

**‘WE WILL NOT ENDORSE IT’****SOUTH ASIAN FATAWA ON ANTI-TERRORISM: A HISTORICAL ACCOUNT (2001-2010)***Mujeeb Ahmad***ABSTRACT**

*Ulama and Muftis are supposed to provide guidance to the Muslims in every sphere of life. Most of the South Asian Ulama and Muftis consistently rejected this thesis that the prevailing terrorism has any link with Islam or some Islamic Movements. However, it is generally believed that the prevailing terrorism in South Asia is being supported by some ‘ulama’ and Islamic Movements.*

*In this paper, an attempt will be made to review the fatawa and public statements of some leading South Asian ‘ulama’ and muftis belonging to different schools of thought, religio-political parties and organizations against the prevailing terrorism. Furthermore, an attempt will also be made to explore the real roots and causes of prevailing ‘Islamic militancy’ in the South Asia.*

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**Keywords:** Ulama, Mufti, Fatwa, Terrorism, Suicide Attacks

**INTRODUCTION**

On June 12, 2009 after the Friday prayer, Dr Muhammad Sarfaraz Na‘imi (1948-2009) was killed in Lahore in a suicide attack when he was meeting with people in his office. This act of terrorism was a first ever of its kind in Pakistan which killed a Bareilwi *alim*, who just two days before (June 10), gave a *fatwa* against the suicide attacks. Likewise, Mawlana Hassan Jan Madani (1938-2007) a leading Deobandi *alim* of Pakistan also became a target of militants in Peshawar, when he came up with a verdict against suicide bombers that suicide bomb attacks are contrary to the Islamic teachings (Daily *The Nation*, September 3, 2009).

In South Asia, the ‘*ulama*’ and *muftis* are supposed to have authority for the legal interpretation of the Islamic teachings. Besides in their individual capacity, they also institutionalized this authority by establishing *darul ifta*’ in almost every South Asian *madrisah*. From these *darul ifta*’, hundreds of thousands of *fatawa* are being issued in different South Asian languages particularly in Urdu. In these *fatawa*, beside questions related to Islamic belief and rituals, now-a-days people are asking about the legal position of prevailing terrorism, extremism and its allegedly connection with some Islamic Movements. With the advent of prevailing terrorism and extremism, the ‘*ulama*’ and the *muftis* began to function in a radically new religio-political context. This is a very important and fundamental shift in the South Asian *fatawa* literature. It is important to note that the *fatawa* are non-

binding advisory opinions put forward by the '*ulama*' and *muftis* and most of them work privately without accepting any official interference.

Leading Deobandi '*ulama*' of Bangladesh, India and Pakistan on April 1, 2005, in a grand public meeting held at historic Paltan Maidan, Dhaka categorically ruled out any link of terrorism with Islam. They accused anti-Islamic forces for waging a war on the Muslims and demanded withdrawal of foreign forces from the Muslim countries.<sup>2</sup> In December 2005, a declaration was adopted at a '*ulama*' Convention held in Dhaka which was attended by more than two hundred '*ulama*' of all schools of thought, describing the terrorists as 'enemies of Islam' and offered their full support to fight extremism and militancy (Mumtaz Ahmed, 2008:79).

Mufti Munibur Rahman (b.1945) *Nazim-i-A'la* of the Darul '*ulum* Na'imiyah, Karachi (November 1975), as a public statement gave a *fatwa*, which was circulated in the press on May 18, 2005 regarding the prohibition of "unjustified homicide" in suicide attacks and stated that suicide attacks (carried out in Pakistan) are strictly forbidden. This *fatwa* was endorsed by fifty-eight other '*ulama*' of different backgrounds. The *fatwa* was designed to dispel the impression that such attacks are carried out by religious extremists who brainwash, instigate or encourage students in their seminaries (Mufti Munib-ur-Rehman, 2012:485-502).

Markazi Jami'yyat-i-Ahl-i-Hadith Hind (September 1906)-(MJAHH) condemned all sorts of terrorism and terrorists. According to it, Islam is the *din* of peace as its aim is to establish peace. All the organizations that are involved in terrorist acts and destruction of public and private properties in the name of Islam cannot be called *mujahid* or their activities as *jihad*. MJAHH was of the view, that such activities have no Islamic injunctions. Islam forbids abusing the deities of other religions. It forbids its followers to assault the worshipping places even of other religions as well (Monthly *Simple Truth*, 2008:136).

