A RHETORICAL EXAMINATION OF THE FATWA: RELIGION AS AN INSTRUMENT FOR POWER, PRESTIGE, AND POLITICAL GAINS IN THE ISLAMIC WORLD

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This dissertation examines the *fatwā*, an Islamic religious ruling and scholarly opinion on matters of Islamic law, and how *fatwā* is used as cultural, political and legal rhetoric. It illustrates how rhetoric of *ulamā*’ [scholars trained in Islam and Islamic law], *mutakallimun* [theologians], *muftis* [group of theologians or canon lawyers], *qadis* [judges], professors, and *Sheikh al Islam* [the highest-level state religious official], play a role in culture and communication in the Islamic world to gain political, social, cultural, and spiritual control.

Specifically, the dissertation examines two of the most renowned *fatwās* (*fatāwa*) issued in the past three decades: First, the *fatwā* issued by Ayotallah Ruhollah Khomeini on Salman Rushdie, second, the *fatwa* issued on Bengali Bangladeshi ex-doctor turned author, Taslima Nasrin, who has lived in exile since 1994. The most important contribution to knowledge this dissertation makes is the analysis of the *fatwā* issued on Egyptian author and intellectual, Dr. Faraj Fodah, who was murdered in 1992. Next to no research or media coverage exists in western sources about Fodah’s life, publications, accomplishments, and assassination. Additionally, comprehensive evidence and transcripts from the trial of Fodah’s assassins is presented.

A combination of rhetorical criticism and discourse analysis is applied to examine the rhetoric of *fatwās*. Also analyzed are global perceptions of *fatwās* issued on Rushdie and Nasrin, both controversial authors of South Asian heritage, their involvement with the western
nations that gave each asylum, and the broader western discourses that have held both authors in esteem and as exemplars of free speech.

The study enhances understanding of how religion is used as an instrument for power, prestige, and political gain in Arab and Muslim majority nations. The study also helps understanding of political and cultural turbulence in the Middle East and North Africa. Finally, the dissertation highlights need for broader understandings of the nature and role of the rhetoric of *fatwā* in the application of Islamic law, and complex nuances of transnational freedom of speech and human rights.
I dedicate this dissertation, first, to my family, in particular my parents, Ibrahim Aljahli and Hassah Shuwaimani, my wife, Dalal Aboudi, and my children Dana, Fahad and Faisal Ajahli.

I also dedicate this dissertation to Dr. Farag Foda (1945-1992) and all authors and intellectuals who have risked their lives.
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CHAPTER I. INTRODUCTION

A Most Infamous Fatwā

It has been over 25 years since the practice of fatwā gained global notoriety. On February 14, 1989, the Imam Ayatollah Khomeini, known as the spiritual father of the Iranian revolution and the highest Islamic religious authority in Iran, issued a fatwā against author Salman Rushdie.

The publication of Rushdie’s novel, *The Satanic Verses*, sparked an enormous uproar, not only in Iran, but in all the countries that have a Muslim majority citizenship, primarily for its perceived depiction of the Prophet Muhammad (peace be upon Him). On that day known throughout much of the world as a day of love, Valentine's Day, Al-Khomeini (cited in Lewis, 2001) made his announcement on Radio Tehran:

``I am informing all the zealous Muslims of the world that the blood of the author of the book entitled *The Satanic Verses*, which has been compiled, printed, and published in opposition to Islam, the Prophet, and the Quran, as also of those involved in its publication who were aware of its contents, is hereby declared forfeit. I call on all zealous Muslims to dispatch them quickly, wherever they may be found, so that no one will dare to insult Islamic sanctities again. Anyone who is himself killed in this path will be deemed a martyr” (p. 185).``
Following the announcement on Radio Tehran, the director of an Islamic charitable trust headquartered in Tehran offered a bounty of 20,000,000 tumans, which is approximately $3,000,000 USD “at the official rate, about $170,000 at the open-market rate) for an Iranian, one million dollars for a foreigner. So far the bounty has not been claimed” (Lewis, 1991, p. 185).

**Defining Fatwā, Ulamā, and Other Key Terms**

The Alatollah Khomeini is arguably the most well-known Islamic spiritual leader who has ever issued a fatwā, which can be defined as advice given by a mufti, a religious scholar, who addresses questions asked by a mustaftī, or questioner, through the application of Islamic law and principles to a specific situation or phenomenon (Hallaq, 1997/2004; van Esdonk, 2011). However, given the lack of one central religious authority, in addition to Khomeini, there are hundreds of other spiritual leaders who hold the similar role as he does. Khomeni is one of many ulamāʾ, or religious scholars, trained in Islam and Islamic law, who have been granted capacity to govern Islam for all Muslims. A term that translates literally as "the learned ones", ulamāʾ provide guidance for Muslims that surpasses the metaphysical level of a religion and extends to every aspect in their life. The guidelines set by Islam and overseen by ulamāʾ range from individual relations among Muslims to everyday practices to cultural and political processes.

The ulamā-compose a powerful group whose influence is very deeply felt, as they oversee Islam as a total way of life for Muslims. In fact, those ulamāʾ from the time of the Prophet Mohammed (peace be upon him) until today have been playing the central role in instituting political and cultural changes in the Islamic world by employing political rhetoric
as an important instrument of change. Political leaders in Islamic nations and nations that comprise a majority of Muslims have been hiring \ulama'\ either for constituting their authorities or to defend it. For instance, in Saudi Arabia, \ulama'\ are appointed by the King and hold a variety of positions of leadership as judges, lawyers, and spiritual leaders of the country in important Saudi institutions.

Western observers mistakenly assume that the influence of \ulama'\ is limited to the religious sphere, where in fact the \ulama'\ exercise their power in indirect ways and their involvement varies depending on the domestic circumstances, resulting in an underestimation of their influence, which leads to the misunderstanding of how decisions are being made in Arab world.

In many Muslim majority nations, Islam has become a political ideology more than a religion. This characteristic is relevant most notably in the Middle East and South Asian countries despite the dissimilarities in culture and values from one country to another.

**Addressing the Lack of Research in Communication Studies**

There is a severe lack of research in the communication field about \ulama'\ and their \fatwas.\ There is, however, a large amount of scholarship relevant to this dissertation in other fields such as, of course, religious studies (see, for instance, Asad, 1993; de Gruyter, 2002; Levy, 1993; Reinhart, 1993; Reinhart, 1995; Roy, 2010; Zickmund, 2003) and Islamic legal studies (Chase, 1996; Masud, Brinkley & Powers, 1996; Messick, 1992; Messick, 1996; Moores, 1999; Nasir, 1996; Nazeen Goolam, 2006; Powers, 1986; Ramadan, 2006a; Ramadan, 2006b; Schacht, 1964; Zaki Yamanai, 2006). There is also an important body of research in studies of freedom of speech (Richards, 1999), freedom of religion (see, for instance, Fox &
Flores, 2012; Marshall, 2009; Miller, 2014; Mondal, 2016; Smidi & Lengel, in press), political science and international relations (see, for instance, Faris, 2008b; Sadiki, 2004; Salem, 2015), Middle East area studies (Ali, 1994; Al-Rasheed Skovegaard, 1997), South Asian and Southeast Asian area studies (see, for instance, Hooker, 2003), literature and literary criticism (see, for instance, Al-Wazedi, 2009; Ghosh, 2000; Hasan, 2010), women's and gender studies (see, for instance, Al-Labadi, 2001; 2004; Chowdhury & Chowdhury, 1997; Kandiyoti, 1991; Mir-Hosseini, 1999; Shehabuddin, 1999), ethnology (Hussein, 2010), and the newly emerging areas of Inter-Asian cultural studies (Zafar, 2005) and Arab cultural studies (Ftouni, 2012; Kraidy, 2012; Matar, 2012; Sabry, 2012; Tawil-Souri, 2009).

This dissertation is informed by the aforementioned research, as well as research on broader issues regarding communication and culture in the Middle East and North Africa (see, for instance, Ayish, 2003; Dutta-Bergman, 2006; Khiabany, 2007; Khiabany & Sreberny, 2004; Lee, 2001; Lengel, 2004; Lengel & Newsom, 2014; Mernissi, 2006; Newsom & Lengel, 2003; Newsom, Lengel & Cassara, 2011; Pasha, 1993; Sardar, 1993; Semati, 2011; Sreberny-Mohammadi, 1993), on media studies and information and communication technologies studies in the MENA (see, for instance, Bunt, 2000; Eickelman & Anderson, 1999; Faris, 2008; Khamis, 2001; Newsom, Lengel & Cassara, 2011; Sheffer, 2014; Sisler, 2010), on critical and cultural studies (see, for instance, Giroux, 2005; Khatib, 2007), and, given the case study on Talisma Nasreen, scholarship on Islam and women in related disciplines (Gedalof, 1999; Hoganson, 2005; Jad, 2008; Lengel, 2004; Mohanty, 1984).
Research Questions

Building on the above research, this dissertation asks the following research questions that are organized as such: The first set of research questions center around religious and political leadership, most notably a national regime's use of *fatwā*. Second, research questions address the reception and interpretation of *fatwā* by both Muslims and non-Muslims.

First, how do religious and political leaders use *fatwā* to increase their power, prestige, and political gains? Is the use of religion a source of maintaining the legitimization of a given regime’s hegemonic power? Does a *fatwā* serve as a base for a regime’s political, cultural, and military agendas? What is the manifestation of *fatwā* within the Islamic religion? How does the issuance of a *fatwā* mediate and accommodate diverse contexts of legal contests, sectarian disputes and struggles for power, status, and prestige and material interests in the Arab Islamic world?

Second, how do both Muslim and non-Muslim publics react to *fatwās*? What are the perspectives on media reception of *fatwās*? Can a *fatwā* serve as a schism that divides Muslims into antagonistic factions of religious scholars? How can the understanding of such possible schisms serve to be indispensable for comprehending conflict? What is the most reliable strategy to understand Muslims' sentiments regarding a *fatwā*?

If Alatollah Khomeini and other fundamentalists have played a key role in redefining Islam, what is and what is not acceptable in contemporary Islamic countries?

Overview of the Dissertation

Given the tremendous lack of research in communication studies about the influence of *ulamā’, muftis*, and the *fatwās* they issue, this dissertation makes an important contribution to
knowledge in the studies ulamā, muftis, and fatwās from a communication perspective. This study aims to help scholars of communication and culture studies to recognize how religion is used as an instrument for power, prestige, and political gain in the Arab world. The study also aims to enhance understanding of the previous and present political and sociocultural turbulence in the Middle East and North Africa and other predominantly Muslim regions.

In this dissertation, the influence of religious rhetoric and its strategic use for sociocultural and political oversight for Muslims is analyzed: in particular, how the fatwā is a rhetorical instrument used to forge political and cultural change. The specific religious rhetoric analyzed in this dissertation is the fatwā, an Islamic religious ruling and a scholarly opinion on Islamic law. The study analyzes how the fatwā is used as cultural rhetoric both internally among Muslims as discursive strategies and externally in terms of the transnational social and political issues at stake. The study also aims to illustrate how the rhetoric of ulamāʾ, scholars trained in Islam and Islamic law, mutakallimun [theologians], muftis [group of theologians or canon lawyers], qadis [judges], and professors, play a role in culture and communication in the Islamic world to gain political social, cultural, and spiritual control. Specifically, the dissertation examines two of the most well-known fatwās (fatawā)1 issued in the past three decades: First, the fatwā issued by Ayotallah Khomeini on Salman Rushdie and, second, the fatwā issued on Taslima Nasrin. Arguably most importantly, the dissertation analyzes the fatwa issued by the ulamāʾ of Al-Azhar and by Maulvi in Midnapore, West Bengal on Egyptian author and intellectual, Dr. Faraj Fodah, who was murdered in 1992. Analysis of the

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1 In Modern Standard Arabic, the plural for the term fatwā is fatawa. However, because the term fatwās is commonly used to indicate more than one fatwā, the plural fatwās are used throughout the dissertation.
fatwa issued against Dr. Fodah has been completely ignored, not only in communication and rhetoric research, but in nearly all research conducted and published outside the Middle East and North Africa.

A combination of rhetorical criticism and critical discourse analysis has been applied to examine the rhetoric of fatwās. Also analyzed are the global perceptions of the fatwās issued on Rushdie and Nasrin, both of whom were controversial authors of South Asian heritage. Additionally, the involvement of western nations that gave asylum to each author, and how both authors were upheld as exemplars for free speech will be discussed. Reactions to the fatwās and Dr. Fodah’s murder and his subsequent heritage are also analyzed.

The dissertation enhances the understanding of how religion is used as an instrument for power, prestige, and political gain in Arab and Islamic nations, and in nations where Muslims comprise the majority. The study also aims to help understanding of the present political turbulence in the Middle East and North Africa. Finally, the dissertation highlights the need for a broader understanding of the nature and role of the rhetoric of fatwā in the application of Islamic law, and the complex nuances of transnational freedom of speech and human rights.

**Situating Fatwā in Rhetorical Studies**

Situated within the rhetorical studies tradition, this dissertation is grounded by an understanding that communication can be enacted as a force of power. Additionally, this dissertation seeks to understand the intersections of fatwā and power for several important reasons. First, debates about religion have become rife with Islamophobia and Islamic-hate. For example, a town in Oklahoma recently expressed adamant support for anti-Sharia law
legislation. The impetus behind passing the anti-Sharia legislation was justified to prohibit “outsiders” from moving into the town and drastically changing everyday life, politics, and culture for the town's citizens. This type of legislation and policy-making was also at the heart of the contested debates over the building of a mosque near the site of the former World Trade Center towers in New York City (DelNero, 2015). Second, this dissertation argues that fatwā has become a fundamental means for governing Muslim citizens. Third, the concept of fatwā is seen as an essential element of Muslim identity.

**Situating the Self in Research**

Clarifying elements of Muslim identity are at the heart of this research, because my own Muslim identity is equally at the heart of this work. Rhetoric scholars, including, for example, Conquergood (1988), González, Houston and Chen (2012), Khalil (2012), and Nakamura (2008), have contributed to this dissertation. Each has made instructive arguments regarding the importance of situating oneself within the research. As a process, situating oneself within the research helps contextualize the project itself by providing history and a solid foundation (Nakamura, 2008).

Putting oneself in the research also helps to provide scholarly understanding that emerges from true-life experience. The fatwās that were served on Rushdie, Nasrin, and Fodah by Muslim leaders that will be detailed in the upcoming chapter of this dissertation are not dissimilar to the ethnocentrism, discrimination, hate speech and hate crimes that have been put upon Muslims by non-Muslims, particularly after September 11, 2001.

During the months leading up to and after September 11, I was working in the Communication and External Relations Department of the Ministry of Defense of the Kingdom
of Saudi Arabia. The tragedy that occurred in the U.S. on 9/11, particularly the death of 2,993 civilians and first responders in lower Manhattan (Eastman & Cole, 2013; Gygax & Snow, 2013; Legge, 2007; Lengel, in press; MacQueen, 2008; Manuel, 2007; Rousseau, 2012; Scott, 2007), was palpable, not just among my colleagues at the Ministry of Defense, but across the entirety of the Saudi Arabian government and Saudi citizenship. Up until that day, the U.S. and Saudi Arabia enjoyed very positive foreign relations. I recall many Saudi nationals empathizing with the U.S. and offering help in many small and significant ways.

By contrast, the powerful, hateful rhetoric coming from many people in the U.S., brought to the Middle East via mainstream media and U.S. governmental discourses, was incongruent with the outpouring of empathy and goodwill that I sensed and shared with a lot of my fellow Saudi nationals. This incongruence continued when I came to the U.S. for graduate study. As with so many Muslims living in the United States, (Finnegan, 2007; Dien, 2012; Peek, 2011; Read, 2008), my identity as a Muslim has been questioned and marginalized and I have been subject to discrimination. This has been even more evident because I am a citizen of the Kingdom of Saudi Arabia. For example, I have spent as many as twelve hours at the airport because of my citizenship. People have cursed at me, spouting racial slurs in the streets and in grocery stores. Many Muslim-Americans have similarly been yelled at, even spit upon by those who perceive us negatively (Dien, 2012; Latif, 2017).

