

ISLAM, TERRORISM AND MODERN LIBERAL SOCIETIES*

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This paper seeks to find an answer to the longstanding dilemma of whether there is room for Islam in modern liberal societies by posing rhetorical questions to Western democracies and members of the Islamic faith alike. Written from the neutral perspective of an outsider, it argues that a misplaced notion of self-censorship and a mentality of constant rejection of criticism characterise Islamic responses to contemporary world controversies. The paper regards such behaviour to be hypocritical to notions of free speech and expression and calls upon Islam to take the onus of setting the record straight by resorting to peaceful and legitimate means of protest against provocations and conceptions that it seeks to deny. It argues that for Islam to live under the same umbrella as western liberalism, it needs to adapt itself and be more receptive to criticism.

I. PROLOGUE

The title of this paper raises more questions than it solves. The arguments that I am expressing here represent only my views; I even doubt their popularity among other Arabs in general, and among Muslims in particular. In fact, I strongly believe that they contradict even basic notions of mainstream views in the Islamic world, not to mention extremist perspectives on Islam. It is, however, my view that I should let my arguments be open as they are to judgment,

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regardless of their popularity. I should still make it clear that no political or religious position should be inferred from this paper, in which I am politically and religiously neutral and unidentified. I owe respect to all religions alike, although I am not a religious person at all. Furthermore, I am not a scholar of theology, nor am I an expert in Islamic law. If at all, I am a scholar of international and comparative criminal and constitutional law, of legal philosophy and of political science. I present this paper as an intellectual—but by no means as a politician—based on my above-mentioned academic background.

The topics discussed within the premises of this paper are very sensitive; they speak to us in different ways. As human beings we are all different, and as such we think differently; we have different principles, maxims, and beliefs. I ask the reader then to kindly be open-minded towards the views of others, to thus express tolerance and patience, and to demonstrate a degree of respect and dignity towards the inherent differences and distinctions that exist between us as equal creatures. Voltaire once expressed his belief in the following words: “*I may not agree with what you say, but I will defend to the death your right to say it.*”¹

II. INTRODUCTION

In the academic year 2004-05, while attending an academic colloquium at Columbia University School of Law in the city of New York,² I was exposed to the views of an argumentative American professor and expert in *Islam and Constitutionalism*,³ who aggressively criticized and attacked Islam, thus adhering to all possible means of persuasion. In doing so, the arguable expert was referring to the statements of figures like Osama bin Laden⁴ and Mola Omar,⁵ both of whom I regard decisively as terrorists. The argumentative expert sought to convince the audience that Islam has no room in modern liberal societies, not at least in modern constitutionally enlightened democracies. As a student for the Masters in Law degree, and one who was born and raised in an Islamic culture, not necessarily a religious one, I was shocked, and since then I have been contemplating the following questions:

Why does the opinionated expert refer to terrorist figures in support of her arguments against Islam? If she is an expert in Islamic law, then she should

¹ See David Shrager, Elizabeth Frost & Scarlet Riley, *THE QUOTABLE LAWYER* 285 (1988). It is commonly attributed to Voltaire, but actually it was written by his biographer, Evelyn Beatrice Hall, writing as S. G. Tallentyre in 1906.

² Colloquium, *Constitutionalism in Comparative Perspective*, by Justice Arthur Chaskalson (Chief Justice of the South African Constitutional Court) and Prof. Louis Henkin (Professor Emeritus at Columbia University School of Law) (Fall 2004).

³ These are the views and the arguments of the Professor that are examined here, but not the Professor as such, and therefore I refrain from providing the Professor's name.

⁴ The founder and leader of al-Qaida, known as a terrorist organization.

⁵ Leader of the Taliban, a *Sunni* Islamist fundamentalist religious and political movement that governed Afghanistan from 1996 until 2001.

not use the English version of the *Koran*⁶ and of the English translated work of Prophet Muhammad's maxims, as permissible grounds for discussing and debating Islam. Beyond this inquiry into the reliability of this arguable expert, substantially the questions remain: Does Islam, as presented by the dubious expert, not resemble the naked history of contemporary, supposedly enlightened Western democracies? Were women not discriminated against through history, not only in America, England, France and other European and democratic societies but also, and in particular, in Athens, the 'founding mother' of the notion of democracy? Was slavery not spread out across Europe and North America? Was it not Prophet Muhammad who abolished slavery and advocated equality between people of different ethnicities, nationalities, colour and gender?