MJAHH organized a symposiums on 'Madarsas and Terrorism' and 'Terrorism: A curse in Modern Times' on March 19 and July 22-23, 2006 in New Delhi which were attended by eminent scholars, religious personalities and academicians of India. In July Symposium, every sort of terrorism, subversive activities, murder and blood bath of human beings was condemned (*Ibid*, Dec-2006-Jan-2007:43).

On March 18, 2006, thirty-six Indian '*ulama*'-i-Ahl-i-Hadith issued a *fatwa* condemning the terrorism, which was not only appreciated by the top Indian Government dignitaries but as well as by common people. According to the *fatwa*, the *Qur'an* and *ahadith* clearly states that spreading mischief, violence, bloodshed, atrocity, brutality, targeting and killing innocent people, committing oppressions, bombing, suicidal attacks, hijacking aircrafts and vehicles, destroying public and private properties, disrupting supplies and services essential to the country and society, creating instability and

insecurity in the society, contradict the fundamentals of Islam and, therefore, are un-Islamic. Islam has given immense respect to human life and commanded to strive hard to keep stability and security in the society. The perpetrators of these subversive activities violate the teachings of the *Qur'an* and *Sunnah*. They have no religious sanctions in any way. In short, terrorism or subversive activities are against Islam (*Ibid*, 73-75).

At the end of the *fatwa*, it was observed that Islam is the religion that does not tolerate violence or corruption and it forbids harm to others and punishes perpetrators of mischievous acts. It preserves lives and penalizes acts of murder and imposes equitable punishment on those who kill any human being, destroy urban facilities or terrify innocent people. Those who commit such criminal acts and those who support them in any way or form whatsoever can in no way, claim to be Muslims (*Ibid*, 76).

Mawlana Asghar 'Ali Imam Mahdi Salafi, general secretary of the MJAHH in his address to the March Symposium said that terrorism was the greatest threat to the whole of mankind in the present days. He clarified that Islam did not permit any kind of terrorism in whichever form it be and, in fact, Islam had the distinction of being peace loving religion and torch-bearer for universal brotherhood. He, however, cautioned that certain prejudiced forces were for their dirty designs trying to paint Islam as the fountain of terrorism, which is not only far from the truth but is also highly condemnable by one and all having faith in equality, fair play and justice (*Ibid*, October, 2008:136-137).

In January 2008, ninety leading Pakistani '*ulama*' and *muftis* belonging to different schools of thought, issued a joint *fatwa* and declared suicidal attacks and any type of terrorist activities as un-Islamic. However, they were of the opinion that the causes of terrorism and extremism should be explored and must be uprooted (Monthly *Al-Balagh*, 2008:29-32).

The '*ulama*' attending a meeting held on February 25, 2008 at the Darul ulum Deoband (May 1867), Uttar Pradesh, condemned the militancy and terrorism done on the name of Islam. The meeting also expressed its great concern about labeling Islam and Muslims to terrorism.<sup>11</sup> Nearly 6,000 '*ulama*' gathered in Indian historic city of Hyderabad on November 8, 2008 and endorsed the *fatwa* that declares all forms of terrorism against the spirit of Islam. The endorsement termed the 'Hyderabad Declaration' came at the 29<sup>th</sup> general body meeting of the Jami'yyat-i-'Ulama'-i-Hind on November 1919 (Quarterly *Akhbar-i-Tehqiq*, 2008:3).

On April 17, 2009, in a convention, organized by the Jami'yyat-i-'Ulama'-i-Islam (Fazlur Rahman Group) at Peshawar and attended by more than 2000 '*ulama*' issued a ruling regarding suicide attacks. They also regarded such attacks as strictly illegal; however, they did not give legal arguments in support of their views. These '*ulama*' were mainstream religious leaders representing some 1000 Deobandi seminaries.

In a meeting held on April 16, 2009, under the auspices of *Mutahhidah 'Ulama'* Board, Ministry of Religious Affairs and *Awqaf*, Punjab, Pakistan

the law and order situation in the country particularly in the Punjab was thoroughly discussed. The meeting, attended by leading '*ulama*' belonging to different schools of thought functioning in Punjab, the most populous and politically important province of Pakistan, was of the view that suicide attacks, sectarianism, terrorism and target killing are against the Islamic teachings and hence they were declared *haram*. The meeting was of the view that the current wave of terrorism is dangerous for the security and sovereignty of Pakistan which is being supported and funded by some external anti-Islam forces. Moreover, the participants unanimously condemned the external and internal factors which led to the prevailing religio-political scenario of Pakistan. They also wiped out this assumption that the current wave of terrorism has any link with the Islam or Islamic movements (Daily *Nawa-i-Waqat*, April 26, 2009).