The post 9/11 culture, not only in the U.S. but in many other nations, has been frightening and distressing, particularly for Muslims. The focus of a lot of research and analysis, both scholarly and popular, on the so-called “Islamic fundamentalists of the Arab World” (Jamal & Naber, 2008; Malik, 2009; Schwartz, 2013) seem to make the culture worse, rather than help to bridge widening cultural gaps (Silberstein, 2002). The focus on 9/11
perpetrators as solely from the Arab world and the trivializing and silencing of alternative perspectives (Finnegan, 2007; Hagen & Caroub, 2002), particularly regarding eyewitness accounts of explosions and evidence of controlled demolition of World Trade Center Towers 1, 2 and 7 (Flynn & Dwyer, 2003, August 30; Furlong & Ross, 2006; Lengel, in press; MacQueen, 2011; Port Authority Police Department, 2003; Ryan, 2007; Ryan, 2013), and continuing anti-Muslim sentiment during the subsequent “War on Terror”, are all used to reinforce this biased world view. The aforementioned research and popular press articles (Flynn & Dwyer, 2003, August 30; Furlong & Ross, 2006; Lengel, in press; MacQueen, 2011; Port Authority Police Department, 2003; Ryan, 2007; Ryan, 2013), bring new life to Edward Said’s (1978) Orientalism, and his subsequent publications, Cultural imperialism (1993) and Covering Islam: How the media and experts determine how we see the rest of the world (1997), in which, he argues, the west casts the Arab Islamic World as an outsider force that is the antithesis of all for which the west stands and hopes.

It is, thus, with profound sensitivity and emotion that I consider the topic at hand: a rhetorical examination of fatwā and the use of religion as an instrument of power in the Arab Islamic world.

Organization of the Dissertation

This dissertation begins with a discussion of the political, social, and cultural significance of 'ulama, muftis, and fatwās. Chapter one also presents analysis of the speeches of some of the most notable ulama’ whose words have primarily affected those in the Arab world, and analysis of the rhetoric of Ayatollah Khomeini, the leader of the Iranian revolution, who is considered as one of the principal ulama' in the Muslim world. Chapter
two explains the key theories and the methodology for the study and the justifications for the decisions made surrounding the method of research. Chapter three provides a historical account of what is known as the Salman Rushdie "affair" and its important historical moment in debates about freedom of speech. Chapter four provides an analysis of the fatwā issued on author Talimsa Nasrin, a Bengali Bangladeshi ex-doctor turned author who has been living in exile since 1994. From a modest literary profile in the late 1980s, Nasrin rose to global fame by the end of the 20th century owing to her feminist views and her criticism of Islam and of religion in general. Chapter five examines the fatwā issued on Dr. Faraj Fodah, an Egyptian professor, writer, columnist, and human rights activist who was shot to death by Islamic fundamentalists. Before his death, he had been accused of blasphemy by Al-Azhar. The chapter analyzes Dr. Fodah’s assassination, and reactions to his murder and his impact on human rights. Chapter six provides recommendations and directions for future research on the important topic of fatwās issued against authors.
CHAPTER II. THEORETICAL AND METHODOLOGICAL CONSIDERATIONS

The Power of Rhetoric

Rhetoric is powerful. It is even more powerful when it mediates contested ideas, histories and lived experiences. Ultimately, though, the nadir of its power is in its mediation of identity. The stakes are even higher when such identities are proxies or emblems for power. This is because a power differential is thus created; making rhetoric the canvas upon which contestation is established, nurtured and determined. I have examined the Arab World applications of fatwā as a religious dynamic upon which power and prestige are embodied. This has been accomplished by specifically considering the fatwā on Salman Rushdie in the wake of his book, *The Satanic Verses* (1989). The book is used as a touchstone for awakening the long held, mostly latent, but ever-present, western thinking of the Arab World as other-worldly, anti-modernist, and evil (Said, 1978). The extent to which the Arab World applies the rhetoric of fatwā to, first, construct an identifier edifice that can accommodate Arabs of various extractions and, second, provide a formidable counter-force to the normative western holding of the Arab World as anti-modern, anti-democratic and anti-progressive, is examined in depth.

This chapter provides an overview of the key theories and methodology employed in this study. This dissertation is informed by major theoretical frameworks including critical rhetoric, critical intercultural communication, and critical development communication—particularly theories of modernization and Islam and liberation (Melkote & Steeves, 2001). It is also predicated on cultural analysis and politics of the Middle East and North Africa as

**Rhetoric and Islam**

In one of the first studies in the U.S. on the rhetoric of Islam, Merriam (1974), noted, “Islam represents one of the world's major rhetorical patterns, claiming nearly half a billion adherents from northern Africa to Indonesia. And yet, Islamic rhetoric has received relatively little scholarly attention in the West; language differences and historical animosities dating back to the Crusades help to explain this deficiency” (p. 43) (See, also, Butterworth, 1972). According to Merriam (1974), what was historically analyzed about the rhetoric of Islam in the west situated Islam very negatively:

Typifying the Judeo-Christian view of Islam, Dante placed the Prophet Mohammed among the lower circles of Hell with other ‘sowers of scandal and of schism.’ Even as late as 1893, a Christian leader stood before an international conference of the world's religions and described the Middle East as "a desert of Mohammedan superstition and bigotry” (p. 43).

Merriam (1974) argues that “The general European and American ignorance of Muslim rhetoric is indeed unfortunate” (p. 43). Ignorance of Muslim rhetoricians and
Rhetorical scholars is also lacking in the West. For example, Ibn Khaldun (1332-1406; cited in Merriam, 1974) stated that:

Rhetoric is the kind of analogical reasoning that teaches how to influence the great mass and get them to do what one wants them to do. It also teaches the forms of speech to be employed in this connection (p. 45).

The rhetorical method used in this study is based on the work of (Brummet, 2010; 2011; González, 1984; Gorsevski, 2009; Mirzoeff, 2009; Nakamura, 2008; Olsen, 2007; Sosale, 2007).

**Intersections of Rhetoric, Religion, Politics and Power**

The intersections of rhetoric in religion, politics and power has been studied extensively; both directly and indirectly (Levy, 1993; Malik, 2009; Tahir-ul-Qadari, 2010; Schwartz, 2013). The term “Arab” has highly-contested meanings (Jamal & Naber, 2008). Scholars usually use the term as a cultural-lingual term that encompasses people from countries where Arabic is the *Lingua Franca* (p. 5). Another usage of the term “Arab” emerges from Arab nationalist movements that actively opposed imperialism from, first, the Ottomans and, later, the Europeans (p. 5). For those in the Arab nationalist movements, the term “Arab” is a marker of national and regional identity and provides context for shared cultures and histories. This contextualization of the term “Arab” has been mostly espoused by the following countries: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia,
Somalia, Sudan, Syria, Tunisia, the United Arab Emirates, and Yemen (p. 5). While U.S. popular representations often conflate the terms “Arab” and “Muslim”, it is important to note that not all Arabs are Muslims and not all Muslims are Arab (p. 15).

Theory of the Rhetorical Situation

Lloyd Bitzer’s (1968) theory of the rhetorical situation is used for analysis in the present study. Bitzer (1968) defines the rhetorical situation “as a complex of persons, events, objects, and relations presenting an actual or potential exigency which can be completely or partially removed if discourse, introduced into the situation, can so constrain human decision or action as to bring about the significant modification of the exigency” (p. 6). The matter of exigency is particularly relevant to this dissertation as there are many urgent concerns at present, most notably Islamophobia, that demand the world’s attention.

In this dissertation, I illustrate that Bitzer’s theory of the rhetorical situation can be applied to analyze the rhetoric of the 'ulama and fatwās. I analyze fatwās for notable 'ulama to show they originate into existence for the sake of something beyond itself; it functions ultimately to produce action or change in the world; to perform certain tasks. The “Kairos” in 'ulama’s rhetoric will be discussed in this study. Kairos is defined as the opportune time to take a certain action or to make a certain statement. Linguistically, Kairos is simply saying the right thing in the right place in the right time. This rather simple explanation belies the complexity embedded within the concept. Although Kairos commonly implies a qualitative measurement of and within time, it also has connotations of the right or critical place.
Foucault on the Productive Force of Power

Michel Foucault's various scholarly works on governmentality, on religion, and on power as a productive force are relevant to the analysis of the fatwā. First, regarding his work on governmentality and power, Foucault argues a population can be governed by discourses. In his book, *Society Must be Defended*, Foucault (1976/2003) argued, “Power is exercised through networks, and individuals do not simply circulate in those networks; they are in a position to both submit to and exercise this power…In other words, power passes through individuals, it is not applied to them” (p. 29).

In addition, in Foucault's (1976/2003) historical analysis of governmental rule, he argues that religion can be used as “a weapon…used both to restrict and to strengthen” power (pp. 34-35). Interestingly, Foucault visited Iran at the time and met with Ayatollah Khomeini, and wrote about the social and political upheaval occurring in the country between fall 1978 and winter 1979. 2 While an analysis of Foucault's writings on the Iranian revolution is beyond the scope of this dissertation, his work is an important consideration for future research.

In their article, “Revisiting the Foucault and the Iranian Revolution”, Afary and Anderson (2004) note, “Many scholars of Foucault view these writings as aberrant or the product of a political mistake. We believe that Foucault's writings on Iran were in fact closely related to his general theoretical writings on the discourses of power and the hazards of modernity” (para. 6). Afary and Anderson (2004) also argue, “Foucault recognized the enormous power of the new discourse of militant Islam, not just for Iran, but globally” (para. 9).

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2 While an analysis of Foucault's writings on the Iranian revolution is beyond the scope of this dissertation, this work is important to mention.
Historical Contexts

Issuing a fatwā, a statement or religious ruling, mitigates religious and moral responsibility because the results may exceed the rights of the average Muslim, therefore the issuer is under a great responsibility. Those who dare to issue fatwā must demonstrate their belief in Islamic science and be aware of the importance of their proclamation. The scientists in Muslim culture are said to be the spokesperson for the prophet and that is precisely why the announcing of a fatwā is so significant because it is a signature by the almighty Allah.

The issuance of fatwās historically experienced a metamorphosis when politics became a significant factor as far back as the era of Murad the second (1421 – 1451c) who made the right of issuing fatwā only allowed in the hand of one person known as the Sheikh al Islam. Many centuries passed before this was questioned or changed until the Egyptian fatwā house was established on November 21, 1895. Since that time, the fatwās have been recorded and documented under the authority of the superior scientists under the jurisdiction of the fatwā house. The documentation created a system of accountability and a record so-as to control who issued any fatwās.

Perhaps the political fatwās of today demonstrate the beliefs of the political fatwās when Islam was under siege by the governors in the Amawi and Abasi eras of the 19th century. There is a story of Imam Malik and those who journeyed with him from town to town and spoke in the markets. His belief system and style of rather formidable damnations on non-believers are experiencing a resurgence that is seen in the political nature of the current fatwās. He was a devout believer in Islam and proclaimed that all shall adhere or face dire consequences. The
violent and non-forgiving background of today’s fatwās are very similar. Whereas in earlier
decades of the Twentieth Century the relations between the west and Islam were relatively
peaceful, World War II aside, since the 1980’s relations have rapidly deteriorated.
Unfortunately, fatwās are becoming much more commonplace.

Historically, the early religious takeover in the 19th century of the political fatwā led to
the demise of the political jurisprudence due to the lack of power for an individual’s belief to
hold any jurisprudence. The overarching arm of the religious influence still looms over the
reality of the political culture in the Arab world today. Where many embrace globalized
thoughts and modernization in the contemporary world and fight the religion dominance and
fight against it in both the political and social life, many do not and the internal battle rages on
(Tag Al Dien, 1422 H).

Fatwā as Political Communication in the Middle East and North Africa:
The Role of the Fatwā in Fulfilling Political Objectives

The fatwā is one type of discourse of Islam that has great power. The political fatwā in
Islam is an undefined title because it deals with new aspects in the Islamic politics and touches
the text correlation with the political practice both positively and negatively. A fatwā is,
essentially, a political resolution articulated by either an individual or group. Further, a fatwā
may come from two or more groups and address different, but related topics (Abou Zahra, 1997).
A fatwā, can be “kind and gentle” or quite aggressive in nature.

The recipient of a fatwā, be it an Islamic leader, or national governmental official, may
accept the fatwā and then choose to either, accept or reject it. Some Islamic scholars believe
there is no independent and separate fatwā between a government and its citizenship, but some
scholars and muftis oppose this idea. Thus, the aspects of the fatwā may be interpreted differently because each party is determined to be the superior force.

**Circumstances, Variables, and Contexts of Fatwās**

The fatwā may be clear with no ambition, no severe penalty and may be implicit which is understood and interpreted by the prophet Mohamed’s sayings or by the holy Qur’an like the Fatwā, of Imam Malik regarding divorce. The fatwā may be issued by a person or by a group but its effect may pass to the public and became obligatory.

The Islamic thought is the interaction between Muslims' minds and the immortal religious rules whereas the Muslims' minds thinks Islam is adopting the type and quantity of the mental knowledge and the experiments which may occur when there is no knowledge, and because it will adopt and interact with the current circumstances which may surround it and by the needs of the people who may be provided by the life circumstances (Hassan, 2001).

The case of Salman Rushdie, the Indian Muslim author of British nationality, best exemplifies the current circumstances surrounding a fatwā being issued in these modern times. “The legendary leader for the Islamic revolution in Iran, Ayat Allah the soul of Allah Al Khomeini has issued a Fatwā related with killing Salman Rushdie, accusing him of infidelity and heresy” (Hekal, 1997) He stated, "Ayat Allah didn’t hear about Salman Rushdie and read his name nor did he know about his book more than a few samples extracted from Ayat Shaitanih, but by his scientific experiment Ayat Allah saw the chance, as a political move, in the gap which was opened by the hype that arose around the book for presenting his jurisprudent position.” Iran, as a nation did not have objection to the novel when it was initially published and was largely disregarded until Al Khomeini saw it as a powerful force to use against the
west. He proclaimed in 1989 a declaration of the people to come together in protest of this man who spoke of Allah in a slanderous manner. Al Azhar in Egypt objected to the fatwā by Khomeini saying "the Islamic rules do not accept the expiation of Salman Rushdie and there is nothing in Islam allowing the murder of people without trial especially if it was not based on a murder or betrayal. The political exploitation for the fatwā continues to grow and be a very present problem” (cited in Hassan, 2001, p. 32). Despite his stance however, many disregarded Al Azhar joined Khomeini’s cause and shouted out for Rushdie’s death. Even to this day, Rushdie’s fatwā in the eyes of many radicalized Muslims needs to come to fruition.

The political fatwā in the modern era takes various patterns and shapes and is sometimes issued by the country and in contrast, by different Islamic groups and individuals. The Islamic fatwā, in which the political character differs and is therefore a dangerous alienation from the majority position and its main Islamic profession, is one of the important tools of the lawsuit statement. A legal stature from which the fatwā was issued will remain the tool of the legal statement and the successful remedy for the people's problems whether it was individual or in groups, political or economic or social, even based on the military. Based on tradition and habits which are different than the religious creed, the most important legal statement as is the fatwa suffers if the mufti's obsession does not justify the order. Many ideological groups formed the fatwā for its religious concepts and thoughts and not for one to gain individual desire to harm.

Studies about the Impact of Fatwās on Muslim’s Attitudes and Actions

In his work, The Islamic World, Esposito analyzes diverse fatwās that contend with issues such as contracts, punishments, rituals, and foreign rule. Historically, fatwās were used
to help define Islamic territory and advised Muslims when to wage war against non-believers and when to emigrate from a seized land. Esposito also contends that modern print and electronic media has greatly widened the potential impact of fatwās in current times (12).

Sheik Yusuf al-Qaradawi is a radical Muslim Brotherhood ideologue. In the book, *Islamist Rhetoric: Language and Culture in Contemporary Egypt*, Qaradawi provides examples of how powerful the discourse of the religious professional can become (9). In this book, the author examines the rhetoric of Islamist figures in Egypt. He investigates the connection between Islamist oratory and the social and political structures of the Islamic field in Egypt. Highlighting the diversity of Islamist rhetoric, the author argues that differences in form, disclose sociological and ideological tensions. The author also explores how the writers relate to their readers and how they construe concepts that are central in the current Islamic revival, such as ‘Islamic thought’, ‘Muslims’, and ‘the West’.

**Contemporary Contexts of Political Fatwās**

Political fatwās have flourished in recent decades due to the return of the cultural origins which are known by most of the communities and nations in the world, especially the Arab Islamic community which are experiencing surges in more conservative and fundamental beliefs. The most prominent one was the Islamic Awakening which demonstrated many ideas beginning with re-rooting the legitimate and organizational life which has economic, cultural and social differences from the western communities (Abo Zahra, 1417 AH/1996).

The modern day political fatwā can be divided into two large subtypes. The first type is the political "discretionary" fatwā which is one based on diagnosing broader interests legitimately with no direct textual evidences in the fatwā matter. A mufti based his fatwā on the
gross rules of Sharia in personalizing the political reality in which he is residing. This type of fatwā is the dominant one in political matters and the most controversial due to the difference of perspective in diagnosing the reality from one side and due to the difference in doctrine in the rules for the sharia itself from the other side (Hassan, 2001).

The second type of political fatwā is one that relates to the explanatory politics. This is based on the hyperbolic text of evidence in which a fatwā is demonstrating a narrow opinion and causes a dispute because its evidence is conclusive based only on the belief of the one who issued it (Hassan, 2001).