Moreover, is it not true that the only difference between the constitutional democracy of the United States of America and the autocracy of the Islamic Republic of Iran is only a matter of degree? Is it true that women are treated so equally in the Western world that there is no further need for feminist activists? Is it true that minorities are indeed treated with dignity and tolerance in the Western world? Is it true that only Islam imposes the death penalty for committing certain crimes, such as murder? Is it not true that people are locked up for life in jail for stealing three slices of Pizza under certain jurisdictions in the United States?⁷ Is it not true that in many American states the death penalty remains a valid sentence in criminal trials? Is it not true that George W. Bush, President of the land of rights and freedoms, won his second election campaign because of his conservative religious views against abortion and gay marriage? Is it not true that abortion clinics are destroyed and burned in the United States of America?⁸ Why is denying the Holocaust or other arguable facts regarding the Holocaust by notorious figures like Mahmoud Ahmadinejad, the incumbent President of Iran, and David Irvin, the English writer specializing in the military history of World War II, worse than allowing Neo Nazis to march in American streets with judicial permission?⁹

Furthermore, did President Bush not dream of God telling him to launch a war against terror and invade Iraq?¹⁰ What difference exists between justifying war for the sake of spreading democracy as a political theory of good governance,¹¹ and justifying war in order to propagate communism, socialism, imperialism or

⁶ The holy book for Muslims.

⁷ Certain jurisdictions in the United States of America adopts the "three strikes laws", which are statutes enacted by state governments that require state courts to hand down mandatory and extended period of incarceration to persons who have been convicted of a serious criminal offense on three or more separate occasions.

⁸ Anti-abortion violence is most frequently committed in the United States of America.

⁹ Mohammed Saif-Alden Wattad, *Consider: National Socialists Party of America v. Village of Skokie*, 432 U.S. 43 (1977).

¹⁰ "God told me to strike at al-Qaida and I struck them, and then he instructed me at Saddam, which I did."

¹¹ The Bush Administration made this assertion while justifying its war on Iraq.

even Islam as a form of good governance?¹² Does not democracy, like socialism, imperialism, and Islam have its own peculiar deficiencies? Could it not be the case that Islam, as a form of governance, has various possible forms? Does the American democracy resemble the Canadian, the English, the Israeli, the French and even the Egyptian forms of democratic governance? Did Islam, as a mechanism of governance, have the same form and structure throughout history, from Prophet Muhammad's rule all the way up (or for some down) to the Ottoman Empire? Egypt, Jordan, Saudi Arabia, Kuwait, Iraq, Qatar, Iran and others are all defined as Muslim countries: Do they all apply Islam in a single hegemony? Do they all understand Islam in the same manner? Are there not several schools that differ in their interpretations even of the very basic rules and principles of Islamic law?¹³ Above all, why is constitutional democracy so urgent in Iraq and in the Palestinian Authority, but not so in, for instance, Egypt, Jordan, and Saudi Arabia?

In addition, what makes the Western world stand stable on its feet advocating the case of free expression for the Danish newspaper *Jyllands-Posten* in publishing cartoons that depict Prophet Muhammad by presenting him *inter alia* as a terrorist, but simultaneously criticizes, condemns, and denounces David Irvin, who, after all, is a professional scholar?

Also, has Islam been the only religion under attack and criticism throughout history? Why are Muslims locked into their own beliefs and mentality, thus refusing to open their minds before giving criticism and advice? Why do Muslims ask the West to tolerate them, but never tolerate each other in the first place? Why do Muslims always react with violence against any criticism or insult? What makes Islam so affiliated with terrorism, although terrorism has been committed also by Jews and Christians?¹⁴ Do the Danish cartoons reflect what Islam is really about? Or do they faithfully mirror how Muslims of the recent centuries look? Is there a difference between how Muslims behave and how Islam ought to be understood and applied?

Finally, does Islam really contradict the basic values of Western-oriented cultures? If so, how can one plausibly explain the non-stop Muslim immigration flow toward Western European countries? Is there real hostility between the West and the Islamic world, or is it just a big lie? Is it not true that the vast majority of Islamic countries are the most loyal to the United States of America, the United Kingdom, Germany and France? How come these leading Western countries support—not only financially—Muslim countries, in spite of the latter's

¹² I negate both cases as justifiable grounds for waging war, not even under any plausible theory of international self-defense. See Mohammed Saif-Alden Wattad, *Resurrecting 'Romantics at War': International Self-defense in the Shadow of the Law of War – Where are the Borders?* 13(1) ILSA JOURNAL OF INTERNATIONAL & COMPARATIVE LAW (2006).

¹³ See generally *Usul al-fiqh*, which is the study of the origins, sources, and principles upon which Islamic jurisprudence is based.

¹⁴ See Mohammed Saif-Alden Wattad, *Is Terrorism a Crime or an Aggravating Factor in Sentencing?* 4(5) JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE 1017 (2006).

offensiveness to Western values? How come the leaders of these leading Western countries receive special royal hospitality upon their visits to Muslim countries? Has 'Uncle Sam' not been the/a big brother for most Muslim countries? Has the legendary love story between Romeo and Juliet not turned into a 'Catholic Marriage', not only before the tragic events of 9/11 and the bombings in London and Madrid, but especially immediately after that? Last but not the least, who is responsible for the creation and the establishment of the biggest terrorist organizations of today such as Al Qaida, the Taliban, and Hamas? Is this not the much enlightened Western countries: the United States of America in its struggle against the Former Soviet Union, and the State of Israel in its struggle against the Palestinian Liberation Organization (PLO)?

