

Submission from Catch The Fire Ministries
To the Equal Opportunity Commission of Victoria
in response to complaints
made by the Islamic Council of Victoria,
Yusuf Eades, Jan Jackson and Malcolm Thomas
under the Racial and Religious Tolerance Act

In summary, our response states that:

- it is often not clear what exactly the complainants regarded as the vilification,
- some of the reports of Daniel Scot's seminar were inaccurate (verifiable by a comparison with the session tapes),
- many of the complaints were about statements that are in fact part of the foundations of Islam, some taken straight from the Qur'an,
- some material complained about was taken out of context,
- we make a clear distinction between Muslim people and the teachings of Islam,
- the material complained about was presented in good faith, with a legitimate religious purpose.

General Remarks

The Complaint

Mr Eades, Ms Jackson and Mr Thomas have complained about:

- i) a seminar conducted by Catch The Fire Ministries at which Daniel Scot was the speaker,
- ii) a newsletter distributed by Catch The Fire Ministries, and
- iii) an article on a website produced and maintained by Catch The Fire Ministries

In these three contexts they consider that they have been vilified 'on the basis of their Islamic Faith'. They complain that 'Catch The Fire Ministries Inc, Daniel Nalliah and Daniel Scot engaged in conduct that incited hatred against, serious contempt for, or revulsion or severe ridicule of the Islamic faith.'

The ICV, Mr Eades, Ms Jackson and Mr Thomas consider that the conduct they report could not be described as 'having been engaged in reasonably and in good faith ... for any religious purpose'.

About Catch The Fire Ministries

Catch The Fire Ministries is a Christian organization dedicated to spreading the gospel of Jesus Christ and to reach people from all walks of life. Our mission is “to take the good news of the gospel from town to town, city to city, state to state, country to country and proclaim the name of Jesus”. This is in obedience to Christ’s command to his disciples, known as the great commission:

Matthew 28:18-20 Then Jesus came to them and said; “All authority in heaven and on earth has been given to me. Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you. And surely I am with you always to the very end of the age.”

Fulfilling this commission is a basic tenet of the Christian faith and it should be followed with love and understanding. In order to present the Christian faith effectively, it is necessary to be aware of other people’s beliefs and their authoritative sacred texts.

We oppose violence and hatred

We categorically condemn and oppose violence or hatred against any and all people who profess the Muslim faith. We find the oppression of Muslim people appalling. Muslim people have the same fundamental human rights as any people on this earth.

Religion is different from Race

The **Racial and Religious Tolerance Act** treats religion and race on an identical basis. However a race is not the same thing as a religion. Religions are belief systems. They determine a whole world-view. They may require specific political systems (as reflected, for example, in the Equal Opportunity Commission’s ‘Fact Sheets’ on Islam) and specific laws. They can contribute significantly to shaping their adherents’ views on matters that are of public significance. Religions determine and shape public and private behaviour. Race does not.

Since religions make claims about truth and morality in the public domain, they should be subject to scrutiny and challenge. It is therefore legitimate to criticize religious beliefs. Normally the claims of religions are ‘public truth’, so it is in the public interest for their claims to be contested.

For Christianity and Islam the revealed authorities which determine their character include their scriptures, and the lives of their founders. These should be subjected to critical scrutiny. For example, the life of Jesus Christ should be able to be held up for examination to consider what principles he taught, and whether he lived by them. The same applies to Muhammad.

The right to critically examine a faith should not be restricted to those that adhere to it. All people have the right, under the Universal Declaration of Human Rights, to change their religious beliefs, and critical examination of other belief systems is an integral part of that process. Therefore critically examining a religious belief system is

an entirely legitimate religious activity — it is a fundamental human right — and it is in the public interest that it occur freely.

None of this is true for race. The category of ‘race’ does not make truth claims. It does not make claims about morality. It is not legitimate to criticize another race.

It could be said that to criticize a race is to insult the members of that race personally. However the same is not the case with religion. One can be — and indeed often needs to be — critical of particular beliefs, without disrespecting a person who holds them. This distinction between person and belief is fundamental to the conduct of debate in a democratic and free society. Democracy is itself based on the ability to freely critique and debate ideologies and belief systems.

It is fundamental to this response that we make a clear distinction between Muslim people and the religion of Islam.

What is the Islamic Faith?

In agreement with the EOC’s own ‘Fact Sheets’ on Islam, we take it as uncontroversial that the Islamic faith is based upon i) the *Qur’an* and ii) the example or *Sunna* of the Prophet Muhammad. The *Qur’an* and *Sunna* together form the foundation for determining the *shari’a* or ‘way’ of life for *Muslims*, ‘submitters’ to the will of Allah.

The example of the Prophet Muhammad is known to the world through the transmission of traditions or *hadiths*, which report his words and deeds, and through the *siras*, or biographies of Muhammad. These sources both also provide a commentary on the *Qur’an*.

In Islam six collections of hadiths came to be recognized as especially reliable. Of these the two most revered and authoritative collections are known as *sahih* or ‘secure’. These are the *Sahih al-Bukhari*, and the *Sahih Muslim*. Both of these are available in well-known English translations of Muhammad Muhsin Khan and Abdul Hamid Siddiqi. Most hadith citations in this response are from these two sources. The earliest and most authoritative sira, or biography of Muhammad’s life is by Ibn Ishaq: his *Sirat Rasulallah*. This too is available in English translation (by A. Guillame OUP 1955) and is referred to a number of times in this submission. Most quotations from the *Qur’an* are taken from Pickthall’s English translation.

Neither the *Qur’an* nor the hadith collections are organized in chronological order, so the interpretation of these authorities requires the ability to locate a particular verse or tradition within the life story of Muhammad:

- The *Qur’an* is considered to have been revealed progressively. Many verses speak to specific events or issues in the life of Muhammad or the Muslim community at that time. Therefore the context in which particular verses were ‘revealed’ is often vital for their interpretation
- By the principle of abrogation earlier verses may be abrogated by later verses, cf Sura 2:106 ‘Such of Our revelations as We abrogate or cause to be forgotten, we

bring (in place) one better or the like thereof. Knowest thou not that Allah is able to do all things?’ (See also Sura 16:101).

We acknowledge that investigations of Qur’an and hadiths are complex and highly developed areas of Islamic studies. Furthermore, Muslims do not all believe the same things about what is Islam. There are many different opinions about how to interpret the Qur’an and the hadith, in the light of the life story of Muhammad. However, despite this variation, there has been a scholarly consensus on very many matters, a stable core which can be called the orthodox, mainstream teaching of Islam.

Accessing knowledge about the example of Muhammad is very different from accessing knowledge about the life of Jesus. Anyone can easily read the gospels for themselves in an afternoon. These are essentially the only primary source materials on Jesus’ life, and through translation they have become about the most universally accessible written texts in the world today. On the other hand most Muslims have not read complete hadith collections, nor early authentic siras for themselves. Consequently most Muslims do not have direct personal familiarity with the primary source documents of their faith. Most do not even have a close familiarity with the text of the Qur’an, except in the form of recitation. For information about their faith they depend upon religious leaders or other secondary sources. Their information about the life and person of Muhammad is filtered by the agendas of Islamic educators and it can be shocking for them to encounter facts about his life which have always been known to trained Muslim scholars.

It must also be acknowledged that Islam as it is practiced in the West can be very different from traditional mainstream Islam as practiced under shari’a conditions. As the American Muslim children’s educator Emerick put it in an article entitled *How to make America an Islamic Nation*: ‘... why should we see a praying and fasting Muslim and automatically assume he or she is a true believer?’ (<http://www.youngmuslims.net/articles/display.asp?ID=47>)

What is jihad?

A key issue of our submission is the Islamic concept of jihad, also referred to by some Muslim scholars as ‘holy war’. As we note below, most of the complaints about Daniel Scot’s Seminar concerned his session on Jihad in the Qur’an. The article *An Insight into Islam by Richard* is also crucially concerned with the subject of jihad.

Jihad is an integral part of Islam. Some have called it the sixth pillar of Islam. All scholars agree that jihad is a duty for the whole Muslim community. What then is it? The authoritative *Encyclopedia of Islam* defines jihad as ‘military action with the object of the expansion of Islam’, and finds that it ‘has principally an offensive character’. Until the late 19th century Islamic jurists used the term jihad — as a religious and legal term — strictly in this sense.

The idea that jihad is a spiritual struggle or a last resort in self-defense is not borne out in mainstream Muslim scholarship. Muslims have always taken pride in the military exploits of Muhammad, whose example forms the basis for Islam itself. A large portion of Muhammad’s biography, as written by early Muslim observers, deals with raids, battles, apportioning plunder, slaughter and assassinations ordered or

carried out by Muhammad, who himself took part in 27 battles and ordered 46 raids against opponents (documented in Ibn Ishaq's *Sirat Rasulallah*). The Western scholar Bernard Lewis reports some of Muhammad's words in praise of jihad:

- 'He who when he dies has never campaigned (fought in Holy War) or even intended to campaign dies in a kind of hypocrisy.'
- 'Fight against the polytheists with your property, your persons, and your tongues.'
- 'The best thing a Muslim can earn is an arrow in the path of God.'
- 'Every prophet has its monasticism, and the monasticism of this community is the Holy War in the path of God.'
- 'Will you ask me why I laugh? I have seen people of my community who are dragged to paradise against their will.' They asked 'O Prophet of God, who are they?' He said 'They are the non-Arab people whom the warriors in the Holy War have captured and made to enter Islam.'
- 'Swords are the keys to paradise.'
- 'In Islam there are three dwellings, the lower, the upper, and the uppermost. The lower is the Islam of generality of Muslims. If you ask anyone of them he will answer 'I am a Muslim'. In the upper their merits differ, some of the Muslims being better than others. The uppermost is the *jihad* in the cause of God, which only the best of them attain.' (Bernard Lewis, *Islam: from the Prophet Muhammad to the Capture of Constantinople* Vol. 1 p.211

Al-Tabari, a 9th century Muslim scholar, wrote: 'Who is the one at whose right hand the Lord was, who judged in justice, who cut off heads, and who multiplied dead bodies and corpses, except him [Muhammad] — may God bless and save him — and his nation.' (Cited from Jean-Marie Gaudeul *Encounters and clashes: Islam and Christianity in History II*. Rome: Pontificio Instituto di Studi Arbi e Islamici, 1984, p.220.)

Al-Ghazali (died AD 1127) who earned the title hoggat al-Islam, meaning "rock of Islam" is not apologetic in stressing the use of force in the preservation and progress of Islam:

After the death of Mohammad, the man of the miracle [the Qur'an] and the apostle of truth and the companions, fearing the weakening of Islam, the decrease of the number of its followers, and the return of masses to their previous infidelity, saw that holy war and invading other countries for the sake of Allah, smashing the faces of the infidels with the sword and making people enter the religion of Allah as the most worthy of all tasks and better than all sciences. (*Ihy'a 'Uloum ed-Din* by al-Ghazali, Dar al-Kotob al-'Elmeyah, Beirut, Vol. V, p. 35.)

There is no parallel in biblical Christianity to the Islamic jihad. Many Muslim authorities have stressed the superiority of Islam in this respect. To this effect, here are two scholarly opinions from an Ayatullah of Iran, and a revered Muslim historian Ibn Kaldun. Both are reflecting on the effects of the separation of church and state in Christianity in contrast to the expected role of the Islamic state in enforcing the rule of Islam. This they consider much superior to Christianity's approach:

If we look closely, we see that in Christianity there is no jihad because it has nothing at all. By which I mean that there is no Christian structure of society, no Christian legal system, and no Christian rules as to how a society is to be formed, for these to contain the laws of jihad. There is no substance in Christianity; it contains no more than a few moral teachings ... Islam however is a religion that sees its duty and commitment to form an Islamic state. Islam came to reform society and to form a nation and government. Its mandate is the reform of the whole world. Such a religion cannot be indifferent. It cannot be without a law of jihad. It came to organize a state, to organize a government. Once this is done, how can it remain without an army? How can it be without a law of jihad? (Ayatullah Morteza Mutahhari, *JIHAD: the Holy War of Islam and its legitimacy in the Quran*.. Translated by Mohammad Slaman Tawhidi (Tehran: Islamic Propagation Organization, 1985. <http://www.al-islam.org./jihad/short> (Nov 2001).

In the Muslim community, the holy war [jihad] is a religious duty, because of the universalism of the [Muslim] mission and the [obligation to] convert everybody to Islam either by persuasion or by force. Therefore caliphate and royal authority are united [in Islam], so that the person in charge can devote the available strength to both of them [religion and politics] at the same time. The other religious groups did not have a universal mission, and the holy war was not a religious duty to them, save only for purposes of defence. It has thus come about that the person in charge of religious affairs [in other religions] is not concerned with power politics at all. ...[Political authority is assigned among peoples of other religions] not because they are under obligation to gain power over other nations, as is the case with Islam. (Ibn Kaldun, *The Muqaddimah*, I, 480. 14th century).

Finally, here are two comments on this theme by Maududi, an influential Pakistani thinker regarded by many as the greatest Muslim intellectual of the 20th century:

Non-Muslims have been granted the freedom to stay outside the Islamic fold and to cling to their false, man-made ways if they so wish. They have, however, absolutely no right to seize the reins of power in any part of God's earth nor to direct the collective affairs of human beings according to their own misconceived doctrines. (Maudidi's commentary on Sura 9:29, in *Towards understanding the Qur'an*. Leicester: The Islamic Foundation, 1988).

Islam is a revolutionary doctrine and system that overturns governments. It seeks to overturn the whole social order ... and establish its structure anew ... Islam seeks the whole world. It is not satisfied by a piece of land but demands the whole universe ... Islamic jihad is at the same time offensive and defensive... The Islamic party does not hesitate to utilize the means of war to implement its goal. (*Al-Jihad fi Sabil Allah*, ['Jihad in the Path of Allah'] Cairo 1977, pp. 23, 29, 51).

We stress that these are all opinions of devout and scholarly Muslims.

Why should non-Muslims study Islam and jihad for themselves?

The scholar Bat Ye'or has explained that for non-Muslims throughout history jihad has meant 'war, dispossession ... slavery and death'.

Since jihad concerns both Muslims and non-Muslims, non-Muslims should be free to study it for themselves. They should be free to consult the canonical texts of Islam — Qur'an, hadith and sira — to see what they say, precisely because these are the texts which inspire actual examples of jihad.

Regions where Islamic military jihad has been pursued during recent months — according to devout Muslims — include Chechenya, Palestine, Kashmir, Afghanistan, the USA, Sudan, Nigeria, the Philippines and Indonesia. In many of these places Christian civilians have been targeted by these jihad campaigns.

Many Christians live under Islamic conditions. Almost universally this involves discrimination and suffering. Non-Muslims should concern themselves with matters in Islam that directly affect them. Good relations between different faiths can only be constructed on accurate and critical knowledge of one another. Dialogue built on the platform of political correctness is in no-one's interest.

Why is the Qur'an important for Jihad?

