A Review of Shaykh ul-Islam Muhammad Tahir ul-Qadri's Recent *Fatwa on Terrorism and Suicide Bombings:* The Contemporary Importance and Relevance of the *Fatwa* for Pakistan

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Purpose and Scope

The purpose of this article is to provide a short review of the recent *fatwa* (religious decree or opinion) by Muhammad Tahir-ul-Qadri on terrorism and suicide bombings, to describe some of its context, and to assess its importance and relevance for Muslims. The *fatwa* will not be critiqued in a detailed way with respect to content, reasoning, and rationale. Rather, it is the context of the *fatwa* and the need for such that is described, showing its importance and relevance, especially in Pakistan.

Qadri's *fatwa* on terrorism and suicide bombings was issued and released in 2010 and received some minor coverage in the Western media.[2] But the contemporary context of concern over terrorism and for better relations amongst communities makes this *fatwa* timely and relevant. Its potential as an important resource for Muslims in encountering others and establishing better relations amongst individuals and amongst communities within the Muslim fold and beyond is probably yet to be realized. Yet the content presents a major authoritative reference work and resource for Muslims that should be considered.

The Status of the Author: Muhammad Tahir-ul-Qadri

It is important to note that the *fatwa* was issued by someone likely to be considered authoritative by large numbers of Sunni Muslims. The author, Dr. Muhammad Tahir ul-Qadri, is called "Shaykh-ul-Islam" in the publication and on his organization's webpage. According to the introductory presentation in the printed version of the *fatwa*, this title appears to be well deserved, given his studies and tutelage in classical Islam under various eminent scholars.[3] He has received around five hundred authorities and chains of transmission from famous scholars in the Muslim world in *Hadith* and classical and spiritual sciences. Qadri also has a modern academic education in Islamic law on the doctorate level. The claim that he has become one of Pakistan's leading Islamic jurists and scholars is evidenced not only by the notable advisory positions held in the Pakistan judiciary and elsewhere in the Pakistani state but also by his presence on Pakistani cable television, thus in the Pakistani public sphere. As the founder and chairman of the organization "Minhaj-ul-Qur'an International," he is also known outside of Pakistan through the educational work this organization performs. Therefore, the author of the *fatwa* may be expected to be viewed as a credible Islamic source for many Sunni Muslims, well known and trusted in Pakistan and beyond.

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[2] Muhammad Tahir ul-Qadri, *Fatwa on Terrorism and Suicide Bombings* (London: Minhaj ul-Qur'an International, 2010). A digital version was available at www.minhaj.org at the time of this writing.

[3] Qadri, *op cit.*, pp. xii-xiii.

A Short Description of the Contents of the *Fatwa*

The *fatwa*'s contents and arguments include many citations from Islamic sources in the Qur'an and the *Hadith*, as well as the repeated opinions of notable Muslims. This reaches well beyond 400 pages of text and can only be described in a cursory way in this article, and therefore a summary and selection of material must be made of its contents. Qadri opines that the problem of terrorism has brought the Muslim *Umma* and Pakistan in particular into disrepute, despite the fact that the overwhelming majority of Muslims opposes and condemn terrorism in unequivocal terms.[4] The perpetrators of terror justify their actions in the name of jihad, the sacred Islamic concept, which they distort, twist, and confuse.[5] They practice the rituals, worship, and outward religiosity of Islam that puts common Muslims and religious scholars and intellectuals before a dilemma: they are confused and want to know the true Islamic stance on the methods that these individuals and groups have adopted.[6] This has caused damage in the Muslim world and in the West.[7] Muslim youths have been alienated from the religion while others have become extreme and militant in their outlook, eschewing moderation, expressing hatred and desire for revenge, and ultimately becoming terrorists.[8] This is in reaction to the stereotyping and government policies in the West against Muslims, ultimately damaging the West through this mistaken thinking about Islam.[9] The danger facing Muslims is one of more foreign interference and pressure on Muslim nation-states, as well as pushing humanity towards interfaith antagonism at the global level, reducing the possibilities of peace, tolerance, and mutual coexistence.[10] Supposedly good intentions, referenced by terrorists, do not make vices into virtues.[11] It is within this understanding and context that Qadri's interpretation of Qur'anic and *Hadith* selections are important in showing how mainstream Islam wants nothing to do with this extremism. The scope of the *fatwa* is made clear in this introduction.