It is important here to indicate that the discretionary fatwā which is based on transparent rules are equal in its legitimate position while the explanatory fatwā, is based on the conclusive text.

The fatwās and the political bargaining are one of the landmarks of the imposed siege on the muftis in which targeting the obligation of the truth which is sometimes not clear, can be considered credibility liability and may be faced with intense criticisms in the media. And the person who came with this fatwā will be accused with betrayal till the mufti issues his fatwās in an atmosphere dominant by truth and far from the scientific and historical debate (Ahmed 2001).

The Future of the Fatwā

The Egyptian fatwā house organized an international conference in August 2015 entitled, "The Fatwā: Problems of Reality and Future Prospects," held in Cairo, that was attended by delegates from 50 countries. The international conference established a new type of conflict within Islamic thought and practice, a conflict not only between secularists and Islamists but
also between Islamists and what they determined to be the “correct Islam.” Many factions exist with varying degrees of intensity of what is and is not fundamental to the true beliefs of Islam. The ongoing violence and mayhem in the Middle East and Africa, as led by the two extremist groups against the more moderate Muslims is constant and ever present and shows no signs of ending. The conference in and of itself did little to curb violence but did bring differing factions together to discuss possible solutions.

Long before Al Qaeda and ISIS were familiar names in the west, the dispute had been raging for decades, which unfortunately appears to only be intensifying in the current trends in political Islam today. Islamic civil disputes have increased in concentration as well. The widespread differences between factions after the rise of the Al Qaeda organization and, later, Daesh [ISIS], create substantial confusions and chaos as many adhere to one or both or neither. Muslims are caught in a quandary of following extremists to often live in peace. Al Qaeda’s leader, Osama Bin Laden, virtually, singlehandedly divided the Muslim world into two worlds and created the concept of "ignorance of the twentieth century" and he implied many Islamic governments are not following true Islamic law, creating further unrest. Finally, the tone of hatred reached a phoenix of violence with the organization of the Islamic state or Daash along with Jihadists who do not hesitate in using force on those they perceive as enemies. And Daash not only uses physically destructive weapons but has used fatwās to kill and destroy skillfully which has been eroding the lives of many moderate Muslims.

The Cairo conference was and is considered one of the important battleground arenas about religion between the extremists and moderates of Islamic beliefs. Shawki Ibrahim Abdel Karim Allam, the grand Mufti of Egypt wished that his recommendations would put more boundaries between the current era of fatwās which have led to further spreading of extremism
and destroying the communities' stability, and the era of accurate understanding of the nature of the mufti’s role which is more productive to the community at large. The mufti added that the authority is working on unifying the visions and efforts facing the fatwās of those deemed merely semi-scientists under the Islamic definition and those who are considered ignorant of the true meaning of Islam.

What the conference referred to as "fatwā chaos" is the result of the globalization and secularization which invaded the Arab and Islamic worlds and eliminated the geographical and cultural limitations thereby the fatwā became part of the common culture by using the modern media which is therefore difficult to control (Ahmed, 2001).

With the varying factors, it is difficult for the official and semi-official religious establishments (for example, a national board of superior scientists) to identify who has the right to issue the fatwā and who does not. The Qur’an is considered by some to be a predictor of modern scientific discoveries. Some even argue that Islam is the true religion because God already told us much that scientists are still studying. As a result, the Ulama, who are experts on the Qur’an including the scientific aspects are revered and labeled as experts and hold high authority. There is a legal obstruction that lies between the government and the dictates of Islamic law as not all Muslim nations are dictated by Islamic rule. Issuing a fatwā is not just an intellectual sport between Islamic scientists but it is a social phenomenon which gains the widespread acceptance not from the strength or weakness of the correct religious grounds but from the existence of effective social forces which support this opinion and no other.

The world at present is witnessing what is called “fatwā popularity” because there is much attention being paid to fatwās, particularly those that are issued on non-Muslims who are deemed traitors to Allah. More and more fatwās are being issued on those who commit any act
that is considered an insult to Islam as tensions continue to rise with extremist groups. The rise in violence against westerners continues to grow as the animosity between Islam and the west only increases as fundamentalist groups see death and destruction as the only solution.

Islamic Scientists have always adamantly insisted that they are the scientists of the government and they issue the *fatwā* in accordance to the law of the government and this accusation that they are instead terrorists is an easy scapegoat rather than understanding the specifics of each individual *fatwā* (Abo Ahmed, 2005).

This situation puts the responsibility on all legal parties and religious scientists to demonstrate the correlation of the interests of the government and not to not be merely for religious reasons. Again, this is to serve as a reassurance to the community who question religion over government as the dominant force. In so doing this, the *fatwā* can be justified not as a religious damnation but more importantly as a crime against the governing law.

Moderate Muslims are afraid of the perspective which states that the crisis in the Arab Islamic world is merely religious persecution and all-out assault instead the problem many see that as a community – a vast cultural problem. It is said, as a translated Arabic saying, that the battle for the Muslim youth is not in the head only but in the stomach, too, which is the critical factor.

To further explain, the necessity to meet the main physical needs for quality and available education, suitable work opportunities, medication, housing, and non-threatening culturally entertainment, lies within the community. The youth in the Muslim world deserve the chance to live productive and happy lives but without opportunity are often drawn to extremism. Muslims are not one homogenous group but all will benefit from successful weapons in fighting terrorism such as opportunity because it will work on integrating the youth with their reality and
protect them against alienation and ignorance. It is necessary to create communities
characterized by rational, productive cultures within countries that embrace freedom and
equality. The youth need to understand that modernization does not necessarily mean living as
the West but will keep the terrorists at bay so that the people can flourish. Theoretically, if
societies who are comprised of Muslims, if financially stable, with jobs, trade, tourism who
embrace progress, less would be drawn too or attracted too extremism. It is the high
unemployment and lack of opportunity that can often influence those who have only religion to
embrace. Such progress does not have to be modeled after the West but a culture where the
people do not live without basic resources, opportunities or necessities.

Ultimately, it is necessary to change the tone of the violent and destructives *fatwās* and
to interpret the religious thought more broadly. However, there is a fear that the call may lead to
unify the process of the issuance of a *fatwā*, and determine, with unfortunately negative
consequence who in fact has the right to issue a *fatwā*, to protect Muslims as well as non-
Muslims. Without some sort of control and reasonable discussion among Muslims the radical
fundamentalists will continue to dominate.

*Fatwās* and Social Justice

It is imperative with the ever-increasing violent acts carried out by ISIS that the *fatwā*
must be transformed to promote peace and 'adl-i ijtimā‘ī [social justice] rather than terror and
devastation. This is particularly important for Muslim and non-Muslim relations, as well as
adherence to *arkan al-islam* [the pillars of Islam], particularly *'amal salih* [good works]. The
*fatwā* can and should be utilized for purposes of good. For example:
In 2002, the Saudi Arabian Grand Mufti issued a fatwā against abuse of foreign labor by Saudi employers and in 2009 Qatar commenced a public outreach campaign that involved local imams in advocating anti-trafficking norms. Qur’anic law states: “And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the goods of this worldly life.” Utilizing traditional texts and respected cultural figures is essential for reversing local traditions of gender biases and historical ties to labor exploitation” (Mann, pp. 86-87).

Also, there is a ground-breaking example of a fatwā condemning violence and terrorism by Shaykh-ul-Islam Dr. Muhammad Tahir-ul-Qadri, a former Professor of Law and Head of Department of Islamic Jurisprudence and Legislation at the University of the Punjab. Dr. Tahir-ul-Qadri founded the organization, Minhaj-ul-Quran International (MQI), an educational network with branches and centers in more than 90 countries (Minhaj-Quran International, 2014).

Dr. Muhammad Tahir-ul-Qadri is an excellent example of a religious leader who also is a political leader. While serving as a politician in Pakistan Dr. Tahir-ul-Qadri founded the Pakistan Awami Tehreek. He also created peaceful anti-corruption and pro-democracy reformist initiatives and founded the Minhaj Welfare Foundation, which has conducted humanitarian work and given aid in many countries (Minhaj-ul-Quran International, 2014). His issued fatwās been beneficial to the community at large and have clearly demonstrated that a belief in Islam does not mean death to those who believe otherwise.
Drawing on his deep, erudite insight into the life and teachings of the blessed Prophet Muhammad (peace be upon him) and fourteen centuries of Islamic scholarship, Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri’s 512-page, detailed fatwā demolishes the theological arguments advanced by terrorists in prisons, on websites, videos and their literature.

This dissertation analyzes the impact of fatwa on three particular authors, two of whom are living in exile, and the third who was assassinated. This study is of utmost importance because it provides two examples of authors and public intellectuals who have been forced to migrate. In her book, Imaginary homelands of writers in exile, Dascalu (2007) argues, “The historical violence of the era of empire and colonies echoes in the literature of the descendents of those forcibly moved and the exiles that those processes have made” (p. 2). She goes on to argue that “there is a common bond among the works of those novelists who understand the process of exile and see themselves as exiles – both from their homes and from themselves” (p. 2).

The following chapters are their stories.
CHAPTER III.

WHEN FATWA BECAME FAMOUS:
THE SALMAN RUSHDIE "AFFAIR"

Several writers have been sentenced to death and reprieved: Dostoyevsky, for example, Arthur Koestler, and the greatest of all South African writers, Herman Charles Bosnian. The first participated in activities at a tumultuous time of revolution in a circle that read subversive literature. Koestler was a political conspirator, and Bosnian shot his stepbrother dead in a quarrel. None of these infamous writers was forced to live under the shadow of the executioner for a fraction as long as Salman Rushdie. A comparison could certainly be drawn that the Ayatollah Khomeini's thuggish fatwa could easily be called a death sentence, as he has continued living in constant uncertainty.

-- Anthony Daniels, Banal memories of fatwa (2012, p. 77).

Life "Under the Shadow of the Executioner"

“The Rushdie affair”, as it quickly become known, was a turning point in world history,” argues Daniels (2012, p. 77). As discussed previously in this dissertation, the Ayatollah Khomeini is arguably the most well-known Islamic leader to have issued a fatwā, particularly to those in the west. There are many publications on the Islamic Revolution (see, for instance, Ostovar, 2016) that critique the rhetoric of Ayatollah Khomeini and his attempts to justify his role in the revolution as a man in no way concerned with the obtaining personal or sectarian benefit, but one who represented the deepest aspirations of the Iranian nation.
Given that the central slogan of the Iranian Revolution was "Independence, Freedom, and Islamic Republic,” values inherent in western thought but those which western critics argued were entirely nonexistent in the Iranian Revolution, most western scholarship on the rhetoric of Ayatollah Khomeini during the Iranian Revolution had been highly critical. For example, Zickmund (2003), in her analysis of the rhetoric of the Iranian revolution, illustrated the power of hate rhetoric and Islamic radicalism. Zickmund examined the ways in which Khomeini’s rhetoric of martyrdom, *jihad*, manifested during the revolution and the world’s reaction to the rhetoric.

This chapter analyzes the *fatwā* announced by the Imam Ayatollah Khomeini on February 14, 1989 against author Salman Rushdie following the publication of Rushdie's novel, *The Satanic Verses*. It analyzes the impact the "Rushdie Affair,” as it is known, has had in the past 25 years, and the global consciousness of the concept of *fatwā* that has occurred since that time. The chapter examines the uproar about *The Satanic Verses*, not only in Iran, but in all the countries that have a Muslim majority citizenship.

**Rushdie’s Early Years**

Rushdie was born in Mumbai on June 19, 1947 to Muslim parents of Kashmiri origins. His parents are described as observant to the basics of Islam but by no means strictly. He was educated by a Christian woman and he learned much about Christianity from her.
Rushdie recollects:

"[M]y family belonged to Islam but we did not practice any religious teaching in our home. We went once a year to the mosque for praying just as the Christians go to church annually for Christmas. My educator was Christian and I grew up decorating the Christmas tree and singing carols not because of any particular belief but because it was her tradition."

“In Bombay, there were many religions and I had many non-Moslem friends. My father did not adhere to the Holy Qur'an rules forbidding the intake of wine and other strict rules. And fortunately, I can say that my parents were open-minded persons and I appreciate them bringing me up in this style”


In this era of Rushdie's youth, having education in a British school was a special privilege for Indians and he credits this opportunity as the influence for him becoming a writer. Additionally, the lifestyle afforded with working with a British woman introduced him to a more modernized, cosmopolitan way of life. He was educated at the John Kennan Cathedral School before he transferred to the Al Rajhi Interior School in England. He studied history at the Royal Faculty in Cambridge University in 1967. When he moved to England he moved seamlessly in this new land with his way of thinking and after many years in the western community, his philosophies and writings were very much aligned with the political left.

In his early years in Britain, Rushdie worked for two advertising agencies, Ogilvey and Mather Burcker, before his foray into writing. He created advertising logos but eventually grew bored and began writing and then in 1975, he published his first novel titled *Germos*. The
book sparked little interest from readers or any praise from critics but he continued to forge ahead and began work on his next novel. He published his second book, *Midnight Children*, which in contrast was a phenomenal success and he was awarded the British Booker prize (Farg, 1404 AH/1989). *Midnight's Children* follows the life of a child, born at the stroke of midnight as India gained its independence, who is endowed with special powers and a connection to other children born at the dawn of a new and tumultuous age in the history of the Indian sub-continent and the birth of the modern nation of India. Claims by literacy critics have been made that the character of Saleem Sinai is Rushdie, however the author has always denied this. After *Midnight's Children*, Rushdie wrote *Shame* (1983), in which he depicts the political turmoil in Pakistan. But none of his publications up until this time had prepared the public, and him, for the reaction to his next and most controversial written work.

**The Controversy of the Author**

Rushdie's infamous fourth novel, *The Satanic Verses* (1988), was the focus of a major controversy, provoking protests from Muslims all over the world due to his rhetoric of slander towards Islam. Death threats were made against him and a fatwā was issued calling for his assassination by Ayatollah Ruhollah Khomeini, the Supreme Leader of Iran, on 14 February 1989. Interestingly, initially, *The Satanic Verses* was only upsetting to the Janata party in India and was banned nine days after publication by Rajiv Gandhi's government only in India. Small segments of the Muslim population in Great Britain were angry as well but throughout the Middle East the reaction was quite minimal. As with most Muslim majority countries, Iran did not initially ban *The Satanic Verses*; it was even reviewed in an Iranian newspaper. After the protests in India and Britain though, a delegation of mullahs from the holy city of Qum read a
section of the book to Khomeini, including the part featuring a “mad” imam in exile, who was clearly a caricature of Khomeini. It was then that the Iranians announced the fatwā, earning them the title as the true haters of Rushdie, and the West (Anthony, 2009; Cundy, 1996).

Once the fatwā was proclaimed and the many Muslims joined in on the protests, the British government placed Rushdie under police protection for fear of his execution. Rushdie still enjoyed celebrity status; For example, he made a rare public appearance on stage at Wembley Stadium during a U2 concert on August 11, 1993 (Q., 2010). One committee member of this dissertation was a member of a large audience who heard him present a public lecture at “London: Post-Colonial City”, a two-day conference and related photographic exhibition at the UK Architectural Association that examined the impact and influence of the process of transnational migration on the urban landscape of London (Rushdie, 1999; see, also, Lengel, forthcoming). Despite these and other public appearances, Rushdie was, for the most part, forced to live in relative hiding for many years.

**The Satanic Verses**

Once Rushdie’s book, *The Satanic Verses*, was perceived as a direct threat and a call to engage a war on Islam and Muslims’ values and by some as even on human values generally, violence erupted. This book was forbidden to be published in several countries after the auspicious start. The Muslim world was up in arms and the rallying cry was that he was a traitor to Islam. While many did not believe that he should be murdered for the contents of the book, many were still outraged. To insult Allah at such a level is considered the ultimate blasphemy and unacceptable to even the most moderate of Muslims.
The novel discusses the topic of revelation and the rising of a new international religion. This novel has three main characters: an Indian actor called Jibril Farishta – “farishta” which translated means an angel in Ordos [Persian] language – and Salah El Dien Shamshah – Shamshah which means lickspittle in Hindustani language – and Mahound, an homage to the last and the right Prophet Mohamed – a prophet from a city in the desert (Farg, 1989/1404).