Hitherto, I have posed too many questions; these are very difficult questions and they lend themselves to theories of comparativism, dogmatism, scepticism, rationalism, idealism and realism. By proposing these questions, I sought to anticipate that which the reader may later on impose on me. Eventually, the question of utmost conceptual and philosophical significance is: Does one wrong justify the other?

In this paper, I am not interested in lecturing on the meaning of Islam, nor am I aiming to analyze terrorism or exploring liberalism. In any case, to be faithfully and professionally addressed, each of these institutions require more than one manuscript, further conferences, additional symposiums and above all not only intellectual but rather professional experts in each of these fields. Intellectualism, however, plays an important role, in this regard, as the outsider's perception; it is the perspective from which one may see and observe that which insider players cannot notice, realize, and recognize; for the latter are captivated by their own views, beliefs, and assumptions; they are hostages of their own world.

Bearing the above anticipated questions in mind, as well as the possible plausible answers, I can now step back to the preliminary question from which I set out at the beginning: Is there room for Islam in modern liberal societies? (the paradigm question).

In Part III, I examine the capability of the Islamic world to absorb human rights, on top of them the right to free expression. In Part IV, I inquire into the Islamic mentality and its constant rejection to criticism, in general, and to the notion of self-censorship in particular. In Part V, I address the modern correlation between Islam and the concept of terrorism. Finally, in Part VI, I turn to inquire possible political ideologies that underscore Islamic behaviour *vis-à-vis* human rights and the accusation of terrorist activity. In Part VII, I argue that Islamic response to such accusations should take resort to the market of ideas rather than seek to instil fear or terror. It is my hope that this paper attracts thorough responses and creates a decent market of ideas. It is with hope and desire that our future may become better.

III. FREEDOM OF SPEECH AND ISLAMIC HYPOCRISY

In my view, the best case through which the paradigm question could be addressed is the recent controversy regarding the so-called ‘The Danish Cartoons’. This case has deeper implications than might appear to the naked eye. Some people argue that The Danish Cartoons case opened a Pandora’s box regarding the longstanding tension between the Western enlightened orientation of rights and freedoms and Islam as a regime of oppressing and negating liberties; while others like Dr. Wafa Sultan, an ex-Muslim (as she argues), contend: “[T]he publication of the Danish cartoons has caused the first crack in the prison walls, within which Muslims have been living for more than 1400 years”.¹⁵

In short, the *Danish Cartoons* case involves the publication, in 2005 and in early 2008, of cartoons that depict Prophet Muhammad as a terrorist figure.¹⁶ The *Jyllands-Posten* newspaper announced that this publication was an attempt to contribute to the debate regarding criticism of Islam and self-censorship.¹⁷ This publication was met with strong objection by Muslims all over the world holding public protests, marches, burning and desecrating the Danish Flag. This objection escalated to the use of violence against Danish property including the Danish Embassy in Syria, Lebanon, and Iran. In the course of commission of these barbaric acts, Muslim religious and political leaders stood behind the scenes; they incited, solicited, provoked, and pushed the use of violence; some of them, like Mahmoud Al-Zahar—leader of the Hamas terrorist organization—issued death threats. Alongside all these reactions to the Danish cartoons, Danish products were boycotted.

Why did all that happen? Some people think that Islam is a religion that favours the use of force and violence. How could such a view be expressed faithfully? By describing the leader of the Islamic world (Prophet Muhammad) holding a bomb on top of his head. Did this publication humiliate Muslims? Of course it did. Should Muslims feel humiliated because of this publication? No doubt they should. But what is free speech all about? Is it not about these views, ideas, opinions, arguments, assertions, contentions, perspectives, and voices that we dispute, dislike, do not favour, oppose and even condemn? Yes it is.

Allow me to make this clear: rights and freedoms constitute the very fundamental basis of the Western world, though in different degrees and in various forms. This set of rights and freedoms is the ‘Holy Book’ for every Western citizen. This is why many Muslims leave Egypt, Lebanon, Palestine, Syria, Jordan,

¹⁵ *Wafa Sultan on the Danish Cartoons*, October 3, 2006 available at http://atlasshrugs2000.typepad.com/atlas_shrugs/freedom_on_the_march_worldwide/ (Last visited on September 13, 2010).

¹⁶ Prophet Muhammad is the founder of the religion of Islam and regarded by Muslims as a messenger and prophet of God, the last and greatest law-bearer in a series of Islamic prophets.

¹⁷ It is a Danish daily newspaper.

Iraq, Iran, Qatar, Sudan, Saudi Arabia, Algeria, Morocco, Tunisia, Libya and other Muslim countries, and thereby make it all the way to Denmark, Sweden, Switzerland, Belgium, Germany, France, England, Canada, the United States of America and other Western democracies. This has also been the case for Palestinians who seek to marry Israeli Arabs, so that they can become Israeli citizens, whatever that means.¹⁸ They pursue rights and freedoms that they do not have in their own home. Among these rights and freedoms, the right to free expression has a place of honour, as the fundamental right of all others.