It is entirely reasonable to study jihad directly from the Qur'an. The importance of the Qur'an as the religious foundation for jihad is laid out in a theological essay by Abdullah bin Muhammad bin Hamid, sheikh of the Sacred Mosque of Mecca and former Chief Justice of Saudi Arabia, which he entitled *The call to Jihad (fighting for Allah's cause) in the Holy Quran*. (Appendix I). This article is reproduced on numerous web sites throughout the world, and was found in the introduction to Qur'ans being handed out by Muslim students at RMIT (Bundoora) during the very week of the Catch the Fire Seminar on Islam.

Some passages from this article are:

So at first 'the fighting' was forbidden, then it was permitted, and after that it was made obligatory - (1) against those who start 'the fighting' against you (Muslims) ... (2) And against all those who worship others along with Allah...

Allah made 'the fighting' (Jihad) obligatory for the Muslims and **gave importance to the subject matter of Jihad in all the Suras (chapters of the Qur'an) which were revealed (at Medina) ...**

And **the verses of the Book (Qur'an) and Sunna (the Prophet's Tradition) have exhorted greatly for Jihad** and have made quite clear its rewards, and praised greatly those who perform Jihad (the Muslim Holy Warfare) and explained to them the news of various kinds of honours which they will receive from their Lord (Allah). This is because they (Mujahidin) are Allah's troops. And it is they (Mujahidin) who fight against the enemies of Allah in order that the worship should be all for Allah (alone and not for any other deity) and that the word of Allah (i.e. none has the right to be worshipped but Allah and his religion Islam) should be uppermost.

We cite also the following statement by Sheikh Omar Bakri Muhammad, lecturer at the London School of Shari'ah from his essay *Jihad, the foreign policy of the Islamic state*..

The subject of jihad has been discussed with particular emphasis and in considerable detail in the Quran. **There is consensus of opinion amongst researchers of the Quran that no other action has been explained in such great detail as Jihad.** Allah has revealed many Surah (chapters) in the Quran primarily to guide the believers towards this path. **The subject of Jihad has been expressed in many different ways, in numerous verses of the Quran.** The verses explain in detail the clear objectives and benefits of Jihad. The status of the Mujahid is honoured in the Quran and there are many verses which warns of the dangers of leaving Jihad. There is such great emphasis of this subject, that some commentators and scholars of the Quran have remarked that the topic of the Quran is Jihad. The terminology of Jihad-Fi-Sabilillah, which means Jihad in the Path of Allah, has been used in the Quran twenty-six times and the specific word, Qitaal (Fighting), used in the context of fighting in the Path of Allah, is mentioned in the Quran seventy-nine times. There are whole Surah in the Quran, which have been revealed, explaining the ruling and virtues of Jihad and admonishing those leaving Jihad; such as Surah Anfaal ... and Surah Bara'ah ... The Surah Baqarah, Nisa and Ma'idah have large sections on the topic of Jihad and in Surah Hadeed, the weapons of Jihad is [sic] detailed. There are Surah which are named after battles, such as Surah Ahzaab (trenches), Qitaal (fighting), Fath (victory) and Saff (rows). The title of these Surah clearly illustrates the subject matter of Jihad. In Surah 'Adiyaat an oath has been taken on the horse of the Mujahiddeen and further in Surah Nasr, world-wide revolution and the spreading of Islam has been mentioned through Jihad. The truth is that a Muslim who reads the Quran with devotion is determined to reach the battlefield in order to attain the reality of Jihad. It is solely for this reason that the Kuffar [infidels] conspire to keep the Muslims far away from understanding the Quran, knowing that Muslims who understand the Quran will not distance themselves from Jihad.

The Seminar on March 9 and its purpose

The Seminar was organized by Catch the Fire. It was organized in response to a need felt among the churches for information on Islam, particular in the light of violent acts like September 11, and of the evidence of religious persecution and discrimination against non-Muslims which is constantly emerging from Islamic nations. Many Christians are also asking how Islam differs from Christianity, and how they can share their faith with Muslim people.

It is necessary, for reasons given below, for Christians to take steps to inform themselves of Islam. Muslim organizations in Australia are often unable to provide answers to the kinds of questions Christians are asking. For example, a letter from the Islamic Council of Western Australia to the Heads of Churches in WA (10/10/01) stated in connection with the events of September 11: 'we do not believe that the events which occurred were in any way inspired, planned or executed by Muslims'.

This seminar was organized for a genuine religious purpose, reasonably and in good faith.

Daniel Scot's seminar was divided into three sessions:

1. Jihad in the Qur'an
2. The Bible and the Qur'an — a comparison of Islam and Christianity
3. Witnessing to Muslims

The sessions were intended to be heard all together.

Virtually all the complaints in the ICV's submission relate to the first session, on jihad in the Qur'an.

Of the three complainants who attended the seminar, none attended the whole day. The program ran from 10am to 5pm and they reported their attendance as follows:

Yusuf Eades attended:	11am to 12.30pm
Jan Jackson attended:	11am to 2.00pm
Malcolm Thomas attended:	3.30pm to 5.00pm

Session times missed altogether: 10am to 11am, 2.00pm to 3.30pm.

Both Yusuf Eades and Jan Jackson missed crucial statements of purpose at the start of session 1. This presumably accounts for the fact that the complainants do not report what the topic and purpose of the first session was. Pastor Scot had stated:

“... that what Muslim need is love, yes, love of Christ, that's right but if we don't understand their mindset, our true intention to love them will be misunderstood.”

“There are many things you can learn and I have been asked to teach what the Qur'an teaches on subject of the Holy War... “

Eades and Jackson also missed out on hearing important qualifying statements in session 3, for example when Pastor Scot makes clear that he was not saying 'this is what Muslims believe', but rather 'this is what the Qur'an teaches'.

The sessions were taped, and have been transcribed. Material given below in italics is taken from the transcripts.

The stated purpose of these three sessions was **to equip Christians with knowledge about the Qur'an and Islam, so that they could more effectively and sensitively share the Christian faith with Muslims.** This is a legitimate religious purpose. Sharing the Christian faith is done in obedience to the *Great Commission*.

The third session in particular was intended to encourage sensitivity and respect for Muslim people, however each session began with a statement of the need to love Muslims and reach out to them.

Within theological studies, critiquing and answering other belief systems is known as **apologetics**. This is widely accepted as a legitimate religious activity, and is an essential part of training Christians to share their faith with others in a truthful and rational manner. Apologetics is also widely practiced amongst Muslims, and is indeed an inherent part of the Qur'an itself, which includes repeated attacks on non-Muslims beliefs.

It is important to acknowledge Pastor Scot's own statements of intent. At the start of Session 1 he stated that it is necessary to understand '*what the holy book teaches*' on the subject of jihad. This is necessary in order to communicate the '*love of Christ*' — in other words the saving message of Jesus Christ — to Muslims. Then again at the start of Session 2 he explains that a sound understanding of the differences between the teachings of the Qur'an and the Bible is useful for explaining the truth of Christianity to Muslims.

Other comments of purpose made by Daniel Scot:

- '*We are not learning here to put down Islam, but we are learning what is real teaching in Islam.*'
- '*Please remember we are not here learning how to fight with Muslims, we are learning here how we can love Muslims and help them to see the truth. This is the purpose of sitting here.*'
- '*We need to know ... what the holy book teaches, so we also know what our Bible teaches and then we can present Gospel to Muslim people.*'
- '*... to share (the) gospel with Muslims, we must be informed of Islam, we should not have false ideas about Islam, we have to be factual, we should be truthful, and we should be informed.*'
- '*... we do love Muslims but we hate wrong teaching. We have to be clear Muslims are not our enemy: they need Jesus.*'

In Session 1 Pastor Scot also pointed out that, because of the nature of the Qur'an itself (eg the absence of chronological order), it is not an easy book to study. But he suggested that if you study it '*with diligence and (an) analytical mind*', the conclusions he presents about jihad will be confirmed. He does **not** claim that all Muslims accept his interpretations of the Qur'an.

Scot states in sessions 2 and 3 that he believes many ordinary Muslims do not understand what is in the Qur'an, i.e. they are not familiar with the things he is teaching about:

- '*... that's something we need to be aware of that all Muslims they are not well versed with Qur'an.*'
- '*So the vast majority of Muslims they don't know what's in the Qur'an. Please keep that in mind.*'

So Scot made clear that what he is teaching is **not** what most Muslims believe. Nevertheless, since he believes it can be demonstrated from the Qur'an, it is part of Islam, which is based upon the Qur'an.

Scot also urged his Christian audience to have consideration in approaching Muslims:

- *'we have to be very respectful and sensitive to people'*
- *'practical love is very important'*
- (Jesus said) *"'go and preach Gospel to all the nations.'* Before he said that, he said *"love your neighbour like yourself."* That was the first thing.'
- *'... we start with love and love should be not only in theory and word but it should be shown in practice'.*

Scot also advised Christians in interactions with Muslims:

- do not speak against Muhammad.
- never tell lies; always tell the truth
- do not criticize their culture because no culture is better than another culture
- do not criticize their faith

This seminar was not intended for a Muslim audience. It was advertised as an event for Christians. Daniel Scot was unaware that Muslims were present. A seminar offered to Christians on Islam, for purposes of training them for evangelism, should not have to be adjusted to account for the possible presence of Muslims, who can be very sensitive to criticism of Islam, as Pastor Scot pointed out, and should be approached with love and respect.

It is useful to clarify an aspect of Pastor Scot's teaching style. He would state a principle from the Qur'an or hadiths, and then explain its logical implications. For example at one point he reports that a verse in the Qur'an says that jihad is for defensive purposes. His comment on this verse is:

'So jihad is not to attack people, it is to defend if someone attacks you. You defend yourself. So many Muslim scholar(s) will tell you, a lesson in Qur'an "Jihad is to defend yourself, not to attack people". They are not wrong, in (the) Qur'an it said that. Allah says in (the) Qur'an, jihad is to defend churches, jihad is to defend synagogues, jihad is to defend mosque(s) – the place(s) of worship. So you are taught a reasonable thing. ... So jihad is a wonderful thing, just for defensive purpose(s).'

It would be wrong to infer from this comment that Pastor Scot is saying that in Islam the jihad is only for defensive purposes. It is important not to take his comments out of context. Here he is not expressing his general view of jihad, but is stating a logical implication of a certain verse of the Qur'an.

The Catch the Fire Newsletter

This newsletter is produced for Christians interested in praying for Australia and overseas missions, which Pastor Danny Nalliah is involved in, as well as updates relating to world issues. Many of the countries that Pastor Danny ministers in are Muslim nations, so there is a need to cover issues relating to those countries. We believe it is important for Australians to have an understanding of what is happening in other countries, both in the West and the Middle East, so that they can discern how this could impact on Australia.

This article urges its readers to love Muslims:

‘We need to love the Muslims with all our heart ...’

We note that this Newsletter was published in 2001, before the Victorian anti-vilification legislation came into effect.

An insight into Islam by Richard

This article was written soon after September 11. Its author has lived and worked in Saudi Arabia. Its main point is that the perpetrators of September 11, and their supporters such as Usama Bin Ladin, were devout and faithful Muslims acting in good conscience in accordance with their beliefs. Furthermore, the author observes that the foundations of Islam include commands to fight against unbelievers, citing:

Surah 9:5 ‘Fight and slay the pagans wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war)...’.

This article condemns violence, and urges its readers to love Muslims:

‘We are called to love Muslims with the love of Christ. Love your Muslim friends ...’

‘As Christians, we are not called to hate Muslims. But we are called to discern what is true and false ...’

It also makes a distinction between the foundations of Islam and what most Muslims believe:

‘... most Muslims don’t follow Islam literally or seriously!’

‘...this is not intolerance of the individuals, but a reality-check of the Islamic system of belief...’

We note that this article was written and published in 2001, before the Victorian anti-vilification legislation came into effect.

Concerning the specific complaints

A list of reported statements is given and then at the end the complainant states that he considers him or herself to have been vilified by these. However the complainants do not make explicit what the vilification consisted of. For example, when Pastor Scot

claims that parts of the Qur'an which commend tolerance were abrogated by later revelations, how exactly does this vilify the complainant? Or Islam?

The seminar, newsletter and web article all include citations from the Qur'an and other Islamic literature to back the points they make. Regrettably the complainants do not include these references in any of their complaints, yet they form an essential part of the material presented. In some cases the complainants essentially seem to have objected to quotes from the Qur'an.

One of the objects of the Racial and Religious Tolerance Act is to 'promote conciliation and resolve tensions' which can arise because of 'ignorance'.. However it is a highly dubious assumption that greater knowledge will necessarily result in higher regard for all religions. Nevertheless, in order to avoid ignorance, we have taken care to provide explanations in most cases where we believe that specific complaints are about statements which can in fact be supported from the Qur'an, hadith and sira. Where relevant, opinions of Islamic scholars are also included.

Where the statements are supportable in this way, we consider them to have been made reasonably and in good faith for the religious purpose of the seminar, as stated above.

Some of the complaints appear to reflect inaccurate reports of what was said at Daniel Scot's seminar. Given the confrontational nature of the subject matter – the Qur'an's teaching on jihad – some misunderstanding is not surprising. As noted above, the seminar was not designed for a Muslim audience, and none of the complainants attended the whole day.

Conclusion

The seminar, newsletter and article all discuss the Islamic faith based upon its canonical sources. This was done in good faith for a genuine religious purpose, of equipping Christians with knowledge and understanding of Islam based on the Qur'an, hadith and sira. The seminar, newsletter and article did not incite hatred against, serious contempt for, or revulsion or severe ridicule of any other person or class of persons. In each case the speaker or writer insists on love for Muslim people, and a distinction is made between Muslim people and what Islam teaches in the Qur'an, hadith and sira.

It cannot be regarded as controversial that there are passages in the Qur'an, hadith and sira which could and do incite believers in Islam to violence and hatred of non-Muslims. These passages are well-known, and widely cited by terrorist groups. We have also referenced writings by devout, well-informed and authoritative Muslim scholars who have urged believers to jihad based on such passages. Exposing the roots of this problem within Islam is not the same thing as inciting hatred. Since Christians are one of the named targets of jihad fighting in the Qur'an, they have a right and a duty to be well informed about this aspect of Islam. After all the Qur'an has a great deal to say about Christians.

It is a fundamental principle of religious freedom that people should be free to examine and critique religious belief systems. This freedom is foundational to democracy. We oppose any attempt to use anti-discrimination or anti-vilification legislation to suppress critical analysis, dialogue and evaluation of Islam. Quite apart from the genuine religious purpose of the materials being complained about, it is in the public interest for free and unafraid discussion of religious faiths to take place in our society.

Responses to the Specific Complaints

Paragraphs 1-5 contain introductory material.

Daniel Scot's Seminar

Paragraph 6.

Point (a). **Muslims have been commanded to fight the people in their community, including their closest neighbours.**

This appears to refer to the following remark by Scot, who does not actually use the ambiguous phrase 'their community':

'So we read in the Holy Qur'an Chapter 9, verse 123 the prophet said, "All you who believe, fight those disbeliever(s) who are in your neighbour(hood)." So when it's needed, Muslim(s) will act on this first Chapter 9, verse 123 and people in their neighbour(hood) perhaps where this trouble will start first. That is according to the Holy Qur'an.'

