

Introduction

Welcome to the twenty-second issue of the *Christian-Muslim News Digest*, which has been rebooted in a new format, though will continue to be issued quarterly. Each issue will feature brief reports on one or two stories that have emerged recently, accompanied by analyses from guest commentators that give perspective and draw out implications for Muslims and Christians, and for Muslim-Christian relations.

As Chair of the Anglican Communion Network for Inter Faith Concerns, I am most grateful to Dr Andrew Sharp for monitoring world-wide news coverage of Christian-Muslim affairs and for compiling the Digest on behalf of NIFCON.

The present issue looks at the activities of Islamic State over the past several months, and the responses to these from other Muslims. It also features the story of Mariam Yahya Ibrahim, the Sudanese woman who was sentenced to death for apostasy, acquitted, and granted asylum in the United States.

Michael Jackson, Archbishop of Dublin

Muslims React to Islamic State's Declaration of a Caliphate

The militant al-Qaeda offshoot originally known as Al-Dawla Al-Islamiya fi al-Iraq wa al-Sham ("the Islamic State of Iraq and al-Sham" or ISIS; aka "Islamic State of Iraq and Syria" and "Islamic State of Iraq and the Levant" or ISIL) began branding itself simply as Islamic State (IS) this past June, when it declared a caliphate. The militia's manifesto stated it would expand the dominion of Islam across numerous borders in the region, enforce traditional Islamic law, and defeat God's "enemies," which through this and subsequent statements seem to include Shia Muslims, Arab nationalists, the Muslim Brotherhood, Jews, Christians, and Yezidis. A map later circulated on social media outlined a five-year plan to bring much of the Middle East, North Africa, large areas of Asia, and even parts of Europe under their control. There have been numerous confirmed reports of beheadings (most notoriously James Foley, Steven Sotloff, David Haines and Alan Henning), executions, rape and enslavement of women, desecration of Shiite Muslim and Christian places of worship, hostage-taking, killing of children, and the forced exodus of all Christians from Mosul, a city with a continuous Christian presence for at least sixteen centuries.

Though there has been virtually unanimous condemnation of IS tactics and ambitions from Western governments and the United Nations, and despite studies that show clear majorities of Muslims condemn violence in the name of Islam, reactions to IS in some Muslim quarters have been somewhat mixed. In July there was a noted increase in the popularity of IS in the Asian Pacific region, and officials confirmed that several dozen jihadist fighters from Indonesia, Malaysia, Singapore, and the Philippines had joined. In a recent study, 92% of those polled in Saudi Arabia affirmed that "IS(IS) conforms to the values of Islam and Islamic law." A much-disputed Rossiya Segodnya poll even claimed up to 15% of French people said they have a positive attitude toward IS. On the other hand, head clerics from Turkey, Iran, Saudi Arabia, and Egypt, as well as the leaders of both Indonesia and Malaysia, have all condemned IS claims as violating

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sharia law and damaging Islam. IS was also condemned by the Organization of Islamic Cooperation, which represents 57 countries and whose leader said the group “[has] nothing to do with Islam.”

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Commentary Gerald Hawting, *Emeritus Professor of History, School of Oriental and African Studies*

ISIS is one of a number of contemporary radical Islamist movements that aim to restore the caliphate, an institution that emerged following the death of Muhammad in 632, and under which Islam flourished for several hundred years as a religion, an empire and a civilization. “Caliph” is an Anglicization of Arabic *khalifa* (“deputy”), and each caliph claimed to be the successor of Muhammad as religious and political leader of all Muslims, and as the head of a state that would eventually rule the whole world.

Although different groups of Muslims came to recognise different lines of caliphs, the most prominent and longest lasting caliphate was that recognised by the Sunni majority of Muslims, which after 750 had its seat in Baghdad and claimed to be the successor of that instituted in Medina following the death of Muhammad. The Baghdad caliphate was destroyed when the non-Muslim Mongols conquered the town in 1258. Since then there have been sporadic attempts by individuals and movements to revive the institution with limited and temporary success.

By the time the Mongols destroyed the Baghdad caliphate, it was only marginally important in the lives of even Sunni Muslims, while for the Shia and others it never had legitimacy. Since the 9th century religious authority in Sunni Islam had devolved on the religious scholars who transmitted and interpreted the Qur’an and Muhammad’s recorded teachings (the *hadiths*), regarded as the sources of Islamic law. At the same time political power had fallen into the hands of military rulers (often given the title ‘sultan’). The result was that the caliphate had become largely symbolic, so that when the Mongols killed the caliph in Baghdad, Sunni Muslims found it relatively easy to maintain their religious tradition under the guidance of their religious scholars (whose position was analogous to that of the Rabbis for the Jews).

