The Understanding of
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Hussain Shaban

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The Journeys are Threefold:
The journey away from Him
The journey toward Him
And the journey inside of Him.
And this journey inside of Him is:
The journey of the desert and of confusion…
And the journey of the desert that has no end!!
Muhyiddin Ibn Arabi

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The Obligation of Tolerance and Controversy of
Rupture and Communication!

Translated by: Henrietta Aswad

Despite the escalation of violence and terrorism on a global scale, the call for tolerance[1] is on the rise, particularly among wide circles feeling a deep need for it. This call is taking on different forms consistent with the dialogue of civilizations, interaction of cultures and inter-faith dialogues, especially through common and shared values of humanitarian dimensions. In addition, the expressed interest of the intellectual, political, cultural

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[1]. The term Tolerance used since the sixteenth century has a closer meaning to the political, moral and behavioral concept towards the other religious doctrines; while the legal concept is Toleration began after the release of some European governments decrees in the sixteenth and seventeenth centuries, calling for tolerance and requesting from state officials and their residents to apply the rule of law and to be tolerant in their behavior towards other religious minorities, such as Martin Luther's supporters. Among the laws that were enacted then: Henry IV decree in France in 1598 and the Toleration Act issued by the King of England in 1689. John Locke had published during that period his famous "Letter of Tolerance" an expression of an alternative culture to intolerance and religious extremism that had prevailed and caused Europe to pay dearly and a high price for its wars, conflicts and policies of exclusions.

See: Al-Najjar, Shirzad, Ahmed - tolerance and intolerance in philosophy Habermas, tolerance magazine, Issue 32, April 2011.

Compare: Habermas, Juergen-Intolerence and Discrimination in, Con, Vol.1 No 1, 2003, pp2-12.

Compare also: Locke, John - message of tolerance, translation d. Abdel Rahman Badawi, a new edition, Iraqi Studies, Beirut, year of publication (unknown).

and religious elites in the idea of dialogue and the organization of various actors and activities, where some have gained an international breadth through the United Nations, UNESCO and other international organizations.

National, regional and UN bodies were formed to frame this dialogue in an atmosphere of tolerance, coexistence and reconsideration of the other, especially in facing fanatic movements, extremist policies, exclusionary and genocidal methods by all parties; in particular, those who prevailed in the wake of the September 11 terrorist and criminal attacks on the World Trade Center in New York, killing over three thousand innocent American citizens, or the severe reactions that followed these attacks.

If the call for tolerance has gained popularity, especially after the tension in international relations in the past two decades with wars braking-out and erupting conflicts, however, the invasion of Afghanistan in 2001 and the occupation of Iraq in 2003, in addition to the September 11 attacks heightened the sense of danger, especially among the two rivals who consider each other as enemies, requiring the elimination or the neutralization of the other's resistance power, by using all kinds of weapons and tools; all this taking place amidst an international alert, an ideological divide and propaganda, as well as severe psychological atmosphere.

Like Osama bin Laden caused the world to split in two camps and engaged in his pursuit many states, intelligence and security agencies, as well as political and diplomatic bodies for over two decades, until he was killed in May 2011. President George W. Bush divided the world into two main camps, when he labeled the countries in the free world "Western": the "camp of goodness" and the second as the "camp of evil", while he chose to

call others "rogue" states or axis of evil that should be eliminated. An approach not far from the policy and ideology of domination and hegemony with claims of preferences, with the assumption of the clashes of civilizations doctrine because of cultural differences and contrast; not to mention some extremist religious allegations that prevailed in the era of President G.W. Bush, who did not hesitate to launch the term of "Islamic fascism" during the July 2006 war launched by Israel against Lebanon, nor refer to "crusade" when talking about the campaign against international terrorism.

Equally, developed and developing countries, Western – Christian, Arab and Islamic were not spared from violence and terrorism. Whether state, armed groups or individual terrorism, it poisoned international life by clouding international and internal relations with severe suspicions and gloomy atmosphere, particularly some powers that used violence as the recourse to resolve political differences, which coincided with numerous terrorist organizations' activities. Consequently the talk about tolerance on the part of governments or civil society institutions has become a form of compensation for the ruling tendencies of exclusion and cancellation of the other at the national and international levels; particularly that the threat of armed groups and acts of terrorism had dominated the international relations arena.

Thus, the talk about tolerance became like the light wind that resembles the drizzle, as I called it in one of my articles published following the issuance of my book " Doctrine of Tolerance in the Arab-Islamic Thought: Culture and State"[2], which

2. See: Shaban Abdul Hussain - Tolerance in the Arab world - Islamic: Culture and the State, Dar -An Nahar, Beirut, 2005 (presented by Bishop George Khodr).

See also: Tolerance as the Light Wind that Resemble the Drizzle, the Qatari newspaper Al-Arab, 17/05/2011.

received wide attention in different circles.

In this sense, we are addressing tolerance first for the relevance of the idea, second for its necessity and third for the possibility of restoring national and international political life in the proper frame, especially if the principles of tolerance are adopted. By these principles we mean the international regulations and the declaration of UNESCO's General Conference 1995 at the twenty-eighth session in Paris; where the first article states "Tolerance means respect, acceptance and appreciation of the rich diversity of the cultures in our world, and forms of expression and human characteristic we possess. Tolerance is reinforced by knowledge, openness, communication, freedom of thought, conscience and belief". The declaration also refers to the meaning of tolerance as "the harmony in the context of differences; it is not only a moral imperative but a political and legal duty as well. Tolerance is the virtue that facilitates peace and contributes to a culture of peace to replace a culture of war."[3]

Tolerance does not mean acceptance of social injustice or the abandonment of one's beliefs but upholding them just as others do. It does not only mean the recognition of the right to differences in human attitudes or behaviors, appearances, languages and values (Article I - fourth paragraph)[4] ,but it is the affirmation of people's rights to live in peace with no imposition of ones' opinions on others, and the rejection of dogmatism and authoritarianism.

Nonetheless, tolerance means adopting a positive attitude that recognizes others 'human rights and their fundamental free-

3. See: Declaration of Principles on Tolerance, UNESCO, Paris, 1995.

4. Ibid – UNESCO 1995 .http://www.un.org/en/events/toleranceday/pdf/ tolerance.pdf

doms, universally recognized as indicated in UNESCO's declaration. Therefore, to avoid any confusion the Declaration noted that tolerance cannot be invoked to justify prejudice to the fundamental values of human rights. This is what the Arab Network for Tolerance tried to distinguish between the values __of tolerance and the call to abandon the fundamental human rights and freedoms, particularly in Palestine. Tolerance should be practiced by individuals, groups and nations.

However, will extremists in the Christian West or the Islamic Orient or other places take-up the views and principles enshrined in the Universal Declaration of Tolerance? Perhaps the answer, after much research, investigation and thorough checking, shows that this topic still stirs a great deal of confusion, uncertainty and ambiguity. The Western notion of Islam was imaginative; when the Islamic view fantasized about the West despite the latter's negative effects left behind by the colonization era in the Arab and Islamic collective memory. Both perspectives are passé, in spite of the frequent disparities whether in historical or contemporary times, between the West's political and cultural apparatus; and among political Islam and the Arab Islamic civilization. These differences have encompassed a large spectrum of achievements from the scientific to the technical revolution of communication and transportation, including the digital boom "digital" that became a prevailing part of the cosmic civilization, mainly in a globalization era with humanitarian and brutal faces.

In 1741, Voltaire, the father of tolerance after John Locke, wrote a book titled "Intolerance or the Prophet Muhammad"; and history repeats itself in the twenty first century with the release of degrading and provocative cartoons or movies of the Prophet Muhammad in Denmark, the United States or other

western countries; accusing Islam of fanaticism and intolerance towards the other, principally the West."[5]

Perhaps what corresponds to this derogatory and intolerant view is the stance of some towards the West as the absolute evil, and their denial to its pioneering role in human achievements in all areas of science, technology, construction, art and literature, etc… and as the repository of all these accomplishments chiefly during the last 50 years; apart from seeing the West as geography and Islam as the identity. The principle of tolerance is inseparable from the collective imagination of contemporary societies, whether in the West or in the Muslim world. The popular make believe has the ability to stir and arouse deeply embedded feelings, positive or negative reactions to take related predestined stands. Furthermore, the West still regards Islam and the Muslim countries as deserts inhabited by Bedouins, befell on them the grace of oil and money is stacking-up; but they do not live a twenty first century life, where they cling to the past and their religion entice terrorism and violence. On the other hand, the most common Arabs and Muslim recollections of Europe and the West are images of the "crusades", which I call the wars of the "Faranja"; as if everything happening around us is an extension of the past and not related to the present and to prevailing interests[6].

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5. Voltaire returned in 1763 to correct his position and write his message about tolerance, which he called moral, especially based on religious tolerance among peoples and nations that coexist on the land of the West.

   See: Khales Abdul Rahim – What is the Meaning of the Idea of Tolerance in the Collective Imagination of Individuals in the "West" and "Islam"?Journal of Ghadeer, Beirut, 6 March 2011.

   In the history of human progress (5).

6. See: Arkoun, Mohammed: "From the Faction of Division to the Demarkation of Essay - Where is the Contemporary Islamic Thought" Dar Al-Saqi, Beirut, 1995, p.12.

The Medieval times, especially in Europe that was immersed in total intellectual darkness, witnessed the phenomenon of intolerance particularly with the dominance of the "clergy" in the church, prohibiting and criminalizing through the "sacred" and the "profane" and so on. This practice prevailed in the judgment of people and lasted until the enlightenment reign culminating in the French Revolution, which ended this dominant ritual where the Church represented God's authority, in return for the establishment of a secular society with reality at its source. And while society drew its divine authority from God, it derived its civil legitimacy and mandate from the people and their choices of social contract, rights and freedoms[7].

Perhaps the rupture that occurred in the West during the eighteenth century between religion (church) and stated is not occur in the Arab - Islamic societies, where much interference exists between the religious and political, and by religion in the state structure to a great extent. A notion not well understood by the West, because of the particularity of these societies that have not yet attained modernity but are still transitioning from one phase to another.

On the other hand, some Arabs and Muslims understand that any talk about a civil state, meaning separation of religion and state, is an attempt by the West to impose "secularism" which entails, from their viewpoint, acting against or taking a stand from religion. While others believe the West wanted the Arabs and Muslims to enter the world of modernity, according to the theory of the modern state based on full equality and citizenship, the right of people to choose their rulers and replace them, and putting religion in it's the holy place it deserves, not to be

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7. Ibid Akroun, M.

used for worldly matters leading sometimes to further estrangement, disharmony and strife. Thus, the relationship between religion and the state may take another form, with lighter ties and more independent.

Europe and the West in general realized major advancements on the issues of freedom, equality and human rights, especially after the French Revolution in 1789. Voltaire's writings on "tolerance", Montesquieu's book "The Spirit of the laws" and Jean-Jacques Rousseau's book" Theory of the Social Contract" paved the way and created an environment of cultural Revolution. While after more than 200 years, the Arab and Islamic world is still standing, in many of its societies, at apre-state phase and at the gate of modernity, which Europe entered and deeply engaged in. This urges the confirmation of two key issues: the first is the term of "state" that remains fragile, weak and in many cases suffers from huge setbacks; in addition to the continuing negative effects of the colonial era. Consequently, the collective political will is not yet ready, at the existential level, to recognize, disseminate, respect and abide by the values and principles of tolerance.

Post separation of religion (church) and state, Europe accepted the principles of tolerance when it recognized the rights to religious freedom and the protection of the law for the fundamental freedoms of all people, which has deepened gradually and mainly at the international level, away from the monopoly on the "truth" or proclamation in its name. If this is a Christian and Western solution, the Arab and Muslims are still far away from accepting it; similarly is the Jewish solution calling for a pure state – being currently proposed by Israel's right wing – meaning in that state there is no place for Muslims, Christians or Arab Druze.