This is indeed a logical interpretation of Sura 9:123:

Sura 9:123 O ye who believe! Fight those of the disbelievers who are near to you, and let them find harshness in you, and know that Allah is with those who keep their duty.

A Qur'an printed under the auspices of King Fahd of Saudi Arabia interprets this verse as 'When conflict becomes inevitable, the first thing is to clear our surroundings of all evil ...'. (Note 1374).

One devout 19th century West African Muslim put it like this: '... everyone of us should fight the infidels nearest to him; we should become one hand against the enemies of Allah, our enemies — the enemies of our ancestors.' (J.R. Willis *In the Path of Allah: the Passion of al-Hajj 'Umar; an essay into the nature of Charisma in Islam.* London: Frank Cass 1989, p.176). Millions of traditional African believers ('idolaters' in Islam) have been killed and tens of millions reduced to slavery in obedience to this command and others from the Qur'an. (See John Azumah, *The legacy of Arab-Islam in Africa: a quest for inter-religious dialogue.* Oxford: Oneworld Publications, 2001.)

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Points (b) **That a Coptic friend of Pastor Scot's, a priest, informed him that he was offered \$10,000 to convert to Islam.**

& (c) **Offering such financial rewards was one of a number of tactics that Muslims use to convert people to Islam.**

Pastor Scot reported that members of a Coptic church had been approached in this way. He pointed out that this is a legitimate use of zakat citing the Qur'an:

Sura 9:60 states that the zakat tax is for:

1. 'the poor',
2. 'the needy',
3. 'those who collect' (the zakat)
4. 'those whose hearts have been inclined' (towards Islam), [translation is from the *Sahih Bukhari* vol 6, p.151] and
5. to 'free the captives and the debtors'.

In the *Book of Commentary* in the *Sahih Bukhari* (Vol 6, p.151), this fourth use of zakat is explained as follows:

- "Mujahid said, "To attract their hearts by giving them gifts".
- "Narrated Abu Sa'id: Something was sent to the Prophet and he distributed it amongst four (men), and said, "I want to attract their hearts (to Islam thereby)." A man said (to the Prophet), "you have not done justice." Thereupon the Prophet said, "There will emerge from the offspring of this (man) some people who will renounce the religion.'

So in this hadith, Muhammad cursed the man who rebuked him for using zakat to encourage conversion.

A similar compilation of such hadiths can also be found in the chapter called *Bestowal* [i.e. of zakat] *upon those who are made to incline to truth* which is found in the *Book of Zakat* in the *Sahih Muslim*.

Ibn Taymiya (13th-14th century theologian and jurist) described this practice as follows:

Concerning the men 'whose hearts are to be won over' [Sura 9:60], they can be either infidels or Muslims. **If they are infidels, it is hoped that by these gifts an advantage may be obtained: for example, to induce them to convert**, or avoid some misfortune, on condition that it is impossible to act otherwise. If they are influential Muslims, it is hoped that some benefit will arise such as strengthening their conversion ... if these gifts are to serve the common interest of the Muslim religion and of Muslims, then they will be like those which the Prophet and the caliphs bestowed... (Appendix III).

This practice is very well-known to Christian communities in Muslim countries. However it is not surprising that it is not familiar to Australian converts to Islam.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Point (d). **That a high-ranking Imam in Australia told a friend of Pastor Scot's that it is the intention of Muslims here (in Australia) to increase the population to 51 per cent, then they intend to force people to become Muslims. If they do not convert, they will be either killed or driven out.**

This report is inaccurate. It conflates two distinct reports by Pastor Scot.

The first was a report from a definition of *jihad* taken from dictionary published in Pakistan. According to this dictionary there are 3 options for a country conquered by jihad: conversion to Islam, paying jizya (tribute), or death.

After this Pastor Scot referred to a letter to the editor in the *Maccabean* of September 14, 2001, p.3:

A few years ago, just after arriving in Sydney from Cairo, the then Grand Mufti of Australia was interviewed by a reporter from the Australian Jewish News. The Mufti stated that the moment Australia becomes 51% Moslem, it will be a Moslem country. The reporter asked him about the other 49% and he replied that they would 'convert or leave'.

Pastor Scot did **not** report the Imam as saying that people would be forced to become Muslims. He did **not** report the Imam as saying that people will be killed.

The dictionary's description is based upon orthodox formulations of the doctrine of jihad, which can be verified from many sources. Eg Ibn Abi Zayd al-Qayrawani (a famous 10th century Maliki jurist) stated that after inviting infidels to embrace Islam, 'They have the alternative of either converting to Islam, or paying the poll tax (jizya), short of which war will be declared against them.' (Ibn Abi Zayd al-Qayrawani goes on to explain that the penalty of execution is not to be applied to women and pre-pubescent males).

The reference to jizya is based upon Sura 9: 29 'Fight (against Christians and Jew) until they pay the tribute (jizya) readily, being brought low'.. The precedent for this in the Sunna of the Prophet was a concession to some of the Jews of Khaibar who were permitted to stay on their lands provided they paid a 50% tax on their harvests.

Pastor Scot does link these two reports, pointing out that the application of the dictionary definition to the scenario allegedly described by the Imam would logically result in non-Muslims being killed if they didn't pay the jizya tax.

This statement was not an accurate report. Thus it was not religious vilification.

Paragraph 6.

Point (e). **When Muslims reach 51% of the population, they are commanded by their God to loot the non-Muslims' homes, and to rape their women.**

This is an inaccurate report.

Firstly, Pastor Scot mentioned the word *rape* in three contexts in the tapes of his session. One is where he discusses the enslavement and rape of women under jihad conditions in Sudan. Another is where he discusses the problem for rape victims in Pakistan that they need four male Muslim witnesses to establish their innocence. The third is in response to a question about the historical track record of Christians:

'Christians have been killing, raping this and that. I said I don't deny that. I do admit that Christians have been doing wrong thing. They have been fighting, they have been killing. Every evil Christians have done. But that is not the teaching of the Lord Jesus Christ.'

Pastor Scot does **not** say that Muslims are commanded to rape non-Muslims.

Second, Mr Eades appears to have conflated the Mufti's reported comment about 51%, already discussed above, with a quite distinct discussion of looting in the light of Sura 48:19-20, in which Pastor Scot's actual words were:

'Allah tells in Chapter 48, verse 18-20 that Allah will give you plenty of booty. You will loot people, you will destroy their house, you will kill men, you will take women and men. You will become very rich — Allah has promised you a great booty. Not a little bit of booty — but great booty if you take part in the Holy War. So that is the Holy Qur'an.'

Here is the full Qur'anic citation which Pastor Scot is referring to:

Sura 48:18-20. Allah was well pleased with the believers when they swore allegiance unto thee beneath the tree, and He knew what was in their hearts, and He sent down peace [i.e. security] of reassurance on them, and hath rewarded them with a near victory, and much booty that they will capture. Allah is ever Mighty, Wise. Allah promiseth you much booty that ye will capture, and hath given you this in advance, and hath withheld men's hand from you, that it may be a token for the believers, and that He may guide you on a right path.'

Also see comments on booty in reference to complaint 9b(iv) below.

Pastor Scott did **not** say that the jihad will be invoked if Australia's Muslim population reaches 51%.

Discursus on sexual relations with female prisoners of war

Shari'a law does permit sexual relations with captive infidel women taken in fighting against unbelievers, under certain conditions, based on the example of Muhammad and the Qur'an:

And all married women (are forbidden unto you save those (captives) whom your right hands possess. It is a decree of Allah for you ... (Sura 4:24)

The following excerpt from the *Sahih Muslim* provides a commentary on this verse:

Book 8. Chapter 29: IT IS PERMISSIBLE TO HAVE SEXUAL INTERCOURSE WITH A CAPTIVE WOMAN AFTER SHE IS PURIFIED (OF MENSES OR DELIVERY). IN CASE SHE HAS A HUSBAND, HER MARRIAGE IS ABROGATED AFTER SHE BECOMES CAPTIVE

Abu Sa'id al-Khudri (Allah be pleased with him) reported that at the Battle of Hanain Allah's Messenger (may peace be upon him) sent an army to Autas and encountered the enemy and fought with them. Having overcome them and taken them captive, the Companions of Allah's Messenger (may peace be upon him) seemed to refrain from having intercourse with captive women because of their husbands being polytheists. Then Allah, Most High, sent down regarding that: "And women already married, except those whom your right hands possess (iv. 24)" (i. e. they were lawful for them when their 'Idda period came to an end).

So this verse was 'sent down' when the Companions had been refraining from having sex with married captive women. It then made this practice lawful for the Muslims. ('Idda is the waiting period before a man can have sexual intercourse with a woman after she has been taken captive, or after divorce. Normally it is until her period has passed, or until a pregnancy has been brought to completion.)

Abdul Hamid Siddiqi, distinguished Fellow of the Islamic Research Academy of Karachi, and translator of the Sahih Muslim, adds the following note:

"... the expression *malakat aymanukum* (those whom your right hands possess) denotes slave-girls, i.e. women who were captured in the Holy War. **When women are taken captive their previous marriages are automatically annulled.** It should, however, be remembered that **sexual intercourse with these women is lawful with certain conditions.**"

And also from the *Mishkat*:

In the actual war-field, according to some jurists, some concessions were sometimes given to soldiers for recreation. **Captive virgin girls in war were once made lawful for the soldiers for copulation.** (*Mishkat II*, p.440).

Sheikh Omar Bakri Muhammad, Principal Lecturer of *The London School of Shari'ah* has written an article entitled *How does Islam classify lands*. This appeared in the London Islamist newspaper *Al-Muhajiroun* [The Migrants], *The Voice, the Eyes, the Ears of the Muslims*. In this article it was stated that:

"Once the Islamic State is established anyone in Dar Al Harb [regions not under Islamic rule] will have no sanctity for his life or wealth hence a Muslim in such circumstances can then go into Dar Al Harb and take the wealth from the people unless there is a treaty with that state. If there is no treaty individual **Muslims can even go to Dar Al Harb and take women to keep as slaves.**"

Recently a senior Saudi cleric stated on an Arabic television telethon that it was acceptable for Jewish women to be taken and used as slaves:

Their women are yours to take, legitimately. God made them yours.. Why don't you enslave their women? Why don't you wage jihad? Why don't you pillage them?

<http://www.nationalreview.com/document/document042602.asp> (May 2002)

We could supply many examples of this shari'a principle being applied during the past 100 years.

Muhammad himself had sexual relations with captives, including Mary the Copt, the mother of Ibrahim, who had been sent to him as a gift, and the Jewess Raihana, taken as part of the booty of the Qurayza Jews:

Then the apostle divided the property, wives and children of B. Qurayza among the Muslims ... The apostle had chosen one of their women for himself, Rayhana ... one of the women of B. 'Amr B. Qurayza [the killed Qurayza leader] and she remained with him until she died, in his power [i.e. as a slave]. The apostle had proposed to marry her and put the veil on her, but she said: "nay, leave me in your power, for that will be easier for me and for you." So he left her. She had shown repugnance towards Islam when she was captured and clung to Judaism. (*Sirat Rasulallah* p.466).

Note that the expressions 'in someone's power', or 'someone's right hand possesses' refer to slaves, who became such by being taken as booty. When Muhammad's wives were jealous of each other's access rights, he 'received' the following verse:

Sura 33:50. O Prophet! Lo! We have made lawful unto thee thy wives unto whom thou has paid their dowries, and **those whom thy right hand possesseth of those whom Allah hath given thee as spoils of war ...**

In other words, Muhammad can have sexual relations with any of his wives or his captive slaves. Of this verse, Maududi has written in his famous commentary *Tafhimul Qur'an*:

'[The Prophet of God] took Mary Qabtia, who had been sent by the Maqauqus [ruler of Egypt] especially for him. The first three mentioned he freed and married but with Mary **he had intercourse on the basis of his having her in his power..** It is not proven about her that he freed her and married her.' (*Tafhimul Qur'an* Vol.4, commentary on 33:50, note #88, pp.113-114).

From that time, Muhammad was not to take other wives, although captive women were still permitted to him:

It is not allowed thee to take (other) women henceforth, nor that thou shouldst change them for other wives even though their beauty pleased thee, **save those whom thy right hand possesseth.** (Sura 33:52)

END OF DISCURSUS

This statement was an inaccurate report. Thus it was not religious vilification.

Paragraph 6.

Point (f). **Muslims believe that the only way to be sure of going to heaven is to die fighting, and that this is evident by the fact that Muslims are not certain that they will enter heaven, even Muhammad said he was not sure, and that it was up to God.**

Pastor Scot was drawing logical conclusions from the Meccan Sura 46:9:

Say 'I am no new thing among the messengers (of Allah), **nor know I what will be done with me** or with you. I do but follow that which is inspired in me, and I am but a plain warner.'

Muhammad is told here by Allah that he does not know his destiny, he is just a plain 'warner'. In contrast Sura 3:169 offers the assurance of paradise to those who die in the fighting:

'Think not of those who are slain in the way of Allah as dead. Nay, they are living. With their Lord they have provision.'

There are also the following hadiths, found in *Sahih al-Bukhari*:

- Narrated Abu Huraira ... Allah guarantees that He will admit the Mujahid ('jihad fighter') in His Cause into Paradise if he is killed, otherwise He will return him to his home safely with rewards and war booty.' (Vol 4 p.36):
- Narrated Abdullah bin Abi Aufa: Allah's Apostle said "Know that Paradise is under the shades of swords" (Vol 4. p.55)

In contrast Christianity teaches that those who believe and trust in Jesus Christ have an assurance of forgiveness by God and entry into heaven. Pastor Scot is contrasting this assurance with the Qur'anic assurance of paradise by dying in jihad. This is a standard approach taken in Christian apologetics.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Point (g). **Muslims are lying when they say they want peace. They are waiting in minority communities to build up their numbers in order to take over.**

& Point (h). **Muslims lie about their religion and will never tell the truth about what they believe. They are allowed to lie to advance their goals.**

What did Pastor Scot say?

Pastor Scot did **not** say Muslims 'will never tell the truth' about their belief.

What he did say was: '*... lying for the sake of Islam is alright*', and '*Muslim people when they come to some teaching which they don't like people to know, they will not tell the truth. They will hide the truth. They will tell lies.*' This was said in reference to a particular incident which Pastor Scot described.

At another point, when he was asked about whether certain Middle Eastern political leaders have lied, Pastor Scot pointed out that many Muslims are truthful people:

'Actually we don't know their heart but their book allows them to do so. So they may be truthful, they may not be truthful ... every Muslim is not like that. There are many Muslims who are truthful. They don't know that Allah says in the Qur'an, they don't ever know that because it's not (an) easy book to understand'

What do the hadiths say?

There are hadith which legitimate lying, under jihad conditions:

'Narrated Jabir bin 'Abdullah: The prophet said, "War is deceit"' (*Sahih al-Bukhari* Vol 4 p.167).

See also a series of Chapters in the Book of Jihad in the *Sahih al-Bukhari*:

- Chapter 156 'War is deceit'
- Chapter 157 'Telling lies in the war'
- Chapter 158 'Killing non-Muslim warriors secretly'
- Chapter 159 'What tricks and means of security may be adopted to protect oneself against some one who is expected to be vicious and mischievous.'