In response to the threat that terrorism poses for Muslims, Qadri's *fatwa* presents an interesting synthesis of selections of Islamic material as well as his own interpretion. At its fundamental root and core, Islam is a religion of peace, urging others to pursue a path of peace and protection, and a believer is someone who embodies peace and security.[12] Qadri also describes three different levels of religion applicable to actions, beliefs, and spiritual states, and all Islamic teachings revolve around these three levels.[13] Islam, *iman*, and *ihsan* are synonymous with peace and security, safety and protection, tolerance and forebearance, love and affection, benevolence and human dignity, and all their resultant pleasures: Islam is a perfect and complete code of life that ensures protection, mercy, clemency, patience, tolerance, balance, justice, and moderation for all.[14] A Muslim is one who embodies peace, sanctity, and protection for all of humankind.[15] If these are followed by a believer, Islam in wider perspective is a religion that ensures peace and security for everyone at all levels, individually and collectively.[16] Qadri provides a larger perspective and scope on the meaning of the

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[4]   *Ibid.*, p. 3.

[5]   *Ibid.*

[6]   *Ibid.*, pp. 3-4.

[7]   *Ibid.*, p. 4.

[8]   *Ibid.*, p. 4.

[9]   *Ibid.*, p. 4.

[10]   *Ibid.*, p. 5.

[11]   *Ibid.*, pp. 13-17.

[12]   *Ibid.*, p. 21.

[13]   *Ibid.*, p.. 21-55.

[14]   *Ibid.*, p. 55.

[15]   *Ibid.*, p. 55.

[16]   *Ibid.* p. 55.

religion *in toto*, its fundamental purpose and end results, none of which are consistent with terrorism.

Qadri presents Qur'anic and *Hadith* selections that state that indiscriminately killing Muslims is unlawful.[17] This is clear. But he also presents Qur'anic and *Hadith* selections with convincing arguments that terrorism against non-Muslims is unlawful: he opines that the conduct of today's terrorists discredits the 1400-year history of Islam's excellent treatment of non-Muslim citizens and holds that the acts of terrorism committed today do not champion the cause of Islam but malign its good name.[18] Qadri also states that religious freedom is given to non-Muslims under Islam and that Islamic governments are not to interfere in their religious affairs. Islam grants non-Muslim citizens of Islamic countries security for their places of worship and for complete freedom to practice their religion without any interference.[19] He argues that there are established legal maxims for protecting non-Muslim citizens in an Islamic state.[20] Terror and compulsion in religion vis-à-vis non-Muslims is to be seen as clearly not the norm in Islam: rather, peace and tolerance are the norm.

The other aspect of Qadri's *fatwa* is that it establishes that rebellion against the Muslim state, administration, and authority is unlawful, even if the government is corrupt, and the state has the obligation to crush rebellion.[21] Against the backdrop of this proper Muslim state, Qadri describes today's terrorists as Kharjites.[22] His *fatwa* quotes sources in classical Islam against Kharjites at length, including the opinions of the schools of the four imams as well as contemporary Salafi scholars.[23] He describes the misguided nature of Kharjite beliefs and doctrines, Muhammad's sayings about the Kharjites, as well as the Prophetic decree regarding them.[24] Qadri describes the opinions of scholars and imams concerning the Kharjites and shows that there is no difference in opinion with respet to combatting them.[25] Rebellion against the Muslim state is impermissible and must be quashed.