Within its historical context, Islam probed into the issue related to other religious constituencies on its turf by positively discriminating, albeit negative, through the legislation of the idea of the people of faith "al zhamiyeen", as nationals of the Islamic state (Jewish and Christians). Arkoun called this approach the "Tolerance of Indifference"[8], and I called it the "Negative Tolerance" because it looks at the other from a higher pedestal, thus, putting Jewish and Christians at a lower one.

Europe has taken advanced steps in the separation of church and state; nonetheless, in the vast majority of Arab contemporary states, al Shari'a (Islamic law) remains at the center of their existence. Perhaps the historical separation, previously addressed by Arkoun[9], remains elusive and does not appear realizable in the foreseeable future, and for few years to come. This includes countries where Islam is the "state religion", the source of legislation, even in those where the perspective of religious idea has been developed, like in Turkey who's swaying between Islam and secularism but where most laws and legislations, in nature, remain based on Islamic shari'a, which is the case in the vast majority of Islamic States, even more so wherever the "Koran" is the state constitution and the essential source of legislation. And since the state should be neutral or have no religious association, because religion is an individual identity such as Islam for Muslims and Christianity for Christians and so on; then this issue requires disentangling without any mix-up or coercion.

The second issue embodies a weakened general and individual culture, mostly absent in communities at the public and personal levels, thus, creating opportunities for many groups in Islamic

8. Ibid, Arkoun, M.
9. Ibid, Arkoun, M. p112.

countries to cling on fanaticism, extremism and the negative perception of the other- the different other, whether European, Western, non-Arab or non-Muslim, like Christian, Jewish, Yezidi, Kurdish, Turkmen, Amazigh and others.

Perhaps such a culture is still prevalent legally, socially and religiously, thus, constituting the general cultural sphere. This culture does not deal equally with cultural diversity components on legal and social matters. And it belittles national and religious pluralism through discrimination and inequality. If this is an Arab and Muslim phenomenon a priori, nevertheless, the West is culpable too, where abolitionist and genocidal views still prevail amidst an environment of extremism and intolerance, and framed in misconception, whereby Arab Islamic culture is reduced to a religion and desired teachings, when it is the identity of an extensive and connected civilization, regardless of nationality, language, gender, social origin and political orientation.

On the other hand, some Islamic movements and Islamists stomp the values of modernity, democracy, liberalism and secularism with blasphemy, considering them strictly as Western values; an approach that forces things in two erroneous directions, fanaticism or alienation, which banishes the idea of tolerance .A significant difference and vast distance exist between us and the West. In the latter, legislations and disciplines rely upon the values of tolerance to uplift laws and regulations, in spite of certain fanatical and extremist trends; while we are still far away from the values and principles of tolerance[10].

10. Compare: Abdul Rahim, Khales. What Meaning has the Idea of Tolerance in the Collective Imagination

Of Individuals in the "West" and "Islam".

See also: Maliki, Mohammed. 2008. The Concept of Historical Delays in the Cognitive System. Arab =

According to some extremist trends in the West which shaped Samuel Huntington's[11] idea in the "Clash of Civilizations", a misreading of historical and existing relations between Islam and Christianity. He stated that relations were often stormy, resulting from population growth, Islamic revival attempts, the Western interventions, the collapse of communism and the contrast in identities. Before him, Francis Fukuyama[12] spoke of the end of history.

It is unfortunate that Muslims, particularly the ideologized or the Islamists have not yet reconciled with their history, either the positive or the negative. They are using this history for their present positioning, particularly some of the clergies who employ it for their immediate interests, often exclusionary and hegemonic such as denying the other, and in some instances overlooking the positive aspect of Islam's doctrine on tolerance and tolerant values. These values are the honorable side of Islamic history consistent with the spirit of the Koran and its prophetic ruling; above all these values of holistic dimension that ex-

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= Journal of Political Science, No. 18, Spring 2008. Beirut, Lebanon.

Compare: Hanafi, Hassan. 2000. Introduction to Westernism. University Institute for Research,

Publishing and Distribution. 2000. Beirut, Lebanon.

11. Huntington, Sl. 1999."The Clash of Civilizations and the Rebuilding of the Global System". Translation

by Mr. Obaid and Mr Khalaf at Aljamahiriyah publishing house. The National Library, Benghazi, Libya,

1999, pp. 370 et seq.

See: Huntington, S. 1993. "A Clash of Civilization". Foreign Affairs, Summer 1993.

Huntington, S. 1997. "The Clash of Civilization And Remarking of World Order". London, Simon and Schuster,1997.

12. Fukuyama ,F. "The End of History". International Affairs Journal,1989.

Fukuyama, F. 1992. "The End of History and the Last Man".International Affairs Journal, 1992.

ceeded their time and place[13].

The reconciliation with history will lead to reconciling with the present - geographically, religiously or as a value judgment- with oneself and with the others who live in one nation or on one planet. Whether Muslim or Christian or Jewish or non-believer, it is important to be able to live with the other in one community or one world regardless of religion, color, sex, race, language, social origin or political direction, as indicated in the International Bill of Human Rights and a number of international conventions and treaties.

The reconciliation with oneself necessitates dialoguing with others and communicates through a humanitarian exchange, based on what is common, inclusive, unifying and different at the same time.

Reclaiming the Introductions of the Arabic and Kurdish Versions

When I was asked by the journalist, Badran Habib, General Manager of Dar Aras to translate and publish my book "Tolerance in the Arab – Islamic Thought" into Arabic and Kurdish, I felt great pride for several reasons: first, nearly six years had passed since the publishing of the book by Dar An-Nahar Beirut, that received much attention. Numerous articles were written, interviews were conducted and seminars organized to discuss the book, including the Cultural Council of South Lebanon seminar, headed by writer Habib Sadek and attended by many dignitaries and intellectuals. The Bishop George Khodr and the critic Syrian Mohammed Jamal Baroot presented the book. It

13. Shaban, A.H. (June, 2011). Innovation and Diligence in the Religious Text. Research presented at the Institute of Knowledge Wisdom of Religious and Philosophical Studies. Beirut, Lebanon. 2011.

was also celebrated by many parties and translated to English by the American writer, Ted Thornton.

The second reason is the fact that these versions are being printed in Iraq and Kurdistan, particularly in Erbil where I have many distinguished friendships with prominent intellectuals and politicians, as well as academic relations with several Universities, like Salah Eddine University School of Law and Politics where I've been lecturing since 1999; and the many Arab and Kurd readers of Iraq that make-up a large part of my readership.

The third reason is the important issue of Tolerance raised in the book, which we Iraqis need most, especially in the wake of our contemporary history that has been witnessing acts of violence and limitless violations, principally in light of the culture of hatred, revenge and abolishment of the other.

Notably, our society is still suffering from the effects of the dictatorship era - a totalitarian regime that lasted for about 35 years with repressive and chauvinistic practices towards its own citizens, including the Kurdish people. The Kurds suffered at the hands of this dictatorship from intolerance, violence, marginalization and exclusionary policies; denial of rights, mainly the right to self-determination; and from abolishment. During that era, the regime used chemical weapons to repress the Kurds uprising in the city of Halabja on 16 and 17 March, 1988. This incident claimed the lives of five thousand citizens.

Aside from the notorious Anfal campaign that killed tens of thousands of Kurdish citizens, was the forced displacement of thousands of civilians, as well as the destruction of villages and towns that was executed under different pretexts and arguments, which claimed the lives of tens of thousands Kurdish citizens,

including the Faili Kurds who's patriotism was questioned and were stripped from their Iraqi nationalities for their alleged Iranian connection.

If this bleak and intolerant picture defined Iraq in earlier decades; however, the prevalence of community and sectarian divisions increased in light of the acts of terrorism and violence that has hit Iraq since the occupation in 2003 to date, particularly what accompanied it from financial and administrative corruption, as well as the wasting and plundering of public funds.

While writing, I recollected the Arabic introduction of the second edition and that of the Kurdish one. I also invoked how the idea of tolerance came to mind in the early nineties, when actually discussing it was extremely unpopular and rather a source of trepidation, especially in light of severe political polarizations and a limited understanding of tolerance. In general,the idea remained ambiguous even among the intellectual, political and cultural elites. I recall the Arab Human Rights Organization in London, which I had the honor of chairing, organized an intellectual forum titled "Tolerance and Arab Elites"[14], attended

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14. See: document of the Arab Network for Tolerance issued (September, 2008), as well as the statement of the establishment of the Academy of Peace-building (Madrid), (December, 2010).

See: the preface of the second edition of the book "Fiqh al Tassamoh in the Arab – Islamic World: Culture and the State", and the first edition of the book in the Kurdish language - book signing was organized by the House of Arras and AK News agency.

See the Forum's interventions published in the book "culture of human rights" by Shaban, Abdul-Hussain. Published by the Arab Program for Human Rights Activists; Cairo, 2000.

See ibid; it is worth mentioning that the first intellectual forum organized by the Arab Organization in Britain was entitled "Arab Kurdish Dialogue" attended by more than 50 researchers and Arab and Kurd intellectuals, held in London (November / 1992).

by about 50 researchers, intellectuals and human rights activists from various Arab countries. The forum was held in 1995, on the "International Day of Tolerance". A day dedicated to tolerance at the 28th session of the General Conference of UNESCO.

Professor Khalil Hindi proposed a very important question to the forum: does tolerance exist so we organized this fifth intellectual forum, or is its absence that compels us to organize such an event on the International Day for Tolerance, to remind us of its essence and its principles. This dual and compounded question reverberated in various forms with most researchers and in interventions during the forum, negatively or positively, whether to recognize a painful reality or to for a new one that embodies tolerance.

While the ending did not resemble the forum's start, where dialogues and debates lasted for eight continuous hours, reflected later in a book entitled "a Culture of Human Rights" issued in 2000 by the Arab Program for Human Rights Activists in Cairo, that revealed the backing and support for the dissemination of a culture of tolerance in the Arab world by most participants, including Adib Al Jader, Rached al-Ghannouchi, Raghed al Solh, Mohammed Bahr al-Ulum, Father Paul Melhem, Khalil el-Hindi, Mohammad Hashemi Hamidi, Abdul Salam Noureddine, Laith Kubba, Salah Niazi, Bahjat al-Raheb, Mustafa Abdel Aal , Adam Biqadi, Ali Zaidan, Abdul Hassan al-Amin, Abdul-Rahman al-Nuaimi, Mohammed Makhlouf, Sana al-Jabouri, the writer of these lines and others.

The forum's conclusion was prepared and presented by the researcher: first, a call to confirm the values of tolerance with oneself and among the participants to start with, free of any labeling of treason or criminalization or prohibition or exclusion

or elimination or eradication, and free from the denial of differences, diversity and pluralism. Second, to confirm the values of tolerance with the other, who is not to be seen as an adversary or a renegade just because he or she is different. Third, freeing the principles of tolerance from the simplistic idea surrounding their contradiction with those of Justice, and from picturing it as a call to surrender; or for that matter forgetting the crimes committed particularly in Palestine, Iraq, Lebanon and elsewhere. Fourth, that the affirmation of the values of tolerance does not mean turning a blind eye on the perpetration and violations of human rights, torture, rape, mass murders or other crimes; perhaps these crimes have no statute of limitations.

Since the UNESCO declaration on Tolerance in 1995, many events and activities promoting the culture of tolerance have been held, books written, and organizations and networks established for that purpose, including the issuance of the magazine "tolerance" by the Ramallah Center for Human Rights, then the establishment of the Arab Network for Tolerance a professional and human rights advocacy platform for the principles of tolerance. Although, at the intellectual or practical level an abyss still separates us from the values of human tolerance consecrated in other societies that preceded us in this regard; a matter that needs reviewing and self-criticism, particularly by the ruling and non-ruling intellectual and political elites, to advance the idea of tolerance and deal with it positively at the moral and social levels in light of its legal and constitutional endorsement.