In a joint communiqué issued on May 14, 2009 by the National Conference of the religious parties held in Lahore, it was resolved that the prevailing terrorist activities should be tackled by a peaceful negotiations. The Conference however, condemned the terrorist activities against some elements opposing the *Taliban*. This Conference was organized by the Jami'yyat-i-'*Ulama*'-i-Pakistan (March 1948) and attended by almost all important religious parties and groups of Pakistan (Monthly *Ufaq*, June 2009:10).

On May 17, 2009, a representative All-Pakistan Sunni '*ulama*' and *masha'ikh* Convention was held at Islamabad where Barelwi '*ulama*' and *masha'ikh* gave verdict that any sought of terrorism, extremism and suicide attacks are *haram* according to the Islamic teachings. The Convention also ruled out misconception about the *madaris* that they are 'dense of terrorism'. The Convention was of the view that these *madaris* are in fact centers of learning and social services and symbol of Muslim Civilization (Daily *The Nation*, May 18, 2009).

In a meeting of *Sunni Ittihad Council* (May 2009)-(SIC), comprising of different religio-political parties of Pakistani Barelwis, held on May 17, 2009 at *Idarah-i-Ta'limat-i-Islamiyyah*, Rawalpindi it was resolved to launch a vigorous campaign against sectarianism and terrorism, started as a result of external conspiracies against the solidarity of Pakistan. The meeting also condemned the interference of some countries in the internal affairs of Pakistan. At the end, the meeting was concluded with the remarks that the so-called *Talibanization* is un-Islamic and it was resolved to support the state policy of Pakistan against the *Talibanization* (Monthly *Mustafai*, June 2009:12). The SIC in its endeavor to fight against terrorism, organized a 'Long March' from Islamabad to Lahore on November 27, 2010 under the leadership of its president Sahibzadah Muhammad Fazl-i-Karim (1954-2013) (*Nawa-i-Waqat*, November 28, 2010).

Mufti Muhammad Rafi Uthmani (b.1936) *Muhtamim* Jami'ah Darul 'ulum Karachi (May 1952) in one of his *fatawa* condemned the suicide attacks. However, he was of the opinion, that if one has to combat his enemy and he don't have any other option; in that case a person can opt for a suicide attack on his enemy. Mufti 'Uthmani made it clear that killing of innocent people (Muslims and non-Muslims) through suicide attacks is unlawful in Islam (*Al-Balagh*, April 2008:25-26). Dr.Israr Ahmad (1932-2010) founder of the apolitical *Tanzim-i-Islami* (July 1975) was also of the opinion that the suicide attacks are lawful in some certain circumstances (Ghazi Muhammad Wiqas, 2010:135-37).

Professor Ahmad 'Abdul Qadir secretary of the Bangladesh *Khilafat Majlis* (1989) in an interview, while negating all forms of terrorism alleged that foreign powers are working very efficiently to destabilize Islam and Muslims.

Mawlana Muhammad Akram A'wan (1934-2017) leader of the *Tanzim al-Akhwan* Pakistan (1986) observed that the people who are involved in terrorist activities like suicide attacks and target killing they are creating *fasad fi al-ard*, and they must be condemned (*Nawa-i-Waqat*, June 12 & 29, 2009).

The leadership of the Jama'at-i-Islami (JI) (August 1941) and the *Shi'ah* community of Pakistan also condemned suicide attacks and terrorist activities. The former *Amir* of the JI, Qazi Husain Ahmad (1938-2013) in his press statement said that we are against terrorist activities done by the *Taliban* or on the name of *Taliban*. JI opposed any attempt to involve Muslims in mutual killing and suicide attacks in mosques, *imam bargahs* and markets. According to Qazi Husain Ahmad, these are un-Islamic and a biggest sin after *shirk*. However, Sayyid Munawwar Hassan (b.1944) another former *Amir* of the JI was of the view that these attacks are a reaction against the state terrorism, including the United States of America (USA) (*Ibid*, April, 27, 2010). Sayyid Sajid 'Ali Naqwi (b. 1940) leader of the Pakistani revolutionary *Shi'ah* community was also of the opinion that any act of terrorism is against the basic spirit of Islamic teachings and according to him, these are being done on the initiative of foreign and anti-Islam elements (*Ibid*, June 27 & 29, 2009). In a '*ulama*' Conference, held at Islamabad on July 5, 2009 organized by the *Shi'ah 'ulama*' Council Pakistan, Punjab, the delegates declared suicide attacks, target killing and terrorist activities as un-Islamic and urged upon the '*ulama*' to educate the people in the light of true Islamic teachings of peace and love for humanity (*Nawa-i-Waqat*, July 6, 2009).