Although rebellion is impermissible, Qadri offers a final short chapter describing the peaceful method of struggle in an Islamic state, this being the proper way to deal with corruption.[26] This is based largely on Qur'an 3:110, which enjoins the people to do good and forbid evil.[27] This can be done politically and democratically as a struggle against injustice and oppression.[28] Qadri describes a number of peaceful means and ways to expose injustice and oppression by unjust rulers in a Muslim society.[29] Muslims in non-Muslim societies are duty-bound to obey the laws of the land as long as the laws do not entail disobedience to God, and they are to contribute to the well-being of society at large: it is forbidden to violate the law, foment sedition, or otherwise harm peaceful citizens.[30] Qadri ends with an interpretation of one *Hadith* in which he argues that Islam does not teach us a binary,

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[17] *Ibid.*, pp. 59-89.

[18] *Ibid.* pp. 93-156.

[19] *Ibid.* pp. 159-63.

[20] *Ibid.* p. 169.

[21] *Ibid.*, pp. 173-219.

[22] *Ibid.*, pp. 387-95.

[23] *Ibid.*, pp. 223-49.

[24] *Ibid.*, pp. 253-350.

[25] *Ibid.*, pp. 353-84.

[26] *Ibid.*, pp. 399-413.

[27] *Ibid.*

[28] *Ibid.*, pp. 405-10.

[29] *Ibid.*, pp. 409-10.

[30] *Ibid.*, p. 410.

black-and-white view of things in which others are either completely "good" and "Islamic" or "bad" and "non-Islamic."[31] The end result would appear to be a religion fully consistent with social harmony and good relations between Muslims and others, solving its own problems in a highly civilized manner, including political discourse.

The Various Audiences of the *Fatwa*

This *fatwa* could be quite interesting for a number of different audiences Qadri describes when introducing the *fatwa*. But it is common knowledge that since 9/11, terrorism has been a heightened concern for many residents of Western liberal democracies, in especially the United States.[32] Islam may often be seen as a real threat to the Western way of life as it is lived in Western liberal democracies.[33] Concerns amongst Muslims living in the United States may also be seen in, for example, various journalistic reports and articles available from the Council of American Islamic Relations webpage (www.cair.org). It is a common experience of Muslims living in the US that suspicions and fear of Muslims is common. The general scope of Qadri's interpretations of classical Islamic sources in Qur'an, *Hadith*, and classical opinions provide an excellent, authoritatively credible reference work for North American and European Muslims dialoguing with non-Muslims on what constitutes the amicable norm within mainstream Sunni Islam and what is a dangerous deviation. Minority Muslims in non-Muslim countries would find the content and overall message of the *fatwa* useful.

The Meaning of the *Fatwa* for Pakistan

It would be easy to speculate on the many applications of the spirit, content, and import of the *fatwa* for various regions of the world where there are encounters not only between different Muslims (Shii and Sunni) but also between Muslims and non-Muslims. Qadri's native Pakistan would certainly be one of these areas where the *fatwa* could be put to good use in establishing better relations, if not by Muslims in the rest of South Asia. It is especially interesting in Pakistan, however, since the call for an Islamic state in Pakistan is one that has been heard from Islamists for decades.[34] For those concerned with the functioning of any such Islamic state and the various Muslims and non-Muslim minorities within such a state, Qadri calls for acknowledging an authoritative Islamic state that protects the rights of its citizens and their life and property. Terrorizing other Muslims and non-Muslims is not permissible and should be stopped by the state.

The partition of the Indian subcontinent in 1947 left certain legacies: in Pakistan this was Islamic modernism, which became the template on which the new nation-state was to be inscribed.[35] This modernism that Ian Talbot and Gurharpal Singh describe can be seen in the modernist Islamist ideology of Syed Abu Ala Mawdudi, the founder of the Jama'at-i-Islami party of India and later of Pakistan.[36] Mawdudi's ideology was the ideology of the Jama'at-i-Islami and had an important impact

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[31] *Ibid*. p. 411.

[32] See, for example, Michelle Slone and Anat Shoshani, "Indirect Victimization from Terrorism: A Proposed Post-Exposure Intervention," *Journal of Mental Health Counseling* 30 (2008): 255-56.