Recently, the semi – annual report on the state of tolerance in the Palestinian Territories, issued by the Ramallah Center for Human Rights Studies, caught my attention. This report is perhaps the first of its kind in the Arab world. It monitored the period extending from 1/1/2008 until 30/6/2008 and comprised an

introduction and two main parts. The first part defined the term and its determinants of the religious, political, social and economic tolerance; and stood at the shores of the freedom of belief and the right to dissent. The latter is a new topic to those grappling with the idea of tolerance that is sublime to the human rights apparatus.

The second part of the report addressed the application of tolerance in the Palestinian Territories, particularly after the split in the Palestinian ranks between (Hamas and Fatah) which resulted in two authorities but with the occupation remaining, while the goal is a Palestinian state based on the principles of tolerance. This part concentrated on the attempts to employ religion, different aspects of fanaticism, denial of the other, judicial power struggle and employment discrimination. It also addressed social tolerance through a special study by focusing on the issue of women and domestic killing (i.e. crimes of honor), on personal disputes and assault on properties.

One of the advantages of the report is the case studies focused on the freedom of belief and freedom of expression. The first segment ended with a conclusion and summaries centered on: working to eliminate the manifestations of violence and intolerance at both official and populace levels; on reaffirming the right to dissent, to respecting its application and defending it, which requires the expansion of public liberties' margins with the freedom of belief at its forefront, which is a distinct sign when placing the freedoms to be secured in the lead, from the right to freedom of opinion and expression to the right of association to peaceful gathering, and political pluralism. Achieving it necessitates the establishment of a societal culture and an education system able to respond to these prerequisites along with a partisan and political, as well as religious acculturation

and education. This is in addition to the need to employ a religious discourse that discards incitement against dissent and rejects extremism and militancy. The recommendations also urged the local media and civil society organizations to assume their role in promoting a culture of tolerance.

The reading of the status quo points to four positions or trends of thought on the question of tolerance;

The first trend - that we call the "rejectionist"- it discards any talk of tolerance on religious, intellectual, political or cultural grounds, domestically or internationally, under the pretext of possessing the truth and the preference; while dissent and the other represents solely the antithesis; and globally they represent infidelity and arrogance.

The second trend is the "reformist" – it is an expression of the reformist movement, consensual in nature. It accepts the ideas of tolerance selectively, in order to keep pace with international development; however, it remains closer in thoughts to conventional wisdom, despite its efforts to connect with the other with great caution, and perhaps with suspicion too.

The third trend - which we call the "Westernizing" trend; it supports the idea of tolerance and tries to apply to all things. It calls to sever ties with the heritage and history, and considers tolerance a value of modernity not related to Islam. This trend considers tolerance as an antithesis of Islam that advocates "violence" and "terrorism "; a view based on a misunderstanding of some of

Islamism or Islamic tendencies and their stands from modernity, without distinction between Islam and some political trends.

The fourth trend - which we consider valuable; it expresses the pro-tolerance movement views of it as a grand value, considering its link to human rights. Without undermining it with respect to the Arab - Israeli conflict and the denial of the Palestinian people's right, tolerance does not mean laxity towards human rights or the values of justice, or justifying it under any pretext or excuse.

If the idea of tolerance was conducive and intersected with the idea of liberalism and rationalism, with civility and secularism; yet, its roots extend to different civilizations and cultures, including the Arab – Islamic civilization. Although, the human heritage is rich with inspirations drawn from the values of tolerance, however, the latter as an integrated system was the product of the Enlightenment era, especially in the eighteenth century and was reinforced by laws during the twentieth century. Doesn't this hypothesis carry the dialectic of alienation and communication?

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Environment of Tolerance[15]

Are we amidst a healthy environment permitting the promotion and dissemination of the values of tolerance, or are there barriers and obstacles to that culture with the existence of a clear divergence in the understanding of its meaning, requiring the establishment of a common comprehension of the idea of tolerance.

Tolerance means taking a positive attitude and recognizing the right of the other to fully enjoy all human rights and their fundamental freedoms according to the UNESCO Declaration on the Principles of Tolerance. This Declaration[16] affirms the meaning of Tolerance as "… respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness ,communication, and freedom of thought, conscience and belief. Tolerance is harmony in difference. It is not only a moral duty; it is also a political and legal requirement. Tolerance, the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace...." On that basis, Tolerance implies harmony in the context of dissent, not only as a moral

15. See: Shaban, Abdul Hussain, newspaper Khaleej Times, Wednesday, 6/1/ 2010.

(2) See: Declaration of Principles on Tolerance, UNESCO, Paris, 1995, compare the book: a culture of human rights, (joint - Abdul Hussein Shaban and others), the Arab Program for Human Rights Activists, Cairo, 2001.

16. Ibid, UNESCO 3 – 15. Article 1, p2.

imperative but also as a political and legal obligation. It also signifies the acceptance and confirmation of the idea of pluralism, the rule of law and democracy, as well as the rejection of dogmatism and intolerance.

Tolerance means one's freedom to uphold his/her belief and accept that others embrace their own. As diversity is integral to the nature of things, differences in people's temperaments, appearances, languages, behaviors and values must be recognized. This leads to the acknowledgement of people's rights to live in peace, without violence or discrimination whether religious, linguistic, social, sexual, cultural, political, etc…[17]

If the word tolerance was not mentioned in the Koran, however, its meaning was definitely present in the wholly book's assertions and correlations when calling for the expression and practice of compassion, piety, consultation and collaboration, advising, pardon, forgiveness and no coercion; all these are the attributes of "tolerance". This asserts the right to be different among humans and that "differences are evident prodigies". In "Lissan Al- Arab"[18] ,Ibn Manzoor refers to tolerance and leniency as synonymous; and el-Firuz Abadi[19] author of the "Qa-

17. Ibid, Shaban et al, 2001.

18. Ibn Manzur compiled Lisan al-'Arab (80,000 entries). It is a comprehensive dictionary which included material from all preceding dictionaries. It is considered to be the best and most exhaustive dictionary of classical Arabic.

19. Abu-t-Tahir Ibn Ibrahim Majd ud-Din ul-Fairuzabadi, (also known as El-Firuz Abadi or al-Firuzabadi) (1329–1414) was an Arabic lexicographer born at Kazerun (in modern Iran) and educated in Shiraz, Wasit, Baghdad and Damascus. His last work was published as Al-Qamus Al-Muhit (____) ("Comprehensive Dictionary") and has over the centuries itself served as the basis of some later dictionaries. Al Fairuzabadi's work Al Qamus al Muhit gained popularity in the Arabic world, and one of the greatest lexicographers Al Zabidi authored an explanation on it.

mus Al-Muhit"(dictionary) states that leniency is like tolerance–be tolerant and be lenient, to be lenient means to be tolerant. Perhaps the first person that used the term "tolerance" to mean "leniency" was Farah Anton[20] in 1902.

If we discuss the state of tolerance in the contemporary Arab-Muslim thought, we should note that Christianity which preceded Islam for centuries preached the values of tolerance. And in modern history, tolerance constituted the background for the Enlightenment movement that was properly employed by Voltaire to highlight its distinct humane tendencies. His name was correlated with the idea of tolerance and he was considered its "spiritual father". He preached the need for humans to bear one another, since all human beings are weak and vulnerable to committing mistakes and have to accept each other with tolerance.

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20. Farah Anton (1874 – 1922) a thinker, journalist, novelist, and a social and political writer, as well as a leader of the enlightened and the nationalist movement. Farah Anton first identified among the pioneers of enlightenment and leading promoter of the concept of tolerance - still unknown in Arab culture as a theoretical basis. He tried to publicize it through the symbols of art and literary representations as a novelist. Farah Anton chose the word "leniency --- corresponding to the English origins during both civil and religious phases --- read through his most important philosophers. Anton defines the new concept as the policy with which one's prettifies its dealings with disagreeable matters; accepts in first place his presence as a one of the rights to be different, and second as a cornerstone to exercise one's freedoms that underpin the meaning of citizenship in the modern civil state. Anton refers to the religious meaning of the concept by stressing its reference to religious tolerance – meaning that humans should not condemn their brothers based on their religious belief, since the latter constitute a special relationship between the Creator and the creature. And if - God --- shines the sun on bad and good guys alike, or religious and non-religious persons, than people should emulate it and not inhibit the others because their beliefs are different.

Here, it behooves us to remember Mahatma Gandhi, who expressed the idea of tolerance in a letter from prison saying "I do not like the word tolerance, but could not think of a better one..."[21] An idea that Nelson Mandela believed in, even after enduring 27 years of imprisonment. A similar nuance that Bishop George Khodr[22] expressed when introducing my book on "Jurisprudence of Tolerance in the Arab Islamic Thought" saying "I am not here to vindicate the West; I know the misery caused not only to Islam but also to the Eastern church. However, responding to "aggression" by a similar counterattack will weaken one's position, and we believe this is not an exemplary solution."

It is ironic that the advocate of tolerance and non-violent resistance falls victim to an assassination plot; as the "father" of modern India, Mahatma Gandhi, was assassinated in January 30, In 1948, attacked by a Hindu extremist putting an end to the life of the leader that was about to be sanctified by the Indian people from various orientations, faith, ethnic groups, sects and social classes. This unfortunate event opened a new era of violence that claimed the lives of other Indian leaders like Indira Gandhi, daughter of Jawaharlal Nehru, Rajiv Gandhi and others. Perhaps the year 1948 marks some of history's paradoxes with Gandhi's assassination, the issuance of the Universal Declaration of Human Rights and the establishment of the State of "Israel".

Perhaps the killer never thought of the answer to the question that had Gandhi worried, and tested his credibility while im-

21. See: Mahatma Gandhi, Young India, (Bulletin), February 10, 1930.

22. See: Khadr, George –Book introduction of the "Jurisprudence of Tolerance in the Arab Islamic Thought",earlier reference.

mersed in the struggle to liberate India: is there a purpose to violence? And can we achieve the goal through non-violence and tolerance? Gandhi preferred the second option despite all the suffering and deprivation; yet, he never expected that perfidy will come at the hand of a Hindu brother, especially after achieving the victory of liberation for his people.

Gandhi believed in nonviolence by which he defeated the greatest empire (Great Britain) of his time. This barehanded and half unclothed man with a simple life style and close connection to his people, he was able to prove to the world that non-violence and tolerance are some of the resistance's instruments, with which he was able to liberate India and restore its sovereignty and rights in a peaceful resistance. Gandhi repeated that "if there was a better alternative to tolerance I would have chosen it, but given the situation I do not find a better substitute."

Gandhi had a huge impact on the non-violent or pacifist resistance movement, inspiring advocates of equality and civil rights for blacks in the United States to adopt his methods. Martin Luther King one of the prominent black leaders was very influenced by him.

Gandhi was not simply satisfied talking about non-violence, but he also demonstrated how a peaceful resistance can face-up and become a serious challenge using different weapons like hunger strikes, protests, sit-ins and tolerance. He further realized that his non-violent approach was widely accepted, and kept reiterating that it was the people's choice and "If my people take-off, I must catch-on the pace since I am their leader"[23]

23. Compare: Sharp, Jane - nonviolent resistance (research group), Arab Scientific Publishers, Beirut, 2009 (special edition).

Personalities like Nelson Mandela, South African leader and former head of the National Congress who was imprisoned for 27 years, led a peaceful resistance against the "Apartheid" regime of South Africa. He upheld the keys of tolerance and of anon-violent resistance, therefore, opening a new page in the struggle of the South African people, and presenting an important paradigm for the transitional justice to unveil the truth, establish accountability, restore damages, compensate victims and reform the legal and institutional system. Most importantly were Mandela's calls for forgiveness and tolerance, and his refusal for people to resort to any acts of revenge, vengeance or violence.