These sahih chapters give examples of the use of deceit which were sanctioned by Muhammad, for example in the account of the assassination of the Jew Ka'b bin Ashraf:

Allah's Apostle said, "Who is willing to kill Ka'b bin Al-Ashraf who has hurt Allah and His Apostle?" Thereupon Muhammad bin Maslama got up saying, "O Allah's Apostle! Would you like that I kill him?" The Prophet said, "Yes," Muhammad bin Maslama said, "**Then allow me to say a (false) thing (i.e. to deceive Kab). The Prophet said, "You may say it."** ... (*Sahih al-Bukhari* 5:369)

Pastor Scot also discussed what he called 'ambiguous abrogation'. This means a verse can be inapplicable until circumstances change. Until the right circumstances are reached part of the meaning remains cancelled and inapplicable. He applied this principle to the interpretation of Sura 2:256 which proclaims 'no compulsion in religion'. He suggested that according to the principle of 'ambiguous abrogation' this could be applied in one circumstance when Muslims are in the minority, and then considered to be abrogated when their power increases. However he did not call this lying.

Pastor Scot also says that the same scholar may emphasize violent passages of the Qur'an in a sermon in Pakistan, Saudi Arabia or Iran, but he would emphasise the non-violent verses from the Qur'an in a western country. However he does not call this lying, but says *'It's not his fault. Actually (the) Qur'an is a wonderful book. It has both teaching(s).'*

What does the Qur'an say?

The Qur'an permits men to lie to their wives under certain circumstances:

Sura 66:1-2. O Prophet! Why bannest thou that which Allah hath made lawful for thee, seeking to please their wives? And Allah is Forgiving, Merciful. **Allah hath made lawful for you (Muslims) absolution from your oaths** (of such a kind), and Allah is your Protector. He is the Knower, the Wise.

Pickthall's comment on context in which this verse 'came down' is as follows:

Hafsah found the Prophet in her room with Marya — the Coptic girl, presented to him by the ruler of Egypt, who became the mother of his only male child, Ibrahim — on a day which custom had assigned to Ayeshah. Moved by Hafsah's distress, the Prophet vowed that he would have no more to do with Marya, and asked her not to tell Ayeshah. (Pickthall's translation of the Qur'an, note 2 to Sura 66.)

The Qur'an also allows lying about religion when a Muslim's life is in danger:

Sura 16:106. Whoever disbelieveth in Allah after his belief — **save him who is forced thereto and whose hearts is still content with faith** — but whoso findeth ease in disbelief: on them is wrath from Allah. Theirs will be an awful doom.

Judgements of jurists

Shaikh Abdullah Ghoshah, former Chief Justice of the Kingdom of Jordan has written in an essay entitled *Jihad in modern times*:

Al Tabarani quoted in his book (Al Awsat): "Lies are sins except when they are told for the welfare of a Muslim or for saving him from a disaster" (p.247)

This essay is found in *Kitab Al-Mu'tamar al-Rabi'il-Mayma' al-Buhuth al-Islamiyya*, which was published by the Academy of Islamic Research of al-Azar in Cairo in 1968.

The following judgement by the respected theologian al-Ghazali is relevant:

Imam Abu Hammid Ghazali says: "Speaking is a means to achieve objectives. If a praiseworthy aim is attainable through both telling the truth and lying, it is unlawful to accomplish through lying because there is no need for it. When it is possible to achieve such an aim by lying but not by telling the truth, **it is permissible to lie if attaining the goal is permissible..**" (Ahmad ibn Naqib al-Misri, *The Reliance of the Traveller*, translated by Nuh Ha Mim Keller, Amana publications, 1997, section r8.2, page 745)

The issue of 'waiting in order to take over'

This is a complex and contested issue. Pastor Scot was **not** saying that all Muslims think like this. However some Muslims do, and some of these are well-trained in Islam and have considerable influence.

Mohammed Hasan Heikal, noted Egyptian author, describes this strategy in his book *Autumn Furor*:

‘So the element of jihad emerged in the ideology of Abul Ala Maududi. He went on to differentiate between two separate stages a Muslim community goes through:

The stage of weakness — in it a Muslim community is unable to take charge of its own destiny. In this case — according to his thinking — they must withdraw for the purpose of preparing themselves to be capable of executing the second stage.

The second stage is the jihad stage, and it will come when the Muslim community has completed its preparedness and is ready to come out of its isolation to take charge, through jihad.

In this Abul Ala Maududi was making a comparison between the two stages of weakness and jihad on the one hand, and on the other hand, Mohammed’s struggle in Mecca then in Medina.’

This analysis, which compares the situation of Muslims in the West with the Meccan period, is very similar to the teaching provided in Yahya Emerick’s children’s text book *What Islam is all about*, which was purchased from the Islamic Council of Victoria in late 2001 as a source of information about Islam. It was published in Long Island, New York. Some of Emerick’s statements are:

- ‘Muslims dream of establishing the power of Islam in the world.’
- ‘For all their talk, most political thinkers have forgotten the most important truth of all. In all their secret meetings, shouting matches and plans for sweeping Muslim glory, they failed to start from square one.’
- ‘When we look at the model of the Blessed Prophet Muhammad, we find that the first thirteen years of his mission were devoted to building a core of dedicated followers who would go through fire and ice if they had to.’
- ‘The first phase was what we call the Meccan Period. The second time period is known as the Medinian Period.’
- ‘We want the ideal of Medina for the next millennium. But we will never get it without the struggle of the Meccan period.’
- ‘...only when we produce a generation of people who actually fear the Day of Judgement and love to be closer to the Prophet’s example, will we be able to make Islam dominant in the earth.’

John Azumah, a Christian with a PhD in Islamic studies makes this reflection on the importance of this aspect of Muhammad’s story in Islam:

The Meccan phase where Muhammad’s mission involved preaching, warning and peaceful persuasion, i.e. purely religious role, is regarded as preparation towards the ideal and normative Medina phase where Muhammad fulfilled the role of political, judicial and military leader. For Muslims, Muhammad’s strictly

religious mission of preaching in Mecca is a preparatory stage fulfilled and superseded by the Medina model where the religious role is properly accomplished within a political and military framework. The full import to this transition is manifested in the popular mantra that, 'In Islam there is no separation between religion and politics.' (John Azumah in *What non-Muslims need to know about Islam*, MS).

It was the migration or hijra to Medina which triggered the transition from the Meccan to Medinan phase, and some Western Muslim groups identify their own experience of migration into the west with Muhammad's migration. This hope for a Medinan realization of Islam in the West is reflected, for example, in the title of the radical Muslim intellectual organization *al-Mujiharoun* 'the migrants', based in London.

In the introduction to his children's textbook, Emerick mentions a book, *Let us be Muslims* by Abul Ala Maududi, in a list of 'authentic Islamic literature which is recognized and accepted by the wider community of Ahl as Sunnah wal Jam'iah.' A copy of this book was also obtained from the Islamic Council of Victoria in 2001.. In it Maududi makes many statements consistent with this program, including:

- 'You have no right to start fighting for power until you have cleansed your hearts of all unselfishness.'
- 'No other method of training people to assume such great responsibilities exists except the Ibadat ('acts of worship') that Allah has enjoined on you: Salah, Sawm, Zakat and Hajj [pillars of Islam]. Only when Islam has prepared its men does it tell them: Now you are the most pious slaves of God on earth. So go forward and fight; dislodge the rebels of God from the government and take over the powers of the caliphate.'
- 'A total Din ['religion' or 'sovereignty' in Maududi's usage], whatever its nature, wants power for itself; the prospect of sharing power is unthinkable.'
- 'If you believe Islam to be true, you have no alternative but to exert your utmost strength to make it prevail on earth: you either establish it or give your lives in this struggle.'

This statement was not an accurate report. Thus it was not religious vilification.

Paragraph 6.

Point (i). **There are thousands of Islamic suicide bombers around the world, waiting to attack.**

Pastor Scot speaks of hundreds of thousands, but he does **not** say 'around the world'.

This statement of Pastor Scot's could be regarded as exaggerated, because it refers to 'suicide bombers'. Normally suicide bombers are carefully selected and prepared over a period of time. It would however have been accurate to refer to hundreds of thousands of mujahideen (jihad fighters).

In the *Melbourne Age* of Tuesday May 28, it was reported: “According to Pakistani experts on Islamic militancy and national security there are as many as 500,000 members of jihad (holy war) groups in Pakistan.”

It would have been accurate to speak of thousands of suicide bombers. On March 18 a Muslim Brotherhood event at Cairo’s Al-Azhar University assembled 1000 Muslims who were invited to take the path to martyrdom in jihad. After this the Hamas leader Mahmoud Al-Zahhar of Gaza said ‘Two days ago in Alexandria, enrolment began for volunteers for martyrdom. Two thousand students from the University of Alexandria signed up to die a martyr’s death.’ (Report in the Israel Arab Weekly, *Kul Al-Arab* April 5, 2002.)

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Point (j). **People trained in the Islamic religion spend six years studying and only find out the terrible things they must do to unbelievers in the final year of training. When they complete their training they are true Muslims, or what we called ‘terrorists’.**

Pastor Scot did **not** say that such students only find out the terrible things they must do in their final year of training.

What was actually said by Pastor Scot was:

‘There are many things written in (the) Qur’an that are not completely clear so then you read hadith, you read the explanation. So when people read that they study that for 6-7 years, they become true Muslim(s) and we call them terrorist(s). But actually they are true Muslim(s) because they have read the Qur’an and have understood it and now they are practicing it.’

The preceding context of this statement was a discussion of the madrassahs in Pakistan. The point was made that an intensive training in Qur’an and hadiths in madrassahs can and does form young men into well-trained Muslims, and this does result in many of them committing themselves to the jihad path, as Pastor Scot describes it from the Qur’an. Such people the West may call terrorists. But Pastor Scot is pointing out that these so-called ‘terrorists’ regard themselves as devout Muslims, because their intentions are based in what the Qur’an says, and they are well-trained in Islamic studies (i.e. Qur’an and hadith) over 6-7 years.

It is certainly the case that in institutions of Islamic learning throughout the world thousands of students receive the opportunity to shape their world-view in a way which fosters a militant understanding of Islamic jihad. Evidence of the trend that this radicalization can take is seen clearly in the essay *The Islamic Verdict on jihad as a methodology to establish the Khilafah* by Sheikh Omar Bakri Muhammad, Principal Lecturer of *The London School of Shari’ah* & the Leader of *Al-Muhajiroun*, a British and American association of Islamic intellectuals. (Appendix IV). The perspective is also

seen in the widely-read essay *The call to Jihad (fighting for Allah's cause) in the Holy Quran* (Appendix I) referred to above.

These two essays are written by Islamic scholars in positions of influence. They are strongly argued and well-researched. They also purport to be a faithful and devout reflection of what Islam teaches. This world view, if imparted to students over 6-7 years of study and accepted, could well be expected to have the effect described by Pastor Scot.

It is not clear how Pastor Scot's statement, as quoted above, vilifies Mr Eades. Why is it an act of vilification for a well-informed Christian to read the Qur'an and hadiths and then acknowledge that the mujahid claim to be acting in accordance with certain Qur'anic teachings?

This statement was not an accurate report. Thus it was not religious vilification.

Paragraph 6.

Point (k). **All of the voices in the Qur'an that refer to tolerance have been 'abrogated'.**

This broadly reflects traditional Islamic teachings. The general Islamic principle of abrogation means when any conflict of interpretation could arise, later verses would take precedence over former ones. Tolerant verses were 'sent down' in the Meccan period, or the very early Medinan period. The call to jihad came after this.

The move from non-violence to violence in Muhammad's witness is reflected for example in the two pledges at al-'Aqaba as described in Ibn Ishaq's *Sirat Rasulallah*. First the twelve Helpers gave their pledge, which was known as the 'pledge of women' because no fighting was involved (a reference to Sura 60:12). Abdul Rahman said of this pledge:

'I was present at the first 'Aqaba. There were twelve of us and **we pledged ourselves after the manner of women and that was before war was enjoined**, the undertaking being that we should associate nothing with God; we should not steal,' we should not commit fornication,' nor kill our offspring; we should not slander our neighbours; we should not disobey him in what was right; if we fulfill this paradise would be ours; if we committed any of those sins it was for God to punish or forgive us as he pleased'. (*Sirat Rasulallah* p.199).

After this God gave permission to fight:

When God gave permission to his apostle to fight, the second 'Aqaba contained conditions involving war which were not in the first act of fealty. **Now they bound themselves to war against all and sundry for God and his apostle**, while he promised them for faithful service thus the reward of paradise. ... "We pledged ourselves to war in complete obedience to the apostle in weal and woe, in ease and hardship and evil circumstances ..." (*Sirat Rasulallah* p.208)

‘The apostle had not been given permission to fight or allowed to shed blood before the second ‘Aqaba. He had simply been ordered to call men to God and to endure insult and forgive the ignorant. ... When Quraysh [an Arab tribe] became insolent towards God and rejected his gracious purpose, accused his prophet of lying and illtreated and exiled those who served Him ... He gave permission to His apostle to fight ... (*Sirat Rasulallah* p.212)

The first Qur’anic verse which was sent down concerning this, according to Ibn Ishaq, was Sura 22:40-42, which he interprets as follows:

I have allowed them to fight only because they have been unjustly treated while their sole offence against men has been that they worship God. When they are in the ascendancy they will establish prayer, pay the poor-tax, enjoin kindness, and forbid iniquity, i.e. the prophet and his companions all of them.

Then God sent down to him: ‘Fight them so that there be no more seduction, [Sura 2:198] i.e. until no believer is seduced from his religion. ‘And the religion is God’s’, i.e. until God alone is worshipped. (*Sirat Rasulallah* p. 213).

A traditional, conservative consensus of Islamic scholarship on the subject of jihad is summed up in the words of Sheikh Abdullah of the Sacred Mosque of Mecca, former Chief Justice of Saudi Arabia:

... at first “the fighting” was forbidden, then it was permitted and after that it was made obligatory’ against aggressors, and against non-Muslims.

He continues:

‘Allah made “the fighting” (Jihad) obligatory for the Muslims and gave importance to the subject matter of Jihad in all the Suras (chapters of the Qur’an) which were revealed (at Medina).’ [All round brackets are in the original text.]

The classical interpretations of Sura 2:256 ‘no compulsion in religion’ all agree that it does not override Sura 9:29 which commands fighting against ‘People of the Book’ until they submit and pay the jizya. Sura 9 was one of the very last chapters to be revealed. As for Sura 2:256, according to Wahidi’s tafsir, this verse was revealed at the time of the expulsion of the Jewish al-Nadir tribe from Medina. It referred to some children of the Ansar who had been adopted by the al-Nadir and brought up as Jews, and were therefore permitted by Muhammad to leave with them. This context does not permit this verse to be used as the basis for a general principle that Islam knows no compulsion. If so, how could one explain such hadith as:

Allah wonders [an alternative translation is ‘rejoices’] at those people who will enter Paradise in chains. (*Sahih al Bukhari* 4.254, referring to the captives of war who thereby become Muslims.)