[33] See, for example, Samuel Huntington, "The Clash of Civilizations," *Foreign Affairs* (Summer 1993): 22-49.; Bernard Lewis, "Freedom and Justice in Islam," *Social Science and Modern Society* 44 : 66-70.

[34] Seyyed Vali Reza Nasr, *The Vanguard of the Islamic Revolution: The Jama'at –i- Islami of Pakistan* (Berkeley: University of California Press, 1994), p. 103.

[35] Ian Talbot and Gurharpal Singh, *The Partition of India* (Cambridge: Cambridge University Press, 2009), p. 131.

[36] Nasr, *op. cit.*, pp. 7-9.

on Pakistani politics.[37] But the relationship of Islam to the state is also not certain or uniformly agreed upon in the minds of all Pakistanis. Talbot and Singh describe a contention between supporters of an Islamic state and those who support a state for Muslims against the backdrop of the failure of democracy, this being so entrenched that it has produced a praetorian-bureaucratic polity with Islam as a surrogate for effective legitimacy.[38] Although this is a complex and involved history, the reality of Islam today in Pakistan is one where there are a number of different major groupings and doctrinal fractures are politicized.[39] These are variegated and differentiated with three major different groups; the Jama'at-i-Islami, the Deobandi Jamiyyat-e-Ulema-e-Islam, and the Barelwi Jamiyyat-e-Ulema-e-Pakistan.[40] Qadri is part of the Barelwi movement, and it is in this context of Barelwi renewal and revival that this *fatwa* comes.[41] Islam in Pakistan is not a monolithic entity.

As Farzana Shaikh notes, what will determine Pakistan's stability as a nation-state is not so much greater certainty or a stronger sense of consensus. Rather, it will depend on the nature of the consensus itself.[42] Shaikh is of the opinion that a consensus that emerges regarding the value of pluralism itself rather than a strict definition of the citizen and a one-and-only approach to Islam would be more conducive to Pakistan's stability.[43] This brings up the question of authoritarianism and attitudes towards pluralism in Islamic interpretation.

Divisiveness itself is not the only problem. Sectarian violence has occurred between Sunnis and the major Muslim minority of Shiis in Pakistan.[44] Talbot and Singh mention geopolitical developments since the Soviet intervention in Afghanistan and resultant virulent strains of religious nationalism that have become the breeding ground of global terror.[45] Islam in Pakistan is often represented by different modernist revival movements, a matter of contention in terms of its relationship to the state, and also exists in virulent strands that are somehow associated with terror.[46] Since the start of the "War on Terror," which triggered a process of radicalization among mainly Deobandi and Ahl-e Hadith groups, sectarianism amongst Sunnis has become increasingly violent: the Taliban movement of Pakistan, which is Deobandi, promotes a version of Islam that is extremely hostile to the Barelwis.[47] In addition, other minorities, such as the Ahmadiyyah sect, are marginalized, if not persecuted.[48] The authoritarianism and divisiveness is a major concern for various Pakistani citizens. The *fatwa*'s contents regarding the treatment of other Muslims and non-Muslims would be relevant for persons appealing for better relations with these groups.

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[37] Nasr, *op. cit.*, p. 146.

[38] Talbot and Singh, *op. cit.*, p. 150.

[39] Aix Phillipon, "Sunnis against Sunnis: The Politicization of Doctrinal Fractures in Pakistan," *The Muslim World* 101 (2011): 347-68.

[40] Phillipon, *op. cit.* p. 351.

[41] Phillipon, *op. cit.*, p. 357.

[42] Farzana Shaikh, *Making Sense of Pakistan* (New York: Columbia University Press, 2009), p. 13.

[43] *Ibid.*

[44] "Pakistan: The Militant Jihadi Challenge," *ICG Asia Report* N°164 (13 March 2009): 15-17.

[45] Talbot and Singh, *op. cit.*, p. 150. This is also described briefly in "Pakistan: Madrasas, Extremism and the Milita*ry*," *ICG Asia Report* N°36 (29 July 2002): 9-16 and more fully in "Pakistan: The Militant Jihadi Challenge." See also John Cooley, *Unholy Wars: Afghanistan, America and International Terrorism* (London, Pluto Press, 2002).