The story opens in the sky where Jibril and Salah are passengers on a hijacked plane that explodes and yet miraculously they both survive this disaster. Rushdie describes the evolution of the two men after Jibril is blessed by becoming an angel and Salah is cursed by becoming a devil. Together, over time, they contend with varying circumstances with those they encounter which eventually leads to clashes due to their now evident differences. They began as friends but due to their metamorphosis to essentially good and evil, they each begin to lose their identities and become rivals. In a sequence in the novel, Rushdie describes the two characters in a sand city in the desert called "Gaheliah" where they enter the infamous brothel "The Veil.” The author describes the house in very precise detail as eerily similar, to the Paradise Palace in the Holy Qur'an. The palace is a holy place where rivers flow beneath and is sacred to Muslims. Rushdie choosing this locale was perceived as a venomous and calculated move to enflame the fundamentalists’ rage. In the tale, the house is owned by 12 prostitutes all of whom fall in love “Mahound” (A western name often used in place of Mohammed) and ask for his hand in marriage. He is revered by the women and people of the city alike and deemed a hero to all. Salah, however is ignored.

Rushdie's work has been interpreted by Islamic scholars as signifying that the Prophet Muhammad (pbuh) could not distinguish between what was revealed to him and that which a Persian scribe had written about what was revealed to him. The scribe in Rushdie’s book
revealed that he first changed minor details in what the Prophet had dictated to see if Muhammad (pbuh) would notice. The scribe noted, If Mahound recited a verse in which God was described as all-hearing, all-knowing, I would write all knowing, all wise. The point was that Mahound did not notice the alterations so I made the decision to deliberately alter more noteworthy details as an example. This allowed Rushdie more creative license and a way of belittling Muhammed. He wanted to fictionalize and make his characters more of a fantasy, surreal focus. At one point, for fear of his life and the life of his family, Rushdie (cited in Anthony, 2009, January 10) chose to apologize: “I profoundly regret the distress that publication has occasioned to sincere followers of Islam” (para. 2). Khomeini (cited in Anthony, 2009, January 10) stated that even if Rushdie repented and "became the most pious man of all time" it was still incumbent on every Muslim to "employ everything he has got to kill him” (para. 4).

**Global reactions to The Satanic Verses**

*The Satanic Verses* had both positive and negative responses from the Islamic and western worlds, which still today is considered the great achievement for Rushdie. Following the publication of novel, there were many demonstrations all over the Islamic world, predominantly directed at the U.K. and U.S. embassies and consulates. Protestors burned Rushdie's various books, as well as dolls made to resemble him to demonstrate their anger (Hekal, 1995).

“Rushdie’s enemies claim that The Satanic Verses and similar writings fall into the same category as pornography by the disturbing comparisons of their religion to prostitution and other such degrading subjects, and they think that it is not a particularly serious matter (it may even be a good thing) if writing of this kind is chilled or deterred" (Waldon, 1992, p. 766).
The *Fatwā* and Call to "Execute this Judgment"

As discussed in chapter 1 of this dissertation, on February 14, 1989, the Imam Khomeini, the spiritual father of the Iranian revolution, issued a *fatwā* and three million dollars for his execution. This novel had sparked such outrage in all Islamic nations and the *fatwā* inciting Rushdie’s murder merely incensed and drove the people to condemn him further. Al Khomeini, in his infamous speech proclaimed on the radio in Tehran, "I am informing all Moslems all over the world that the author of the satanic verses book which assaults Islam and our prophet Mohamed has been charged and judged with death and all Moslems must execute this judgment wherever they are to be a sample for who may assault Islam and our great prophet Mohamed” (Hekl, 1995).

On August 3, 1989 the first attempt to assassinate Rushdie via a letter bomb failed. Mustafa Mazeh delivered an envelope containing an explosive that he hoped to be the fatal blow. The envelope did explode but a few minutes after being delivered so instead two floors in the Paddington hotel were destroyed. Rushdie was no longer in the vicinity and escaped death.

In reaction, the Islamic nations fervor was further ignited and vehement demonstrations and protests against Rushdie and his book and against the European establishment grew in response to the *fatwā*. Demonstrations soon followed in all the Islamic capitals directed towards the British Embassies and more books and dolls were burned. In the chaos in Pakistan, nine innocent bystanders were killed. The violence was escalating all throughout the Muslim world.

The general secretary of the Islamic World Association stated that the book included a deliberate distortion of the Islamic religion. The General Secretary also said that the book was an assault on very specific and significant persons in Islamic leadership. The Islamic Jurisprudential Council decided, in its eleventh meeting about this matter, held in Mecca
between February 19, 1989 (13 Rajab 1409 AH) and February 26, 1989 (20 Rajab 1409 vAH), the following:

The General Secretary of the Islamic World Association decided to publish the decision of the council after warning the Islamic world of the danger of this book. He deemed it necessary to ask everyone worldwide to boycott the book and to shout out that the book contains fraud. He considered the outrage by any Muslims in the United States or Europe particularly significant (cited Tawfiq, 2003).

Contrasting International Opinions

There were two contradicting cultural opinions about the "Rushdie Affair." These opinions stood stark against one another. Ironically, many in the west, were in solidarity with the Muslim anger against the assault on a holy text. Yet, the intellectual elite showed their astonishment against what they called the freedom of the opinion. The belief of many is that any topic is fair game and that no one can restrict a book that accuses a religious character of being fictitious. The freedom to desecrate a religion became and continues to be one of the most controversial subjects nowadays in all corners of democratic states.

It has been argued, the novel held preconceived or stereotypical answers that fueled the anger against the Muslims. Equally, many Muslims were furious and felt a need to retaliate on the west for publishing the book and revering what they considered blasphemy. The relations between the west and devout Muslims severely worsened as a result of The Satanic Verses. Rushdie single-handedly churned further animosity between Muslims and those who despise Islam. (Al Afifi, 1993).
**Irtidad [apostasy or blasphemy]: Justification of the Fatwā**

The demand for Rushdie’s death is twofold. After writing his book, he is considered guilty of *irtidad* [apostasy or blasphemy], the punishment for which is death. In accordance with Islam that justifies Rushdie’s death. The second element of the fatwa against Rushdie is that the punishment of any person, whether Muslim or non-Muslim, who speaks in a blasphemous tone towards the Prophet (pbuh) must die. The fatwa makes the claim that Rushdie wrote in such a blasphemous tone. The question is, does the Qur’an explicitly state these proclamations. It is also arguable that although Rushdie deserved death in accordance with Islamic law, what to be said if he was living under the protection of the law of another country? This is a fair point as he was now a resident of Great Britain. Ultimately the most significant argument against the fatwa are three cases of blasphemy against the prophet and the message of Islam mentioned in the Qur'an. Not one of them suggests that anyone found guilty should in fact be killed. These examples clearly negate the claim that a murderous fatwa should be pronounced on any soul who blasphemes the Prophet Muhammed (pbuh). It is noteworthy that this argument is largely ignored and overlooked by fundamentalists when it is in fact so simple and clear.³

**Political Motivations Behind the fatwā**

On March 7ᵗʰ, 1989, Great Britain cut its diplomatic relations with Iran over the circumstances regarding the fatwā. The British Government declared that if Iran would not denounce the proclamation of murder of a British citizen, then all communication would cease. After ten tumultuous years, the Iranian president finally announced that Iran would no longer

³ The specific passages can be found in the *Holy Qur’an* in the following verses: 2:104; 5:57-58; 63:7-8 (Abdullah, 1424/1993).
support any fatwā, on Rushdie’s head. Many Iranian citizens neither acknowledged nor would accept this change and soon thereafter, the Iranian Islamic Establishment of Khordad announced a $3.3 million U.S. dollars as a prize for killing Rushdie. The price rose dramatically from the original offer of one million U.S. dollars in 1995.

The British organization, Stop the War Coalition, stated that this fatwā may have more of a political motivation which does not necessarily agree with or condone killing the author but more as a statement to the western policies towards Islamic countries. The organization announced the reality that if the west does not change its policy in the territory there will always be animosity and fatwās proposed. The recurring disregard for the beliefs of the peoples of Islam continually is perceived as total disrespect (Al Hussien, 1999).

Sayed Ali Zaidi stated, “We must always remind the west that we are Moslems and we do not accept the assault on our religion. We will tighten the noose on those who choose to assault our religion” (cited in Al Hussien, 1999, p. 32).

The no-tolerance policy against the freedom of expression is not limited to Islamic countries but is considered much more conservative. The reality in other countries and cultures is a low tolerance for assault on religion but not to the extent of the Islamic fatwā, stated the renowned Indian Literature expert Manishtribani. As an example, he points to the Indian artist who is obliged to abandon his Indian nationality and go to Emirates after having many threatens by the Hindu Fanatics (Tamney, 2002).

The Pakistani poet, Iftkar Arif, also made a comparison by discussing the controversy that surrounded the 1988 film, The Last Temptation of Christ, directed by Martin Scorsese, which opened to fury by Evangelical Christians. The film was blasted by these Christians who protested the portrayal of Jesus Christ (pbuh) as a mere mortal with faults including a liaison
with a woman. Many of the Christian right perceived it as a direct assault to their beliefs of Christ who they proclaimed as the son of the God. Arif pointed out the similarities to Rushdie’s work and said that the movie would lead to violent acts (cited in Hekl, 1995).

In June 2007, the British Queen Elizabeth II had awarded Salman Rushdie the title of Knight Bachelor, a part of the British honours system. After the knighting, violent demonstrations erupted, as al-Qaeda issued a threat to the UK (and many Islamic religious figures, superiors and intellectuals denied this exaltation by what was perceived of Britain’s disrespect of the world’s Muslims.

After the fatwā, many European and American countries announced a boycott of their relations with Iran, as well as, some countries withdrew their ambassadors. Several leaders of western nations requested the protection of Rushdie from Muslim terrorism. The Soviet Union announced the nomination of Rushdie to membership of the Federation of Asia and Africa writers. Rushdie said Islam requires reformation to come into the modern world. He stated in the same article that a comprehensive and more open interpretation of the Quran” will end the Muslim isolation with the world and lead to peace. This proclamation led to bombings in London when terrorists blamed Rushdie for the carnage. (In the same article, he considered the possibility of viewing the Quran as a “historical document” rather than a religious epitaph.

To this day, Salman Rushdie continues to live knowing that every day might be his last as there as those who believe that it is an obligation to finish the fatwā proclaimed upon him. Many still perceive him as the ultimate enemy to Islam.

Rushdie has reported that he still receives a Valentine's card from Iran each year on 14 February reminding him that the country has not forgotten the vow to kill him. He no longer perceives it as a threat and is very vocal that he sees it as mere rhetoric.
Rushdie as a Public Intellectual

Rushdie is seen by many scholars as a public intellectual who has, among other advocacy efforts, called for a reform in Islam. One month after the July 7, 2005 London bombings (see Lengel, Birzescu & Minda, 2008), *The Washington Post* and *The Times* (UK) published his guest opinion piece, “The Right Time for an Islamic Revolution.” In this publication, Rushdie (2005, August 7) wrote,

“What is needed is a move beyond tradition, nothing less than a reform movement to bring the core concepts of Islam into the modern age, a Muslim Reformation to combat not only the jihadist ideologues but also the dusty, stifling seminaries of the traditionalists, throwing open the windows to let in much-needed fresh air” (para. 5)

Making the case that Muslims see their religion in contemporary social, political and cultural contexts, Rushdie (2005, August 7) wrote, “It is high time, for starters, that Muslims were able to study the revelation of their religion as an event inside history, not supernaturally above it” (para. 6) (see, also, Barkham, 2005, August 11). He also made the case to persons of all faith, and non-faiths: “Broad-mindedness is related to tolerance; open-mindedness is the sibling of peace” (para. 9).
“A Test Case in British Muslimhood”

*The Satanic Verses* affair was “the first test case in Britain of Muslimhood - many were to follow - in which the mark of a true Muslim was to be in favour of banning the novel, and the distinction of an even truer Muslim was to be in favour of killing Rushdie” notes Andrew Anthony (2009, January 10, para. 31), in his analysis of the *fatwa* and furor over Rushdie’s book.

It is not unfair to state that Muslims albeit very different from culture to culture have been lumped into one category “into a unitary socio-economic-cultural block. To take vocal exception to one aspect of Islam or a particular leader or sect is, almost by definition, to be an opponent of all Muslims” (Anthony, 2009, January 10, para. 31). Muslim leaders, looking back on the fatwa, have since provided their initial reaction and subsequent thoughts. For example, Inayat Bunglawala, a spokesperson for the Jamaat-i-Islami-influenced Muslim Council of Britain, was reportedly “elated” when Khomeini delivered the *fatwa*: “It was a very welcome reminder that British Muslims did not have to regard themselves just as a small, vulnerable minority; they were part of a truly global and powerful movement” (cited in Anthony, 2009, January 10, para. 31). Since then, Bunglawala has rethought the *fatwa* and accepts that book-banning is wrong. He does, however, look back on the protests of *The Satanic Verses* with a sense of appreciation: “It was a seminal moment in British Muslim history. It brought Muslims together. Before that they had been identified as ethnic communities but *The Satanic Verses* brought them together and helped develop a British Muslim identity, which I'm sure infuriates Salman Rushdie” (cited in Anthony, 2009, January 10, para. 31).

U.S. President Jimmy Carter (cited in Berkeley Center for Religion, Peace & World Affairs, 1989, March 5) summed up both perspectives on *The Satanic Verses*: “Rushdie's book is a direct insult to those millions of Moslems whose sacred beliefs have been violated ... The
death sentence proclaimed by Ayatollah Ruhollah Khomeini, however, was an abhorrent response. It is our duty to condemn the threat of murder [but] we should be sensitive to the concern and anger that prevails even among the more moderate Muslims.”
CHAPTER IV. TALISMA NASRIN: THE “FEMALE RUSHDIE”
AND “RENEGADE WRITER”

Like Salman Rushdie, Taslima Nasrin is an author-in-exile, having been forced to flee her homeland, Bangladesh, after a fatwa was issued upon her. Her books and newspaper columns, focusing on gender and ethnicity inequality, have led her to be one of the most loved and most hated women authors of the late 20th and early 21st centuries.

Historical Contexts: Prominent Women Authors in Bangladesh

In her recent journal article, “From Islamic feminism to radical feminism: Roquiah Sakhawat Hossein to Taslima Nasrin”, Niaz Zaman (2016) of the Independent University of Bangladesh, analyzes Nasrin as one of four women writers “who have contributed through their writings and actions to the awakening of women in Bangladesh” (p. 4). Along with Nasrin and Roquiah Sakhawat Hossein (1880-1932), Zaman credits Sufia Kamal (1911-1999) and Jahanara Imam (1929-1994) as “iconic figures contributed towards women's empowerment or people's rights in general” (p. 4). What is most important about Zaman’s analysis is that while she acknowledges that Nasrin “is the most radically feminist of the group…her voice largely echoes in the voices of young Bangladeshi women today -- often unacknowledged” (p. 4). Despite Nasrin’s work echoing and amplifying voices of her countrywomen, “she has been shunned by her own country” (p. 4).
Analyzing why Nasrin has been shunned, Zaman (2016) focuses on “why, while other women writers have also said what Taslima Nasrin has, she alone is ostracized” (p. 4). Zaman’s historical analysis of the women authors is particularly relevant here:

Roquiah [Sakhawat Hossein (1880-1932)], the earliest of this triumvirate, is perhaps the only openly feminist writer, angry at the discrimination and deprivation women suffered from during her time. If we want to find another woman writer who is aware of this discrimination against women, we have to wait for several decades till we come to Taslima Nasrin, who, through her columns, autobiographical writings, poems and fiction, waxed loudly against patriarchy and, for the first time, spoke openly about sexual harassment and sexuality. (p. 5)

While Zaman (2016) notes, “Unlike Roquiah Sakhawat Hossein, Sufia Kamal and Jahanara Imam, Taslima Nasrin rejected the accepted role of women” (p. 6), it is important to note the historical timeframe across these four women writers. Sakhawat Hossein, was writing a century before Nasrin; Kamal and Imam were writing decades before Nasrin. Thus, it is not surprising that Nasrin “also pointed out loudly, and in unmistakable ways, how women had been deprived and discriminated against” (Zaman, 2016, p. 6).

**From Scientist to Author**

Following the three other women authors in Bangladesh discussed above, here I situate her historically. Nasrin was born on August 25, 1962 into a Muslim family in Mymensingh,
Bangladesh. She began to write early in life, although her true passion lay in the sciences. Nasrin studied medicine at the Mymensingh Medical College, an affiliate college of the University of Dhaka, and graduated in 1984 with a Bachelor of Medicine, Bachelor of Surgery (MBBS) degree (L'Institut de Santé Globale, l'Université de Genève, n.d.). She started her career working at a family planning clinic in Mymensingh, then practiced at the gynecology department of Mitford hospital and at the anesthesia department of Dhaka Medical College Hospital. Women’s health issues and rights were always a priority and what she perceived as her true calling.

Despite her love for medicine she felt compelled to express her concerns about the treatment of women, particularly Hindu women living in Muslim majority nations. She began writing articles published in local publications but felt the need to reach a wider, global audience and began her career as an author/activist and novelist. From 1986 onward, Nasrin wrote numerous books, most notably, her breakthrough novel *Lajja* [Shame] published in 1993, that attracted wide attention due to the controversial subject matter: an honest and searing story of the struggle for a patriotic Bangladeshi Hindu family living in a Muslim community.