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Point (l). **When Muhammad's community was weak, they spoke of tolerance, but when they became more powerful, they were violent and intolerant.**

This is absolutely true, and it can easily be verified from the Qur'an and the Sira.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 6.

Point (m). **Muslims take protection money from non-Muslims in their community, or they get killed under Muslim rule.**

This is a divinely ordained rule under the terms of Sura 9:29 (see discussion of 6d above), however alternatives to being killed could be expulsion or being taken captive as slaves. This rule is based upon the precedent of Muhammad's treatment of the Jews of Kaibar. (See Appendix IV).

It is important to keep in mind that this was a session on jihad in the Qur'an. The Ottoman caliphate formally abolished this discriminatory tax in the mid 1800's. It is now reappearing in various forms in a number of Muslim countries as they progressively reinstitute shari'a conditions.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Paragraph 7.

Mr Eades states that he believes that Pastor Scot provoked scorn, fear and hatred of Muslims, and throughout the presentation he mocked what Muslims believe, and repeatedly invoked laughter from his audience when describing apparent Muslim beliefs. Furthermore Mr Eades states that he believes that his community was misrepresented, and that he left the presentation feeling deeply hurt and disturbed.

A variety of tones was used during the seminar by Pastor Scot, such as a compassionate tone, a quite analytical tone, and at times a dry humour, especially when discussing some of the more confronting verses in the Qur'an. For example in discussing the following verse, Scot explores its logical conclusions as follows: "Allah says fighting, warfare is ordained and is good for you. It is good for you that you loot people, you kill people, you destroy people. You may not like it, but Allah says it is good for Muslim people."

Sura 2:216 Warfare is ordained for you, though it is hateful unto you; but it may happen that ye hate a thing which is good for you, and it may happen that ye love a thing which is bad for you. Allah knoweth, ye know not.

We do not accept that Pastor Scot provoked fear or hatred in the Christians present. (See initial comments on intentions above.) His clearly stated intention was to analyse Islam according what the Qur'an teaches, not to represent the views of the Australian Muslim community, or Mr Eades' own community. None of Pastor Scot's comments in this session were about Muslims.

The actual verses of the Qur'an and hadiths on the subject of jihad are likely to be found disturbing for modern Australians, whatever their faith. It is hard for anyone to discuss them in a neutral tone.

We acknowledge that Pastor Scot's material could have been disturbing and distressing to a Muslim person who was unfamiliar with it. However its mode of delivery was not designed for a Muslim audience, and he was **not** saying that any Muslims present held all the beliefs he was describing.

Paragraph 8.

Mr Eades also states that he believed that what was presented could incite hatred and lead to violence against the Muslim community of Australia.

We reject this claim in the light of the above explanations. Christians have a right to inform themselves about the religious foundations for the institution of jihad, because history proves that non-Muslims who are not submitted to the Islamic state can become the target for jihad. This perspective is supported by numerous devout and well-informed Muslim voices down the centuries, right through to the present day.

Paragraph 9.

(a) **There are 'six M's of silent jihad'. A slide was shown of these. These M's were:**

(i) **merchant – Muslims convert their trade partners;**

(ii) **marriage – Muslims marry non-Muslims and convert their spouses;**

(iii) **money – Muslims give money to people to convert. It was stated that this occurs in Australia;**

(iv) **mosque – Muslims build mosques to pretend to help people with community works and then convert them;**

(v) **madrassah – schools where Islam is taught. The implication made was that there are too many are too many of these schools where people are forced to learn about Islam;**

(vi) **mysticism – it was sarcastically stated that Sufis are inspired by 'good' demons. This provoked laughter in the audience.**

Most of these methods of exerting influence can be documented from Islamic sources. Use of money to 'win hearts' has already been discussed above.

The claim under (iv) that Muslims build mosques 'to pretend' to help people is not an accurate report. Pastor Scot did not claim that the offer of help was insincere. What he actually said was:

'Then we look at mosque(s). Then there some Muslim then they build up a mosque and through mosque(s) they start some movement to help people and spread Islam that way.'

The role of madrassahs in the formation of mujahideen in Pakistan is well-known.

These statements did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

Point (b) **That the teachings of Allah/Qur'an/Prophet involve the following:**

i) **If you do not do jihad, you will go to hell.**

Pastor Scot was referring to 'many verses' in Sura 9 (e.g. 9:81, 9:90, 9:94-95), as well as to Sura 48:16-17 and Sura 8:12-16. His point was that, according to the Qur'an, turning back from jihad leads to hell.

Sura 8:15-16: 'O ye who believe! When ye meet those who disbelieve in battle, turn not your backs to them. Whoso on that day turneth his back to them, unless manoeuvring for battle or intent to join a company, he truly hath incurred wrath from Allah, and **his habitation will be hell**, a hapless journey's-end

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

ii) **Doing jihad in the heat of the desert is preferable to the heat of hell.**

This is from the Qur'an:

Sura 9:81. Those who were left behind [at the time of jihad fighting] rejoiced at sitting still behind the messenger of Allah, and were averse to striving with their wealth and their lives in Allah's way. And they said: "Go not forth in the heat!" Say: "**The heat of hell is more intense of heat,**" if they but understood'.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

iii) **Muhammad will not pray for you at your funeral if you do not do jihad.**

This is from the Qur'an:

Sura 81-85. **Those who were left behind** rejoiced at sitting still behind the messenger of Allah, and were averse to striving with their wealth and their lives in Allah's way. ... And **never (O Muhammad) pray for one of them who dieth, nor stand by his grave..** Lo! They disbelieved in Allah and His messenger, and they died while they were evil-doers. Let not their wealth nor their children please thee! Allah purposeth only to punish them thereby in the world, and that their sould shall pass away while they are disbelievers.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

iv) **Allah urges Muhammad into war and promises him “lots of booty” for it.**

This is true, on both counts. The many verses urging fighting in the Qur’an are clear enough. As for booty, Sura 8 — called al-Anfal ‘the booty’ — was sent down after the battle of Badr when Muhammad sent the Muslims out to ambush a Quraysh caravan. This Sura begins:

Sura 8:1. They ask thee (O Muhammad) of the spoils of war. Say: “The spoils of war belong to Allah and the messenger, so keep your duty to Allah ...”

Also consider 8:41:

And fight them until persecution is no more, and religion is all for Allah. But if they cease, then lo! Allah is Seer of what they do. And if they turn away, then know that Allah is your Befriender — transcendent Patron, a transcendent Helper! **And know that whatever ye take as spoils of war, lo! A fifth thereof is for Allah, and for the messenger ...”**

Here are Ibn Ishaq’s comments on the sending down of 8:67-70:

God said, ‘It is not for any prophet,’ i.e. before thee, ‘to take prisoners from his enemies ‘until he has made slaughter in the earth,’ i.e. slaughtered his enemies until he drives them from the land. ‘You desire the lure of this world,’ i.e. its goods, the ransom of the captives. ‘But God desires the next world,’ i.e. their killing them to manifest the religion which He wishes to manifest and by which the next world may be attained. ‘Had there not previously been a book from God there would have come upon you for what you took,’ i.e. prisoners and booty, ‘an awful punishment,’ i.e. had it not previously gone forth from Me that I would punish only after a prohibition — and He had not prohibited them — I would have punished you for what you did. Then **He made it [i.e. taking booty] lawful to him and to them as a mercy from Him and a gift from the Compassionate, the Merciful.** He said ‘**So enjoy what you have captured as lawful and good, and fear God. God is forgiving, merciful.**’ Then He said: ‘O prophet, Say to those captives in your hands, If God knows any good in your hearts He will give you something better than that which has been taken from you and God will pardon you. God is Forgiving, Merciful.’ (Sirat Rasulallah p.326-327)

Muhammad described five distinctives of his prophethood, which distinguished him from all previous prophets. One of these was that ‘booty has been made lawful for me’. (Sahih Bukhari 1.8.429) He also said:

“I have been sent with the shortest expressions bearing the widest meanings, and I have been made victorious with terror, and while I was sleeping, **the keys of the treasures of the world were brought to me and put in my hand.**” (Sahih Bukhari 4.52.220)

In another hadith swords are referred to as 'keys'.

According to some authorities, booty is the best source of earnings:

This is the best method of earning both spiritual and temporal. If victory is won, **there is enormous booty and conquest of a country which cannot be equaled to any other source of earning.** If there is defeat or death, there is ever-lasting Paradise and a great spiritual benefit. This sort of Jihad is conditional upon pure motive, i.e. for establishing the kingdom of Allah on earth' (Mishkat II, p.253).

See Appendix III for a discussion of the laws of booty under Islam by Ibn Taymiyya, who also cites the hadith:

"I was sent with the sword before the Day of Resurrection so that all men may serve only Allah, without associates. **My resources lie in the shadow of my spear.** Those who opposed my orders have been reduced to degradation and humiliation."

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

v) **Hadith says that dying is such a wonderful thing, and that there is no pain felt when you die as a martyr.**

The hadith reference was to Timirzi (#402) which says that a martyr does not suffer any more pain than being bitten by an ant. This was a factual reference to Islamic literature.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(c) **That Muslims want to take over Australia, and intend to do this by growing in number, and then enforcing Islam by killing.**

This has already been discussed above under 6d.

(d) **Islam has to conquer all other religions.**

This is a logical interpretation of Sura 61:9-11:

'He it is Who hath sent His messenger with the guidance and the religion of truth, **that He may make it conqueror of all religion,** however much idolaters may be averse. O ye who believe! Shall I show you a commerce that will save you from a painful doom? Ye should believe in Allah and His messenger, and should strive for the cause of Allah with your wealth and your lives. This is better for you, if ye did but know.'

An example of this principle is seen in the following statement by Sayyeed Hashem Nasserallah in the *Australian Muslim Times* (19th April 1991):

... Islam does not consider idolatry as a form of religion, but as a deviation, a disease and a myth. Islam perceives that a group of people should not be allowed to tread the path of deviation and myth but that they should be stopped. That is why Islam called the idol-worshippers to the unity of God and **if they did not heed there would be recourse to force** where the idols would be smashed and the temples destroyed. Islam attempted to prevent any appearance of the elements of idol worship in order to destroy the source of this spiritual and mental disease.'

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(e) Hundreds of thousands of Muslim people are waiting in line to do suicide bombings.

This has already been dealt with under 6i.

(f) That Pastor Scot met a brother of a martyr who was celebrating “that his brother is now having sex with 72 women in heaven”.

This is not an accurate report. Pastor Scot was referring to the President of Sudan, not someone he knows personally. This is a widespread understanding of martyrdom based upon the foundational teachings of Muhammad.

This statement was not an accurate report. Thus it was not religious vilification.

(g) That the God of Christianity sends his son to save men. The God of Islam demands death of Muslim sons.

This accurately compares the Christian doctrine of the atonement with the Qur'anic doctrine of the call to martyrdom in jihad. It is an entirely legitimate apologetic point.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(h) That Allah states in the Qur'an, kill them, but leave them if they pay zakat (an Islamic tax to benefit the poor and needy). Pastor Scot stated sarcastically “Oh yes, Allah is very merciful but he doesn't want much trouble”.

At one point at the end of the first session Pastor Scot did say 'zakat' by mistake for 'jizya'. This was a slip of the tongue: at other points in the discussion he consistently used the correct term. See discussion of 6d.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(i) Holy war is the heart and spirit of Islam. If it is taken out, there is nothing left.

This were not Pastor Scot's own words, but a quotation from Sheik Omar, scholar and militant, who is now serving a sentence for the World Trade Centre bombing. Daniel Scot quoted him as saying: *'the holy war is the spirit, is the soul of Islam; if you remove it, nothing left.'*

Many similar comments have been made by Muslim scholars. For example Maududi has stated that observing the five pillars is but a training for jihad and establishing God's rule on earth (*Let us be Muslims* p.291).

(j) Muhammad first taught that Jews are good people, but then as he got more powerful and the Jews did not give money, he taught that Jews are bad.

Muhammad's Meccan phase was more tolerant, as shown in this early Meccan verse:

Sura 108:6. Unto you your religion, and unto me my religion.

The progressive worsening of Muhammad's attitudes to the Jews after the migration to Medina is clearly seen in the verses of the Qur'an, as well as the progression from the Constitution of Medina, to the attacks, assassinations, massacre and expulsions of Medinan Jews, as documented in Muslim sources for Muhammad's life. Here is but one of many such examples:

Narrated Ali inb Abu Talib: A Jewess used to abuse the Prophet (peace be upon him) and disparage him. A man strangled her till she died. The Apostle of Allah (peace be upon him) declared that no recompense was payable for her blood. (Sunan Abu Dawud 38.4349).

Appendix VI is a copy of an index page to the Qur'an with references to the 'Israelites'. Most are highly negative. In the *Herald Sun* on June 6, Andrew Bolt reported on a Melbourne-based Islamic website with an article by Ash-Shaykh Rabee' bin Haadi al-Madkhali which stated 'Allah has cursed the Jews in the Koran on numerous occasions'.

Muhammad had clearly hoped that the Jews of Medina would embrace Islam. However they argued with him, and disputed his claim to prophethood. These arguments are reflected in many Qur'anic verses.

A turning point in Muhammad's attitudes to the Jews is reflected in the following hadith:

It has been narrated on the authority of Abu Huraira who said: We were (sitting) in the mosque when the Messenger of Allah (may peace be upon him) came to us and said: (Let us) go to the Jews. We went out with him until we came to them. The Messenger of Allah (may peace be upon him) stood up and called out to them (saying): **O ye assembly of Jews, accept Islam (and) you will be safe..** They said: Abu'l-Qasim, you have communicated (God's Message

to us). The Messenger of Allah (may peace be upon him) said: I want this (i. e. you should admit that God's Message has been communicated to you), accept Islam and you would be safe. They said: Abu'l-Qisim, you have communicated (Allah's Message). The Messenger of Allah (may peace be upon him) said: I want this... - He said to them (the same words) the third time (and on getting the same reply) he added: **You should know that the earth belongs to Allah and His Apostle, and I wish that I should expel you from this land.** Those of you who have any property with them should sell it, otherwise they should know that the earth belongs to Allah and His Apostle (and they may have to go away leaving everything behind). (Sahih Muslim #4363 from the Book of Jihad and Expeditions).

The outcome of this warning is summarized in the very next hadith in Muslim's collection:

It has been narrated on the authority of Ibn Umar that the Jews of Banu Nadir and Banu Quraizi fought against the Messenger of Allah (may peace be upon him) who expelled Banu Nadir, and allowed Quraiza to stay on, and granted favour to them until they too fought against him. **Then he killed their men, and distributed their women, children and properties among the Muslims, except that some of them had joined the Messenger of Allah** (may peace be upon him) who granted them security. They embraced Islam. The Messenger of Allah (may peace be upon him) turned out all the Jews of Medlina. Banu Qainuqa' (the tribe of 'Abdullah b. Salim) and the Jews of Banu Haritha and every other Jew who was in Medina.