Then came the UNESCO declaration to affirm that "without tolerance there can be no peace, and without peace there can be no development and democracy."

In the Arab world, tolerance is still unaccepted in wide circles, and considered by some exclusionary and abolitionists Islamism trends as a "diabolical wart" or an "imported idea", especially when mixed with hegemonic western tendencies aimed at dictating their wills.

While the holders of these views escape into history as their haven, they tend to forget that early Islam, especially with al-Rashidi, marked a great deal of tolerance and recognition of the right to difference. Yet, they evade these facts despite their glorification of history, as an attempt to escape their present which thrives on transgression, prohibition and the criminalization of the other, whether an outsider, or a foreign enemy, or an opponent; and by self-acclaiming preferentialism while denying the positives of others.

Consequently, this necessitated the historic "localization" and rooting of the concept of tolerance in order to render it con-

temporaneous, active and permanent, by referring to the Hilf al-Fudul[24], the Covenant of Medina[25], the Treaty of Hudaybiyya[26], the "al-Ohda al-Omariya"[27] and the Conquest of

24. Hilf al-Fudul was a 7th-century alliance created by various Meccans, including the prophet Muhammad, to establish fair commercial dealing. Because of Muhammad's role in its formation, the alliance plays a significant role in Islamic ethics. Because fudul commonly means "virtuous" the alliance is often translated as Alliance of the Virtuous.

See: Ibrahim, Mahmood (Aug., 1982). "Social and Economic Conditions in Pre-Islamic Mecca." International Journal of Middle East Studies, 14(3): 355. Cambridge University Press.

25. The Covenant of Medina (Sahifat al-Madinah) is what some consider the world's first constitution. It was a treaty and city charter between the Arabs and Jews of the city. All groups (Muslims, Jews, Christians and all other non-Muslim Arabs) pledged to live in civic harmony, governed by mutual advice and consultation. The Covenant bound these varied groups into a common defense pact and stipulated that all people of Faith living in the city were one community with the Muslims, that they were free to profess and practice their religions and that they were entitled to all the rights pertaining to the Muslims. This amazingly foresighted document was a revolutionary step forward in civil government. Despite the ultimately tragic end of Muslim and Jewish cooperation in Medina, this blueprint of inter-religious tolerance would serve Islam and its subject peoples well in the future.

See: Mark Graham. How Islam Created the Modern World. Amana Publications, 2006.Pages 21.

26. The Treaty of Hudaybiyyah was a pivotal treaty between the Prophet Muhammad, representing the state of Medina, and the Quraish tribe of Mecca in March 628(corresponding to Dhu al-Qi'dah, 6 AH).

See: Tafsir ibn Kathir This treaty establishes a ten year peace and allows Muhammad to come into Mecca during pilgrimage for the rest of his life.

See: Armstrong, Karen (2007). Muhammad: A Prophet for Our Time. New York: HarperCollins. pp. 175–181.

27. "al-Ohda al-Omariya "between the two great ethno-religious leaders: Khalipha "Omar bin al-Khattab" and Our predecessor Patriarch of Jerusalem Sophronius. This almost 1400 year-old agreement is still respected until today. What is the essence of this covenant that continues to resonate its=

Constantinople document, in addition to the Quran and Sunnah as guides and beacons of the doctrine of tolerance, with clear indications about the different aspects of intolerance in our history, especially those related to extremism, fanaticism, violence, exclusion and eradication.

Was Tolerance Behind the Assassination of Gandhi?[28]

The call for tolerance in India's contemporary history has been associated with the name Mahatma Gandhi, the Indian leader who spent his life defending freedom and fighting for its independence. He managed to lead a peaceful non-violent civilian movement and achieved a historic victory against Great Britain in 1947 that liberated India from occupation.

Gandhi persuaded the lead elite at the Indian National Congress to call for nonviolence in facing Great Britain's acts of aggression, killings and humiliation of the Indian people, through peaceful civil protests and hunger strikes, believing these are the most realistic and rational means to thwart policies of violence. He was convinced that nonviolence can achieve victory, by adopting policies opposed to violence, not meeting violence by more of the same but facing it with its anti-thesis. This was his source of strength as he perceived it.[29]

= impact in our contemporary reality? It is precisely the spirit of this covenant which allowed enough room to overcome and diffuse areas of human predicament and thus allowing for harmony between Christians and Muslims to flourish as well as heal historic turbulences and political unrest.

See: THEOPHILOS III, Patriarch of Jerusalem. H.B. PARTICIPATION TO THE "ARAB SPRING & PEACE IN THE NEW MIDDLE EAST". INTERNATIONAL CONFERENCE- CONSTANTINOPLE, Istanbul, September, 2012.

28. See: Khaleej Times newspaper, Wednesday, 20/1/2010.

29. Fisher, Louis. (2008). The life of Mahatma Gandhi. Thomson press. India.

But these tolerant conditions instigated intolerant reactions by some extremists, fanatics and enemies of tolerance, who found in them a favorable opportunity to carry out their vindictive policies, which victimized one of the first advocate of tolerance, a man highly revered and of great importance in the history of India, no one other than Mahatma Gandhi himself. This situation revealed the urgent need to establish an appropriate   environment, a historical accumulation and a long-term social development to promote and instill the values of tolerance.

As most European and western societies reached the shores of Tolerance, they also witnessed for centuries the liquidations, exterminations, wars, and sectarian, religious and nationalist conflicts. Although, the birth of tolerance suffered from a difficult labor and severe pains; however, these societies were able to overcome obstacles and major hurdles by means of rationality, common humanity, civility and fundamental freedoms. And move them out from the moral dimension into the legal, social, religious, national and political spheres, particularly on the domestic front and among these societies. Yet, an acute shortage still exists at the international relations level, especially towards developing and poor countries.

Here I want to recall the values of tolerance in Islam that shined most during by the Prophet Muhammad's campaign, known as "al-Daawa al-Muhammadiyah", to confirm at the theoretical or practical levels the respect of rights, including the right of difference, and the recognition of diversity and pluralism. Perhaps the Prophet's statement to the captives "go, you are free", during the Mecca conquest ,is most telling view of its vast implications in creating an atmosphere of tolerance as a prelude to issue a general amnesty. The declaration of tolerance was evident in the Prophet's words when he stated then "he who enters the house of Abu Sufyan will be safe."

Furthermore, when the Prophet entered Mecca he maintained the Hilf al-Fudul pact, which protects all its families and newcomers from oppression (meaning in contemporary language any citizen or foreigner), and to come to their aid if subjected to injustice and restore all their rights. Similarly, with the Covenant of Medina (Sahifat al-Madinah) and later the Treaty of Hudaybiyyah(Solh al-Hudaybiyyah), and all those established by the Caliphs(Al Kholafa' al-Rashideen)during their ruling which lasted about forty years[30].

Even this brimful atmosphere of tolerance did then not prevent its enemies from plotting and exploiting the stable conditions it created to finish off the Caliphs[31], where three of them fell victims to treachery and deceit: Omar, Othman and Ali. This caused outbreaks of strife and internal wars that ripped into the social fiber of tolerance, and weakened the association to tolerant Islam.

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30. See: Shaban, Abdul-Hussain –The Doctrine of Tolerance in the Arab – Islamic World. ibid.

31. The Caliph (in Arabic as khal_fah) is the head of state in a Caliphate, and the title for the ruler of the Islamic Ummah, an Islamic community ruled by the Shari'ah. Following Muhammad's death in 632, the early leaders of the Muslim nation were called Khalifat Rasul Allah, the political successors to the messenger of God (referring to Muhammad). Some academics prefer to transliterate the term as Khal_fah. The first four Caliphs were Abu Bakr al-Siddiq, Omar ibn al-Khattab, Othman ibn Aaffan and Ali ibn Abi Talib are known as the Khulaf_' al-R_shideen ("rightly guided successors"). Each of these Caliphs was a close companion of Muhammad during his prophethood.

See: Lane-Poole, Stanley (1894). The Mohammedan Dynasties: Chronological and Genealogical Tables with Historical Introductions. p 9.Westminster: Archibald Constable and Company.

See: Bosworth, Clifford Edmund (2004) [First published 1996]. The New Islamic Dynasties: A Chronological and Genealogical Manual.p1 -4.New Edinburgh Islamic Surveys (2nd ed). Edinburgh University Press.

Clearly, the atmosphere of tolerance called for and led by historical leaders to realize the values of justice and secure the rights, was enough to deter the intolerants, provoked by it, from clinging on to extremism and perpetuating eradication and marginalization by claiming to possess the truth and vantages over others.

It seems obvious that India's climate of tolerance led by Gandhi, which triumphed over Great Britain and liberated the country, provoked Nathuram Vinayak Godse[32], a Hindu nationalist,and was the reason behind him assassinating the country's Mahatma, on 30 January1948.

During my recent visit to India, I stopped to revisit the phenomenon of intolerance as a reaction to the climate of tolerance. A major question being currently discussed, and seriously entertained for the past three decades, especially after the 9/11 events on "What are the course of action to deal with the intolerants? Is tolerance the answer, or must intolerance be faced with firmness and intolerants be deterred. According to Karl Popper, the lack of tolerance should not be an excuse to turn away from its values, using the intolerants as a pretext. Otherwise, we will find numerous excuses to overturn the values of tolerance[33].

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32. Godse, a Hindu nationalist activist resented what he considered was Gandhi's partiality to India's Muslims. He plotted the assassination with Narayan Apte and six others. After a trial that lasted over a year, Godse was sentenced to death on 8 November 1949. Although pleas for commutation were made by India's Prime Minister, Jawaharlal Nehru, and by Gandhi's two sons on the grounds that a death sentence would dishonor the legacy of a man opposed to all forms of violence, Godse was hanged a week later.

See: Godse, Nathuram, Why I Assassinated Mahatma Gandhi, Surya Bharti, Delhi, India, 2003.

33. In the wake of my visit to India, I wrote a number of articles about my personal impressions, including tolerance and Gandhi in 2009. And I had =

India's history etched in tolerance witnesses an exciting phenomenon of coexistence between peoples, nations, languages and religions where Hindus, Muslims, Sikhs, Buddhists, Christians and others, and about 23 official languages with over a thousand local dialects. A population estimated at one billion and 20 million people, all living together in peace and tolerance within a federal and pluralistic democratic system of about 25 provinces. On the other hand, an opposite movement of intolerance is manifesting itself through extremism and violence, most evident in the province of Kashmir.

Gandhi was not the only victim of intolerance, Indira Gandhi and Rajiv Gandhi fell victims to it too. At every instance, the killers' declared excuses were the leader's policies of tolerance and nonviolence; but perhaps we can add other implicit rather than explicit justifications like Gandhi's position on India's unity stemming from his faith and belief in the principles of tolerance, where he encouraged and urged Indian Muslims not to partition the mother land and also encouraged and urged Hindus to coexistence with Muslims and not to resort to violence. His strong rejection of the partition was based on principled and nationalistic reasons and a politics of tolerance that did not sit well with some of the extremist leaders on both sides, and the British meddled in and exploited.

= visited the tomb of Gandhi and wrote the following: (in Rajat "West King" park where Gandhi lays to rest, I casted a last look on him mesmerized by the legendary Yamuna River (India' river of sorrow) that transits through Delhi coming from the Himalayas, and on the opposite bank to Rajat there stood the Museum annex that hold Gandhi's books and pictures, who's soul still hovers over India, where he soared in distant skies and swam in deep seas, especially since the man inside was the measure of all things, per the Greek philosopher Protagoras.)

An Indian Seed of Intolerance[34]!

In the year 1984, three decades after the assassination of Mahatma Gandhi, the father of modern India, another assassination rocked the country targeting the third 3rd Prime Minister, Mrs. Indira Gandhi, was killed by her two Sikhs[35] bodyguards, named Satwant Singh and Beant Singh. Indira Gandhi is the daughter of the leader of India, Jawaharlal Nehru, one of the leaders of the movement of Positive Neutrality and the Bandung Conference 1955 and the Non-Alignment Movement.