Why then does IS (like some others) wish to restore the caliphate? Undoubtedly there is an element of romantic nostalgia, a harking back to a time when Muslim armies were victorious and Islamic civilization achieved things undreamed of by the barbarians of the European Dark Ages. There is more to it than that, however, and it raises the question of how far the supporters of IS can legitimately claim to be Sunni Muslims.

Sunni Islam is a tradition centred on the interpretation and practice of Islamic law, but including also fields such as theology, that is, within broad accepted boundaries, relatively diverse, complex and flexible. From the 9th century until today it has produced thousands of scholars and texts, many of which exhibit thought of the highest intellectual subtlety and sophistication. IS, like several other radical Islamist movements, has no time for that. It wishes to restore what it regards as the pure Islam of the time of Muhammad and

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his immediate followers, and in order to do that it must discard most of the tradition that it claims to represent. Instead of diversity, complexity and flexibility it demands uniformity, simplicity and rigidity, instead of subtlety and sophistication, certainty. The restoration of the caliphate is emblematic of that: a reversion to the idea of authority as stemming from one individual (albeit he claims to depend on the consent of his followers) rather than distributed and contested among numerous scholars in Muslim communities all over the world.

The claims of IS to represent Sunni Islam may be questioned also on other grounds. In early Islam there were various groups known as Kharijites (the Arabic name can be interpreted in various ways) opposed to the historical caliphate. Common to many of them was the idea that only they represented true Islam and that others who claimed to be Muslims were in fact unbelievers who should be offered the choice between repentance and conversion (to true Islam) or death. The most extreme Kharijite groups held that it was a duty to engage in *jihad* against the unbelievers (non-Kharijite Muslims). Any Kharijite living among those unbelievers should abandon his home and migrate to the land of Islam (i.e., the Kharijite camp). In its attitude to other Muslims, especially to the Shia, ISIS seems more comparable with those early Kharijites than with Sunni Islam, which developed partly in reaction to the fanatical exclusivity of the Kharijites.

Like IS and other similar contemporary movements, the Kharijites flourished in areas outside the control of organised government and appealed to groups opposed to governmental control. When government control was restored the Kharijites were destroyed or, in order to survive, had to modify their original doctrines and compromise with mainstream Islam.

On at least one point of doctrine the comparison between ISIS and the Kharijites breaks down. Unlike the Sunnis who insisted that the caliph must come from the tribe of Quraysh, to which Muhammad belonged, Kharijites insisted on piety as the only necessary qualification for their own caliph. The current IS caliph, Abu Bakr al-Baghdadi, however, has asserted that he is born from Quraysh.

Kharijites sometimes boasted that their strict observance of Islamic law was better for non-Muslims than was the more lax attitude they accused other Muslims of. In exchange for the non-Muslims' payment of a special tax and recognition of a position of inferiority, they claimed, they observed the rights of Christians, Jews and others to protection under the law, while other Muslims often disregarded them. If that was ever more than part of their polemic against other Muslims, it can hardly comfort those non-Muslims (Christians, Yezidis and others) who come under IS control today. In the modern world the reintroduction of measures designed to emphasise the second-class status of Christians in a Muslim state, even if it did secure a measure of toleration, is unacceptable, and the behaviour of the IS fighters towards the churches, homes, and those Christians who could not escape from them shows that the instinct of those who did flee was well-founded.

For the Yezidis the situation is even worse. Accused by IS of devil-worship or worse, they do not even have the theoretical possibility of toleration in exchange for acceptance of inferior status. Their men have only the stark choice between conversion and death, while their women and children are regarded as spoils of war to be used for the benefit and pleasure of the 'true' Muslims.

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Mariam Yahya Ibrahim and the Challenge of Religious Freedom in Sudan

Mariam Yahya Ibrahim, a 26 year-old Sudanese Christian woman, was sentenced to death for apostasy and flogging for adultery in Sudan this past May. The court ruled that even though her Muslim father abandoned the family when Mariam was a young child and she had been raised as a Christian by her mother, choosing to embrace that faith when she grew into an adult, the court ruled that because she had been born to a Muslim father she had committed apostasy. Ibrahim had married an American-South Sudanese Christian in 2011, had a child with him, and was eight months pregnant with their second child when she received her sentence. Since the court considered Ibrahim a Muslim – and because, with only rare exceptions, Muslim women are forbidden by sharia law from marrying non-Muslims – her marriage was treated as invalid. For this reason, and because the couple had conceived two children together, Ibrahim was also convicted of adultery and sentenced to receive 100 lashes. The couple's 20 month-old son was incarcerated with his mother and Ibrahim's legs remained in chains as she gave birth to her daughter while in prison.