[46] The "virulent strands of Islam" are described in "Pakistan: The Militant Jihadi Challenge." The development of Mawdudi's ideology and the employment of it is described in Nasr, *op. cit.*

[47] Phillipon, *op. cit.*, p. 363.

[48] Simon Ross Valentine, *Islam and the Ahmadiyya Jam'at* (New York: Columbia University Press, 2008), pp. 227-40.

Phillipon notes that "the omnipresence of Islamic references on the Pakistani political scene as well as the fight for the monopoly of its interpretation have generated a competition among multiple actors appropriating religious symbols to define 'real Islam'…. [R]ivalries have opposed Islamist groups to others and/or to the state according to complex dynamics of politicization of Islam …. [I]nteractions between contending actors seeking power and influence in the name of Islam have not always occurred through compromises and negotiations."[49] Amidst this backdrop of contention and sectarian violence, Qadri's *fatwa* provides an authoritative Islamic perspective that promotes amicable relations amongst Muslims and between Muslims and non-Muslims, also for a civilized discourse about political matters. Those interested in making religious appeals to halt this sort of inter-Muslim violence and work towards building consensus amongst variegated groups in Pakistan would find the contents of Qadri's *fatwa* against violence among Muslims relevant.

This violence and divisiveness between various Muslim groups in Pakistani society presents a crisis of cohesion for the society. As Usama Butt opines, "the question of Pakistan's salvation therefore cannot be addressed without addressing Pakistan's identity crisis, which loosely revolves around its ideological spectrum and the struggle for Islam or secular-minded democracy."[50] Butt rightly identifies the need for salvation, but not all would agree that it is either Islam or Western-style democracy that is the choice to be made in resolving the identity crisis and divisiveness.

The point where the *fatwa*'s contents could be utilized to good effect by various groups within the Sunni Muslim majority of Pakistan would be in facilitating a process described by Muhammad Khalid Masud as the "social construction of Sharia."[51] If various groups in Pakistan would ever begin a process of consultation and "compromise and negotiation," as Phillipon suggests, then *Shari'a* could depend on an ongoing interpretive struggle based on the different positioning of social actors.[52] Masud maintains that this reconstruction of *Shari'a* depends on the discursive arsenal being defined properly by the concept of communicative action, which he describes as including a discourse of rationality and universality, with the latter derived from common grounds of understanding among the participants in the discourse.[53] Masud describes a popular consensus achieved through discursive mediations as being more effective than "enlightened coercion."[54] Arguably, this "enlightened coercion" could be by liberal reformists or from any number of groups seeking to impose their view on others in an authoritarian way.

Interestingly, Masud notes that the Western experience may not be universally normative: those societies whose political economies differ considerably from those of the West may practice communicative action and construct public reason differently from the West.[55] This would mean that Pakistanis could negotiate their own understanding of *Shari'a* amongst themselves and achieve a consensus with respect to *Shari'a*. Qadri's *fatwa* provides an appeal to stop the killing of other Muslims, protect minorities, and settle differences peacefully. This content of the *fatwa* could facilitate this consensus-building in Pakistan, without outside interference.

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[49] Phillipon, *op. cit.* p. 367.

[50] Usama Butt, "Pakistan's Salvation: Islam or Western Inspired Secular-Liberal Democracy?" in Usama Butt and N. Elahi (eds.), *Pakistan's Quagmire: Security, Strategy, and the Future of the Islamic-Nuclear Nation* (New York: Continuum International Publishing Group, 2010), p. 34.

[51] Muhammad Khalid Masud, "Communicative Action and the Social Construction of Shari'a in Pakistan," in Armando Salvatore and Mark LeVine (eds.), *Religion, Social Practice and Contested Hegemonies: Reconstructing the Public Sphere in Muslim Majority Societies* (New York/ Basingstoke: Palgrave MacMillan, 2005), pp. 155-79.

[52] Masud, *op. cit.*, p. 175.

[53] Masud, *op. cit.*, p. 156.