Perhaps the name of Indira Gandhi points to the idea of tolerance in more than one way. She is Nehru's daughter, studied in Britain in the forties at the University of Oxford and fell in love with her Indian colleague, Feroze Jehangir[36], of Persian Muslim descent, but the atmosphere of intolerance in India then did not permit for their marriage; a matter she discussed with her father and Mahatma Gandhi. The latter took the young Indian Muslim man under his wing, adopted him after he was convinced and gave him the name "Gandhi", because he believed that all human beings are equal and in tolerance; and since he considered himself and everyone also considers him the father of all Indians. With this adoption the young Feroze Jehangir became a

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34. see: Al Khaleej UAE newspaper, Wednesday, 27 January 2010.

35. Mrs Indira Gandhi's two Sikh bodyguards, assassinated her on 31 October 1984, at her New Delhi residence, in the aftermath of Operation Blue Star - - an Indian military operation in June 1984, ordered by Indira Gandhi, then Prime Minister of India, to remove the Sikh separatists from the Golden Temple in Amritsar.

   See: Rediff.com. "Operation BlueStar, 20 Years On". Rediff.com. 6 June 1984. Retrieved 2009-08-09.

36. Fairuz Ghaffar, a Persian Muslim young man; his father was diseased at the time Mahatma Ghandi met him and later adopted him and gave him the "Gandhi" name.

Gandhi and married Indira, who in turn became a Gandhi too.

Perhaps, the reason behind Indira Gandhi's assassination was intolerance; where some Sikhs separatists took civilian hostages and sat-in the Golden Temple, in Punjab province, demanding the province independence as their right. Indira Gandhi rejected their proposal. In response to her rejection the separatists carry out acts of violence against Hindu civilians. In the wake of such violence and to put an end it as well as the sit-in, Indira Gandhi order the security forces to carry out operation Blue Star in 3-6 June 1984, despite her reluctance for the inevitable confrontation at the temple, she gave the orders to deal with the matter decisively and respond firmly to those causing the problem and should bear its consequences.

Conceivably, Indira Gandhi's rejection of the separatists' demand and her insistence on protecting India's unity was behind her assassination. A similar fate met Rajiv Gandhi when he was assassinated because he stood against the Tamils' separatist movement and agreed to send Indian troops to support Sri Lanka. In the province of Kerala in 1991, a lady pretended to present him with a bouquet of flowers, but instead detonated a bomb that killed him. The communist and leftist movement still dominates the public scene in Kerala since the independence until now.

The series of assassinations that have taken the life of Indian leaders calls for contemplation of the situation. It seems that the seed of intolerance planted in the Indian society is still deeply entrenched and is manifesting itself through conflicts, clashes and fighting, particularly between Hindus and Muslims. This menacing matter was exploited and nurtured by Great Britain before its forced departure from India.

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Gandhi tried to brand the Indian National Congress with his own philosophy of non-violence and tolerance, known as the Satyagraha[37]. This distinguished party was founded in 1865 at the hands of an Indian politician, the Honorable Dadabhai Naoroji[38], founder-editor of the journal Rast Goftar in Bombay in 1851. Gandhi joined him in the India National Congress in 1919[39] after returning from South Africa, where he lived for about 21 years and was imprisoned several times struggling for the rights of Indians. Gandhi became one of the congress most

37. Satyagraha, loosely translated as "insistence on truth"- satya (truth); agraha (insistence) "soul force" or "truth force" is a philosophy and practice within the broader overall category of nonviolent resistance or civil resistance. The term "satyagraha" was coined and developed by Mahatma Gandhi. He deployed satyagraha in the Indian independence movement and also during his earlier struggles in South Africa for Indian rights. Satyagraha theory influenced Nelson Mandela's struggle in South Africa under apartheid, Martin Luther King, Jr.'s campaigns during the civil rights movement in the United States, and many other social justice and similar movements. Someone who practices satyagraha is a satyagrahi.

See: McKay, John P.; Hill, Bennett D.; Buckler, John; Ebrey, Patricia Buckley; Beck, Roger B.; Crowston, Clare Haru; Wiesner-Hanks, Merry E. A History of World Societies: From 1775 to Present .Eighth edition.

See: Uma Majmudar (2005). Gandhi's pilgrimage of faith: from darkness to light. SUNY Press.p. 138. And http://www.britannica.com/EBchecked/topic/525247/satyagraha

38. Dadabhai founder-editor of the journal Rast Goftar in Bombay in 1851.He descended from a poor religious Parsi family and was orphaned from his father at the age of 4 years old. Dadabhai got this opportunity when the rich Cama family invited him to join in a business venture in England, he accepted and traveled on June 27th, 1855. He was the driving force and one of the founders of the India National Congress in 1965, also founded the East Indian Association on December 1st, 1866. The association was comprised of high ranking officers from India and people who had access to Members of the British Parliament.Dadabhai was elected to the British Parliament in 1892 from Central Finsbury as the Liberal party candidate.

39. See: M.K. Gandhi Letter to Srinivas Sastri, Bombay, 18 March 1920. http://www.mkgandhi.org/ebks/selected_letters.pdf

prominent founding leaders and promoter of the philosophy of non-violence.

Gandhi was an Oxford University graduate from the Faculty of Law. His political approach was considered unique based on rational and pragmatism. He saw a window of opportunity when Britain imposed on the Indians a new tax on salt to call for a wide peaceful civilians protest, and requested them to refrain from paying that tax. Gandhi also encouraged women's movements to uphold Indian nationalism by wearing popular clothes. He insisted for the movement to be a nonviolent struggle and not to allow it to be drawn into any violent reactions against the British, by asserting that "the truth will prevail one day."

Although, Great Britain was "compelled" to agree to India's independence and renounce its British crown jewel, but before withdrawing it planted a huge booby trap among the population, especially between Hindus and Muslims, by encouraging some ambitious Muslim politicians to demand the independence of Pakistan like Mohammed Ali Gent backed by some Islamic extremists, using the violence suffered by Muslims on the eve of independence as an excuse; an event not free from British meddling, principally with its "divide and conquer" policy, by fuelling the strife and encouraging the separation from the Indian mother land[40].

The reaction of some Hindu leading politicians like Sardar Pulp Bhatti Patil and somewhat Jawaharlal Nehru was to accept the "fait accompli" despite their stand against the separation of Pakistan. They dealt with the "de facto" reality as a matter not possible to change based on the "art of the possible", while Gandhi insisted on his stand of tolerant coexistence and rejection of

40. Ibid, Fisher,Louis.

the division. After more than six decades, the Muslim –Hindu conflict still burns in the province of Kashmir.

Marx and Engels wrote about the first India's war of independence in the mid eighteenth century, especially about the Vellore uprising of 1806, when they predicted the awakening of the Orient, with India and China at its core. Marx wrote many articles for the New York Daily Tribune, between 1857 and 1859, where he addressed the rise of both India and China, concluding that ending colonialism in the prior will be an important pillar upon which the fate of the British oligarchy hangs, because it will lead to the abolishment of feudal economic relations and this will reflect positively on Europe. India's independence and later other colonized populations served the course leading to the British Empire's sundown, particularly after the Second World War.

I've asked my young escort[41] about his opinion in Gandhi's policy of tolerance, he replied that Gandhi was an iconic and great man but his ideas are ideal, unrealistic and unfeasible because conflicts cannot be resolved without resorting to force; and those with wealth, money and power will not dispense of them in favor of the destitute or to achieve justice and equality without a the presence of a pressing force. I told him, do you mean a force to deter or to use for violence, which according to Marx[42] has been accepted as the driving force of history in the

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41. My dialogue with the young Indian escort in New Delhi in 2009; and I've repeated it later at the ICWA-AAS Asian Relations Conference Series - New Delhi-November 20-21,2010, when the young escort presented a paper entitled: Changing face in Iraq: Identities and cultural diversity.

42. See: Marx in Part I: Feuerbach. Opposition of the Materialist and Idealist Outlook. Contradiction between individuals and their conditions of life as contradiction between productive forces and the form of intercourse… This whole interpretation of history appears to be contradicted by the fact of=

context of Conquest. I asked the restless young escort, raised in an Indian pluralistic culture of East and West, "the philosopher Francis Bacon claims that "Knowledge is Power", do you agree to use it?"

I think that the eradication of illiteracy and ignorance along with improving economic conditions, living standards and ensuring adequate work opportunities with health and social benefits is capable of spreading the values of tolerance, advancing justice and creating the appropriate conditions to recognize diversity and pluralism, accept the right of difference and the right to freedom of beliefs without abuse or fear, all embedded in these values. These conditions can be achieved through education, legislation and regulations.

The media and civil society can play a vital and decisive role in promoting and disseminating a culture of tolerance at all levels, and help influence the intellectual elites, politicians and religious leaders to confirm the respect and recognition of all rights. Perhaps such a task in the case of India requires historical accumulation of the values of tolerance to face-up the nontolerant groups making their mission difficult amidst tolerant societies!!

When Nehru lifted India's flag on 15 August 1947 marking the country independence and announcing the end of the British rule, Gandhi's spirit was and still hovers over the nation he devoted his life and philosophy of nonviolence and tolerance to

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= conquest. Up till now violence, war ,village, murder and robbery, etc. have been accepted as the driving force of history. Here we must limit ourselves to the chief points and take, therefore, only the most striking example - the destruction of an old civilization by a barbarous people and the resulting formation of an entirely new organization of society. (Rome and the barbarians; feudalism and Gaul; the Byzantine Empire and the Turks.)

free it. To this day Gandhi's shrine in Rajat Park represents a revered site to Indians and their guests from around the world, even to those that with reservations towards his nonviolent philosophy.

The Five Pillars of Tolerance[43]

Tolerance is a universal and realistic cultural value. Five pillars exist for its embodiment to help the world emerge away from intolerance, extremism, exclusion, marginalization, violence and terrorism. To realize that vision, a fertile ground to sow its seeds should be provided; a moral, legal, social and human rights awareness needs to be raised about its vital importance through the recognition of diversity and pluralism, acceptance of the right of difference and to dissent, coexistence and respect for others at the individual or collective levels or as governments and nations. Perhaps these five pillars are what the Arab and Islamic worlds are missing most.

1. The first pillar: is the legislative and legal environment. The absence of laws and regulations that guard the principles of tolerance and act as deterrents to the intolerant towards religions, nationalities and cultures. Its absence will allow intolerance to hatch leading to conflicts, violence, terror, extermination, exclusion and marginalization of the other.

2. The second pillar: is the learning and educational environment. No doubt in the absence of a system of tolerance in the curriculum and educational methods, especially with the existence of inadequate perception of the other, preferential and condescending justifications, in addition to discriminatory practices, therefore, instigating severe reactions leading to strife and

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43. See: Gulf Times, Issue 8061, Monday, 28 June 2010.

to feel expropriation on the part of the vulnerable and the aggrieved.

3. The third pillar: is the judicial environment, where the judiciary enjoys independence and professionalism under the rule of law and with the application of the principles of Justice. This will play a positive role in recognizing the right of difference and equality; will protect the oppressed and realize justice.

4. The fourth pillar: is the media environment. Media can be a double-edged sword; on the one hand, it can play a vital role in contributing to spread the values and principles of tolerance; on the other hand, it can (intentionally or unintentionally) promote its antithesis by fueling the sense of hatred, animosity, violence and terrorism.

5. The fifth pillar: is the civil society environment. It can play a crucial role in positively promoting a culture of tolerance as monitors to the governments' and communities' practices related to progress, breaches and violation of the principles and values of tolerance. Additionally, these organizations can possess powers to pressure for change, and propose laws and regulations related projects and systems to consolidate and promote the values and principles of tolerance to refine the education curricula. Moreover, purify the media, religious and political discourses from all prevailing aspects of intolerance that justify discrimination and inequality.