Nasrin wrote *Lajja* after the 16th century Babri Masjid and Mosque was demolished by a group of Hindu kar sevaks [volunteers for a religious cause; literal translation: hand servants] in Ayodhya, Uttar Pradesh, India on December 6, 1992. The masjid and mosque were contested by Hindu individuals and groups for many years. They claimed that the site was the birthplace of the Hindu deity Lord Rama and, thus, Hindu holy land. To this day, Hindu groups claim that in order to build the mosque in 1528, the structure marking the birthplace of Lord Rama was destroyed (Sarfaraz, 2016, December 7). The demolition of the
masjid and mosque, triggered months of riots between Hindu and Muslim communities in Ayodhya and across the country resulting in the death of more 2,000 people (Bhagat, 2010, September 28).

The demolition and subsequent riots were, and continue to be, a shameful event that caused great divisiveness in India afterward. Still to this day, it is an example of when religion is used to provoke hostility by divisive political forces who appropriate the religion and use it as a weapon to cause divisiveness (Al Jazeera, 2009, November 24, Gilani, 2015; Noorani, 2014; Press Trust of India, 2005, January 30). The event inspired Nasrin to write her book which was based on the atrocities on Hindu natives of Bangladesh by the Muslim natives of the nation, addressing how Hindus have been marginalized, tortured and killed, and forced to flee their homeland. It is a story of a Hindu family that believed that nationalism will be prevail over divided communities, but their government failed to support the family and its community.

In the Hindu society within Bangladesh, the book was a critical and commercial success selling 50,000 copies in six months’ time. The Muslim majority however saw it as a blatant attack on Islam and protested and it was banned by the Bangladeshi government later that same year.

The Muslim people of Bangladesh did not appreciate a Muslim writer writing against them and their deeds, which were being so openly exposed via the book. The book soon gained immense popularity and Nasrin became a target for hatred in the nation. After a fatwa was issued on her in 1994, by the radical fundamentalist group, the Council of Islamic Soldiers, Nasrin fled from Bangladesh to an undisclosed location near the Indian capital of New Delhi. In 1998, she attempted to return to Bangladesh but was it was in vain. There continued to be
unrelenting threats on her life and a continued ban of her books. Her life has been difficult and she has been forced to live secretly living in a variety of places including India, Sweden, and, since threats from Al Qaeda, the United States. Much to her sadness, she has never returned to her homeland, Bangladesh. The threats on her life continue to this day and the fatwā remains in place so she felt compelled for her safety to relocate to the United States where she hopes to live her life in relative peace.

Nasrin’s Publications

Lajja is her most famous book but she has written other notorious novels include Meyebela [My Bengali Girlhood] published in 2002, which was also banned by the Bangladeshi government for what were deemed inappropriate comments against Islam and Mohammed. Some of her other novels include, Those Dark Days (2004), The Noise of Hatred (2005), Wild Wind (2006) and her second most popular, French Lover published in 2002. Additionally, she has written several autobiographies detailing her journey including such salacious details as to her love life which has only increased fury towards her by radical Muslims.

Nasrin as a Public Intellectual

Perhaps most important to the analysis of Nasrin’s work, of the fury towards her, and of the fatwa issued against Nasrin was that fact that her work had wide readership in the Bangladeshi public. Her publication, Nirbachito Kolum [Selected Columns], is a collection of short articles published in the Ajker Kogoj newspaper. Nasrin wrote about the sexual harassment, and the emotional and physical abuse that women and girls suffered in Bangladesh society (Zamar, 2016). She questioned in her columns why there was no male equivalent for the
Bengali term *patia* [fallen woman], a topic that later became the focus of her 1992 book, *Noshto Meyer Noshto Goddo* [*Fallen Prose of a Fallen Girl*].

**Distinguishing Awards**

Despite of, or perhaps in response to, her critics, Nasrin is highly regarded in the west. She has been bestowed numerous, prestigious awards and accolades. The list is exhaustive and extensive but a few of particular note include: The Sakharov Prize for Freedom of Thought from the European Parliament in 1994, the Simone de Beauvoir Award and Human Rights Award from Government of France, Le Prix de l'Edit de Nantes from the city of Nantes, France, and the Academy prize from the Royal Academy of arts, science and literature from Belgium. She has also been bestowed with honorary doctorates from Gent University, UCL in Belgium, the American University of Paris and Paris Diderot University in France.

**Nasrin as an Activist for Hindu Women's Rights**

As an author writing about Hindus’ rights, Nasrin was also considered an activist fighting for all women living in predominantly Muslim territory. Her work criticizes gender habits and cultural norms that enact hostility against Hindu women and Muslim women. Her critics argue that she was merely attacking Islam and that her claims are unjust and biased. She was only further angered and became more vocal which led an all-out assault on her throughout the Muslim world. Her novel, *Lajja* [Shame], which presented a fictionalized story of the government stand, towards a Muslim male who assaults a Hindu girl was the most controversial of all of her books. The Bangladeshi Muslim population took it as an insult to Islam that a Hindu woman would write negatively of a Muslim man. Again, the Muslim majority demanded
this book be banned as well or threatened large scale violence. The popular reaction by the Muslim public of what they considered to be such outlandish and unfair accusations was very violent, so the government was compelled to ban this novel to keep the peace.

The novel highlighted the fundamentalism phenomena which extended in a wide area in all over the world, especially in the last two decades of the twentieth century. The writer approached the events of riots, violence and destruction, and the effects and complications that occurred for many Hindus living under Islam.

Nasrin approached the case in Bangladesh of torment, discrimination and destruction of the lives of a typical Hindu family living within the borders of largely Muslim Bangladesh. The Dotta family consisted of the father who is a physician, the mother, the brother who is unemployed and the sister who detests the circumstances they are forced to live under in almost tyrannical existence. The young woman, Maya, who is of deep rooted Bengali origins and who fought for the independence of Bangladesh, especially since the semi-Indian peninsula division is the focal character who struggles to live in a land of hate.

The family, who were always striving for the progress for the advancement of the Hindus in Bangladesh by establishing popular and secular democracy, had rejected all forms of racial and religious bias. The father, Sadhomay, was a conscious Bengali citizen a doctor who presided over a hospital for several years and brought up his children in a very modern and open-minded way. The family suffered for their resistance to the fundamentalism surrounding them when Maya was kidnapped and they were forced to sell their home and move to a safer environment. The father persevered telling of his life history and how he fought and joined the national resistance and asked for the Bengali language to be the official language of the country. He was eventually sentenced to prison for his activities. As he languished in a jail cell, he comes
to the sad realization he owns nothing, but his love for his country and is still seen as a Hindu who has no rights to object to the Islamic rule. Fundamentalism prevailed and the family had not seen the changes they had hoped for in their lives. own family members. Surnjan had not felt that strongly and had been running the streets with friends, the kidnapping of his sister to reminded him of his familial obligation and the terror his father was forced to live under at the hands of fundamentalist Muslims. His sister was never returned by the kidnappers and instead was murdered at their vicious hands. Following his sister’s death, he broke down and could not stand it anymore; he was overcome with guilt knowing that his mother’s heart was broken. At the beginning of the novel, the writer says, “The disease of fundamentalism is not limited to Bangladesh only, but it is for every person who suffers under fundamentalism. The events, manslaughter, destruction and riots demand the change of law because it is wrong that a minority group are forced to live in terror based on religious persecution.”

Nasrin has analyzed the Hindu society through the ideal Dotta Family, by using true stories and historical references that real Bangladesh citizens had experienced. This novel that garnered so much attention, anger and international scorn was brilliantly crafted in seven short days. Specific excerpts from the novel *Shame* that led to threats for Nasrin by angered Muslims, are as follows: “Surnjan was lying on his bed deeply absorbed in thought, ignoring his sister who came in and went, and then finally she started to wander in the house and began yelling, “something must be done before a terrible thing occurs.” On the television, CNN was showing details of the Babri Mosque demolition on December 6th, 1992, showing some of the horrific accident scenes. Bangladeshi Muslims interpreted this as an accusation towards them for violence that took place in India. The second excerpt: “This desperate explosion has made it clear to Maya that her brother won’t take any action to provide them with protection, and she
has to do this by herself. From his side, Surnjan stayed lying on his bed thinking, Even, if they move to another place, are they going to be safe?” (p. 48). Finally, in October 1990 they were lucky to escape the terrible fate after Surnjan ultimately gave in to the idea of abandoning their home. After leaving, following the death of Maya, he recalled the events of that month as temples were destroyed, burnt and robbed. Surnjan recalled the places destroyed in 1990 one by one and in each of those events he remembered his community being savagely ravaged. This too was further perceived as slander towards Muslims.

And in a third excerpt: Sodhamoy closed his eyes not knowing what would happen this time, the only sure thing he knew for sure was the Hindu in Bangladesh were not safe from the Muslim fundamentalists in 1990, why would they be safe from them ever? And because of this they are forced to flee like rats. Is this because they are Hindu? And should they have to leave because the Hindu in India demolished the Babri mosque? Hindus whom he did not know? Why is he responsible for this? He suddenly announced that “Nilanja is a deadly name here. Our life in Bangladesh shall be no more” (p. 102).

The first Arabic translation of Nasrin’s novel Shame further angered Muslims. Three years prior, a fundamentalist organization in Bangladesh had issued a fatwā against her but now with an Arabic version the fundamentalists were even more determined to end her life. For all Muslims who spoke Arabic, finally seeing it their own language, were incensed and livid.

Reward for "The Renegade Writer"

In 1994, several radical Muslim groups declared a remuneration for her decapitated head after the “renegade writer” pleaded for a reexamination of The Holy Qur’an to find an interpretation to give Muslim women more rights. The Qur’an does contain more equitable
commentary on women but unfortunately these verses are ignored by those who believe in Sharia law. The interpretation by Sharia law is that women are inferior to men and merely the possessions of men despite any writings that might suggest otherwise. The request was met with overarching anger and even more viable threats so Nasrin planned to flee, however the government of Khaldah Diia absconded her, accused her of treasonous and false claims toward Islam and she was arrested. Released on bail, she seized upon the opportunity to save her life and journeyed that night to Sweden where she remained for several years.

**Threats and Judgement against Nasrin**

For more than ten years, Nasrin received continual death threats by Bangladeshi Islamist groups, including the Jund Al-Islam, who issued a *fatwā* asking for the spilling of her blood in the streets. Due to her fear, she was compelled to leave the paper where she was writing and flee to an unknown location. Some particularly sadistic Islamic groups offered financial awards as further motivation for killing her. She nearly met her demise in 1998 when she was brutally attacked in the Journalists’ Club in Hayder Abad at the release of her most recent novel.

In 2002, a magistrate court in Bangladesh sentenced Nasrin to a one-year imprisonment as a penalty for her verbal assaults on Islam and for offending Muslims’ most notably in her novel *Lajja* [*Shame*]. She never served that sentence as she has never returned to Bangladesh.

**Banning of the Publication**

The Indian Bengali government banned the publication and distribution of her infamous novel, *French Lover* in November 2003, after the release created havoc and turmoil among the different sects of society, including the Muslim minority. A woman's search for love and
independence in a strange city far away from home. French Lover is the story of Nilanjana, a young Bengali woman from Kolkata who moves to Paris after her marriage to Kishanlal, a restaurant owner. Kishanlal's luxurious apartment seems to Nilanjana to be a gilded cage, and she feels stifled within its friendless confines. She eventually embarks on a romantic journey with a Frenchman and finds happiness away from her stifling husband. It was deemed to be far too racy and controversial and was quickly banned in Bangladesh and India.

**Her Brief Life in Kolkata: 500,000 Rupees for Her Head**

Despite the ban of *French Lover*, however, she was permitted to return to India in 2004 after pleading for many years. Again, her criticism of Islam was met with opposition from religious fundamentalists as she was living in a predominantly Muslim territory. In June 2006, Syed Noorur Rehaman Barkati, an imam in Kolkata, offered money to anyone who would harm Nasrin and the "All India Muslim Personal Board (Jadeed)" offered 500,000 rupees for her beheading in March 2007. The group's president, Tauqueer Raza Khan, said the only way the bounty would be lifted would be if Nasrin "apologizes, burns her books and leaves Kolkata.” On August 17, 2007, Muslim leaders in Kolkata revived an old *fatwa* against her, urging her to leave the country and offering any amount of money to anyone who would kill her. By November riots were occurring and she was forced to flee Kolkata and finally settled in New Delhi.

Her time in New Delhi was ostensibly under house arrest with her in hiding. She wrote to friends about "this unendurable loneliness, this uncertainty and this deathly silence." In order to pacify the Indian government, she cancelled the publication of the sixth part of her autobiography *Nei Kichu Nei* ["No Entity"], and deleted some passages from *Dwikhondito*, the
controversial book that was the cause for the riots in Kolkata. She left India once and for all on March 19, 2008.

**Life in the United States**

Nasrin spent the next several years continuing to write, receive awards and live a secluded existence in Sweden. In 2015, she was threatened with by Al Qaeda extremists, and so the Center for Inquiry moved her to the United States, where she now lives. The Center for Inquiry gave a statement in June of 2015 stating that her safety "is only temporary if she cannot remain in the U.S., however, which is why CFI has established an emergency fund to help with food, housing, and the means for her to be safely settled" (Fidalgo, 2015, June 1, para. 3).

**The Noise of Hatred**

*The Noise of Hatred*, another novel written by Nasrin (2005), was dedicated to all those who continue to fight for the rights of the minority Hindu population residing in Bangladesh. Nasrin wrote of a world where the Hindi population lives freely and worship as they choose with no fear of oppression. *The Noise of Hatred* is considered one of her finest novels.

*Paris Diaries Interrupted* is one of Nasrin’s several autobiographies. In this work, she confesses she became a writer against her will. She was happiest when living her life as a doctor but eventually felt the need to express her anger and hurt in an artistic way. Her writings of poetry, prose, analysis and comments were quickly accepted and publication houses were competing to get the rights of translating her writings and publish them into various foreign languages. Many consider her the most significant author of these writings and such others like because of her extensive knowledge of topics related to the clash of the
Hindu and Islamic worlds. The material, cultural, political and spiritual conditions of a society who have to live under hostility within another dominant culture. She is still a fierce advocate for the unification of these two cultures that are dictated by religious prowess. She believes with compromise Muslims and Hindus can coexist peacefully if fundamentalism is prohibited. She believes women could have a much better quality of life and that the societies could be much more prosperous if not closed off entirely to interaction with the west.

As more writers from both sides of this issue are published and read by people more can be learned to attempt to bring these cultures together. Sadly, though with terrorist organizations such as ISIS, it becomes difficult to perceive if it could and will happen. All too often when an Islamic nation attempts to stray from fundamentalism, they are overrun with those who do not want change. As Nasrin proclaimed without an open mind and open heart change cannot take place.

A Muslim Perspective

Both critics and sympathizers of Nasrin argue it is plausible to argue that she neither understands nor respects a culture whose life is shrouded in religion. Despite having been raised in a Muslim household, Nasrin rejected the religion as she saw the oppression towards women. This perspective led to the hatred of Nasrin by many Muslims. She was considered a traitor to her own people via her blasphemous novels and open criticism of Islam. She is by no means the first or only writer to discuss the constant struggle between Hindus and Muslims but the simple solution she perceives as loosening fundamentalism goes against the grain of the belief of many of her foe. For these people this would mean going against the word of Allah which is
tantamount to the ultimate sin within their culture. Quran Suras and the Prophet speeches are clear-cut in forbidding injustice, aggression and enforcement of belief, but Nasrin, either intentionally or unintentionally, and according to her personal stand and own bias against people and communities committed to religions, and who may be disloyal to Islam and its aims. She and those who are of the same profile, accuse Islam of being the source and cause of the trouble and people must change and become more tolerant.

Neither side of this constant turmoil need to be approached and some level of compromise achieved without asking for the Muslims to give up all they hold dear. She and others who are deemed heroes shall receive all the moral and financial assistance required; they obtain visas, they get asylum to other countries, foreign embassies act to defend them and guarantee their safety, they are embraced by governmental and non-governmental organizations and they are financially supported. The devout Muslim though shall never compromise.

Nasrin’s *The Noise of Hatred*, if read and studied from the perspective of a fundamentalist, is seen as provoking, attacking, and belittling Islam. Many choose to live life as instructed and interpreted by the reading of the Quran. An assumption is made that all are unhappy, particularly the women of the culture without ever knowing if that is in fact true. Nasrin takes it upon herself to proclaim that a foreign way of life is a wrong way of life and asserts that this justifies demanding change despite the offense the fundamentalists feel toward such a demand.