In another place I have launched a thorough discussion on the right to freedom of speech,¹⁹ which is regarded as a fundamental right by many democratic countries.²⁰ It is the promise of every national and international court that the right to free expression is “applicable not only to ‘information’ or ‘ideas’ that are favorably received or regarded as inoffensive or as a matter of indifference, but also, and especially, to those that offend, shock or disturb”.²¹

Comparative legal jurisdictions have recognized three main rationales for protecting freedom of expression. These are: (1) the desire to expose the truth²² (2) the need for human self-fulfillment²³ and (3) free expression. These are prerequisites for democracy.

Freedom of expression must be ensured to allow for different views and ideas to compete with each other. From this competition—and not from the regime’s diktat of a single truth—the truth shall surface and emerge. In addition, the spiritual and intellectual development of man is based on his ability to freely formulate his world views.²⁴ Moreover, free voicing of opinions and the

¹⁸ See Mohammed Saif-Alden Wattad, *Israeli Arabs: Between the Nation and the State*, 6(2) INDIGENOUS LAW JOURNAL 179 (2007) and Mohammed Saif-Alden Wattad, *A Vision of Citizenship: Arabs in a Jewish & Democratic State* GLOBALISATION, HUMAN RIGHTS AND DEVELOPMENT (Manoj Kumar Sinha ed., 2009) 185-207.

¹⁹ See Mohammed Saif-Alden Wattad, *The Meaning of Wrongdoing – A Crime of Disrespecting the Flag: Grounds for Preserving ‘National Unity’?* 10 SAN DIEGO INTERNATIONAL LAW 5 (2008).

²⁰ See *Palko v. Connecticut*, 302 U.S. 319, 327 (1937); *Irwin Toy Ltd. v. Quebec (Attorney General)*, [1989] 1 S.C.R. 927, 976 (Can.); *RWDSU v. Dolphin Delivery Ltd.*, [1986] 2 S.C.R. 573, 584 (Can.); PETER W. HOGG, *CONSTITUTIONAL LAW OF CANADA* 713 (1985). WALTER BAGEHOT, *THE METAPHYSICAL BASIS OF TOLERATION* (1874); FRANCIS CANAVAN, *FREEDOM OF EXPRESSION PURPOSE AS LIMIT* (1984); JOHN LOCKE, *TWO TREATISES OF GOVERNMENT* (1690); JOHN LOCKE, *AN ESSAY CONCERNING HUMAN UNDERSTANDING* (1689); JOHN STUART MILL, *ON LIBERTY* (1859); JOHN MILTON, *AREOPAGITICA* (1644).

²¹ *The Sunday Times v. The United Kingdom (No. 2)*, 217 Eur. Ct. H.R. (ser. A) at 25 (1991). *Accord Vogt v. Germany*, 323 Eur. Ct. H.R. (ser. A) at 20 (1995); *Lingens v. Austria*, 103 Eur. Ct. H.R. (ser. A) at 13 (1986); *Handyside v. United Kingdom*, 24 Eur. Ct. H.R. (ser. A), at 18 (1976). See also Human Rights Act, 1998, Arts. 2(1), 3, 4, 8 (U.K.).

²² *Dennis v. United States*, 341 U.S. 494 (1951); *Abrams v. United States*, 250 U.S. 616, 630 (1919) (Holmes, J.).

²³ ERNEST BARKER, *REFLECTIONS ON GOVERNMENT* (1942).

²⁴ *Cohen v. California*, 403 U.S. 15 (1971); *Castells v. Spain*, 236 Eur. Ct. H.R. (ser. A), at 21 (1992).

unrestricted exchange of ideas among people is a *conditio sine qua non* for the existence of a political and social regime in which the citizen can weigh, without fear, what is required, to the best of his understanding, for the benefit and welfare of both the public as well as the individual, and how to ensure the continued existence of the democratic regime and the political framework in which it operates. Furthermore, recent studies have treated human dignity and equality as possible justifications for freedom of expression,²⁵ thus recognizing that which the social order must reflect, namely, the equal worth of all persons. Dignity expresses at least the basic meaning of equality.²⁶

To this extent, I have not even come close to shocking the minds of Muslims across the Western world, for they are well aware of the Western-orientation of rights and freedoms. In addition, they are very conscious of the supremacy of the right to free expression. In asserting their religious autonomy under modern liberal Western societies, Muslims invoke this set of rights and freedoms.

If this is the case, then how is it possible that Muslims, in particular those who live in Western countries, reacted to the Danish cartoons the way they reacted: with threat, violence, and vandalism? Here we are then: it is a matter of hypocrisy; what is good for them is not good for others; and ironically, what is good for them as immigrants is not good for the indigenous local citizens. This is not only a matter of hypocrisy, but primarily an untreatable sense of cheek, insolence, audacity, and impertinence. To this extent, I cannot abstain from expressing my sympathy towards statements made by Danish political leaders, like: “take it or leave it”. But still, the question remains: Why are Muslims so sensitive to criticism? Why do they face criticism with violence? Why do they believe that he who criticizes them must be excommunicated, banished, expelled, ostracized and excluded?