A worst type of wave of suicide attacks occurred during the last quarter of the year 2009 at different cities of Pakistan particularly in Peshawar (October 9 and 28, 2009), Rawalpindi (November 2 and

December 4, 2009), Lahore (December 7, 2009) and Dera Ghazi Khan (December 15, 2009). The attack on Pakistan Armed Forces' installments, including General's Headquarter, Rawalpindi (October 10, 2009) and Naval Headquarters, Islamabad (December 3, 2009) and first ever type of attack in the International Islamic University, Islamabad on October 20, 2009 are also important to mention. After these and many more suicide attacks in different cities and towns of Pakistan, the need was felt that the Government of Pakistan should consult the '*ulama*' and *masha'ikh* of different schools of thought for getting a unanimous *fatwa* against suicide attacks. In this connection, Federal Ministry of Religious Affairs convened meetings of '*ulama*' and *masha'ikh* on May 19 and on December 17, 2009 at Islamabad. The meetings were unanimous in declaring suicide attacks and bomb blasts as un-Islamic and a sin next to *shirk* (*Dawn*, December 18, 2009). The meetings also declared it un-Islamic and an act of treason to create state within state and to fight against the armed forces of an Islamic country (*Dawn*, May 20, 2009). In its joint communiqué, the December meeting condemned the USA Drone attacks in the Pakistani areas and demanded the enforcement of the *Shari'at* in order to give no excuse to those people 'struggling' in the name of Islam (*The Nation*, December 18, 2009).

Dr Muhammad Tahirul Qadiri (b.1951), founder and patron in chief of the *Idarah-i-Minhajul-Qur'an*, Lahore (October 1980) and Chairman of Pakistan '*Awami Tehrik*' (May 1989) on the authorities of the *Qur'an*, *ahadith* and *fiqh* (*Hanafi*) also gave a detailed *fatwa* and declared that Islam does not permit, under any circumstances, the massacre of innocent citizens (particularly Muslims), terrorist explosions and suicide bombings. The continuous carnage and slaughtering of people, suicide bombings against innocent and peaceful communities, explosions at mosques, shrines, places of worship of non-Muslims, educational institutions and businesses; the destruction of government institutions, buildings, trade centers; attacks on defense training centers, embassies, transport systems and other institutions of civil society; all these acts are grave violations of human rights and constitute *kufir*, disbelief, under Islamic law (Muhammad Tahirul Qadiri, 2010).

Dr Tahirul Qadiri in his *fatwa* declared that according to the canons of Islam, to rebel and to destabilize the Muslim state and large majority of Muslims is *haram* (*Ibid*, 2010). He, under some prophecies of the Prophet Muhammad (SAW), believed that the terrorists are the Kharijites of the present time so, they must be punished at the state level along with their financial and moral supporters (*Ibid*). At the end of his *fatwa*, Dr Qadiri criticized the policy-makers of Pakistan and 'big powers' as due to their policies, the terrorism is increasing day by day instead of decreasing. He appealed to '*ulama*' and *masha'ikh* of all schools of thought to come forward



and combat the terrorism as, according to him, it is defaming the name of Islam (*Ibid*).

In spite of this entire *fatawa* blitz, again on December 28, 2009 at Karachi, a tragic incident of terrorism occurred, which was duly condemned by the leading '*ulama*' of Pakistan hailing from all schools of thought. On January 1, 2010, on the appeal of *Sunni Rahbar* Council, a complete strike was observed throughout the province of Sindh as a protest against the Karachi incident and its aftermath (*Dawn*, January 2, 2010).

## CONCLUSION

It is very difficult to define and agree upon a unified definition of terrorism. At the end of the twentieth century, the extremist movements emerged as an aftermath of the Cold War (1948-89). This extremism also led to sectarianism and militancy. Due to these movements, a wide gulf between the masses and the ruling regimes became prominent. The present confrontation between 'Muslims' and the West is undoubtedly manifest most dramatically and became more complex, when after attack on World Trade Center, New York [September 11, 2001 (9/11)]; George W. Bush(b.1946) then President of the USA declared a crusade against 'al-Qaeda' (W.W.Norton & Company, 2004:326-334).