*The Noise of Hatred* presents a life in the modern world is the only feasible life to live in happiness. She has been proclaimed a hero because she was not allowed to live a life that she chose in a region where her activities offend and go against the very grain of their lifestyle. She has been open about her adulterous affairs which are offensive and a mortal crime within the
predominant culture in which she lived. To allow her to break the laws because of her own personal beliefs would be to allow all citizens to do as they believe despite the rules of the land on which she resides. If she was ignored she would have not obtained all this fame and reputation on the account of her religion, people and nation. As Muslims, we do not want to mention any of what she has written in that book against Islam; Islam is the religion of goodness and mercy; tender and leniency promotion and civility with which just people witnessed to Islam, but Nasrin and those authors of her profile refuse to recognize this.

Support from the Muslim Diaspora

Former French President Sarkozy awarded Nasrin the most imminent French Literary award in the modern world in 2008. She has received many other awards for writing and her work on the behalf of women. All of her accolades however, have been from the West or those who respect and praise her criticism of Islam. Even within Muslim circles she is revered but only by those who do not support Sharia law and the oppression of women. Throughout her career, Nasrin received a great deal of support from around the world. For example, in her response to the *Los Angeles Times* article, "Bangladeshis Clash Over 'Infidel' Writer," Samer Hathout (1994, July 13), President of the Muslim Women's League, Los Angeles, wrote:

Why are the so-called Muslim fundamentalists so afraid of Taslima Nasrin and her ideas? Do they not realize that God already ensured the equality of women and men over 1,400 years ago in the Koran? Is their belief in God and Islam so weak that they think that Islam itself will be destroyed because of Ms. Nasrin's writings? Ms. Nasrin has
the right to voice her opinions without fear of death. The Koran states that there shall be "no coercion in matters of faith." The fundamentalists seem to be more afraid of losing their status in a sexist system than they are of Islam's teachings being distorted.
CHAPTER V. THE ASSASSINATION OF HUMAN RIGHTS
AND PEACE ADVOCATE DR. FARAJ FODAH

The Assassination of Dr. Faraj Fodah

Dr. Faraj Fodah was a well-known Egyptian professor, author, journalist, and human rights activist. After being accused of blasphemy by the ulamā’ at Al-Azhar University in Cairo, Dr. Fodah was assassinated June 1992 by the Islamist group al-Gama’a al-Islamiyya.

The “godfather” of Al-Gama’a Al-Islamiyah, Omer Abdurrahman, announced that Dr. Fodah was an atheist, even though Abdurrahman admitted to never reading Fodah's work, he still stated that he must die. He saw him as an enemy to Islam and a fatwā was soon declared on his head. The assassination occurred at the time that the Azhar Scientist Front published a declaration in the Al Noor Journal in 1992, accusing Fodah of apostasy (desertion or departure from Islam). The fatwā of Omer Abdurrahman indicated that the person who killed Dr. Fodah faced no legal offense. When one of the assassins Abu Al-‘Ela Abd Rabboo was interviewed on Al-Arabiya TV on June 14, 2013, the interviewer asked him, “Why did you kill Faraj Fodah?” The accused answered, “Because he is an atheist.” The interviewer then asked, “Of which of his books could you know he is an atheist?” The assassin answered, “I haven’t read any of his books.” Then he asked him, “Why then?” The assassin answered, “I don’t know how to read or write, I just carried out Sheikh Omer Abdurrahman’s Fatwa.” It was as simple as that.

4 There are several different spellings of Dr. Faraj Fodah’s name, including Farag Foda, Faraj Fawda, and Faraj Fudah.
Fodah was one of 202 people killed by “politically motivated assaults” in Egypt between March 1992 and September 1993. In December 1992, his collected works were banned. Egypt was unfortunately one of the first countries to experience a political Islam resurgence and many people who were moderate or secularists were murdered, particularly those who were critical of the idea of the use of religion in law.

Lack of Research about Dr. Fodah

While there is a wide body of research on the fatwās on Rushdie and Nasrin, for readers in western nations, there is far less exploration or publications into the fatwā issued against Dr. Fodah, and very little research on his efforts as a human rights and peace advocate. He was very knowledgeable on the history and politics of Islam and wrote 12 books, published in Arabic. The Wafd and the Future (1983), The Neglected Truth (1985), and one of his most famous, To Be or Not to Be (1988) in which the Islamic vision of history was attacked (Soage, 5)

Dr. Fodah’s book, The Neglected Truth, has also been translated as The Absent Truth. Similarly, his other 11 books often have slightly different translated titles, particularly those that were published after his death in 1992. For this dissertation, I will be using the following English translated titles: Discussion on Sharia; The Harbinger; Where is Sectarianism Going?; Before The Fall (1st edition, 1985; 2nd edition, 1995); Discussion on Secularism (1st edition, 1993; 2nd edition, 2005); The Warning (1st edition, 1989; 2nd edition, 2005); The Played With (1st edition, 1985; 2nd edition, 2004); To Be or Not to Be (1st edition, 1988; 2nd edition, 2004); Pleasure Marriage (1st edition, 1990; 2nd edition, 2004); The Game; and So the Words Will Not Be in the Air.

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5 Dr. Fodah’s book, The Neglected Truth, has also been translated as The Absent Truth.
2007) to name but a few. Fodah was equally famous for his astute articles and acerbic satires about Islamic fundamentalists. He frequently pointed out weak arguments made about Islamist ideology and that which he saw as a ridiculous demand to return to Sharia law.

In a rare study that highlights Fodah’s writing and impact on society, Meir Hatina (2009), in the book, *Identity politics in the Middle East: Liberal thought and Islamic challenge in Egypt*, notes, “In his writings, Fodah attacked the widespread slogan proclaiming that the solution to society’s ills lies in implementing the *shari’a*” (p. 113). Fodah employed rational arguments that drew from both ancient Muslim history and contemporary cultural, religious, and political contexts in Egypt and throughout the Middle East and North Africa to discredit political Islam (Hatina, 2009). He “favored the discursive method” to highlight the need for modern democratic statehood (Hatina, 2009, p. 120) and explicitly appealed for “the separation of religion from politics and rejecting the applicability of the *shari’a* to the modern age, positioned himself on the extreme end of the liberal spectrum in post-revolutionary Egypt” (p. 119). In doing so, Fodah “supported a democratic arrangement that took an intermediary position between the ‘jurisdicitional’ approach, which ensures the positional role of religion in the state by constitutional and legal definition, and the ‘separatist’ approach (p. 121).

**Trauma and the Resulting Call to Advocacy**

Prior to his assignation, Dr. Fodha was a significant figure in Egyptian politics and the fight against Islamic fundamentalism. He started his career by joining the Faculty of Agriculture in the sixties and obtained his BSc in Agricultural Economics in June 1967. In that same month, his young brother, Lieutenant Yahia Al Deen Fodah, was killed in armed conflict
on June 5, 1967, just three days after his graduation from college. Fodah was devastated and forever changed.

After his brother’s death Fodah decided to dedicate his life to public service. Fodah stirred quite a wide range of controversy and opinions between public intellectuals, thinkers, and religious leaders, particularly in the Middle East and North Africa, for his advocacy for separating religion from state politics, and for Israeli-Egyptian peace.

Fodah dedicated himself wholeheartedly to the causes in which he believed throughout his entire life. He was very involved and passionate in establishing the New Wafd Party, but then he was forced to resign because he disputed the alliance of the party with the Muslim Brothers to run for the election of the Egyptian People Council in 1984. He tried to establish a party by the name of the “Independent Party” but spent years waiting for approval from the committee of Party’s affairs pertaining to the Egyptian Shura Council. He also established the Egyptian Enlightenment Society located in Madinat Nassr.

When the multi-party process was reintroduced by Al-Sadat in 1978, Fodah considered that the only politically organized party with viable staying power in the Egyptian arena at that moment against the religious Islamic Party. Fodah was drawn to such a party that was guided by a deep rooted political belief of secular Egyptians. The party believed in democracy and was able to attract all the liberal movements in Egypt. The party raised the concept of national unity not as an abstract concept, but as a great political heritage. It represented a popular collection rather than a political ideology, where under the motto of social justice all the political believers can meet under its banner, or support him at a minimum.

He and Sadat did not always see eye-to-eye and he objected when Sadat called for a general memorandum before his death in 1981. Sadat’s memorandum included several articles
where the voter had to answer with one word yes or no. It referred to the ex-article that the Islamic Law is the main “resource” for legalization by adding the word “the”. Fodah assumed that the addition of this article was the preparation for the establishment of the religious state, which was true and unfortunately destroyed the Civilian Egyptian State.

Fodah did however support Al-Sadat recovery of Sinai peacefully via the Egypt-Israel peace treaty. Fodah believed that the events on October 6, 1973 were treated in an irrational way and that there was a misperception of most of its lessons. Nobody paid attention when, after the October 1973 war, writers portrayed what happened as if it is a heavenly victory revealed to truthful believers. They called out Allah Akbar. In their eyes, Allah provided them with his army and reinforced them with victory. Some even swore that they saw Angels fighting alongside with them. Those who believed such embellished stories forget that true Islam was represented in what the Egyptians did both before and through the war years, by learning, by being prosperous, training and growing with the best that science offers. But it is a dominant a marketing ploy to ply the ignorant into believing that Allah was supporting their efforts to fight the more westernized regime. It becomes a very serious indicator to the degradation of mind against such a powerful force.

Fodah believed that the Arab-Israeli struggle was on the way to peace after the peace treaty, and he feared that Egypt’s conflict in the Middle East would be with Iran, and that Egypt’s armed struggle would move to the south where the water resources called for saving the Nile Route and Sources (5). Because Dr. Fodah specialized in irrigation water economies, he had increased awareness for environmental sustainability and the necessity of safe and clean water resources. Also, his specialization may have led him to become aware of the emergence of the Islamic organization in Sudan in 1983 as a strategic danger to Egyptian national security.
The Beginning of the End for Dr. Fodah

More than one party announced a *fatwā* on the head of Dr. Fodah. Sheikh Al-Gama’a Al-Islamiyah was one of many. Sheikh Al Gazali also gave a legal opinion during the assassin case hearing legalizing that, “The nation’s members have to carry out the Islamic laws (Hiddod) when they are nullified by whomever, and that means it is illegal to kill who killed Faraj Fodah,” said Dr. Ahmed Abdalzahir, a professor of criminal law in Cairo University. Therefore, anyone who announced a *fatwā* and followed through were not guilty of a crime so he and all who might have killed him are innocent. In Egypt “the *fatwā* is basically a legal discretion in religious affairs, meant to facilitate the Muslims conditions and it is not allowed out of its context, especially if it is related to politics” (p. 34).

Before his death, Fodah had been accused of blasphemy by Al-Azhar. The Al-Azhar ulamā had thereby adopted a previous *fatwā* by Shiekh Al-Azhar, Jadd Al-Haqq, accusing Fodah of being an enemy of Islam. In a statement, he claimed responsibility for the killing, Al-Gama’a Al-Islamiyya accused Fodah of being an apostate from Islam, advocating the separation of religion from the state, and favoring the existing legal system in Egypt rather than the application of *Shari’a* [Islamic law]. Dr. Abd-Alzahir explained if the *fatwā* is applied out of its context then it becomes meaningless and in this case, it imposes legal interrogation according to article 171 which refers to, “that who abets one or more to commit a criminal act or a misdemeanor by saying or acting or writing is considered a participant in the action, and this what applies to Omer Abdurrahman who is detained in America on-lent of planning terrorist operations.”

Fodah was of the first generation that founded *Gama’īt Al-akhwan Al-Muslimeen*, [the Muslim Brotherhood]. He was a member in the counseling office at the time of the second
counselor Hassan Al-Hudaibi and then disagreed with him and joined the private organization of the Gama’a. The Muslim Brotherhood began to see him as an enemy and began working against him along with the other fundamentalist groups. They too supported and called for the fatwā.

Dr. Al-Gazali talked ten days before the assassination in a symposium at the staff club in Cairo University about Fouda and Dr. Fouad Zakaria that repeated the words of Islamic enemies outside the country. “May Allah guide to the right, if not may he takes them,” and these words in addition to the symposium declaration of Azhar were a covert assignment for his impending assassination. Additionally, Gazali volunteered to witness Fouda’s assassination. He stated “with what he said and did Fodah is an apostate (defect), and he therefore had to shed apostate blood, and the guardian is responsible for the application of hidood [Islamic laws], and the charge according to which the youth in the court cage should be judged is not the killing, but it is trespassing of authority to apply the hidood.” Essentially, this is stating that Fodah is an apostate, a traitor of Islam, for denouncing aspects of Sharia law and he must therefore die. The guardian, any Islamic authority is responsible to apply the punishment and the assassin should not be judged for murder. The application of the hidood is therefore justified” (p. 118).

After that Dr. Mahmoud Mazrooa, Head of Religions Department at the Faculty of Religion Fundamentals in Azhar University, witnessed for three hours whereas he confirmed Fodah was fighting Islam at two fronts, so, he is an apostate by the collective opinion of Muslims, and the matter does not require a committee to judge his apostasy. According to Al-Gazali and Mazrooa, the assassins’ statements are quite enough for them even if they face death penalty.
Al-Gazali did not accomplish all he intended with his own testimony, but he offered to Mazrooa that a group of scientists, in addition to the scientist’s symposium, should issue jointly a declaration that enables them to show whatever opinions they have without being entangled in abetment of killing, and Mohammed Ammara was one of these who signed this declaration with al-Gazali.

Later, Al-Gazali mentioned, on a television talk show, that Fodah may have his opinion but should remain quiet. “I accept if somebody says to me (I don’t like Islam). OK. Just stay in your home or be with yourself and don’t attack Islam instructions, stay an atheist alone with yourself, so we have nothing to do with you, we cannot touch you, but if you come to the mosque and ask why is this Azan so noisy? (calling for prayer) Just don’t make these mad sounds. It is not necessary; they are of no avail. No, no, no, then I may look you in a very different way from here forward. Dr. Fodah maybe you want to destroy this nation for the sake of Israel (cited in Tahari, 2002, p. 7). Al-Gazali and his many followers believe completely in Sharia law with no exception. Anyone who follows another religion or particularly those who reject Islam are seen as an enemy. Fodah chose not only to be an atheist but he committed the ultimate sin by speaking out against Mohammed. He was hated by many because he slandered their entire belief system which is tantamount to being worthy of being killed.

**Mohammed Ammara and Fodah’s Debate**

Mohammed Ammara who clearly declared on June 30th, 1994 it was time for a change, called for a coup against the current legal president of Egypt. He was a participant in a debate that clearly seemed to be the start of an assassination plot on Fodah, who was in fact killed a just a short few weeks later.
In a symposium that was held on January 8, 1992 at the Cairo International Exhibition regarding the civil state and the contrast with the religious state, al-Gazali, Mamoun Al-Hidaibi, the ex-counselor of Gama’t Al-Ikhwan [Muslim Brotherhood] and the third, Muhammad Ammara, were at one side, and Dr. Fodah and Dr. M. Ahmed Khalaf Auda were on the other side. The result of the symposium was that Fodah outmaneuvered his debaters with his strong proof, deep knowledge of Islamic culture, his eloquence, agility, calmness and respect of his perceived enemies. They on the other hand, looked nervous, hostile, and threatening. Al-Hudaibi expressed himself by a proclamation, “We are devoted to Allah via the private organization of Al-Ikhwan Almuslimeen and find Dr. Fodah’s beliefs disturbing” (1995, p. 4).

It was however, Omer Abdurrahman who specifically ordered the murder.

Abdurrahman’s philosophy that the end of life as thought is not dictated by own ideas but from the ideas and commands of Allah. He hoped to be released from prison in America via a negotiation as a very valuable leader in Egypt under the rule of Mursi. Mursi promised this would transpire in his first address to the Egyptian people in Midan Al Tahrir on June 29, 2012. From his prison cell, Abdurrahman congratulated him on his win, thereby pleasing the fundamental followers. Deceased Nobel Prize winner Najeeb Mah met the same fate as Fodah along with a great number of others who had radical fatwās placed on their heads. Omer despised the political system and tourism companies since tourism is forbidden (haram) and “Egypt is in no need of tourists to gain financial resources from,” according to his texts.

The Muslim Brotherhood and fundamentalist’s voices were beside those of the members of Al-Gama’a Al-Islamiyah and were vocal after the revolution requesting the release of Omer Abdurrahman by the allegation that permanent imprisonment is a torture and inhumane
subjugation against the law. The Egyptian government has yet to accomplish his release from prison.

Facing these pressures, it was often discussed that Hillary Clinton’s visit to Egypt, was a hope for negotiations to release Omer, but Mursi who promised the Sheik’s family and Al-Gama’a Al-Islamiyah, as he announced of his attempts to release the sheikh, postponed this issue for reasons related to time and priorities. Mursi’s close associates confirmed that the sheikh’s release became a very popular and constant request, and that Mursi is just waiting for the formation of the government to make a positive movement via the Ministry of Foreign affairs, or he must wait until the chance to meet with the sitting President of the United States.