The issue of religious, ethnic, sectarian and linguistic divisions in the Arab world stirred extensive discussions. The author had the opportunity to pursue them at different gatherings, like the Arab Network for Tolerance conference in Casablanca, the Annual Gulf House Intellectual Forum in Sharjah, and the Arabism and Future Seminar in Damascus. Based on the reactions

and discussions that emerged from these events, more dialogues and debates are needed to address tolerance. A step taken by the Arab Network for Tolerance when it held an independent symposium in conjunction with the Citizenship Forum in Morocco, discussing tolerance, cultural diversity in communities and their relationship with the general and sub-identities[44].

When UNESCO declared November 16, 1995, World Day for Tolerance, it published the principles of tolerance based on 14 international declarations, covenants and conventions, notably the International Covenant on Civil and Political Rights passed in 1966 and entered in to force in 1976; as well as agreements to prevent discrimination in the field of education. In addition, the Third Decade conference to combat racism and racial discrimination held in Durban in 2001, marked by the Global contract for the deployment of a culture of human rights, and the Global contract to champion the indigenous population, as well as the condemnation of Israel's aggressive practices, considered racist.

These international references constitute a high ceiling for the values and principles of tolerance globally. They should govern and regulate the basis of relations between individuals and the state, among individuals themselves and between them and other groups. The UNESCO Declaration requires governments to incorporate these principles in their constitutions and legislations; and individuals and groups and nations to abide by it. This requirement will lead to the protection and implementation of

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44. Three interventions made by the authorare: Tolerance and identity: dialogue and human commonality 30/4/2010- 2/5/2010 (Casablanca) - the Challenges of ethnic and sectarian divisions: identity, difference and human commonality 8/5/2010(Sharjah - UAE) - Arabism and the desired state! 15-19/5/2010, (Damascus).

the principles and values of tolerance at the theoretical and practical levels.

Whether at the national or global levels, violence, terrorism, xenophobia, racist condescending bias, aggression, anti-Semitism, marginalization, exclusion, discrimination against national, religious, ethnic, linguistic and racial identities and sub-identities, as well as against refugees, migrant workers and vulnerable groups; added to the encroachment upon freedom of expression they constitute an environment of intolerance that threatens peace and democracy, and are obstacles to development which was addressed by the UNESCO Declaration.

There is no doubt that occupation, aggression, the use of force and domination of peoples are manifestations of intolerance, especially the violation of the human rights system and its fundamental freedoms at the public or individual level.

After all, tolerance as stated in the UNESCO declaration means respect, acceptance and appreciation of the rich diversity of cultures, forms of expressions and human characteristics in our world. Tolerance is enhanced and re-enforced by knowledge, communications and freedoms of thought, of conscience and of belief. It represents harmony in the context of diversity and differences. In developed countries, tolerance is no longer a moral imperative only, it has become a political and legal obligation to help establish and promote the values of peace and reject wars.

On the other hand, away from some narrow explanations and interpretations, Tolerance does not mean compromise or leniency towards violations of rights and freedoms, as some trendy and superficial ideas portray it. It is the embodiment of positive attitudes that recognize the rights of others to enjoy all

human rights and fundamental freedoms. And under no pretext, including known justifications, the values of tolerance should be infringed upon by individuals, groups or governments

In this sense, the values of tolerance cannot prevail without the provisions of equality, justice, non-discrimination, right to participate and acceptance of others. This is what the League of Arab States Commissioner for civil society, Farouk al-Amed, when referring to their support for tolerance related events and activities.

This book presents an opportunity to address a multiplicity of subjects, from cultural diversity to intellectual and political pluralism, to nationalities and religions, to languages and races in pluralist communities and countries. And by pursuing the five pillars of Tolerance propose the development of an ambitious five-year action plan aimed at creating new Arab awareness about the values and principles of tolerance capable to contribute to the latter's prosperity. The plan will target all stakeholders, including social and state elites, based on moderation, rationalism, modernity, secularism, relativism, pluralism and acceptance of diversity. The approach is built in the context of referential values on one hand, on the construction and interaction of identities, beside the repudiation of alien and distorted values and principles, through knowledge, institutionalization and capacity building estimated.

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Introduction Metropolitan George Khodr

Doctor Abd al-Hussain Shaban assesses Islam from the perspective of both believer and historian. As a believer, he taps eternal, unchanging sources, and as a reader of history, the examination of changing times that nevertheless contain inspired revelation. The question is, how does one read? For, the text does not give itself completely and freely to you. You bring to it what you have known and experienced from the efforts and sufferings of your own times and those of the ancestors. You are a Muslim of today, not a man of the first century A.H., nor are you from the age of writing the Hadith (tadwin). Nevertheless, your belief imposes upon you adherence to the word of God without alteration in accordance to what came with The Book [Qur'an]: "There is no change for the words of God." (Surah (10) Yunus: 64), that is to say, God is faithful to Himself and does not change that which He has revealed.

The question is how we have understood the revelation and its intentions. Muslims might be better off paying attention to that question alone when they create "knowledge of the causes of Revelation," although it is not limited to that which relates to the personal living conditions of the Messenger. It transcends these conditions, and includes the whole historical context in which the verses were revealed. For, while Revelation is introduced by or rooted in God, it is not disconnected from its history. For we are living at the end time (munsalakh) with respect to Revelation itself and we see the struggle of the Messenger as he strives

to have a share in it and adapts it in the process of organizing Muslim life in Medina. It is impossible for us to get very close to the Divine Plan these verses apply to because so much time has passed from the time the texts we are contemplating were revealed and our own lives.

And so, we find ourselves in a never ending exercise of independent thinking (ijtihad) not only from the perspective of accuracy, but also from the perspective of immersion in all of the text so that it remains alive in the hearts of believers today as much so as it has been for believers always. Abd al-Hussain Shaban neither "invents" his Islam, nor does he introduce heretical innovations. He is not a

"modernizer" of the Qur'an, nor does he fall victim to non-Quranic understandings. Instead, he takes the best of what is new or recent. This is not cheap accommodationism (adaptationism). Shaban is a man who has striven to open his lofty mind to civilizations in order to receive the divine light which God has cast down upon him.

This endeavor does not presume that the writer is infallible. He is instead an academic investigator, knowledgeable in international law, international relations, human rights, and Islam. From a sentimental perspective, perhaps his most profound characteristic is that he is related to a deeply rooted and religious family, a family which for centuries has stood out prominently as custodians of the Garden of al-Haydariya of Imam Ali in Najaf. My pen trembles as I write these last words. I call upon God to keep away from the courtyard of Haydari all suffering, a courtyard soaked in a tragedy that seems to have no end in the wounded hearts of believers [a reference to the war in Iraq underway as the Metropolitan wrote – translator's note].

Iraq is no stranger to this author in spite of the peace and quiet his research required of him. All of Iraq has become "Karbala": a scene of great suffering and martyrdom and will continue to be so until God lifts from this great country every affliction, and until all Arabs in this revealed religion come to share in the hope of participating in contemporary civilization on all levels. Abd al-Hussain Shaban is unable to personally feel the suffering that led him to his investigation, but he does not weep for his own loss. Perhaps this is his inheritance, as he sees it from the perspective of the descendants of his faith.

Moreover, what inspires us to study the jurisprudence of Muslim tolerance is that we find ourselves in the company of a writer who is freely and completely comfortable with Islam as a defender and as an apologete. Islam has had many defenders since the beginning of the twentieth century. Shaban's discerning intellect has led him to consider all the intellectual attacks and plots that have been launched against Muslims or against Islam as they have transpired and to discuss the traditions (hadith) of Islam with a sweetness of soul and strength of a builder.

I am not here as an apologist for the West.. I know that every evil Shaban analyzes does not dwell inside Islam alone but in the Eastern Church as well and has so for generation after generation. The enmity of the West is real. However, to answer "the enmity" with counter attacks only adds to the battle. Therefore,

let the Qur'an be regarded as the knowledge base that encompasses all knowledge of creation and its perfections with new wonder. This is for my lifetime an opportunity to see the holiness of Revelation disclosed and brought to secular levels of comprehension. We can gain understanding by means of secular examination and models that are grounded in the world it being

accepted that there is also understanding that can only come down upon from Heaven.

Our author is fearless when it comes to Islam. He lives inside Islam and travels within it. It is a very liberal and generous Islam that enables believers to talk about it without convulsion and without fear. Islam is not a house of glass, even though the world is full of challenges. Islam faces challenges with strength and courage. Why does Islam attract to itself Muslim and Christian mystics from every quarter? … Could it be because they love God, and sing of Him, and sing of their personal experience of Him and their palpable Divine encounters with Him while fearing no one?

Thus says one person of spiritual sensibilities. This is the Islam that attracts me. Some of what you will find in this book moves me to "accuse" friend Abd al-Hussain of not being far from the Sufi legacy.

Whenever God blesses us with this Sufism we are able to observe intensely all beautiful things: those that are part of our legacy and those that are not, and to stand apart from them totally, objectively, and righteously. I am reminded of a conversation I once had with Professor Lee Handy, with whom I studied Hinduism in a group that included Western Christians. He asked me how I would respond to people who did not share my tradition. I said to him: I am an Orthodox Christian, and in the mysticism of the Church no matter what one's upbringing there will be points of convergence on some matters.

Religion is not some immovable record or document that proves itself categorically once and for all to you. If the truth you inherited is close to that which I inherited, then we are together. This does not necessarily mean you and I hold fast to

what the other regards as precious in simplistic or un-complicated ways. It means instead that we are traveling togeth-er in the heart of things in faithful, worshipful loyalty to the one God.

In this sense, Doctor Shaban, when he examines the texts, is capable of talking about non-violence in Christianity with com-plete fairness and with complete integrity in his elucidation of Christian history. For the scope of his vision is the divine text, seen with the same freedom any other historian would demand. His aim is to critically assess historical practices that often per-tain to all that, apart from divine will, is said about the oneness of things.

Shaban, you follow God, not history. Indeed, it is for you, Dr. Shaban, to make clear how what you have faced in history is connected with how God has inspired your book. But, beware! You should be ready for anything because religious time is full of rebellion and bloodshed.

This author writes beautifully and brilliantly against blood-shed. In my own estimation, one of the foundations of this argu-ment is the value of tolerance. One of the most prominent ex-amples is the role contemporary humanity has played in the philosophy of human rights and the jurisprudence that applies and constitutes its firm, supporting pillars, pillars anchored in integrative, inclusive thinking. The author seeks to wipe up the dust heaped upon religions by an evil history and by reductive and ignorant readings of texts.

There are intellectual precedents in "Western thought" that are stubbornly opposed to any contact with Islam but perhaps this is even more so the case with Christianity. This hostility to belief is constantly clear to me. It has been so since the Enlightenment.

Indeed, there are some European Orientalists who have held more positive attitudes toward Islam. But, who in the West among the general public reads the Orientalists? In contrast, after September 11 one began seeing in the bookshops of Paris a number of books about Islam. It was said that similar things were being observed in all the book stores in Western capitals.

Within this frame of reference, Doctor Shaban's idea to study tolerance in Western political thinking did not arise in a vacuum; religious thinking preceded it and provided the foundation for it along with the capacity - I believe – to discern the roots of tolerance in the Qur'an and in the Prophetic tradition [al-sunna al-Nabawiyya]. This makes me happy. Shaban put a question to himself about what was rigorously apparent in Revelation with respect to the polytheists along with a warning from members of the biblical faiths. He approaches the challenge in the spirit of one who reads the text historically, that is to say in continuity with the establishment of relations between the Prophet and the first Muslims on the one hand and the people of Mecca on the other, who were at the time still polytheists. Indeed, if one cannot overcome this difficulty of the ongoing place of the verse on the polytheists one cannot avoid condemning half of humanity living today, as Doctor Shaban has perceived.