Muhammad's final attitude to Jews is reflected in the following often-quoted hadith.

Narrated Abu Huraira: Allah's Apostle said, "The Hour will not be established until you fight with the Jews, and the stone behind which a Jew will be hiding will say. "O Muslim! There is a Jew hiding behind me, so kill him." (Sahih al-Bukhari 4.52.177)

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(k) There are 'different levels of humanity' according to the Qur'an: Men, then women, slaves, Christians, then Jews. pastor Scot stated derisively "The Jews and the Christians are almost human beings because they can become Muslim".

This is a summary judgement, based upon Qur'anic verses which speak of women, of infidels, etc. The shari'a does make systematic distinctions between all these categories: men and women, Muslims and non-Muslims, free and slave. They do not all have equal rights under Islam.

Men and Women. Men have more rights than women under Islamic law, for example their testimony is worth more than women's testimony in traditional shari'a courts, and they can divorce their wives more easily than their wives can divorce them. Also

women have less rights as regards custody of their children after divorce. The Qur'an describes men as being superior to women:

Sura 4:34. Men are in charge of women, because **Allah hath made the one of them to excel the other**, and because they spend of their property (for the support of women). So good women are the obedient, guarding in secret that which Allah hath guarded. As for those from whom ye fear rebellion, admonish them and banish them to beds apart, and scourge them. Then if they obey you, seek not a way against them. Lo! Allah is ever High, Exalted, Great.

Muslims and non-Muslims. The Qur'an teaches that Muslims are the best people of all, and most Christians and Jews (People of the Book) are evil:

Sura 3:110 **Ye are the best community** that hath been raised up for mankind. Ye enjoin right conduct and forbid indecency; and ye believe in Allah. And if the People of the Scripture had believed it had been better for them. Some of them are believers; but **most of them are evil-livers.**

Under shari'a law non-Muslims suffer many discriminations. For example killing a Muslim is punishable by death, according to Muhammad, but on the other hand, he forbade taking a Muslim's life in punishment for the murder of an infidel. This means that a Muslim's life is worth more than a non-Muslim's life.

... no Muslim should be killed for killing an infidel. (*Sahih al-Bukhari* 4.283)

The Qur'an teaches that Jews and Christians (People of the Book) deserve to be humiliated:

Sura 3:112. **'Ignominy shall be their portion** whersoever they are found ... They have incurred anger from their Lord, and wretchedness is laid upon them.'

Of the 25 worst countries for discriminating against Christian believers today, around 20 are Muslim. Appendix VII is a Muslim jurist's summary of laws applying to non-Muslims (dhimmis) living under Islam.

The following statements by Father Samir Khalil Samir, an Egyptian Jesuit and professor at the St Joseph's University in Beirut is an accurate description of the plight of Christians living in Muslim nations:

We have to start from the assumption that in the vision of Islam every means is good if it contributes to the final end of the installation of the Islamic state or the protection of Islam. One sees this in the islamisation of education. Every morning in Egypt they start with the reading of the Koran; the texts of the teaching matter are full of references to Islam, whether in mathematics, in history or in literature; the learning of the Koran is obligatory for all.

Another instrument of this is the humiliation of the Christians at every level. If one walks along the street wearing — even discreetly — a cross, one risks being beaten or sworn at. It is common to be insulted by children. Thus, even at the

sociological level, there is a very powerful pressure which discourages the weaker ones. At a more serious level, the economic one, the discrimination against Christians means that for them the possibility of finding work is more difficult, and frequently such a possibility is limited to working privately. In this respect one should not forget that most countries have an indication of the religion of the individual on the identity card, and even where this is not the case the name itself mostly reveals the religious faith of the individual and thus determines whether he will find work or how he will be treated.

Even the media play a major role in this respect. Every day in the newspapers they speak of Islam. Sometimes Christianity is violently attacked. On television too the presence of Islam is all-pervasive.
(http://www.augustea.it/dgabriele/english/e_islam_interview.htm#inizio
(26/3/02).

Quite apart from the treatment of non-Muslims under Islam, the very institution of jihad, which involves fighting against disbelievers in order to establish Islam (according to all the classical and many contemporary Muslim authorities) degrades the humanity of non-Muslims.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(10) Ms Jackson states that, after the seminar paused for a lunch break, a person, who Ms Jackson understands was Daniel Nalliah, introduced the second session. Ms Jackson states that Mr Nalliah stated “Did you enjoy the first session? It was a bit heavy though. A bit scary, hey? Anyone scared? I am.” Ms Jackson considers that Mr Nalliah was attempting to incite fear and hatred of Muslims amongst the audience.

The comment referred to here was not made by Daniel Nalliah, who was not present at the seminar. The material on jihad in the Qur’an is inherently disturbing, if taken at face value as true and valid for Islam. These are inherently inflammatory texts. To discuss experiences of fear, or texts of this nature is not to incite hatred or fear.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(11) Ms Jackson states that she believed that the overall atmosphere of the presentation was one of denigration and ridicule. Further, that the presentation was inflammatory, with a deliberate intention to incite fear and hatred.

The claim that the deliberate intention was to incite fear and hatred is not true. Every statement of intention made during the day was just the opposite.

(12) (a) Pastor Scott spoke of his experience in Egypt where he was residing at a university. He stated that some students thought he was an apostate, as his

father had a Muslim name. Pastor Scot intimated that Muslims are killed by other Muslims if they leave the Islamic faith.

The Islamic punishment for apostasy reflects Muhammad's teaching and his practice. He taught:

"The blood of a Muslim who confesses that none has the right to be worshipped but Allah and that I am His Apostle, cannot be shed except in three cases: In Qisas for murder, a married person who commits illegal sexual intercourse and the one who reverts from Islam (apostate) and leaves the Muslims." (*Sahih al-Bukhari* 9.83.17.)

He repeated this third permission in many different ways:

- "If someone discards his (Islamic) religion, **kill him**". (*Sahih al-Bukhari* 4.260, 9.461)
- "A female apostate **should be killed**." (*Sahih al-Bukhari* 9.42)
- "Whoever changes his Islamic religion, then **kill him**." (*Sahih al-Bukhari* 9.57)
- "Wherever you find them, **kill them**, for whoever kills them shall have reward on the Day of Resurrection." (*Sahih al-Bukhari* 9.64)
- "**On apostates rest God's curse**, the angels' curse, and all mankind's curse". (*Sahih al-Bukhari* 9 .64)

Islamic traditions back these statements up with stories about what happened to apostates under Muhammad :

Behold: There was a fettered man beside Abu Muisa. Mu'adh asked, "Who is this (man)?" Abu Muisa said, "He was a Jew and became a Muslim and then reverted back to Judaism." Then Abu Muisa requested Mu'adh to sit down but **Mu'adh said, "I will not sit down till he has been killed. This is the judgment of Allah and His Apostle** (for such cases) and repeated it thrice. Then Abu Musa ordered that the man be killed, and he was killed. Abu Musa added, "Then we discussed the night prayers and one of us said, 'I pray and sleep, and I hope that Allah will reward me for my sleep as well as for my prayers.'" (*Sahih al-Bukhari* 9.84.58)

Siddiqi, in his discussion of this penalty in his translation of the Sahih Muslim, writes 'There is almost consensus of opinion among the jurists that apostasy from Islam must be punished with death.'

The Qur'anic basis for this principle is 'persecution (or trial) is worse than killing', i.e. it is better to kill enemies of Islam than for anyone to be led away from the Islamic faith by any kind of pressure. Consequently the death penalty applies not only to apostates themselves, but also to those who attempt to lead Muslims away from Islam:

Sura 2:217. They question thee (O Muhammad) with regard to warfare in the sacred month. Say: Warfare therein is a great (transgression), but to turn (men) from the way of Allah, and to disbelieve in Him and in the Inviolable Place of

Worship, and to expel His people thence, is greater with Allah; for **persecution is worse than killing**. And they will not cease from fighting against you till they have made you renegades from your religion, if they can. And whoso becometh a renegade and dieth in his disbelief: such are they whose works have fallen both in the world and the Hereafter. Such are rightful owners of the Fire: they will abide therein.

A recent jurist's discussion of this principle from Nigeria involved the case of two men, Lawali Yakubu and Ali Jafaru against whom the death penalty was sought for converting to Christianity from Islam. This was reported by *Associated Press* as follows:

“Auwal Jabaka, the court judge, said Wednesday that although **the Muslim holy book, or Quran, calls for execution of Muslims who accept another religion**, it was unclear whether the state's two-year-old Shariah penal code also permitted such a punishment. Jabaka adjourned the court for three days to allow the accused to ‘change their minds’ and convert back to Islam. [A shari'a requirement.] In the meantime he called on the Zamfara government to clarify its position on the matter. ‘If the law empowers me to (execute the two for converting from Islam to Christianity), I will have no hesitation in doing that,’ the judge said.”

The *Daily Champion* (Lagos) of April 27, 2000 also reported

“While **the sharia monitoring officials insisted that since the Quran, the hadith and other Islamic books prescribed death for muslims who converted to another religion**, the two converts should be sentenced to death, the judge maintained that although all Islamic books agree with death sentence for muslims who converted to another religion, the Zamfara State Sharia penal code had no provision for such offences ...”

A similar report was posted by the *African Eye News Service* on May 8, 2002 (Nelspruit).

In the *Melbourne Age* of Wednesday April 10, 2002 Abudrrahman Wahid, Islamic scholar and former president of Indonesia, wrote:

... **when a Muslim converts out of Islam to embrace another faith they are said to be guilty of apostasy**, which, according to a narrow understanding of Islamic law, renders them **liable to punishment by death**. Clearly such an understanding of Islamic law is, to say the least, problematic.

We are able to supply numerous examples of this practice being applied from the present-day, both in Muslim countries, and even in Western countries. This is the law of the land in half a dozen Islamic nations. It only exists because of the example and explicit teaching of Muhammad.

Reporting the apostasy law to Christians does not vilify Mr Thomas. It is however entirely legitimate, and prudent, for Christians who are involved in witnessing to

Muslims to inform themselves of this universal principle of shari'a law. Mr Thomas is apparently not aware of this aspect of Islam?

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

12 (b) **That Muslim women, in particular, need to be saved because they suffer constant beatings at home.**

Pastor Scot does **not** say 'they suffer constant beatings', but '*wives are beaten*', and '*violence is very common*' in Islamic cultures.

The Qur'anic basis for this charge is:

Sura 4:34. Men are in charge of women, because Allah hath made the one of them to excel the other, and because they spend of their property (for the support of women). So good women are the obedient, guarding in secret that which Allah hath guarded. As for those from whom ye fear rebellion, admonish them and banish them to beds apart, and **scourge them**. Then if they obey you, seek not a way against them. Lo! Allah is ever High, Exalted, Great.

Recently a Muslim woman in Melbourne has cited this verse of the Qur'an in her defense against an arson charge. She said she had to obey her husband so she wouldn't be beaten (the *Herald Sun* on May 29, 2002).

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(13) **Mr Thomas states that he believed the presentation attacked and misrepresented the foundations of the Islamic faith. He states that he felt very intimidated at the presentation and consequently did not divulge to the speaker or other audience members that he was a Muslim because he did not feel safe to do so.**

It seems surprising that so few comments were made about this session, considering Mr Thomas's belief that it 'attacked and misrepresented the foundations of the Islamic faith.' He reports feeling intimidated, but does not explain why or how this happened. In fact this session focused upon evangelism and how to reach out sensitively whilst respecting the other person and their culture.

Mr Thomas has also not given any evidence that the foundations of the Islamic faith were misrepresented. Had he revealed his Muslim faith to the gathered group he would have found that he was entirely safe in that company. During the session Mr Thomas attended, Daniel Scot repeatedly emphasized the importance of loving Muslim people.

(14) & (15) Give background information concerning the seminar and the Catch the Fire website.

The Catch the Fire Newsletter

(16) A non-exhaustive list of quotes taken from this newsletter:

(a) **“One year ago the Lord very clearly spoke to me about the plans of the enemy to take the land (Australia) and stop it from coming into God’s full will and purpose in his hour. He very particularly spoke to me about the faith of Islam.”**

and (b) **“We need to boldly stand for what we believe. Come on, Men and Women of God, don’t sell your birthright in order to maintain your place in the city. Stand up for what you believe. If not, you will lose your homeland to a foreign religion and it’s [sic] people. I believe if we are to save our birthright and preserve our heritage, we need to wake up now. We are so short sighted, while our enemy is getting so well organised to take over the land. We have to rise up now and stand for what we believe. While many Australians do not want to have children until they are 35-40 years old ... the Muslims have 4 wives and 10-12 children per family. While the population of Aussies is on the decrease another population is rapidly on the increase.”**

The words ‘enemy’ and ‘our enemy’ here refers to Satan. This term is used in a biblical sense. It does not refer to people, to ‘flesh and blood’, but to a spiritual being:

Ephesians 6:12. ‘For we are not contending against flesh and blood, but against principalities, against the powers, against the world rulers of this present darkness, against the spiritual hosts of wickedness in the heavenly places.’

It is clear from the context of the Newsletter that what is being referred to here is the weak state of the Christian church in Australia at this time, in contrast to the growing influence of Islam in the west.

The expression ‘the Muslims have 4 wives and 10-12 children per family’ is poorly worded. The point being made is that Muslim populations, both in Muslim countries and in the West, are expanding vigorously. Some Muslim groups in the West have as their strategic goal that particular Western nations should become shari’a states. Demographic growth is one pathway to reach that goal. Some Western nations, such as France, now have very substantial and rapidly expanding Muslim minorities.. For example in France, in which the population is already 10% Muslim, Muslim women have fertility rates 2-3 times higher than non-Muslims. It is not inconceivable that within a matter of decades some secular Western nations will develop Muslim majorities. Since virtually all majority Muslim states around the world have moved steadily towards shari’a implementation in the post-colonial era, the Islamization of Western nations would have enormous consequences for our secular and free society.

The principle of allowing up to four wives is found in the Qur’an:

Sura 4:3 And if ye fear that ye will not deal fairly by the orphans, marry of the women, who seem good to you, two or three or four; and if ye fear that ye

cannot do justice (to so many) then one (only), or (the captives) that your right hands possess. Thus it is more likely that ye will not do injustice.

Some Muslims have commended the virtue of high birthrates for establishing Islam. The following is taken from the lament of an Egyptian woman:

I am the mother of six children, four girls and two boys, and they are all in school. My husband thinks that the only reason for marriage is increasing the birth rate of the nation of Muhammad. Were I not already 55, he wouldn't have settled for six children; if he could, he would multiply their number several times over!..." (Published in the Egyptian Weekly *Akhbar Al-Yaum* (Egypt), December 29, 2001.

Even in Australia polygamy is not excluded for Muslim men, according to a comment made on Compass on May 6, 2001 by Sheikh Fehmi of Melbourne, describing a conversation he had with the late Mr Snedden when he was Australian Attorney General. They were discussing granting permission for Islamic clergy to become registered marriage celebrants:

'... he used to say to me "Well you know Sheikh Fehmi that you Muslims may marry more than one and when we are not allowed to let anybody here to have only one wife." I said to him, "Listen to me please, you may register the first one, and don't worry about the second one." He laughed and said "All right, we won't have anything to do with the second one." ... we had gained recognition from the Attorney General for all our Imams around Australia from that year onward.'