**Relationship with Qatar**

*Gama’t Al-Ikhwan* was not the only group who strived to seek Omer Abdurrahman’s release from the U.S. prison system; The leadership of the country of Qatar interceded on more than one occasion to release Abdurrahman, and agreed to host him. Qatari leaders justified the release by pointing out that he is blind, over seventy years in age and infected with several diseases including cancer, diabetes, rheumatism, heart disease, a prisoner of his wheelchair and deprived of external communication.

Mohammed, son of Omer Abdurrahman said that: “Yousif Al-Garadawi, President of International Federation of Muslim Scientists, embraced a conciliation and presented it to the Prince of Qatar, who showed his readiness to officially adopt the conciliation in coordination with two other personalities one of them Egyptian and the other from Qatar. Al Caradawi had made an attempt without government approval for an attempted breakout but was thwarted by
the Egyptian government as so, the family continues the efforts through Al-Garadawi’s help” (cited in Tamari, 2010, p. 123).

**Salah Abu Ismail**

Saleh Abu Ismail is not different from those before him in ideology or approach in raising the banners of atonement. He is one of the most famous Muslim Brothers in Egypt and the father of the radical retroactive Hazim Salah Abu Ismail, one of the most controversial personalities after the January 25th Revolution. He is the same man who was in a very difficult struggle with Fodah when they were in Al-Wafd Party in 1984, when Fodah insisted on Al-Wafd acknowledging his secular identity, while Salah Ali Abu Ismail insisted on the Wafd Islamic identity after allying with Gama’at Al-Ikhwan.

Dr. Fodah had his first run for election inside the new Wafd Party to bar the alliance between the party and the Muslim Brothers in the parliamentary elections of 1984. He wrote about his political ideas during the struggle in his first book, *The Wafd and Future* (1983). Nonetheless, he failed in barring that alliance which Salah Abu Ismail led inside the party.

**Wagdi Ganeem**

Wagdi Ganeem, a very volatile, violent man who encouraged murdering those who speak against Allah and ignites anger and destruction wherever he goes was at the time on the run from the Egyptian authorities. INTERPOL was searching for him in 7 countries, after committing many atrocities. He ordered a *fatwā* on Fodah with his famous quote, “his killing is the solution,” which has prompted much violence and death in the Islamic world. Ganeem
encouraged citizens, to kill army and policemen in support of people against Mursi and his followers.

Also, Al Ganeem had distributed a video encouraging Muslim Brothers’ supporters to commit violence and revenge after what happened to them at the breaking up of Rabaa Al-Adawiyya and Al-Nahda refuge, describing what occurred as a battle between Islam and atheism, calling the policemen and army men atheists. He exposed his beliefs by posting a photographed declaration on YouTube, and he published it on his Facebook page of his confirming that he supports the terrorist organization of ISIS (Daesh).

**The Wafd, the Rise of Islamic Extremism and the Future**

Dr. Fodah wrote several of his important books during the 1980s including *Before Falling* (1984), *Absent Truth* (1984), *The Played* (1985), *Sectarianism to Where?* (1985). In addition, he collaborated with co-authors, Yohan Lapib Riziq (1983-2008) and Khalil Abdul Karim (1930-2007), to write a dialogue about secularization (1987), and *The Warner* (1989). His books drew a lot of attention and some of them published more than once, and some were taught in foreign universities and institutions. Fodah had foreseen that the victory of the Islamic alliance and the success of Muslim Brothers (11) was the true danger to the State, no less than the Islamic Gama’t in the 1970s which ended by the fall of the head of state (9). Fodah referred to that the Islamic movement as a previous example of faults in the 1984 elections that was led by its traditional branch (Al-Ikhwan) who were after, in his opinion, realization of terrorism via legality (p. 11) Without supporting the current revolutionary (Armed Terrorism Groups) who are destroying the legal system with terrorism, he vowed to keep fighting” (p. 11).
“We can realize the volume of change in the thought of Jihad Organization members, if we compare what happened, with the speech, of their legal advisor (Mufti), and Imam Omer Abdurrahman to “Al-Shaab” in the newspaper before the elections saying he supports the alliance more than this the most famous of the groups Amir’s in Minia. Abdurranman nominated himself to the council of the alliance and defended the alliance mottos, and became leader of the council. He was a colleague to other members who were Amir’s (princes) to Islamic groups when they were students, and all of them are representatives to this alliance in their chosen professions. The election was financed via the Islamic foundations of employment funds which represent what Fodah called the “Islamic Current.”

Fodah wrote his book, *The Warner* (1989), as a guide to help the state contend with the rising growth of Islamic factions between 1982 and 1987. He concluded that the Islamic groups may well “succeed in establishing a parallel state” (p. 34) having an economy represented by the employment fund institutions, its army represented by the Islamic Armed groups, and the political entity being represented by the Muslim Brothers Guidance Office despite the legal barring of the group.

The Islamic current, as they became known also violated the official religious institution represented by the invitation of Azhar Sheikh to vote for the Islamic Alliance candidates, and the request of Al-Liwaa Al-Islami, published by the ruling party (the National Democratic Party) from the citizens not to deal with the national banks and limit their dealings with Islamic banks. In addition, they violated the rules set up by the government media by increasing the religious dose of Islamic press, television series, and religious speeches by the likes of Sheikh Mohammed.
Mitwali Al-Sharawi (1911-1998) was known for his abuse of Christians. Fodah saw “this huge growth in actions against Christians occurred despite the permanent announcement of the State’s rejection to these Islamic currents. The announcement merely emboldened them and they freely shouted the mottos and hung the banners touting the radical political religious extremism. If an Islamic faction was confronted by the governing forces, they saw it as a success to merely draw more attention to their cause. And with the further exposure to their cause by the planned confrontation by the government, success there will be doubled for the radicals, and at the same time it is a doubled failure for the state.” (11).

**Terrorism**

Armed Islamic Groups violent operations returned in the second half of the eighties, such as the attempt of assassinating the Minister of Interior, General Hassan Abu Basha (1922-2005), the journalist writer Mukaram Mohammed Ahmed (1935-), the ex-Minister of Interior, General Al Nabawi Ismail (1925-2009) and the murder of many police forces, destruction of shops selling videos or alcohol, cinemas and pharmacies in Sohaj. In 1988, the Islamic Groups dominated the Aumpapa area and exercised terrorist acts against the people there; the different sects targeting whatever group they had the largest issue with by violent acts. In 1988 Fodah had written his book “Terrorism” to study the growth of violence, and he saw at it despite the success of the violent security reactions by the state in the times of Ibrahim Abd Al-Hadi and Jamal Abd Al-Nasir in curtailing the Islamic Groups violence, then represented by the Muslim Brothers. Unfortunately, many of these successes were short-lived and despite repeated efforts the government couldn’t eradicate the problem from its roots, hence the continued growth of the Islamic Terrorist Groups. Fodah feared that despite the widening of the Democratic arena,
the prevalence of law enforcement and the government taking control of the mass media the radicals still were making inroads.

Late in 1988, Fodah wrote several articles in the Al-Ahrar newspaper, expressing his resentment for the handling of rapists and the lack of help for the women. He believed the accounts were published merely to encourage return to “execution in public places” as a means of applying Islamic Law (Sharia).

Fodah considered that the legalities surrounding adultery in Islamic laws especially those concerned with the witnesses, are almost impossible to realize in modern societies. He also discussed doctrinal writings (Fiqh Islamic Law) about the amusement of female slaves, which stimulated wide arguments between religious men. Fiqh Islamic Law is the rule of law for observance of rituals, morals and social legislation in Islamic law. Throughout history the purchase of female slaves has been legal by those who believe in Sharia law. Muslim men have been entitled by law to the sexual enjoyment of his female slave. Today, some men do not see female slaves as proper and many arguments, discussions and interpretation of the Qur’an on that subject continue. He entered into several arguments until the affair ended with the request of a permanent council of the liberal socialist party, when the Islamic alliance parties, which publishes Al-Arar newspaper, tried to stop the articles, but it led to escalated fighting inside the party between Mohammed Farir Zakaria, the assistant general secretary of the party and Wahid Ghazi, the newspaper chief editor (p. 13). Fodah mentioned these essays and Fiqh studies in his books Pleasure Marriage (1990) and To Be or Not to Be (1990).
To Be or Not to Be

In his final book, To Be or Not to Be, Fodah discussed the Islamic perspective which starts with the demand of a penalty for apostasy- he even wrote, “no punishment [hidood]…no… repentance…No censure” (p. 123). He pointed out that those who listen to the statement and abide with this belief- as mentioned in the Holy Qur’an and Prophetic tradition … as for those who suffer from deafness in their ears and their hearts are empty you cannot make the deaf hear a rational argument. He discussed Arab Nationalism, and used two examples of two people who claim to have experienced enlightenment.

Mohammed Ali and of Abu al Nasir each divulged their truth about their alleged enlightenment which Fodah saw as a conflict between the self and issue. He discussed that all must abide with reality and not believe that religion represents the root of its civilization, the axis of its society and the origin of its innermost. He insisted that Egypt did not have to ignore religion, but that the enlightenment that had occurred in Egypt that allowed for growth, stability and acceptance for all will behoove the Egyptian people. He pointed out that there is an effective minority of non-Muslims – affected with certain ideas or by the orientation of church leadership that have been placed into confrontation with Islam by no fault of their own other than not being Muslims.

Islam achieves only in alienating these minorities and causing them to flee. The chapter, “Religion Barrier” discusses the Coptic minority in Egypt intensively and how they could be a constructive element in building a better and more progressive Egyptian society. It was clear that the book was almost a litigation and a plea to the prevailing Egyptian society to come to their senses before all is lost. He strongly believed that the Islamic fundamentalists who supported only their own way would ultimately fail.
Al-Sheikh Mohammed Al-Gazali Affidavit

Sheikh M. Al Gazali’s affidavit on the assassination of Fodah, on June 22nd, 1993 stimulated a storm of concern that overwhelmed the Egyptians. Many in Egypt feared with the loss of Fodah, extremism would only continue to grow and take root in the Egyptian culture and that the government would eventually be run under Islamic law.

Litigation of Dr. Fodah's Assassins

During the litigation of the alleged assassin of Dr. Faraj Fodah in June 1993, the defense asked to hear the testimony of Sheikh Mohammed Al Gazali about some of the bizarre circumstances surrounding the case and the court fortunately was open to listening to testimony. When Sheikh Al Gazali testified, the defense presented him with several questions skillfully and technically formulated in a way that it served his viewpoint and Sheikh Al Gazali answered courageously and objectively. Due to the biased nature of the questions, the Sheikh’s answers overjoyed and confirmed to the enlightenment believers that they were right. The testimony occupied a large space in the press and it remained the most dominant topic for more than a month.

Details of the Affidavit

Here we find the Affidavit of Al Sheikh Al Gazali, cited from Al-Shaab newspaper, under the heading: that he who rejects the application of Islamic Laws is “an apostate” and that he who mocks it is “atheist”.
The accused were brought in and entered the accusation cage among echoing yells, repeating: Islam, Islam” Allah’s law (glorified and Sublime he be), Islam is the solution” as well as chanting some Islamic Anthems. The accused finally sat down and the session began.

The term "encroachment on the authority" were the words uttered by Shaikh Muhammad Al-Ghazali in his testimony before the court in the trial of suspects in the assassination of Fodah. Essentially what that means is that the judgment of God for the apostate is not rescinded by one, and that infringing your beliefs on another, if it goes against the word of Islam shall face penalty. In response to a question what if a human killed another on the pretext that he became “Kafir” (unbeliever) or went against the Qur’an he said: "It is not for the public establishment of the border, or to impose the punishments of retribution and this should be done by the judge. Sheikh Al-Ghazali did not clarify to which judiciary he was referring too, whether the government of Egypt or Allah and Islam.

Even the dialogue must be objective. From a legal perspective, one must first ask what is meant by "authority?" The "authority" in the legal meaning is the right owner, in the case of atonement or apostasy, there are three of its own: the authority who is making the accusation the authority of the Court, and the authority to enforce the sentence issued by the competent judiciary as implemented by the state.

**Proving the Crime of Apostasy**

Dr. Ahmed Fathi Bahnasy conveyed the following special crime of apostasy into the trial of the men who were accused of assassinating Fodah. An apostate is the one who disbelieves after his conversion to Islam, apostasy in the language means to reverse the thing to the other, that is, the religious conversion from Islam to others.
The origin of this crime, which is stated in the Koran verse: (It Ertdd you about religion Vimit a disbeliever. Those who aborted their work in this world and the Hereafter, and those owners of the Fire are the immortal) (Elbaqara Surah), and in another verse (meaning) (Oh who believe! rebounding from you about his religion God will get a people who loves them and love him) (Surah Elmaeda), and saying: "Whoever changes his religion, kill him." (cited in Abdul Aziz, 2013, p. 76).

In proving the crime of apostasy all three pillars must be evident: a physical reaction, especially in the apostate conditions, and then criminal intent.

The physical act is the crime of apostasy from Islam to any other religion written or non-written, or non-religion. The terms of the apostate are: to be a Muslim and an adult of sound mind (boy and the insane are not considered an apostasy) and be of free will (the impeller his apostasy not valid and his heart remaining firm in Faith).

As for criminal intent, the intent required in this crime is a special intent; any criminal intent in general is not enough in most crimes, which is the act of knowing it, but to be an apostate is defined as disbelief in Islam. The Muslim who burns the Koran in order to heal the sick is an apostate, and those who spout silly words not intended as an infidel or slander against Allah is not considered an apostate, and utter disbelief under the influence of mental illness is not considered an apostate.

If proven, the crime of apostasy would mean imprisonment for three days and nights and a full repent during the time, according to Omar and Ali, Malik, Elthawri, Elawzaei, Ishaq and opinion makers and one of two views saying of Elshafie. Scholars’ responses have varied as to how to perform the repentance, some encouraged that he be asked to repent to God every day of the three days once every day.
The evidence of the crime of apostasy is proving a crime in two ways, the rest of the ruling is the same as other crimes. The judge was not satisfied with the witnesses who insisted that the apostate was an infidel, and insisted that evidence needs to be provided to show that the infidel was clear with his intentions. Salah Montasse (1993), in his column titled "Questions and comments", recounted a dialogue with the Shaikh Muhammad al-Ghazali. Montasse wrote that young people should not get the knowledge of the issues of religion from just a book he read or heard the opinion. He also wrote, there is a consensus among scholars confirmed by Shaikh al-Ghazali is that the hud of apostasy not mentioned in Qur’anic text, but stated in individual hadith [an interpretation narrated by one for one so the Messenger of Allah (pbuh)], a hadith which says: "Whoever changes his religion, kill him". This particular belief, albeit harsh by outsiders is the absolute belief of those who adhere to Sharia law. To choose to abandon Islam and speak negatively towards Islam is far worse than never having been a Muslim. A Christian or Hindu is perceived as wrong and still is vulnerable to hatred and murder but far less likely to receive such anger as a Muslim who abandons his faith and speaks ill of Islam, is the ultimate betrayer.

The Egyptian Supreme State Security Court hearing the case over the assassination of Dr. Fodah called at the request of the defense - Sheikh Mohammed Al-Ghazali as a witness, to testify on the rule of apostasy (al-Hayat, 1993). Sheikh Al-Ghazali stated, "The judgment of God is not to abolish it if one was carried out by one of the people, it would be encroachment of the authorities." When asked by the defense if there is a punishment for encroachment on Islamic authority, al-Ghazali said, “I do not deny that it has a punishment” (cited in al-Hayat, 1993, p. 85).
Public and Expert Opinions about the Trial

Newspapers, particularly the *Rose Al-Youssef*, considered Sheikh Al-Ghazali’s testimony "an advisory opinion in the interest of extremism and extremists" and accused him of creating a new extremist *mufti* (1993, p. 12). The old and the Grand Mufti, Sheikh Omar Abdel-Rahman, who raised controversy claiming that with Omer in the United States, how could he be the mouthpiece of the Islamic movement. Newspaper opinion pieces, in *The People* and *Liberal*, sided with al-Ghazali and Omer. A debate erupted in the Egyptian street about the future of Egypt and the safety, especially with the continuing acts of violence by extremist groups against security forces and symbols of authority. Where many supported the *fatwā* and believed no one should be punished for Fodah’s death, many were equally afraid of what the future held.