IV. ISLAMIC MENTALITY AND THE FEAR OF CRITICISM

As to the core issues of Islam, Islamic mentality has not changed even slightly for 1400 years. Muslims strongly believe—and to a great extent this is the basic pillar on which Islam stands—that God revealed the *Koran* to Prophet Muhammad, God’s final prophet, and they regard the *Koran* and the *Sunnah* (words and deeds of Prophet Muhammad) as the fundamental sources of Islam. They do not regard Prophet Muhammad as the founder of a new religion, but as the restorer of the original monotheistic faith of Abraham, Moses, Jesus, and other prophets. Islamic tradition holds that Jews and Christians distorted the

²⁵ RONALD DWORKIN, TAKING RIGHTS SERIOUSLY 195-213 (1977).

²⁶ See GEORGE P. FLETCHER, OUR SECRET CONSTITUTION: HOW LINCOLN REDEFINED AMERICAN DEMOCRACY 106-107 (2001). See also: KENT GREENAWALT, SPEECH, CRIME, AND THE USES OF LANGUAGE 27-28, 33-34 (1989).

revelations God gave to these prophets by either altering the text, introducing a false interpretation, or both. To this degree, Muslims believe that they are the only right and true religious people, and that accordingly all others are supposed to follow the Islamic faith, for if not, this is clearly a case of blasphemy.

Very often Muslims tend to forget that as right as they may be, it is still of no doubt that Islam is about text and practice and as such is subject to interpretation; some may support the case for purposive interpretation, while others might adhere to textual, historical, or original interpretation. If so, then Islam is not above any criticism and challenge. This has been the case for Judaism and Christianity, and this should be the case for Islam. And, if Muslims believe that they have the right to criticize Jews and Christians, I see no reason why the others may not criticize them. No single religion is above criticism.

Furthermore and more importantly, if Muslims are still of the view that the Western world does not understand anything but the language of violence then I see no reason why the West should be expected to grant them a license to enter their countries, and certainly not rights and freedoms that apply to other citizens within Western countries.

It is evident that through history all religions and all beliefs have been the subject of stiff criticism. Jews and Christians were long chased based on their religious beliefs; they were humiliated, denounced, cursed, dehumanized, tortured and killed just because they were Jews and Christians. Such stiff criticism and insult came, among others, from Muslims themselves, who called Jews very often “monkeys and pigs”. Muslims themselves invaded other Christian lands in the name of Islam and as a matter of spreading Islam out. Muslims have not been the only group to suffer religious criticism. To elaborate on my views, allow me to consider two recent examples:

First, recently a Jewish-Israeli secular scholar and professor of psychology at the Hebrew University of Jerusalem in Israel published an article in the *Time and Mind* journal, arguing that when he heard God’s word on Mount Sinai, Moses and the people of Israel were under the influence of mind-altering drugs.²⁷ Was this not a clear insult to Jewish religious feelings? Of course it was. How did Jewish religious people react? With lots of anger. But, how was this anger expressed? By word, not by hand; by the method of persuasion, not by rule of the arm.

Second, a TV advertisement presents Jesus as a hippie, in the company of topless ladies in night clubs. Another TV advertisement shows Jesus as a naughty boy with long hair approaching a night club, where he is refused entry by the club guards. Yet, as the advertisement describes, Jesus shows his Cross,

²⁷ This opinion was expressed by Prof. Benny Shanon – a professor of cognitive psychology at the Hebrew University of Jerusalem – in the *Time and Mind Journal of Philosophy*.

and the guards turn into dwarves for the whole night. A third advertisement depicts Jesus drinking whisky in a bar, and then turns two homeless-looking black ladies into blond, bikini-wearing women, with two red horns on their heads as if they were devils. Were these insulting advertisements? Definitely they were. What was the reaction of the Catholic Church? They expressed their rejection of and objection to such advertisements, explaining that such work crosses all lines.

V. THE IMAGE OF MUSLIMS AS TERRORISTS: THE BURDEN ON MUSLIMS TO CHANGE IT

In these two examples, and there are many other, we did not witness any kind of violence, but rather a market of ideas. However, this was not the case following the Danish cartoons publication. What does that show? It shows moral, educational, and cultural bankruptcy of those who act barbarically (and I apologise for insulting the barbarian people with this analogy). Moreover, it shows that the artists of the Danish cartoons were right about the way they viewed Muslims, for this is the image that the whole world, and not only the West, has in mind about Muslims. Obviously, these cartoons cannot create any image of Muslims; rather they reflect an existing image of Muslims. Meaning, Muslims themselves have created and developed this image of violent people and terrorists, and it is up to them to change this image. The Danish artistic work solely reflected an existing image of Muslims, according to which Muslims are irrational creatures, who act based on their impulses, feelings, emotions, beliefs, and religious faith; they do not think; they act as robots; they cannot restrain their anger, they are logically incompetent, rationally illiterate, and mentally handicapped. Such image did not come out of nothing; it is based on the stark truth as everyone sees it every day.