[54] Masud, *op. cit.*, p. 157.

[55] Masud, *op. cit.*, pp. 156-57.

The authors of the International Crisis Group report on militancy in the tribal areas maintain that democratic reform in the federally administered tribal areas (FATA) and empowerment of moderate forces in Pakistan's mainstream politics offer the only real bulwark against extremism and terrorism in the country and beyond.[56] The content of Qadri's *fatwa* is clearly consistent with a moderate approach to Islam in Pakistan's mainstream politics and with relations amongst Muslims and others. If, at some point, more of the various Muslim groups in Pakistan become interested in meeting to consult and negotiate with one another in civilized discourse and a democratic context, this *fatwa* could provide authoritative guidance for peaceful relations and a civilized political discourse. The "empowerment of moderate forces in Pakistan's mainstream politics," as the Crisis Group authors describe it, would be done by Pakistanis themselves using their own intellectual resources and facilitating Pakistan's "salvation." The methodology suggested by Masud could very well be an important part of this process. It is important to note that this would be the Pakistanis' own democratic negotiation and achievement, not an authoritarian imposition.

The Applicability of the *Fatwa* Outside of Pakistan

If the *fatwa* will have appeal and application both within Pakistan as well as beyond Pakistan's borders is yet to be seen. The authoritative appeal to coexistence could well be considered by Muslims in various parts of South Asia, if not elsewhere in the Muslim world, with respect to its applicability.

In terms of terrorism outside of Pakistan, Kelsay outlines three examples of militant argument as being instructive: *The Neglected Duty* (1981),[57] *The Charter of Hamas* (1988),[58] and *The Declaration on Armed Struggle against Jews and Crusaders* (1998).[59] These different writings are used by terrorists and suicide bombers who employ *Shari'a* reasoning to argue that armed resistance and the killing of innocent civilians is justified.[60] While there has been authoritative scholarly opposition to terrorism, as seen in the opinions of Shaikh al-Qaradawi and the Shaikh al-Azhar,[61] the message and content of the *fatwa* of Qadri may also be considered in opposition to terror in a general sense since its arguments are general, rather than specific to the Pakistani situation.

Conclusion

Although the authority of the *fatwa*'s author, Qadri, is widely recognized, the inherent value and appeal of the *fatwa* becomes clear with a review of its content, which appear to be the credible work of an erudite Islamic scholar and inherently convincing. This content is carefully researched and based on wisely selected and interpreted Islamic sources. These are presented clearly and accessibly in good English with convincing arguments. For these reasons, given the credibility of the author the abundance of well-researched and selected Islamic sources presented in the *fatwa*, and the clarity

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[56] "Pakistan's Tribal Areas: Appeasing the Militants," *International Crisis Group Asia Report* N° 125 (11 December 2006): 27.

[57] Muhammad Al-Faraj, *Al-Faridah al-Ghaibah*, trans. Johannes J.G. Jansen as *The Neglected Duty* (New York: MacMillan, 1986).

[58] M. Maqdisi, *The Charter of Hamas* (Dallas: The Islamic Association for Palestine, 1990).

[59] John Kelsay, *Arguing the Just War in Islam* (Cambridge: Harvard University Press, 2007), pp. 130-49. For Bin Laden's *fatwa*, Kelsay notes that a number of English translations are available but considers the translation available on http://www.fas.org/irp/world /para/docs/980223-fatwa.htm. to be an accurate rendering of the Arabic text.

[60] *Ibid*.

[61] *Ibid*., p. 144.

and accessibility of the presentation in good English, the *fatwa* may be considered a major reference work to be drawn upon for a good understanding of Islam and its abhorrence of terror done in the name of Islam. The work is authoritative, comprehensive, and complete for its intended purpose. It should appeal to Muslims in minority situations interested in opposing terror as well as to Muslims in Pakistan interested in opposing terror and ultimately in building a consensus in their own country. The work may also appeal to Muslims outside of Pakistan and South Asia who are interested in authoritative Islamic scholarly arguments over against militant or extremist perspectives.

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