The question this raises for a student of human rights such as Shaban is whether Islam was ever in the thinking of the committee that put together human rights law. Such an inquiry would require an examination I am not capable of mounting. Certainly, those who wrote "The Declaration of the Rights of Man and Citizens" during the French Revolution were, while not unaware of the Anglo precedents, were definitely ignorant about Islam even though they outgrew their antipathy for the established ecclesiastical authorities. Christianity was manifest in

classical French culture prior to the revolution and its legacy has coexisted with people ever since. It seems to me that those who wrote human rights law after World War II were, most of them, saturated with Christianity. Yet, they disregarded the spirit of the Catholic Middle Ages that is disguised in these rights. The observer does not need the text of the Sharia or the text of the Gospel or a great effort to notice between them a relationship that sometimes ascends to the heights of inspiration. This is probably the result of human sharing of spiritual values and models that our author had in mind to spotlight, illuminating their roots in Islam as well as in other religions. This seems especially so in view of current calls for dialogue and continuity with civilization and culture. This is the singularly most appealing characteristic of this essential book.

There are many reasons one may take comfort in this book. It puts the reader in touch with the truth and will bring you face to face with God. One is not delivered into right thinking except through the practice of penitence. In one of the prayers of the Orthodox Church, this is what is meant by humility of thought. It is the only way to open the door of dialogue between thinking people. It is what makes us walk together through an unjust world that is darkened by death. It is the great hope in the human condition and in history that we aspire to put to death our craving for intellectual glory and for self glorification both of which lead the point where singular reality is disgraced.

In the Arab world where we "mingle" and "live together," we consequently must, as we have written, conclude that Christians make up a portion of our society, albeit small, and that Muslims likewise make up a portion. One of the British Orientalists, Bishop Kenneth Cragg, was once asked how he wrote his texts on Islam (there is no other man like him known who writes with

such affection). He replied: "I always imagine there is a Muslim looking at my paper over my shoulder, and I always want to write so as not to anger him. I want to treat him fairly and to make him happy."

Doctor Abd al-Hussain Shaban has made me happy, and, even though I am a Christian, I stand behind him and testify to his fairness…he is noble and kind. I am pleased by his regard and respect for me, a Christian, and I am delighted to have accompanied him on this journey…may God grant him, this heir of "Hussain," high-mindedness and good health.

Burmana, August 24, 2004

George Khodr
Metropolitan and Patriarch of Jubail and Patrun
Both (Lebanon) affiliated with the Roman Orthodox

Preface

Peace must be established on the basis of intellectual and moral solidarity between human beings.

UNESCO Constitution

To begin, the central point is that "tolerance" has become an essential question for our current political, societal, cultural, and intellectual life. Previous studies in this field have amounted neither to a guarantee that the rights themselves will be observed nor that intellectual brilliance will prevail when they are discussed. On the contrary, a most pressing need has appeared, an "individual duty" rather than a "collective duty," as some have put it, to bear witness in our lifetime to the triumph of individualism, authoritarianism, the monopolization of power, and the misleading of others in the extreme, especially under the auspices of a priori repressions of opinion, the pretense of individual preference, "fidelity" to the text, the positive, the literal, the indisputable, the liberal, and the ideological. All of these approaches are a far cry from pluralism, relativism, changeability, historicism, unfettered reasoning [al-ijtihadiyya], and realism.

Genuine dialogue with the Other - the stranger - acknowledging his existence and coexisting with him are the first steps in establishing an umbrella of tolerance and encouraging diversity in thought and practice. This is how consciousness is deepened and sharpened in our contemporary situation. It is also the case when we look deeply into the past, into history. Some,

as they look back and forth in time, find that excess, extremism, and fanaticism go hand in hand with corruption, perversion, or whatever else we consider lies outside the bounds of what is considered "judicious." These excesses have reached the point where the Other is branded "different" and usually, then, "suspect": a person meriting condemnation, criminalization, or expulsion. Sometimes the Other is even branded a sinner.

In fact, tolerance, as a concept, is still not widely accepted and is even viewed in some fringe rejectionist perspectives as "the seeds of Satan, or, "imported thinking," especially the kind of thinking associated with Westernizing tendencies. These tendencies are dismissed as the byproduct of seduction by a West bent on forcing us to put ourselves in a position of subservience relative to the Other: the outsider, the foreigner, the alien, the antagonist, the enemy.

These days those who think this way escape backward into the past, taking refuge in history, and concluding, to wit, that Islam must always come first and be the exclusive guide). They brand tolerance and recognition of the right to diversity as deviant. Whenever they talk about the present, these swindlers try to subvert everything connected with recognition of the principle of tolerance and the right to diversity. In their attempt to glorify the past and run away from the present, they dismiss tolerance as rejectionist and exclusivist: in other words, an alien idea. They use wooden language, impose a retrograde [mussabaqan] unity, make prescriptions about what is right and proper, and condemn the right to disagree. They require this understanding of humanity in order to promote "regression" and fundamentalism in their approach to history. Their aim is to make the past present, to impose the past upon the present as ongoing and unshakeable.

Perhaps confusion over the understanding of tolerance, the

dominance of the ideas of unity and conformity, the process of isolating the Other, and the refusal to acknowledge the right to disagree and be diverse are the most prominent reasons that impelled me to write about this battlefield, which is presently impacting Arab-Islamic thought, as it has done in the past, and as it will likely continue to do into the future.

This field continues to be monopolized by some "Islamist," Islamic, and Orientalist books. Recent revivalist writers have avoided immersing themselves in this arena. They see it as a forbidding road without end lying outside their fields of specialization. At a time when the marketplace is saturated with fundamentalist minutiae and hairsplitting, in addition to traditionalistic or Orientalist writings, their own views repeat some of the prejudicial ideas seen in such material.

Some Orientalists have been fairer to Islam than have these fundamentalists. Some Orientalists have offered objective, critical readings of history.

The desire to write in this field springs from my emotional, psychological, and spiritual drives, conditioned as I am by my milieu and governed by my make-up [takween] and my early upbringing. I am especially governed by the spiritual pillars and philosophical starting points that influenced me as I took the first steps in my political, cultural, and intellectual life. It is these resources that have sustained me time and time again through gains and losses, visible and invisible. It is more and more insistently apparent to me that everything I know by necessity consists of traces of things I have inherited, things that have lived with me and inside of me and that form an important part of my current condition.

I have found myself face to face with numerous ambiguities that have seemed to me more opinionated. In addition, I have

generated points of view that seemed crystal clear in their peculiarities, especially those that sprang to mind whenever our political and cultural lives were overrun by something new. Some ideas seemed to associate themselves with "history" in an attempt to transcend "time" altogether. I have practiced this sort of thinking and writing, and it is clearly on display in my book America and Islam, published in the mid-eighties, also in Islam and Human Rights, and lastly in, Islam and International Terror, in addition to numerous other books, studies, and articles.

It is not possible for me to separate my feelings from the need to be objective in spite of the fact that some vocations stipulate just that. But, whenever I find it opportune, especially now that I am returning to study tolerance yet again under the influence of previous formulations "pro and con," I find that this "dualism" can arbitrarily take hold of you even if you proceed in a way that accords with your bias.

I am reminded here of a proverb of the Iraqi thinker Aziz al Sayyid Jasim, who was forced into hiding in 1991 and whose examination of Islamic history an entire generation tried to disregard.

The gist of this proverb is, "we have closed the ancient doors of the treasury of our perceptions as others rush in to fill the void." Without doubt, he has been undervalued. This is especially apparent when we consider his book, Muhammad: The Truth is my Greatness.

Official expressions along with doctrinal and traditional tendencies have striven to achieve harmony with what is popular without taking the opportunity to think through, to reexamine, or to submit revisionist readings of the past to critical gaze. This passivity, whether internal or external, is certainly nothing new. It has cast its shadow over this field generally and will likely

continue to do so for a long time to come.

One faction continues to dodge the worthy responsibility of arguing with or criticizing prevailing movements. A second faction speaks in hushed tones akin to mumbles or whispers in order to stave off clashes with the opposition or otherwise avoid dealing with them. A third faction chooses to adopt the adversarial stance of struggle, or better, of hacking one another to pieces under the pretext of "repudiation" of the old, regarding all of it as passé. Such behavior has hindered progress, change, and renewal on an unparalleled scale.

Participating in the discussion are the likes of Sadiq Jilal al-Azeem, Hussain Muruwwa, Hadi al-Aluwi, Mahmoud Amin al-Alaam, Nasr Abu Zaid, Afif al-Akhdar, Muhammad Arkun, Fahmy Howeidi, Rashid al-Ghanoushi, Muhammad Abd al-Jabari, Tayyib Tayzini, Mahdi Amal, Tariq al-Bushri, Muhammad Salim al-Awa, Abdullah Aruwi, and others who have studied the legacy and the issues of contemporary Islam and have taken stands from various perspectives offering distinct, important, and weighty opinions in spite of differences over points of departure and motives.

As for Orientalism, its approaches to viewing Islam have been marked by particular rivalry. According to intellectual Edward Said, Orientalists have looked at the East as if it were a single, monolithic, solid block with no internal distinctions or diversity, and, they have done so with a mix of hostility and fear. This is clear in Said's book Covering Islam.

Indeed, we have moved far away from the kind of full disclosure, illumination, inquiry, investigation, examination, searching, self-criticism, and review that could give rise to new readings and original thinking in some areas of Arab-Islamic

thought. This is especially apparent to one such as myself who has been immersed in the fields of knowledge, culture, and nationalistic political affairs, Iraqi and pan-Arab, and have worked in a mix of official and unofficial international foundations and associations. This review is an attempt to reach the harbors of truth and reality, because I continue to aim for ripeness, maturity, and completeness.

Islam has been and continues to be vibrant, lively, and up to date in spite of attempts by some interpreters and defenders to subordinate its convictions and wisdom, to force them into conformity with standards of prevailing opinion and into servitude to ruling classes, and in spite of some fanatical and incomprehensible ideas. Some of these attempts defy reason and some of the scholars who make them are transforming the convictions of Islam into "spells" or calls that are a far cry from real life. Parts of Islam more closely resemble an embalmed corpse, something frozen not alive. They amount to a form of idolatry, more akin to ready-made or canned goods that bear no resemblance to the present, to actuality, to the living world. We seem to be living in a time when "the sacred" in Islam is overflowing with self-absorbed, symbolic swearing of oaths.

Nothing is added to Islam if Islam is merely "glorified" or collected, or narrated or repeated. Islam is increased and completed, if only in part, through criticism of static, prejudicial, and erroneous literal meanings, especially those fairy tales associated with Islam that are far removed from Islam's true spirit and its generous and magnanimous learning, fairy tales that give preference to certainties that are not receptive to argument and that reject all that is new, regarding it all as heresy (bid'a) or deviation from the right path (dalalan). The situation requires a modern remedy applied with an open spirit and by means of ac-

cumulation, gradual progress, and know-how, and by means of using the blessing of reason that God has given to human beings.

Some religious schools have followed a course of instruction that judiciously guards and preserves the middle way in their thinking about divine revelation and the importance of some of its forms. Especially as it relates to modernity and the sciences, these schools are stirring up a tumult among some "men of religion." If you allow yourself to get too close to them, especially to their values and principles, these types in no time will have converted you to "traditional" interpretations that are full of many self-contradictions and inconsistencies, not to mention their disregard for real life and for anything new. Islamic thinker Shaikh Muhammad al-Ghazzali rejected these approaches and criticized commentators and observers who run us over with their mutually conflicting views and interpretations all the while regarding themselves "heroes of the Islamic umma ("community")…their interpretations..amounting to huge abuses of Quranic thought." So he says in his book, How Should We Deal with the Qur'an?