16 (c). **"What has happened in England could well happen in Australia. 20 years ago, there was [sic] some 20 mosques in the land. Today it is estimated that there are over 1000 mosques in England. Many mayors are Muslims. This has resulted in some churches being closed down and converted to mosques. They have also very cleverly infiltrated parliament and other influential places, including many churches (even in Australia). This is in order to stop the name of Jesus being mentioned, because Satan knows the name of Jesus is trouble for him and also to spy on what the western governments are doing. Will you let it happen in Australia? Or will you stand up now?"**

It is true that Islam is growing rapidly and increasing in influence in England. Some Muslims in Australia have an active policy of exerting influence in public affairs, with increasing success. For example the Victorian Equal Opportunity Commission's 'Stand up to Racism' campaign has actively been promoting a positive regard for Islam, even through Islam is not a race, and even though other groups in the community are also subject to violence and discrimination: more churches and synagogues were attacked in Australia in the aftermath of September 11 than mosques. (Worldwide Photos Has listed 14 attacks which took place on religious buildings in Sydney from mid-September to mid-October. Of these 13 were against churches, and only one against an Islamic center.) Therefore the EOC website demonstrates the effectiveness of the

Islamic Council of Victoria in advocating for Muslim interests at the expense of the interests of other groups in the community.

Some of the wording of this quotation is unfortunate, e.g. the expression 'spy' and 'infiltrated'.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(d) "The motto of the Muslim is to convert the whole world to Islam. By peace or violence... so what stops them from doing so in Australia? They all believe in the same book, the Koran. So did the men who planned and committed suicide attack [sic] on the twin towers in New York and on Washington."

This excerpt follows a report in the newsletter of an incident which took place in Melbourne a few years ago (not a few months as the newsletter states – this was a mistake). We have an eyewitness who was present at this meeting who can testify to what happened. As noted, other Christian Pastors were also present:

At a meeting in Melbourne a few months ago, 10 Pastors met the Imam (equivalent to a priest) of a Mosque in Melbourne. It was a gathering held to get to know the religious leaders of the land. At this meeting one Pastor asked the Imam, 'What is holy war?' He slowly brushed aside from answering the question. The Pastor then asked him a second time and he did the same. Then the Pastor told him, "You did not answer my question, what is holy war?" The Imam responded, agitated, rising up from his seat and raising his voice, saying "Holy war is: we will make everyone in Australia worship Allah. Through peace or through violence." The Pastors were absolutely shocked. The one who conveyed this to me could not believe what this man said.

We acknowledge that the expression 'the Muslim' is unfortunate: we had taken the Imam as representative of 'the Muslim'. The text could instead have read 'the motto of Islam'. In any case, apart from this aspect of the wording, this statement is an accurate reflection on certain verses in the Qur'an, as the Imam's comments also indicate. The complaint omits part of the text, replacing them with dots. Significantly it is the Qur'anic citations which are omitted by the complainants.

The phenomenon of Westerners becoming Muslims, studying Islam for a period, and then joining groups like the Taliban is an example of taking the Qur'an literally. The September 11 bombers, who described themselves as devout Muslims following the Qur'an's instructions are another. And the Melbourne Imam's alleged comments are yet another. As the EOC has pointed out in its 'Stand up to Racism' fact sheets, Islam is based upon the Qur'an. The point being made here is that those who believe in the Qur'an may be capable of taking its injunctions to fight against infidels literally, following the example of Muhammad, described above.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(e) “... **what about our brothers and sisters in Christ who are being slaughtered in mainly Islamic countries, who are trying hard to get a refugee visa to come to Australia to save their lives? They cannot get one as all the visas are given to Muslim’s [sic] who come in boats, from the very countries where the Christians are being raped, tortured and killed. What stops the Muslim from doing the same in Australia? They to [sic] believe in the same book their countrymen believe in.**”

We can supply many examples of Christians who are being raped, killed and tortured in Muslim countries at the hands of radicals, in the name of Islam. The phenomenon is widespread, and not limited to particular countries: e.g. it has been happening in Sudan, Philippines, Pakistan, Saudi Arabia, Egypt and Nigeria. Everywhere Muslim scholars can be found directing the conflict. Millions have been killed by jihad campaigns in the past decades. In addition, we note that several Islamic nations make conversion out of Islam a capital offense. One of these nations is Saudi Arabia.

Australian Muslim organizations have received gifts from Saudi Arabia to support the development of Islam here. This by itself is understandable. Many religions fund overseas missionary work. However what is deeply offensive is that in Saudi Arabia it is a capital offense to convert to Christianity. The penalty for adopting faith in Christ is a public beheading. Even holding a private Christian prayer meeting or wearing a cross is a criminal offense in Saudi Arabia, and there are many cases of non-Muslim religious activity being severely punished under the Saudi’s conservative interpretation of shari’a law.

There is a total lack of reciprocity in these arrangements. Given the Saudi’s renowned intolerance of other faiths, why shouldn’t Australians be concerned about the growth of Saudi-funded Islamic work in Australia?

The expression ‘all the visas are given to Muslims’ is a comment on the visas being given to boat people. It follows a report of the actual visa numbers. It is an exaggeration. The point being made is that Christians — and other non-Muslim minorities — who are being persecuted on religious grounds in Muslim countries, and even in Australian detention centers, can find it exceptionally difficult to gain asylum in our country. (See ‘No escape from persecution’, *The Melbourne Age*, May 10, 2002.)

It is a fact that the Qur’an is used as the justification for many human rights abuses against Christians in Muslim countries, for example the scandalous blasphemy laws of Pakistan. In so many Muslim countries there is discrimination and persecution of Christians for their faith. We would gladly supply many examples to back up this point. This being the case, how will Muslims in the West manage in the long term to interpret the Qur’an any differently from their co-religionists in Islamic nations?

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

(17) Mr Eades, Ms Jackson and Mr Thomas all consider that this newsletter vilifies them on the basis of their Islamic faith.

As stated above, this newsletter did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification. They do not vilify Mr Eades, Ms Jackson and Mr Thomas.

(18) Not a complaint.

An insight into Islam by Richard

19 **An article on the Catch The Fire Ministries website: Amongst other things, this article states:**

- a) **“We are being told that what these ‘rouge [sic] terrorist groups’ are doing is a perversion of true Islam, not the true embodiment of it. We have people in our nation who are continually trying to separate Islam from these ‘terrorist’ groups.. There are many people who recently stated on the airwaves that Islam is a religion of love and peace. But do yourself a favour sometime, and ask any Muslim to give a reference for this love from the Koran itself (their religious book). Undoubtedly they will state that “Allah is compassionate and merciful”. To which you can ask them to give some practical example of this. Good luck - it doesn’t exist.**

There are indeed some references to divine love in the Qur’an. According to the Qur’an, God is said to love those who obey him and do good (e.g. Sura 2:195), and not to love those who disobey him and do wrong (e.g. Sura 2:191). Moreover there are about twice as many statements that God does not love as there are statements that he loves. So the Qur’an is more emphatic about God’s lack of love for infidels and the disobedient, than about God’s love for the obedient believers.

The biblical concept of divine love is completely different. It is based upon God’s covenantal faithfulness to a people who turn away from him. A classic image of this divine love is found in the prophet Hosea’s love for his unfaithful wife ‘Go again, love a woman who is beloved of a paramour and is an adulteress; even as Yahweh loves the people of Israel’ (Hosea 3:1).

What should non-Muslims make of the idea that permission to take booty and captives was given to Muhammad as an act of ‘mercy’ (Sura 8:69). But there is no mercy for disbelievers here, unless they submit to Islam.

In the Greek scriptures (the ‘New Testament’) the same concept is expressed in the image of the prodigal son returning to the welcoming arms of his father, and in Jesus’ reaching out to tax-collectors and prostitutes. It is also found in Jesus’ famous message ‘love your enemies’ (Matthew 5:44). The ultimate expression of this self-giving love is Jesus’ death on the cross, dying for sinful people: ‘God shows his love for us in that while we were still sinners Christ died for us’ (Romans 5:8).

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (b) **The Koran un-apologetically [sic] states that its founder and his men killed tribes of Jews, taking the women and children into slavery”**

This refers to:

Sura 33:26-27 And He brought those of the People of the Scripture who supported them down from their strongholds, and cast panic into their hearts. Some ye slew, and ye made captive some. And he caused you to inherit their

land and their houses and their wealth and land ye have not trodden. Allah is able to do all things.

The details of what this refers to are found in the hadith and sira. (See also the commentary in *Sirat Rasulallah* p.468) Not whole tribes were killed, but one tribe, the Quraiza Jews, of whom about 600-800 men were killed, and the women and children taken into slavery. (Other tribes were expelled.) Muhammad attacked the Quraiza tribe at the supposed instigation of the angel Gabriel, after they had remained neutral during a siege, neither joining the attackers, nor aiding the Medinans. Here is what happened:

Then they surrendered and the apostle confined them in Medina ...
 Then the apostle went out to the market of Medina ... and dug trenches in it.
 Then he sent for them and struck off their heads in those trenches as they were brought out to him in batches. ... There were 600 or 700 in all, though some put the figure as high as 800 or 900. As they were being taken out in batches to the apostle they asked Ka'b what he thought would be done with them. He replied, "Will you never understand? Don't you see that the summoner never stops and those who are taken away do not return? By Allah it is death! This went on until the apostle made an end of them. ...
 A'isha said: 'Only one of their women was killed. She was actually with me and laughing immoderately as the apostle was killing her men in the market when suddenly an unseen voice called her name. "Good heavens," I cried, "what is the matter?" "I am to be killed," she replied. "What for?" I asked. "Because of something I did," she answered. She was taken away and beheaded. ...
 The apostle had ordered that every adult [male] of theirs should be killed. ...
 Then the apostle divided the property, wives and children of B. Qurayza among the Muslims, and he made known on that day the shares of horse and men, and took out the fifth [for himself]. A horseman got three shares, two for the horse and one for his rider. A man without a horse got one share. ..
 Then the apostle sent Sa'd ... with some of the captive women of B. Qurayza to Najd and he sold them for horses and weapons. (*Sirat Rasulallah* pp.464-466).

A survivor of this genocide was Atiyyah al-Quraizi:

Narrated Atiyyah al-Qurazi: I was among the captives of Banu Qurayzah. They (the Companions) examined us, and those who had begun to grow hair (pubes) were killed, and those who had not were not killed. I was among those who had not grown hair. (*Sunan Abu-Dawud* 38:4390.)

How does this reference to the Qur'an vilify the complainants? Given that Islam is based upon the example of Muhammad (according to the Victorian EOC fact sheets on Islam), non-Muslims should not be condemned for suggesting that the example of such a life, combined with a devout conscience, could motivate violent and intolerant acts, and that violent acts, when they are done in the name of Islam, could be inspired by Muhammad's example

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (c). **“The founder himself had a [sic] least 19 wives and concubines (conservative estimate), one of which was a [sic] 9 years old. (Is this not the definition of a pedophile?)”**

We do not know where the number 19 is based upon. According to the *Sirat Rasulallah* (pp.792-793) there were 13 wives. According to Ibn Ishaq, the thirteen were:

Khadija, A'isha, Hafsa, Umm Habiba (Ramla), Umm Salama (Hind), Sauda, Zaynab b. Jahsh, Zaynab b. Khuzayma, Maymuna, Juwayriya, Safiya the Khaybar Jew, Asma', and Amra.

Two of Muhammad's concubines were named: Mary the Copt and Rayhana the Qurayza Jew.

Muhammad married Aisha when she was 6 or 7, and consummated the marriage when she was 9. At the time he was in his mid-50's. Here are a series of texts which throw some insight into A'isha's story.

He married A'isha in Mecca when she was a child of seven and lived with her in Medina when she was nine or ten. She was the only virgin that he married. Her father, Abu Bakr, married her to him and the apostle gave her four hundred dirhams. (*Sirat Rasulallah* p.792)

Why did this marriage happen?

Narrated A'isha: Allah's Apostle said (to me), "You were shown to me in a dream. An angel brought you to me, wrapped in a piece of silken cloth, and said to me, "This is your wife." I removed the piece of cloth from your face, and there you were. I said to myself "If it is from Allah, then it will surely be." (*Sahih al-Bukhari* 7.57)

A'isha (Allah be pleased with her) reported: Allah's Messenger (may peace be upon him) married me when I was six years old, and I was admitted to his house at the age of nine. She further said: We went to Medina and I had an attack of fever for a month, and my hair had come down to the earlobes. Umm Ruman (my mother) came to me and I was at that time on a swing along with my playmates. She called me loudly and I went to her and I did not know what she had wanted of me. She took hold of my hand and took me to the door, and I was asking: Ha, ha (as if I was gasping, until the agitation of my heart was over. She took me to a house, where had gathered the women of the Ansar. They all blessed me and wished me good luck and said: May you have share in good. She (my mother) entrusted me to them. They washed my head and embellished me and nothing frightened me. Allah's Messenger (may peace be upon him) came there in the morning, and I was entrusted to him. (*Sahih Muslim* 3309).

Narrated A'isha: I said "O Allah's Apostle! A virgin feels shy." He said "Her consent [to marriage] is (expressed by) her silence." (*Sahih al-Bukhari* 7.68)

(39) CHAPTER. Giving one's young children in marriage (is permissible) by virtue of the Statement of Allah: 'And for those who have courses' (i.e. they are still immature) (Sura 65:4) And the 'Iddat [waiting period for a woman before lawful sexual intercourse] for the girl before puberty is three months (in the above Verse).

64. Narrated A'isha that the Prophet married her when she was six years old and he consummated his marriage when she was nine years old, and then she remained with him for nine years (i.e., till his death). (*Sahih al-Bukhari* 7.39.64)

The context of this above verse in the *Sahih al-Bukhari* shows that this hadith is regarded as a precedent for giving one's pre-pubescent female children in marriage: in some Islamic nations 9 is the age of marriage for a girl, based upon the Sunna of Muhammad.

A'isha later reported that the only thing which surprised her about consummation of her marriage was it took place without notice in the morning, so that the usual evening nuptial ceremonies were dispensed with:

(62) CHAPTER. Consummation of marriage during the daytime without a marriage procession or lighting of fires.

60. Narrated A'isha: When the Prophet married me, my mother came to me and made me enter the house (of the Prophet) and nothing surprised me but the coming of Allah's Apostle to me in the forenoon. (*Sahih al-Bukhari* 7:62.90)

A'isha's child-like demeanour after her marriage is described by a slave girl after an episode when A'isha had been accused of an impropriety:

I have not seen anything more than that she is a little girl who sleeps, leaving the dough of her family (unguarded) that the domestic goats come and eat it." (*Sahih al-Bukhari* 9.462).