I am not writing this paper in order to defend the Danish artists nor to accuse Islam as a violent religion. I do not know as much about Islam as I know about Muslims. The latter are much more important than the former, since the Danish artistic work is about the way Muslims have been exercising Islam and about the view that Muslims have demonstrated toward the world about Islam. These are not the Danish artists who say '*Allah Akbar*' upon killing innocent people;²⁸ these are not the Danish artists who invoke words of Prophet Muhammad and others from the *Koran* in support of killing innocent people; and these are not the Danish artists who seek 72 virgins upon exploding themselves in public places crowded with innocent people.

If this image is wrong, then the burden is on Muslims to show otherwise; and if Islam is not about violence, then it is for those who pretend to be professional experts in Islam to prove that the Danish artists are wrong. However, I should say, that I am very inclined to believe that the Danish cartoons reflect a true image especially of Muslims. Before explaining my attitude, allow me to make one reservation.

²⁸ This expression refers to the greatness of God.

VI. ISLAM AS A POLITICAL IDEOLOGY

Islam is a complete system of religion and of political governance and ideology. As for its religious facets, I have no reason or interest to argue with these. First, I am not a religious person, but I respect the religious beliefs of all people as human beings in the first place. And second, my knowledge of Islam as a religion is not profound enough to entitle me to legitimately engage in a thorough discussion in this context. Therefore, my criticism is aimed at the political ideological aspect of Islam.

On 21st February of 2006, Dr. Wafa Sultan, took part in Al-Jazeera's weekly 90-minute discussion program, where she described her thesis that Islam as a political ideology preaches violence and applies its agenda by force. She accused Muslims of intolerance of criticism, and supported the Danish cartoons, as a matter of free speech. Upon expressing her views directly on TV, Dr. Sultan received numerous threats and was attacked by every single Muslim in the world, through every possible media stage or electronic blog. This is further evidence that Muslims are intolerant of criticism. The trouble is that even professional experts of Islamic religion have attacked Dr. Sultan; and instead of responding to the substance of her assertions, they have chosen to threaten her with, among other things, a barbaric death penalty. Not only that, such threats were targeted at the Al-Jazeera Channel, including the program through which she spoke out: some asked for an apology from the Channel, while others sought to cancel the whole program and fire its host Faisal Al-Qassem, a well distinguished journalist.

My point in emphasizing the barbaric response of Muslims upon criticizing them is to establish the true conceptual meaning of terror. The intensification of terrorist activity in the past few years, as well as the declared war on terror following the attacks of 9/11 on the Twin Towers, has made terrorism one of today's most pressing problems. Though the word 'terrorism' now appears in every book, journal, and news paper in the world, the nations of the world are so divisively split on the meaning of terrorism²⁹ that it is impossible to pinpoint an area of harmony or consensus.³⁰ Many people, in particular Western people, are mistaken as to the meaning of terrorism. They hold in their minds the political definition of terror as viewed in the tragic events of 9/11, the bombings in London, Madrid, Iraq, Jordan, Egypt, and Israel. One must, however, comprehend first the conceptual meaning of terror.

²⁹ Proceedings of the International Conference on the Repression of Terrorism, League of Nations Doc. C.94M.47, at 49 1938 V (1938); Convention for the Prevention and Punishment of Terrorism, 16 November 1937, League of Nations Doc. C.546M.383 (1937); and The Anti-Terrorism Resolution 1373 (2001) of the Security Council, available at <http://www.un.org/News/Press/docs/2001/sc7158.doc.htm> (Last visited on August 3, 2006). See also the contributions of G.P. Fletcher, T. Weigend, A. Cassese and M. Hmoud on this issue.

³⁰ *Tel-Oren v. Libya Arab Republic*, 470 U.S. 1003 (1985); M.M. BASSIOUNI, INTERNATIONAL TERRORISM: MULTILATERAL CONVENTIONS (1937-2001) 15 (2001).

The history of terrorism, as it has evolved conceptually as a phenomenon, shows no single common form of terrorism, but rather provides a spectrum of various ways of exercising terrorism, with different motives, e.g. religious, political, etc. Yet, all forms of terror have shared one core component, that of imposing fear on a large specific group of people as such and not on individuals. This has also been true for modern terrorism. The word 'terror' owes its etymology to Middle English; which means 'to frighten', 'to be afraid', and 'to tremble'. The word 'terror' entered western European lexicons through French in the fourteenth century and was first used in English in 1528. The French Revolution provided the first political connotations to the word 'terrorism', in reference to the Reign of Terror initiated by the revolutionary government. The word 'terror' owes its etymology to Middle English: from Anglo-French *terroure*, from Latin *terror*, from *terrere*, which means 'to frighten', akin to Greek *trein*, which means 'to be afraid' and *tremein*, which means 'to tremble'.