A statement from the Egyptian *Fatwā* House Committee issued on July 8 to determine the meaning of apostasy and who is an apostate, "The apostate of the individual can deny that which he knows of religion necessarily; like dogma and corners of the fundamental Islam or mockery and challenge the validity of the provision of thought and behavior." For the punishment of the apostate, the Committee's statement said, "Scholars decided to repent for the apostate, the different opinion of the scholars is for the period, if returned apostate was discharged, and if not returned, he should be punished" (p. 334).

In determining the punishment, the Commission cited the words of the Prophet: "Whoever changes his religion, kill him." The punishment, if it shall be, then shall be implemented only by those who know that they achieved their cause, but the severe punishment will be in the afterlife sentence of the sin. The guardian is to punish a *tadhirah* [admonition] punishment strictly through chaos and recognition of security and order, and stressed the Committee's statement that Islam has forbidden for a Muslim to forsake his religion concerning
to the words of God: He who is an apostate from his religion must die a disbeliever and lose their actions in this world. Hereafter, will be in the fire and stay in it forever (Blaise & Mukherjee, 1990).

For its part, the Egyptian Organization for Human Rights protested Sheikh Ghazali testimony and rejected it and declared that it was against human rights and offensive to Islam. The result was not judging Fouda posthumously as an apostate.

The Judiciary Quandary

If the judiciary were told that an individual or group has killed a man on the pretext that he be considered an apostate, and was told then that this individual or this group answered to authority, then is the authority accountable? Does the individual or the authority face the of the sentence?

Due to the complexity of the trial with the government having mixed alliances by some adhering to purely judicial law while others believe that Islam plays a pivotal role in the law, these questions were not answered easily. Should the judiciary find the assassins innocent, would chaos prevail? Was the decision to state Dr. Fodah was not an apostate going to bring violence spilling into the streets in Egypt? All of the Muslim world was watching closely and opinions were varied and vastly different.

The narrow concept that the responsibility lies on the authority is flawed, because it is arguable was the fatwā was made by a competent authority. Additionally, hidood [Islamic law] is subject to interpretation. The punishment laid down from a hidood may not be so clearly defined (al-Hayat, 1993).
The Grand Mufti Dr. Mohamed Sayed Tantawi received the following message: Elsalam Alycom and God's mercy and blessings. I read - carefully - the questions that you have addressed to the virtue of our teacher, Sheikh Mohammed al-Ghazali, on the occasion of his testimony to the court of which the accused of assassinating Dr. Fodah:

“'I support that the eminence questions the apostate who fights Islam falsely and is worse than the infidel who will not be exposed or open to my faith, chooses not to touch on my faith. I hold though that the apostate insisting with outspoken words ridicules the provisions of Islam without proof, is the most hostile to Islam and Muslim people. I too support the eminence that the infidel man chose to never engage in Islam and chose to not be compelled to engage in Islam. But an apostate is a person who was a Muslim, and he went outside of Islam and offended him and to his people in bad faith, and scoffed at its provisions and etiquette and legislation without evidence or proof. He who goes against the sanctity of God - the Almighty indulging in such sins as adultery and drinking alcohol, demonstrates contempt for Islamic morality (para. 47). Essentially, this is yet again restating that Fodah spoke negatively against Islam, as a former Muslim, turned atheist and is therefore far worse of an infidel than say a Christian who is simply NOT a Muslim. The sins committed by this infidel, whether as simple as indulging in alcohol or condemning Allah are equivalent. The infidel/apostate is the guiltiest of parties by his damnation of Islam and shall suffer the consequential fate’” (para. 47).
Dr. Tantawi went on to state, “support that the only judiciary is the one who decides on the fate of the apostate according to the law of God - the Almighty - and it is not for the public. The hidood is established and the judiciary must impose the punishments of retribution or serve ta'zir [punishment for crimes against Islam]. If we opened the door to the general public for chaos and they kill each other and charge one another as an apostate, we shall have chaos. The judiciary needs to hand down the punishment that it deems appropriate” (cited in al-Hayat, 1993, para. 12). These statements put further pressure on the judiciary. No one would be satisfied with whatever determination was made regarding an apostate.

The fatwā Committee of Al-Azhar issued a fatwa on January 2, 1990 stating the individual hadith does not create certainty or hierarchy; there is no difference between the one hadith and another. Sheikh Al-Ghazali agreed to this opinion by given that in his book "The intellectual heritage in the balance of Shara and the intellect…if the individual hadith does not prove the hidoods” (p. 176). Essentially, there is proof that the actions made by Fodah can make him an apostate but the punishment cannot be determined and therefore his death was unjust. Although Sheikh Ghazali recognized that the Koran did not mention a punishment for an apostate and that the punishment mentioned are personal and with due diligence, but the eminence says the apostate, will face his punishment on their destiny in accordance with the judgment of God.

Further Public Reaction

Many perceived that the trial was demonstrating a fierce attack on Islam and that the determinations honored the man who lived his life as an apostate. Fundamentalists believed it is the responsibility of the Muslim community in front of others in order to preserve the image
of Islam. Many Muslims believed that Western media was waging a fierce campaign against
Islam and accused it of assault on all freedom of religion and, are the same media that reduced
the bloody tragedy of Muslims in Bosnia and Herzegovina, to something to overlook and
ignore. Human rights and human tragedies held no consequence to the west nor did the
freedom of religion and Muslims were being heavily persecuted. These actions indicated that
Western civilization has reached the top of the decline and backwardness and barbarism were
inevitable. No matter what justification the west would present the world of Islam is still
unable to understand his position, as evidenced in Bosnia and Herzegovina.

The Final Stages

The Egyptian Supreme State Security Court hearing the case of the assassination of Dr.
Fouda called, at the request of the defense, Sheikh Mohammed al Ghazali as a witness. Al-
Ghazali stated, "the judgment of God is not to abolish it if one was carried out by one of the
people, it would be encroachment the authorities." When asked by the defense if there is a
punishment for encroachment on Islamic authority, Al-Ghazali said, “I do not deny that it has a
punishment.” He believed that the killing of Fodah was in fact the implementation of the
punishment against an apostate which the imam failed to implement.

Ultimately, eight of the thirteen Islamists brought to trial for the murder were acquitted.
The man assumed to be the shooter, Abu Al-'Ela Abd Rabbo, was released from prison in 2012.
In 2014, in an interview on Al-Arabiya TV, Rabbo defended his actions, stating that "The
punishment for an apostate is death, even if he repents and if the ruler does not implement the
sharia law, then any of the citizens is entitled to carry out Allah's punishment" (cited in Al-
Arabiya TV, 2012).
The Contemporary Struggle

The case of the assassination of Dr. Faraj Fodah is the quintessential testimony to the struggle in Muslim majority nations today between those who want to have *shari’a* law over secular law and live under the rule of Islam, and those who choose to live in a modern state with a democratic government. Dr. Fodah represented the tension between progressive secularists and rising the fundamentalists, who have managed to make great inroads. The apostate argument in and of itself demonstrated the differing perspectives by those of traditional Islamic beliefs and those who believe in freedom of religion and free speech. The death of Dr. Fodah and so many others, and the rise of politicized Islam and groups like ISIS leave many deeply concerned if Muslim majority nations will ever exist in any way except under the thumb of *shari’a* law.

Dr. Fodah knew without democracy the economy would collapse, women would suffer and that all progress would be lost. He believed that there was a fundamental confusion between Islam and Muslims: ‘Islam is a religion and Muslims are human beings; religion is blameless, while humans make mistakes, he famously wrote. The failure to distinguish the faith from the believers has led to the quasi-divinization of Muslim historical figure and will lead to the downfall of society.
CHAPTER VI.

RECOMMENDATIONS AND DIRECTIONS FOR FUTURE RESEARCH

Recommendations

Given the analysis within this dissertation, the study of historical aspects *ulamā‘* and legitimacy of these various *fatwās* they have issued, as well as the manner in which these *fatwās* have influenced both public and private spheres, this final chapter of the dissertation offers several recommendations both to Islamic jurisprudence leaders and to scholars and researchers.

It recommended that *muftis* focus on important broad religious issues, rather than responding to chaos emerging from particular situations like the Salman Rushdie and Tasmina Nasrin "tiFFF", or to issuing *fatwās* without a great amount of thought and consideration for the global impact of *fatwās* (Allen, 2007). Instead, they should focus on legitimate policy issues, judicial bodies, and councils for consultation. They should also focus on studying opinions which eliminate the confusion and chaos and work on the regulation of Muslims affairs. This focus will ultimately improve the reputation of Muslim leaders, and strengthen their respect and authority.

All *muftis* should consider moderation in the advisory opinion and avoid unnecessary excessiveness, stress, and indulgence. Deliberation and validation by an advisory group should be attentive to avoid judgments without sufficient knowledge.

In addition, Islamic universities and faculties of law should establish more institutes for educating in the area of Islamic jurisprudence, in the procedures for developing and issuing *fatwās*, and for the allocation of scientific diplomas in advisory degrees. Such
developments, in turn, will lead to the graduation of muftis who are aware of best practices of fatwās and be better prepared to be appointed to the role of jurisprudence advisory bodies or councils.

**The Need for Understanding the Transnational Nature of Fatwās**

Another recommendation emerging from this dissertation is that ulamas should aim to understand the transnational nature of fatwās, particularly given the speed and breadth of global communication infrastructures. Religious leadership should consider how various fatwās can be disseminated, and take into account the complexities of each case, and the individuals and communities involved. This attention to sensitivity and complexity is especially important when transnational media are disseminating details about a case via satellite networks and the internet (Caeiro, 2008).

In addition, it is recommended that stronger transnational and regional ‘ulamā be formed. One example is the European Council for Fatwa and Research (see, for instance, Caeiro, 2010; Sardar Ali & Griffiths, 2014). The European Council for Fatwa and Research was founded in 1997 in London with support by the Federation of Islamic Organizations in Europe to unite legal efforts and provide “legal injunctions suitable for Muslims in Europe and research general, public fatwās” (Izzi Dien, 2004, p. 146). Such an organization is particularly important in administering fiqh al-aqalliyat [minority jurisprudence] and establishing fiqh al-aqalliyat as a distinct and unique area within furu ‘al-fiqh [Islamic substantive law] (Larsen, 2015).

Official councils and houses of fatwās must continue to emphasize the preparation of specialization for muftis so that they can best enact in their advisory roles. Such specialized courses should include the study of sociocultural and political turbulence emerging from, among
others, debates and dissent in worship practices, individual and group transactions, personal status and family law, medical matters, and legal policy issues, to ensure care of all Muslims, and all people around the world, no matter what their religious heritage.

Another important recommendation concerns online communication as it relates to Islamic religious rhetoric as well as relations between Muslims and those persons of other religious heritages. It is imperative for Muslim leaders in advisory roles, in their communicating with the Muslim global citizenship and diaspora, to answer questions and address inquiries extensively and compellingly, and to take advantage of online channels or information and communication technology. At the same time, it is important that Muslim leaders are sensitive to questions of privacy related to online communication (see, for instance, Mazrui & Mazrui, 2001).

The absence of the role of some governments to organize the work of muftis and take care of their affairs has had negative effects. Accordingly, the results of this research lead to a recommendation that governments of Muslim majority countries aim to establish reputable regulatory bodies of muftis that can develop and issue appropriate fatwās, take care of choosing qualified persons, oversee appropriate management and organizational structures, and to develop, and oversee advisory councils for various legal, political, social and cultural areas and issues.

The results of this dissertation lead to a recommendation that governments of countries with predominantly Muslim citizenship decrease, if not eradicate use of fatwās as a rhetorical instrument of power of its citizens. If fatwās are to be issued, it is recommended that ulama and muftis consider issuing fatwas as an enactment of public diplomacy, for example fatwās about environmental sustainability, peace, and eradication of terrorism (see Amr, 2004; Kraidy, 2008;

The Need for Interfaith Dialogue

A final, very important recommendation is the call for increased understanding of religious rhetoric, through interfaith dialogue. In their recent work on interfaith dialogue, Haddad and Fischbach (2015) note that theological, spiritual, and interfaith dialogue “is necessary in order to reach true taʿāyush (living together), particularly because politics and religion are intricately intertwined” (p. 423). Such interfaith dialogue is important in both religious and secular contexts (see, for instance, Keaten & Soukup, 2009; Lengel & Holdsworth, 2015; Riitaoja & Dervin, 2014). Haddad and Smith (2009) analyze interfaith efforts to seek a “common word” in order to “find some measure of theological common ground, and work together for world peace” (p. 369). More work, both researching these efforts, and doing these efforts, is paramount.

Similarly, beyond interfaith dialogue, community cohesion is important (Alam & Husband, 2013; Cantle, 2008; Flint, 2007; Lengel & Holdsworth, 2015).

Countering Extremists’ Fatwās

Perhaps the most important recommendation is the emphasis that muftis issue fatwās that emphasize that Islam is a religion of peace. Given that Islam is centrally concerned with spreading peace among all human beings, it is important to note that even Islam’s prescribed punishable penalties against crimes are set to keep human rights and protect societies from the outlaws and criminals. However, Islam has given the right of punishing the criminals to legal
rulers and a country’s concerned institutions such the ministry of Justice. It is not the right of individuals or radical groups who try to impose their ideologies on others. Terrorist and radical groups and extremist organizations, which show no mercy while slaughtering or burning innocent people, have developed media channels to emit their own Fatwas that pervert Islam moderate ideology to falsify sanction atrocities. They commit savage atrocities and aggressively hostile transgressions in the name of Islam.

These extremist fatwās, necessitate that all Muslim clerics and scholars must collaborate to issue moderate fatwas to counter the fatwas issued by extremist groups such as DAESH. Moderate fatwas issued by true, respected Muslim clerics and well-known scholars should spread in all mass media. Counter fatwas are to cover not only traditional mass media such as magazines, newspapers, the radio and the television, but also the electronic social media and the mobile phones applications.

Media experts and specialists who are concerned with countering extremists’ fatwas should pay more attention to mobile phones applications and social media. This is due to a number of reasons; firstly, these applications attract and appeal to young people who are targeted by extremists and radical Islamists. Secondly, moderate Islamic teachings can be presented, sent and shared or forwarded to a large number of mobile phone application users and social media pages or groups. Thirdly, fatwas and Islamic teachings can be presented in a way that can affect and counter extremist fatwas which they propagate on their pages and social groups.

Moderate Islam clerics’ speeches and lectures should tackle Islam’s tolerance and rejection of violence against innocent people and countries adopting other religions. Media specialists should redistribute clerics’ speeches and lectures in a way that attract viewers and
listeners, not necessarily all the speech or the lecture, but the specific part of the video or the clip that mentioning the *fatwa* and Islamic law against terrifying, assaulting or bullying citizens and innocent people. The falsehood, propagated by extremist groups like DAESH, requires more effort from large and international Islamic institutions like El-Azhar in Egypt and all Islam moderate clerics and scholars to exert more effort refuting and countering the extremists’ *fatwas*.

**Directions for Future Research**

The importance of *ulamāʾ* as a broad topic of study and, specifically, the *fatwas* they issue, deserves much more study in the humanities and social sciences. There is much more work to be done in this area, and this dissertation serve as an invitation to engage in such work, particularly in communication studies. One particular area for future research is the need for further analysis of *fatwa* in relation to *jihad*. If *jihad* has so many meanings, how are they to be understood? Which interpretations are correct? Which of the meanings promote improvements and reforms, and which have been exploited to justify extremism and terrorism?

This dissertation has focused on analyzing *ulamāʾ* and the *fatwas* through rhetorical critique. There are many other possibilities for studying these trends such as the transnational nature of religious thought and practice. It is suggested that other researchers build on the current and important work (Bāz & Uthaymīn, 1998; Caeiro, 2003; Caeiro, 2008; Caeiro, 2010a; Caeiro, 2010b; Caeiro, 2011; Caeiro & al-Saify, 2009; Fishman, 2006; Gräf & Skovgaard-Petersen, 2008; Johansen Karman, 2008; van Esdonk, 2011) regarding *fatwas* issues in locations where Muslims are in the minority of citizenship.
Future research can include how media represent fatwa, particularly by western professional media organizations, or how individuals use social media to engage in dialogue about these phenomena. Online distribution of fatwa is another fascinating area for future research, particularly because these practices have become much contested.

As this dissertation has shown, ulamā’, muftis, and fatwas are complex and contested phenomena. Given the lack of research in communication studies about the influence of ulamā and muftis and the fatwas they issue, this dissertation has broken ground in communication studies by analyzing ulamā, muftis, and fatwas from a rhetorical perspective. It is hoped that this study will encourage other scholars of communication and culture studies to further study how religion is used as an instrument for power, prestige, and political gain in the Islamic world. It is also hoped that the dissertation will encourage others to further study the previous and present political and sociocultural turbulence in Middle East and North Africa and other predominantly Muslim regions, and how fatwas work to either exacerbate or reduce conflict both within Muslim nations and communities, and across the world.
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APPENDIX A. TEXTS CONSULTED AND ANALYZED


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