As a matter of fact, Islam is totally against terrorism. It does not approve terrorism whether the perpetrators are Muslims or non-Muslims. Any act of violence against the human being (Muslim or non-Muslim) or his unlawful killing is strictly prohibited in Islam, because the human soul is sacrosanct and violation of its sanctity and unlawful killing is strictly forbidden in Islam. The *Qur'an* has emphasized that killing a person is not the killing of only one person but is tantamount to killing of the entire human race; and similarly, saving the life of one person is giving life to the entire humanity (Abdullah Yusuf Ali, n.d.). Moreover, there are lot of *ahadith* which emphasizes on the respect, dignity and honor of humanity, particularly of Muslims (Sayyid Sa'adat 'Ali Qadiri, 2004).

Almost all political and religious leaders condemned the 9/11 terrorist attacks on World Trade Center and Pentagon. The present wave of terrorism and extremism was also duly condemned by the South Asian '*ulama*' and *muftis*. Along with condemning this terrorism, they also condemned the forces initiated and supporting terrorism. They believed that the war on terrorism became a war on Islam and Muslims and the ongoing war on terror in Pakistan is a state-mounted operation and started on the instigation of USA in order to eliminate the *madaris* and their activities (Mohammad Waseem, 2005).

The South Asian '*ulama*' and *muftis* also advocated uprooting the profound and long-term conflicts that give rise to extremism like insulting

attitude and injustice to the Muslims, poor socio-economic condition of the effected countries and westernization of the state and society of these countries in the name of modernization. The South Asian '*ulama*', *muftis* and their followers did not endorse the issuance of 'declaration of war' on the West by Osama bin Laden (1957-2011) in February 1998. There was a vast majority of them who did not mourn the death of bin Laden. However, they condemned the way he was killed by the US Army on May 2, 2011 at Abbottabad (C. Christine Fair, 2011).

There is another fact that should be mentioned here, that as majority of the South Asian '*ulama*' and *muftis* belonging to almost all schools of thought had condemned the terrorism and extremism and as the alleged terrorists has great respect for at least '*ulama*' and *muftis* belonging to their school of thought, so, if they are Muslims, they had to follow the dictates of their respected '*ulama*' and *muftis*. If, in spite of all these *fatawa* and sermons of the South Asian '*ulama*' and *muftis*, the terrorism and extremism is not ending, it means that its master-minds and helping hands has no direct connection with the Muslims and some Islamic Movements. The suicide attacks on the shrines of Shaykh 'Ali bin 'Uthman Hajwairi (1009-72) better known as *Data Ganj Bakhsh*, Lahore (July 1, 2010) (Monthly *Kanzul Imam*, 2016), 'Abdullah Shah Ghazi (720-73), Karachi (October 7, 2010), Baba Fariduddin Mas'ud Ganj Shakar (1173/74-1265), Pakpattan (October 25, 2010) and Sayyid Ahmad bin Zaid Suhrawardi (d.1182) better known as *Sultan Sakhi Sarwar* and *lakh data* (April 3, 2011), Dera Ghazi Khan also supports this argument, as these attacks were also condemned by '*ulama*' and *muftis* belonging to all schools of thoughts.

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- al-Balagh* (Karachi), April 2008, pp.25-26. According to Mufti 'Uthmani, the suicide attacks in Pakistan is a reaction to the government policies. According to Mufti Muhammad Ismail Turu (b.1970) a young Deobandi *mufti* at Jami'ah Islamiyyah, Kashmir Road, Rawalpindi (1958), the targeting of civilians in suicide attacks is not allowed, but suicide attacks as such are allowed during an ongoing war. Munir, "Suicide attacks and Islamic law", p.78.
- Daily *Nawa-i-Waqt* (Rawalpindi / Islamabad), April 26, 2009. Again on July 1, 2009 a meeting was held in Lahore where '*ulama*' belonging to different schools of thought gave another *fatwa* condemning suicide attacks and any sort of terrorism. *Nawa-i-Waqt* (Rawalpindi / Islamabad), July 3, 2009.
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- In another incident, occurred at Islamabad on September 2, 2009, an attempt was made on life of Sahibzadah Sayyid Hamid Sa'id Shah Kazimi (b.1957) then Federal Minister of Religious Affairs, Government of Pakistan, and Barelwi by faith. Daily *The Nation* (Islamabad), September 3, 2009.
- Monthly *al-Balagh* (Karachi), April 2008, pp. 29-32. Again in October 2008, sixty-six leading Pakistani 'ulama' and *muftis* presented a Memorandum to the members of the Pakistani Parliament urging on them to solve the issue of terrorism and extremism through political dialogue. *Al-Balagh* (Karachi), November 2008, pp. 3-10. In January 2006, a *fatwa* of same wording was issued by leading 'ulama' of different schools of thought. Monthly *Sahil* (Karachi), February 2006, pp. 40-41.
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