deletion, they said, amounted to a kow-towing before the West (so some of the comments of the parliamentary representatives) and was aimed at *"destroying Islamic, social, and family values by desiring to strip the men of their human nature when they caught their wives in the act of adultery"*.[116]

To be sure, other – likewise Islamic – voices, such as the Mufti of Gaza, Sheik 'Abd al-Karim Kahlut, already have demanded the death penalty for honor murderers, since, as is said, they are not authorized by Sharia to carry out the death penalty.[117] The "Jordanian Islamic Front" (IAF), the majority of whose members sympathize with the Muslim Brotherhood, on the other hand, characterized the honor murder as a virtual duty for the man involved. It is, to be sure, wrong, it said, to take the law into one's own hands,[118] but retribution for the moral offenses by the woman in the family nevertheless is an Islamic act.[119] Yotam Feldner, thus, is certainly right when he confirms that, in a country with a predominantly Muslim population, "Islamic" means not only what the Koran or the tradition defines as Islamic, but also what a significant portion of the population judges to be Islamic. When nearly two thirds of the population consider honor killings not to be in conflict with the teachings of Islam, then the honor murder cannot be separated effectively from religion in the consciousness of larger parts of the population.[120]

Above and beyond this, there is much to be said for including not only the performers of an honor murder in the legal judgment against it – as recently occurred in the trial of the honor murder of Hatun Sürücü in Berlin, in which only the perpetrator himself at first had been condemned – but also all the members of the family involved in the decision, planning, instigation, concealment, and aiding and abetting the performance of the act.[121]

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[115] M. Böhmecke. op.cit. p. 11

[116] Quoted from S. Tellenbach. op. cit., p. 13

[117] Ar-Risalah (Gaza), 11.7. 1998, quoted from Y. Feldner. p. 5

[118] M. Fadel. "Honor Killings." www.islamawareness.nt/HonourKilling/honor1.html (5.7. 2006), p. 2

[119] Compare the quotations from the Jordan Press at Y. Feldner. op. cit. p. 5

[120] Y. Feldner. ibd.

[121] This was also the conclusion of the Danish court which not only sentenced the

The range of measures, however, does not end with punishment. An active education leading to the equality of the sexes, to the acknowledgement of the state's monopoly on force, and to the imparting of democratic values should begin in kindergarten so that indifference and ignorance have no chance – since, for those concerned, it is truly a matter of life or death.

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perpetrator to long years of prison when the 18 year old Pakistani girl Ghazala Khan was killed in East Denmark by her brother in 2006, but also her father and two of her uncles, altogether nine family members: "Dänemarks Familie wegen Ehrenmord verurteilt". www.welt.de/data/2006/06/29/938170. (30.06.2006), p. 1

About the Author

Biography

Christine Schirrmacher, born in 1962 (MA in Islamic Studies, 1988; PhD in Islamic Studies, 1991, University of Bonn, with a thesis dealing with the Muslim-Christian controversy in the nineteenth and twentieth centuries) has studied Arabic, Persian, and Turkish and is presently Professor of Islamic Studies at the Department Religious Studies and Missiology of the Evangelisch-Theologische Faculteit (Protestant University) in Leuven/Belgium and lecturer of Islam at Freie Theologische Akademie (Free Theological Academy) in Giessen. She is director of the Institut für Islamfragen (Institute of Islamic Studies) of the German Evangelical Alliance, as well as an official speaker and advisor on Islam for the World Evangelical Alliance (WEA). She lectures on Islam and security issues, serves in continuing education programs related to politics, and is a consultant to different advisory bodies of the German government.

Dr. Schirrmacher is a member of the Internationale Gesellschaft für Menschenrechte (International Society for Human Rights) (IGFM/ISHR), Frankfurt; a member of the Deutsch-Jordanische Gesellschaft (German-Jordanian Society), Berlin; and a curatorium member of the Evangelische Zentralstelle für Weltanschauungsfragen (Protestant Center for World View Questions), an academic documentation and advisory center of the Protestant Church of Germany (Berlin). She is engaged in current dialogue initiatives, formulating papers responding to the letter of the "138 Muslim theologians" to Christian leaders in October 2007, and will partake in the coming conference "Loving God and Neighbor in Word and Deed: Implications for Muslims and Christians" of the Yale Center for Faith and Culture, Yale University, New Haven, Connecticut, in July 2008.

Dr. Schirrmacher has visited many countries of the Muslim world of the Near and Middle East, has been the speaker at national as well as international conferences dealing with Islam, and is the author of numerous articles. She has also written ten books, including the two-volume standard introduction *Der Islam* (1994/2003) (Islam), *Frauen und die Scharia* (2004/2006) (Women under the Sharia), and *Islam und Christlicher Glaube – ein Vergleich* (2006) (Islam and Christianity Compared).

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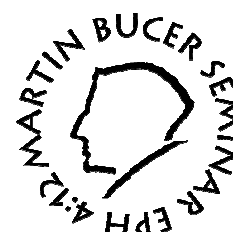
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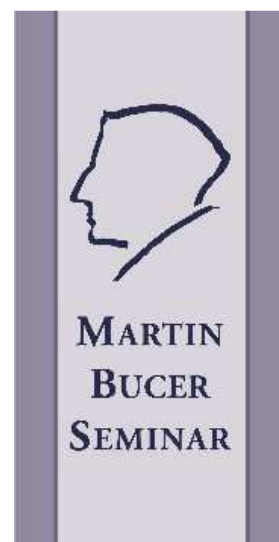
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