In Australia a desire for a sexual relationship with a prepubescent girl — in or outside of marriage — is regarded as paedophilia.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (d) **"The reality is that the Koran clearly calls for such atrocities on civilisation, and terrorism is not the abuse of their belief, but the very nature of Islam itself"**

& (e) **"And how often it is said today that Islam is a religion of peace! They can only get away with such stupidity because of the ignorance of American people."**

The people of America are certainly ignorant of Islam. Even among Muslim people there is not a widespread close familiarity with Qur'an, hadith and sira.

The Qur'an does indeed call for atrocities against the enemies of Islam, and its verses do help fuel the phenomenon of 'terror'. Only a limited sample of such verses include:

Sura 2:191. And slay them wherever ye find them, and drive them out of the places whence they drove you out, for persecution is worse than slaughter.

Sura 5:33-34 The only reward of those who make war upon Allah and His messenger and strive after corruption in the land will be that they will be killed or crucified, or have their hands and feet on alternate sides cut off, or will be expelled out of the land. Such will be their degradation in the world, and in the Hereafter theirs will be an awful doom; Save those who repent before ye overpower them. For know that Allah is Forgiving, Merciful.

Sura 8:67. It is not for any prophet to have captives until he hath made slaughter in the land. Ye desire the lure of this world and Allah desireth (for you) the Hereafter, and Allah is Mighty, Wise.

Sura 8:38-39 Tell those who disbelieve that if they cease (from persecution of believers) that which is past will be forgiven them; but if they return (thereto) then the example of the men of old hath already gone (before them, for a warning). And fight them until persecution is no more, and religion is all for Allah. But if they cease, then lo! Allah is Seer of what they do.

Sura 9:29 Fight against such of those who have been given the Scripture as believe not in Allah nor the Last Day, and forbid not that which Allah hath forbidden by His messenger, and follow not the Religion of Truth, until they pay the tribute readily, being brought low.

Sura 9:123 O ye who believe! Fight those of the disbelievers who are near to you, and let them find harshness in you, and know that Allah is with those who keep their duty.

Sura 33:60-62. If the hypocrites, and those in whose hearts is a disease, and the alarmists in the city do not cease, We verily shall urge thee on against them, then they will be your neighbours in it but a little while. Accursed, they will be seized wherever found and slain with a (fierce) slaughter. That was the way of Allah in the case of those who passed away of old; thou wilt not find for the way of Allah aught of power to change.

The phrase 'religion of peace' is misleading, given the contents of the Qur'an and the militant example of Muhammad's life. What is meant by 'peace' is what comes about when Islam rules, through submission to Islam. But such a peace first requires the jihad, which means war, dispossession and death for non-Muslims.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (f) **“The difference lies in the fact that if you know a very nice Muslim (of which there are millions) who would in no way condone such monstrous acts as**

were done on Sept. 11, 2001, he is simply living out a moral code that is far better than what his book affirms. In other words, most Muslims really don't live out the 7th century cultural ideas of Islam's founder, but rather have been (somewhat) civilized by the influence of western culture. The cultures of the rest of the world have had such an affect on him/her that he doesn't even realize the atrocities that his book calls for, and in fact would be angry to be associated with them. They are very much like what some people in America would call 'nominal' Christians. They believe in Islam because their parents told them is true, but have no real knowledge of its real specifics."

Many points are made in this paragraph.

A fundamental motivation for Islamic militancy is the teaching of the Qur'an, according to the militants themselves, who are self-confessed devout Muslims. However many Muslims are unfamiliar with what Qur'an, hadith and sira teach, so it is understandable that this proposition might seem objectionable to Australian Muslims.

It can easily be demonstrated that many moderate aspects of Muslims in the West — for example the fact that some Muslims reject polygamy — is due to the influence of Western Judeo-Christian cultural norms. Remarkably few Islamic states have managed to establish free democracies: the track record of non-Islamic developing countries is much better.

It is absolutely clear that the 7th century norms which were applied by Muhammad are worlds apart from those of contemporary western society. Consider for example the following incident, related in Ibn Ishaq's *Sirat Rasulallah* (p.673). A Muslim man named Amr Umayya was sent out by Muhammad to murder Muhammad's enemy Abu Sufyan. However, their assassination attempt failed. As he returned home, he met a one-eyed shepherd. The shepherd and the Muslim man both identified themselves as members of the same Arab clan. Prior to going asleep, the shepherd said that he would never become a Muslim. Umayya waited for the shepherd to fall asleep, and thereafter:

“as soon as the badu was asleep and snoring I got up and killed him in a more horrible way than any man has been killed. I put the end of my bow in his sound eye, then I bore down on it until I forced it out at the back of his neck.”

Umayya returned and spoke with Muhammad. He relates:

... “He [Muhammad] asked my news and when I told him what had happened he blessed me.”

So, Muhammad blessed one of his men who murdered a one-eyed shepherd while he slept. This shepherd did not assail Muhammad, but he did not believe in him. The shepherd did not invoke war against Muhammad. However, he wanted the freedom to choose his faith.

He wanted to decide for himself, and he rejected Muhammad. Such behaviour is incompatible with Judeo-Christian norms as expressed in Western societies. It is a fact that many Muslims are not familiar with such aspects of Muhammad's example.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (g) **“As you can see above, Islam clearly calls for the destruction of people wherever they may be found.”**

As the context indicates, this refers to the calls to jihad against disbelievers in order to further the cause of Islam. These are found in the Qur'an, and supported by Muhammad's own example. This is about Islam as found in Qur'an, hadith and sira, not what contemporary Australian Muslims believe and practice.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (h) **“For the Koran clearly teaches the killing of the innocent in order to further their cause is absolutely OK. And yet I am not saying that all Muslims are murderers - only that Islamic teaching condones the idea completely. Remember, one of the rental cars left behind by the 'terrorists' contained flight maps, Arabic documents, and a Koran. If the Koran contained so much good for mankind, don't you think that having read it for years before hijacking the plane, it would have convinced them to change their minds? Think about it.”**

The Qur'an and the example of the Prophet **do** condone the practice of murder of infidels — but never of a fellow Muslim, which is strictly forbidden as a most heinous crime. The Qur'an condones the killing of disbelievers who oppose Islam, in numerous verses, many of which have been referred to in Daniel Scot's submission.

The study of sira, hadith and Qur'an is regarded by radical Islamist organizations as valuable preparation for jihad operations. We know of no known instance where the study of the Qur'an and Sunna has caused a would-be terrorist to give up violence.

A series of assassinations of opponents conducted by Muhammad's supporters indicate that under certain circumstances, Islam does condone murder. The violent verses of the Qur'an were 'sent down' in the context of a series of events such as the following.

THE MURDER OF ABU AFAK

This occurred around 2 A.H. Muhammad's requested his men to murder an old Jewish man named Abu Afak. Abu Afak was reported to be 120 years old. Abu Afak had urged his fellow Medinans to question Muhammad. Below are the details from Muslim sources.

From *Sirat Rasulallah*, p. 675:

SALIM B. Umayr's Expedition to Kill Abu Afak

Abu Afak was one of the B. Amr b. Auf of the B. Ubayda clan. He showed his disaffection when the apostle killed al-Harith b. Suwayd b. Samit and said:

“Long have I lived but never have I seen
 An assembly or collection of people
 More faithful to their undertaking
 And their allies when called upon
 Than the sons of Qayla when they assembled,
 Men who overthrew mountains and never submitted,
 A rider who came to them split them in two (saying)
 “Permitted”, “Forbidden”, of all sorts of things.
 Had you believed in glory or kingship
 You would have followed Tubba

[NOTE: the Tubba was a ruler from Yemen who invaded that part of what is present Saudi Arabia: the Qaylites resisted him]

The apostle said, “Who will deal with this rascal for me?” Whereupon Salim b. Umayr, brother of B. Amr b. Auf, one of the “weepers”, went forth and killed him. Umama b. Muzayriya said concerning that:

You gave the lie to God's religion and the man Ahmad! [Muhammad]
 By him who was your father, evil is the son he produced!
 A “hanif” gave you a thrust in the night saying
 “Take that Abu Afak in spite of your age!”
 Though I knew whether it was man or jinn
 Who slew you in the dead of night (I would say naught).

Additional information is found in the Kitab al-Tabaqat al-Kabir, (Book of the Major Classes) by Ibn Sa'd, Volume 2, [20], page 32:

Then occurred the “sariyyah” [raid] of Salim Ibn Umayr al-Amri against Abu Afak, the Jew, in [the month of] Shawwal in the beginning of the twentieth month from the hijrah [immigration from Mecca to Medina in 622 AD], of the Apostle of Allah. Abu Afak, was from Banu Amr Ibn Awf, and was an old man who had attained the age of one hundred and twenty years. He was a Jew, and used to instigate the people against the Apostle of Allah, and composed (satirical) verses [about Muhammad].

Salim Ibn Umayr who was one of the great weepers and who had participated in Badr, said, “I take a vow that I shall either kill AbuAfak or die before him. He waited for an opportunity until a hot night came, and Abu Afak slept in an open place. Salim Ibn Umayr knew it, so he placed the sword on his liver and pressed it till it reached his bed. The enemy of Allah screamed and the people who were his followers, rushed to him, took him to his house and interred him.

From a contemporary Muslim scholar - Ali Dashti's *23 Years: A Study of the Prophetic Career of Mohammad*", page 100:

“Abu Afak, a man of great age (reputedly 120 years) was killed because he had lampooned Mohammad. The deed was done by Salem b. Omayr at the behest of the Prophet, who had asked, “Who will deal with this rascal for me?” The killing of such an old man moved a poetess, Asma b. Marwan, to compose disrespectful verses about the Prophet, and she too was assassinated.”

Prior to listing all of the assassinations Muhammad had ordered, Ali Dashti writes on page 97:

“Thus Islam was gradually transformed from a purely spiritual mission into a militant and punitive organization ...”

THE MURDER OF ASMA MARWAN

This incident immediately followed the murder of Abu Afak around 2 A.H.. It involved Muhammad's request for his men to murder a women named Asma b. Marwan.

Sirat Rasulallah pp. 675, 676:

UMAYR B. ADIYY'S JOURNEY TO KILL ASMA B. MARWAN

“She was of B. Umayyya b. Zayd. When Abu Afak had been killed she displayed disaffection. Abdullah b. al-Harith b. Al-Fudayl from his father said that she was married to a man of B. Khatma called Yazid b. Zayd. Blaming Islam and its followers she said:

“I despise B. Malik and al-Nabit
and Auf and B. al-Khazraj.
You obey a stranger who is none of yours,
One not of Murad or Madhhij. {1}
Do you expect good from him after the killing of your chiefs
Like a hungry man waiting for a cook's broth?
Is there no man of pride who would attack him by surprise
And cut off the hopes of those who expect aught from him?”

Hassan b. Thabit answered her:

“Banu Wa'il and B. Waqif and Khatma
Are inferior to B. al-Khazraj.
When she called for folly woe to her in her weeping,
For death is coming.
She stirred up a man of glorious origin,
Noble in his going out and in his coming in.
Before midnight he dyed her in her blood
And incurred no guilt thereby.”

When the apostle heard what she had said he said, “Who will rid me of Marwan's daughter?” Umayr b. Adiy al-Khatmi who was with him heard him,

and that very night he went to her house and killed her. In the morning he came to the apostle and told him what he had done and he [Muhammad] said, "You have helped God and His apostle, O Umayr!" When he asked if he would have to bear any evil consequences the apostle said, "Two goats won't butt their heads about her", so Umayr went back to his people.

Now there was a great commotion among B. Khatma that day about the affair of bint [girl] Marwan. She had five sons, and when Umayr went to them from the apostle he said, "I have killed bint Marwan, O sons of Khatma. Withstand me if you can; don't keep me waiting." That was the first day Islam became powerful among B. Khatma; before that those who were Muslims concealed the fact. The first of them to accept Islam was Umayr b. Adiy who was called the "Reader", and Abdullah b. Aus and Khuzayma b. Thabit. The day after Bint Marwan was killed the men of B. Khatma became Muslims because they saw the power of Islam."

{1} The note reads "Two tribes of Yamani origin."

And from Ibn Sa'd's, "Kitab Al-Tabaqat Al-Kabir" [op cit] volume 2, page 31:

"SARIYYAH OF UMAYR IBN ADI"

Then (occurred) the sariyyah of Umayr ibn adi Ibn Kharashah al-Khatmi against Asma Bint Marwan, of Banu Umayyah Ibn Zayd, when five nights had remained from the month of Ramadan, in the beginning of the nineteenth month from the hijrah of the apostle of Allah. Asma was the wife of Yazid Ibn Zayd Ibn Hisn al-Khatmi. She used to revile Islam, offend the prophet and instigate the (people) against him. She composed verses. Umayr Ibn Adi came to her in the night and entered her house. Her children were sleeping around her. There was one whom she was suckling. He searched her with his hand because he was blind, and separated the child from her. He thrust his sword in her chest till it pierced up to her back. Then he offered the morning prayers with the prophet at al-Medina. The apostle of Allah said to him: "Have you slain the daughter of Marwan?" He said: "Yes. Is there something more for me to do?" He [Muhammad] said: "No two goats will butt together about her. This was the word that was first heard from the apostle of Allah. The apostle of Allah called him Umayr, "basir" (the seeing).

Muhammad had al-Harith b. Suwayd b. Samit killed. This upset Abu Afak, so he spoke out against it. So, likewise, Muhammad had Abu Afak killed. This offended Asma b. Marwan and she spoke out against that deed. She encouraged her fellow tribesmen to take action against Muhammad. When Muhammad heard of what she had said, he had her killed also. Further note Hassan Thabit's poem as a response to her:

"Before midnight he dyed her in her blood
And incurred no guilt thereby."

So at that time the Companions knew that murder was allowed for Islam, even at this early stage of the Medinan period.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (i) **“Once you have really read the Koran, you will find that it fundamentally teaches hate, not love.”**

This is a true statement about the Qur’an, which does not teach ‘love your enemy’, as Jesus did, but ‘hate the infidel’. Fighting against infidels is mentioned much more frequently than love, and what positive references there are to love only apply between God and believers in Islam, or between believers. There is no love in the Qur’an for disbelievers.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.

19 (j) **“Remember, of course not all Muslims are terrorist, BUT, make no mistake about it, terrorism is intimately tied to Islamic ideals, and it is impossible to be divorced from it - and Saudi Arabia is the fuel behind it.”**

Terrorism is indeed linked to Islamic ideals, as the charters and titles of the many terrorist organizations show. The use of terror in jihad was condoned by Muhammad as a unique distinctive of his prophethood (in contrast to all previous prophets):

I have been sent with the shortest expressions bearing the widest meanings, and **I have been made victorious with terror**, and while I was sleeping, the keys of the treasures of the world were brought to me and put in my hand.
(Sahih Bukhari 4.52.220)

Islam is based upon the life of Muhammad and it is impossible to erase from the foundations of Islam the use of violence by Muhammad and his Companions, as documented in the Qur’an, hadith and sira:

Sura 3:151 We shall cast terror into the hearts of those who disbelieve because they ascribe unto Allah partners, for which no warrant hath been revealed. Their habitation is the Fire, and hapless the abode of the wrong-doers.

This statement did not incite hatred against, serious contempt for, or revulsion or severe ridicule of a person or class of persons. Thus it was not religious vilification.