The attacks of 9/11 (and similarly the bombings in London and in Madrid) provide the perfect example of 19 hijackers imposing extreme fear on the American nation as such. It was al-Qaida's motive to impose fear on the Western world as such. For al-Qaida, the target of the attack was not a set of individuals but rather the 'infidel' nations of the West.

Before closing the discussion in this regards, it is worth noting that scholars have held the promise that they know terrorism once they see it, as borrowed from Justice Stewart's stand on obscenity: "I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never be successful in intelligibly doing so. But I know it when I see it".³¹

With this argument I do not agree. We may not always recognize terrorism as we see it. If this were true, then how would it be possible for us to distinguish between acts of terrorist groups and crimes committed by the Mafia? No one can tell for sure whether a specific action is an act of terror or not unless he knows the identity of the group which stands behind the action. To this extent, terrorism is not the kind of thing that we know when we see. This is simply because terrorism is wrongly described almost unanimously as an act. It is my view that terrorism is the kind of phenomenon that we know when we feel it, but not when we see it. When the first airplane hit the Twin Towers, no one could tell if this was an act of terror or not, no one could guess that this had been an attack against the American nation and no one could recognize a notable fear among the Americans. Rather, this could have been viewed as an accident. The moment the first airplane hit the Twin Towers we could only point out the fear of those who were on the scene and those who saw this occurring on television, but no national fear could have been recognized. Only when Al Qaida's leader made his formal announcement, showing his pride upon the

³¹ *Jacobellis v. Ohio*, 378 U.S. 184, 197 (1964).

success of the attacks committed by members of his organization, was the American nation caught with fear. Only then the language of “A Nation at War”, ‘National Shame’, and ‘A Nation Challenged’, entered the American lexicon. That is because only then did the fear of American individuals become one entity to be called the fear of the nation.

VII. ISLAM, TERRORISM, AND THE MARKET OF IDEAS

Terrorism is the kind of extreme fear imposed by Muslims on Western nations day after day; it is not the issue of exploding bombs, but rather to kill, to damage, to set fire, etc. This is the exact threat that was imposed on Dr. Sultan, and it is the exact threat that was inflicted on the Danish artists. This threat does not see the person but rather the collective; the person is merely a means for achieving other goals; namely, imposing extreme fear on the Western nation as such. It is a policy of deterrence by frightening.

It might be that the Danish artists are wrong about the way they view Islam, but still their views on Islam are as they perceive reality. If they are wrong, then the market of ideas is open before all Muslims to prove the opposite. Furthermore, Muslims could have not only launched peaceful protests, but also appealed to political powers in the West, and even approached legal tribunals for defamation, as was the case against David Irvin regarding the Holocaust denial. Ultimately, the issue is a matter of perspectives, and he who proves to be right, his truth prevails as true.

In any case, no one knows what Prophet Muhammad looks like and no one really knows how he would have behaved, had he been among us today. The depiction of his figure with a bomb on his head can be very provocative and irritating; yet it is a form of expression, and this is what expression is about: it is not about insulting others merely for the sake of insult, but about the expression of views, as provocative as they might be, and as much insult as they might cause. By the end of the day, the world as a whole has been witnessing primarily Muslims committing terrorism in the recent century and Muslims cannot simply negate any accusation against the nature of their religion by simply arguing “we are not”. For this end to be achieved, they must speak out and do further: the burden is on them, not on others.

VIII. CONCLUSIONS AND EPILOGUE

To end, I should make it manifest that I am very calm about what I have opined in this paper. I was born and raised in an Islamic culture. Although I am not a religious person, I feel very sad to witness Islam being understood as a regime of violence, terror and fear. I hope that one day the picture will be different, and that the same Danish artists will reflect a better picture of Prophet Muhammad. However as things stand nowadays, I do not know if they can imagine Prophet Muhammad as a ‘White Pigeon’ or an ‘Innocent Angel’. Yet, as simple and self-evident my views might be, as unpersuasive as they might be, they exactly oppose

those of Muslims today. However, as Ernest Hemingway correctly viewed: “[T]here are some things which cannot be learned quickly, and time, which is all we have, must be paid heavily for their acquiring. They are the very simplest things”.³²

Time itself, however, is not a guarantee for a better future and for good to prevail. Benjamin Franklin once announced that “all mankind is divided into three classes: those that are immovable, those that are movable, and those that move”. I choose to be one of those who move, “for an easy task becomes difficult when you do it with reluctance”.³³ “The only thing necessary for the triumph of evil is for good men to do nothing”. It has been said that when weapons speak, the muses fall silent.³⁴ However, it is my view that especially when the cannons roar, the brain must not stop functioning.

I believe that it is with intelligence, reason, justice and fairness that a man shall distinguish between right and wrong. I have no reason or incentive to be saying what I have expressed here but only the hope and desire that the future generations know only peace, prosperity, and health. I am no more than a dreamer of peace; an advocate for and a great believer in the human’s dignity, rationality, reasonability.