Mariam's plight captured international attention and the Sudanese government was sharply criticized by the United Nations, Italy, the United States, the United Kingdom, the European Parliament and Amnesty International, which later claimed one million Amnesty supporters had taken action to call for her release. A Sudanese appeal court did release Mariam on 24 June, some five weeks after she was put in prison. She and her family were further blocked from leaving Sudan because the government accused Mariam of falsifying travel documents. They were eventually able to leave the country (with some assistance from the Italian government), make a stop with a visit to Italy and the Vatican, and arrive at their final destination in Manchester, New Hampshire USA, on 31 July, where Mariam was given asylum from the United States government.

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Commentary Malcolm Evans, *Professor of Public International Law, University of Bristol*

It is difficult to know quite where to begin when reflecting on the issues raised by the shocking case of Miriam Ibrahim, as it raises so many profound questions concerning the mismatch between the rhetoric and the reality of international human rights protections. Two of the most widely acknowledged are the prohibition of torture, cruel or inhuman or degrading treatment or punishment and the freedom of thought conscience and religion. Both are acknowledged to be 'absolute' rights in that neither can be restricted, even in times of an emergency threatening the life of a nation. Yet both are routinely violated in many parts of the world, and in the case of Miriam Ibrahim – as in many others – are violated in conjunction with each other.

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The problem is the familiar one of being able to agree on a formula but not on what it means. Whilst Article 18 of the 1948 UN Declaration on Human Rights makes it clear that freedom of thought, conscience and religion includes the right to change one's religion or belief, this has never been firmly reflected in later global human rights instruments which, whilst using language that suggests this (such as 'to have' or 'to adopt' a religion of belief), fall short of unambiguously endorsing the right to 'change'. Still less do the international legal instruments address the question of how one comes to be of a certain faith. For many, it is so obvious that this is to be a matter of personal choice that the question does not even merit asking. A moment of reflection, however, shows that it is not this simple: many religions define 'belonging' through ancestry – and parents themselves have a right to educate their children in accordance with their own religious or philosophical convictions. But a system of law which determines a person's religion for them on the basis of the beliefs of (or ascribed to) a parent and which is coupled with a rejection of the right of an individual to change the religion which, on this basis one 'has', results in a situation in which individuals are in reality locked into a faith from which they cannot withdraw and are thus denied this most fundamental of human rights from birth. This was the plight in which Miriam Ibrahim found herself. If, 65 years after the adoption of the Universal Declaration on Human Rights, so obvious a problem has yet to be clearly addressed and condemned, then there are deep-seated problems with the current state of the human rights protection of individual religious freedom. Of course, part of the problem is a lack of clarity concerning whether it is the religious freedom of the individual or the doctrines and dogma of a religion which are to be protected. Though the human rights framework is clearly a framework of individual human rights, these are exercised in community and this can lead to a blurring of the vital distinction between individual and community rights. It is, however, equally important not to get so bogged down in detail as to miss the glaringly obvious: how is it that a woman can possibly be guilty of apostasy and adultery for acting in accordance with the faith in which she was raised and for having children with her husband? One lesson, then, is that there is a real need for a greater understanding of what the freedom of religion or belief actually means and how it intersects with other bodies of law.

This is also true of the second issue highlighted – the imposition of penalties of death for apostasy and flogging for adultery. Whilst there remains some debate concerning whether the death penalty is permissible at all under international law, flogging as a judicially sanctioned punishment is clearly impermissible. Yet flogging is routinely ordered – and administered – in numerous countries. The use of unlawful or inappropriate forms of punishments cannot be justified with reference to religious sanction – but the reality is that it is.

The outrage and incredulity that characterised the international response to the outrageous treatment of Miriam Ibrahim and her family (and they ought not to be forgotten) belies the reality that such penalties and punishments for apostasy and adultery are not new. Whilst they have not been condoned, condemnation has been piecemeal and rather ritualistic. There have been some practical responses to particular human needs but more general challenges to the legal frameworks which permit such violations to occur have had little practical impact. Perhaps the real question is whether, going forward, we remain comfortable with continuing to assert in a general sense that violations of such fundamental human rights are impermissible whilst at the same time limiting our response to ameliorating the worst effects of their breach. Are we willing and able to tackle the fundamental challenge of the extent to which states can still use their coercive power to constrain freedom of thought, conscience or religion with impunity?

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