It is my view that in dealing with such complicated problems, we must approach them with reason, as well as attempt to avoid biases, thus acknowledging values but also practicalities; we must draw a large picture of the issue, thus viewing it from several perspectives and seek to strike balances. In principle the world is grounded on contradictions, but it is our duty, if we wish to live in peace, to focus on the universal and positive facets of these contradictions.

Allow me to conclude with the question that introduced my paper: Is there room for Islam in modern liberal societies? I believe the answer was clear from the several rhetoric questions I raised in the very inception of my paper. I have also asked the question whether one’s wrong justifies the other’s wrong? My answer is clearly negative. The wisdom is to learn from the mistakes of others thus avoiding the March of Folly.³⁵

I strongly believe that there is a space for Islam in modern liberal societies, exactly as there is room for Judaism, Christianity and other faiths and religions. Ultimately, all religions are primitive ones in the sense that they are based on blind faith and restrained reason and rationality in faith. This answer should not surprise the reader, for I have already introduced myself as a non-

³² ERNEST HEMINGWAY, *DEATH IN THE AFTERNOON* 192 (1932).

³³ Publius Terence (Roman poet).

³⁴ A similar idea was expressed by Cicero, who said: *silent enim legis inter arma* (during war, the laws are silent).

³⁵ This expression is borrowed from the famous book by, BARBARA W. TUCHMAN, *THE MARCH OF FOLLY: FROM TROY TO VIETNAM* (1984).

religious person. Yet for Islam to live side-by-side, under one umbrella, with current liberal societies, it must be clear that Islam must adapt itself, not necessarily altering its basics; it must at first open its ears, listen, learn, and accept criticism.

Judaism and Christianity have never been better than Islam, nor has the Western world. Terrorism was not created by Islam. Terrorism has its roots in early recorded history as a group of people attempting to scare other people with religious motives, *e.g.* (1) the Zealots: Jewish men who attacked Roman and Greek authorities in front of large groups of spectators, to send a message to the ruling body that they were not wanted there; (2) the Sicari, who were also Jews, but they mostly killed other Jews, who had fallen from their religious faith and (3) the Assassins, a group of Muslims who killed others who deviated from strict Muslim law. In the 19th century, a new notion of terrorism was developed by an Italian revolutionary, Carlo Pisacane, who argued that terrorism could deliver a message to an audience and draw attention to and support for a cause,³⁶ *e.g.* (1) the Klu Klux Klan, whose members formed to try to dissuade reconstructionists after the Civil War; and (2) the Young Bosnians, whose members were responsible for the assassination of Archduke Ferdinand in 1914, leading directly to the outbreak of WWI. However, it was not until the 1960s that terrorism as we know it today came into prominence with, *e.g.* the Provisional Irish Republican Army, Al Qaida or Hamas.

Criticism has put Christianity and Judaism in a better position; criticism has turned bad nations into better nations. Self-censorship opens the eyes; it shows people the path toward enlightenment; and awakens them from the illusions. But here, as William Bridges once said: “we come to beginnings only at the end”.³⁷ Yet, as the American proverb suggests: “from small beginnings come great things”.³⁸

You may still wonder who I am, and what I mean by defining myself as being born and raised in an Islamic culture but yet not a religious person. I am Muslim when Islam calls for love and peace; and for tolerance and patience. I am Christian when Christianity calls for forgivingness and mercifulness; and for pity and compassion. And, I am a Jew when Judaism calls for deep friendship, affection and fondness. I am by no means Muslim when Islam advocates violence and fear, when it preaches blood and death. I am not Muslim when Islam expresses intolerance towards other views, humiliates other’s dignity in the name of God, and sheds their blood in the name of *Jihad*.³⁹ I am not Muslim when Islam calls Jews “monkeys and pigs” and I am not Muslim when it chases Christians to death

³⁶ Kimberly Dannels Ruff et al, available at icar.gmu.edu/sept11/Identity&Apocolypic_Terrorism.pdf (Last visited on September 13, 2010)

³⁷ WILLIAM BRIDGES, *TRANSITIONS: MAKING SENSE OF LIFE’S CHANGES* (2004).

³⁸ Author unknown.

³⁹ The jurisprudence on the use of arm under Islamic philosophy.

because of their faith. When all these wrongdoings happen, I prefer to become a Jew or a Christian, but not a Muslim. I cannot, I will not, I shall not and I prefer not to be a Muslim when Islam becomes a matter of *Sunni* and *Shia*;⁴⁰ when Islam preaches exploding bombs in mosques.

Eventually, I am no more than a human being, who feels dignity toward every person, white and black, man and woman, child and adult, Muslims, Christians, and Jews, and toward all mankind as such. I have a hope, I have a dream and I have a vision that one day, I will hold the *Koran* in one hand, the Star of David in the other, and have the Cross around my neck.

⁴⁰ Two streams in Islamic jurisprudence.