Dr. Muhammad Shuhrur in his book, State and Society, has singled out a particular section from the Hadith dealing with dogmatic, philosophical, judicial, social, economic, and political absolutism and despotism. He looks at passages that deal with the separation between form and content and that call for a rapprochement between Quranic study and that which human beings and their civilizations bring to it. This approach is a far shot from relying upon religious inheritances from the past that are motivated by the gain of religious merit for pious deeds and does no harm to fundamental religious values.

Islam came in order to provoke comprehensive change in all

moral and natural law, in all foundational principles, and in the prevailing "orthodoxy" of the age of pagan pre-Islamic life [jahiliyya]. Islam's basis is what only appears in the Holy Qur'an and in the orthodox Muhammadan norms and practice: it came as a light, a guide, a teaching, and a set of morals. It did not proffer a collection of decrees or judgments disconnected from ordinary life, or, legally binding precedents and social and moral structuring aimed at a total transformation of life or a didactic revision of life. Instead, Islam attempted to deal with practical life, providing answers to questions of truth, justice, equality, and human dignity.

The expressions of holiness in Islam are comprehensive and diverse and were put in place for the good of humankind. The model of the Prophet Muhammad has been prominent and influential as an example for human beings as a whole. From where we sit, we understand the Zionist campaign against the Prophet Muhammad in the United States, which has met with tremendous vexation throughout the entire world, as part and parcel with the war on international terror, a war aimed essentially against Arabs and Muslims alone but which includes organizations devoted to upholding standards and morality. Such organizations are a far cry from those groups, systems, and practices that carry out abuses in the name of Islam and in the end harm Islam and human dignity.

Indeed, neither traditional representations of Islam and Muslims nor current prevailing styles are sufficient to reveal the truth of Islam. Apart from the deformities, abuses, and archaic stances with which Islam has been associated, it is usually depicted as merely one of three hallowed religions (Judaism, Christianity, and Islam). Because of this, it is necessarily plain and obvious that we must shed light on some of the genuine

sides of Islam and the lives of Muslims in order to put Islam's darker side in perspective with all the dislikable things that have been linked to Muslim societies, nations, states, and peoples as a whole. And, here we arrive at the role of our philosophical and cultural duty: to present the Muhammadan model or the model of the Rashidoon ("Rightly Guided") Caliphs through a critical reading of the older forms, through contemporary understanding, through criticism of Islamist or Islamologic (Islam contra Islam) interpretations and teachings that have harmed Islam and Muslims. Such teachings have at times contributed to constructing the other face of Islam that is being propagated by the foreign campaign against Islam under the pretext of Islamophobia: the claim that terrorism derives from Islam.

The basic idea of this book is tolerance. I take my stand with Muslim jurisprudence [fiqh] on tolerance in Arab-Muslim thought, "state and culture." We do not recognize or acknowledge in our daily, political, and cultural lives those ideas about tolerance that are dependent upon Islamic philosophers and jurisprudents. However, they constitute a central link in the chain in Muhammadan politics and in those aspects of Islam pertaining to the first four caliphs, that is to say, in the vanguard of cultural and national Islam.

In fact, we do not recognize tolerance in what binds us to one another, neither on the group nor the individual level, whether with respect to the cultural and philosophical facets, collectives, organizations, or with respect to political parties or individual relations. And, our strongest quarrels at times are one with another within a single movement, party, group, people, religion, or sect. We have seen alignments, mutual struggles, and the creation of distance between parties, in addition to attempts to obliterate ancient monuments and legacies; all of this in order to

hang on to intolerant ways, to impose a point of view, to marginalize the Other and make him disappear.

Perhaps our entry point into dialogue in this introduction should be the wisdom of the Prophet Muhammad, "We sent thee not but as a mercy for all creatures" (s.21:107). This wisdom can be applied universally. Mercy means acceptance of others, tolerance, forgiveness, and free mutual relations between nations, nationalities, and peoples, small and large, and between single individuals or persons. For, humanity is the supreme value and its authenticity lies in its capacity to express itself and contemplate holy truth. It is not possible to diminish or devalue this capacity. We have read, studied, discussed, and encountered lecturers for years on end talking about Western-Liberal or Socialist ideas. We have stood with great thinkers and cultured writers like Adam Smith, Descartes, Kant, Voltaire, Montesquieu, Rousseau, Hegel, Marx, Engels, Lenin, Mao Tse Tung, Rosa Luxembourg, Trotsky, Lukacs, Althusser, Gramschi, Shakespeare,

Dostoevsky, Sartre, Albert Camus, Colin Wilson, Roger Garoudi, Michel Foucault, and others. But, this has all come in a time when we have not been keen to take close looks at the views of great Islamic thinkers starting with the "lord of Prophecy" (sahib al-Risala, i.e. Muhammad) as he carried the blazing torch of thought, values, and transforming principles, and, after him in progression, Amr al-Faruq, Ali bin Abi Talib, Abi Dhur al-Ghaffari, al-Mu'ari, 'Amr bin Abd al-Aziz, al-Jahiz, Ibn Rushd, Jafar al-Sadiq, al-Ghazzali, Ibn Sina, al-Farabi, al-Kindi, Abi Hayyan al-Tawhidi, Ibn Khaldun, and others. Many from our own generation did not come to a standstill after al-Afghani, Muhammad Abduh, al-Kawakabi, al-Tunisi, Rifa'a al-Tahtawi, al-Na'ini, Shibly Shamil, Farah Antun, Salama Musa, Qasim

Amin, Taha Husayn, and others.

Some investigations have sorted out divisions akin perhaps to the "sovkhoz" ("state farm") and "kholkhoz" ("collective farm") and their role in Soviet and cooperative agriculture in "Democratic Germany." One sees similar things going on when one immerses oneself in such cases as the history of the French Revolution, Europe and its wars, and in European philosophy generally. This all comes at a time when few are interested in rational-analytical experiments, the Ikhwan al-Safa ("The Brethren of Purity") and the Sufi movement among others.

For our part, we Arabs and Muslims have not come to a standstill in our own time. Look at the research and studies of such writers as Abd al-Fatah Ibrahim, Ibrahim Kibh, Muhammad Baqr al-Sadr, Muhammad Suleiman al-Hasan, Ali Waradi, Sayyid Qutb, Muhammad Hussain Fadlallah, Kamal al-Jadariji, Sa'id Sallah, Hussain Jamil, Muhammad Mahdi Shems al-Din, Sadiq Shanshil, Hussain Muruwwa, Mahmoud Amin al-Alam, Ismail Sabri Abdallah, Mahdi Amal, Ali Jawad al-Tahir, Jawad Ali, Muhammad Mahdi al-Makhzumi, Mustafa Jawad, Muhammad Mahmoud Taha, and others. We are at a point where our interest has been exhausted by inferior thinkers from the West. The same argument applies to narratives and criticism of authors generally.

We are familiar with the "Magna Carta," the Chartist Movement, the French Revolution, the Napoleonic wars, the American Constitution, "Land to Those Who Till it," and Edicts of Peace in the Bolshevik Revolution. But, we have not absorbed nor do we remember Hilf al-Fudul ("The Alliance of Excellence"), the Constitution of Medina, the Truce of Hudaybiyya, the Covenant of Umar, or the Letter of Mehmet II following his conquest of Constantinople (Istanbul). Other like

examples include the Treatise On Rights of Ali bin Zain al-'Abideen, who emphasized tolerance in our Arab-Islamic world, in addition, of course, to the "perfumed Prophetic tradition" and the Holy Qur'an. Eventually over time, these readings came to resemble orthodox Islamic texts that remained faithful to tradition and did not sink into wistful introspection. They took pains not to overstep their bounds or delve into learning that was deemed unacceptable for discussion and argument, as though there was no relation between them and modern life.

Those stances, which finished taking shape within a framework of intolerance, continue to be subject to their historical context and continue to prevail as if the exceptional model for Islam should be al-Qaeda (lit. "the base"). To the contrary, the real "base" in Islam is (and always has been) tolerance. Tolerance was the intent and aim of the first teachings and applications from the Muhammadan traditions and those of the first four caliphs.

Some forces of intolerance have employed centers of support for intolerance and some positions out of historical context in order to bring about a return to a past they regard as sacred. This has been going on to the point where these forces have become an obstacle to human progress and to the interplay of our own Islamic civilization and culture with human culture as a whole, an obstacle to the human values that unite us all without regard for nations, peoples, and religions: in other words, values that have significance to all human beings. We have found these universal human values in the rising international movement in support of human rights, especially in the area of international law. By that I mean specifically the Universal Declaration on Human Rights and the individual international charters of civil and political rights, in addition to economic, social, and cultural rights.

Indeed, we do not intend to examine topics such as these from the angle of "the bygone" or immersion in the past, but rather through a study of history, real and profound in depth with respect to the human past. It is not possible for us to make progress without roots and without soil through which our roots may extend themselves.

Instead, our investigation, is aimed at tracing a portion of the history of Arab-Islamic thought through contemporary views. It strives to disclose the reality at the core of standards of justice, beauty, wisdom, and humanity. Writing a history of contemporary ideas means studying the applicable cultural conditions on hand.

It may come as a surprise to us to remember what came to fruition in Medina, that lofty, desert city in that narrow valley, "a valley where nothing grew": the idea to establish a political and judicial system that today extends throughout the entire world, an idea to establish justice and change the ruling social order by confronting the Quraysh aristocracy. The response from the Quraysh was not objective. It was at times direct and immediate and at other times it was covert. Why pagan pre-Islamic society completed the transition or why it became preoccupied with diversionary conflicts in places like Mecca philosopher Hussain Muruwwa accounts for in his book, Materialistic Trends in Arab-Muslim Philosophy.

Was not a blessing conferred upon that exceptional city with the birth of a Hashemite orphan into that distinguished family tree on the 12th of Rabia I in the year 570, which became known as the "Year of the Elephant?" The Prophet Muhammad lived sixty two years and died in the year 632, but over the centuries his shadow has spread across the world and continues to attract hundreds of millions of human beings in faith and rising

satisfaction with their lives, with models to imitate and humanitarian values to emulate. This is the secret of the holy verse, "The Messenger's duty is but to proclaim." (s.5:99) Has there been another grace equal to that sent down in the Holy Qur'an? Morality, truth, and justice all advanced far ahead of their time because of him. He was distinguished above all of his opponents, peers, and members of his generation even before the world received the good news of the outpouring of a new religion, a religion based exclusively on tolerance, whose purpose was to draw a line between beauty and ugliness, truth and falsehood, justice and injustice, and good and evil.

The book we are placing in the hands of the reader is divided into five chapters. The first examines the topic of "the present and the historical with respect to the question of tolerance." This chapter surveys the West and the idea of tolerance particularly after the terrorist events of September 11, 2001 that took place in the United States and that have had negative repercussions for the condition of human rights throughout the whole world, particularly in the Arab and Muslim worlds and strictly speaking after the outbreak of war in Afghanistan and Iraq. In the second part of chapter one, we take up the root idea of tolerance in the philosophy of the Enlightenment as a basis for comparison and guidance for examining the concept in Islam and how it is being received in our contemporary lives.

Chapter Two takes up "tolerance and contemporary international jurisprudence" based on the United Nations, the concept of tolerance, and the Declaration of UNESCO on tolerance. The chapter investigates the forms and significance of tolerance on the international level.

We devote the third chapter to a discussion of the question of "tolerance in Arab-Muslim thought." We begin this chapter with

an initial study of the question of "non-violence and tolerance in Christianity," a question that preceded Islam, and move on from there to an investigation of the common human endeavor. This is in preparation for a study of tolerance in Islam. Our study of tolerance in Islam proceeds through a treatment of three subjects. The first addresses tolerance and political Islam. The second deals with Islamic Sharia law and tolerance. And, the third studies the roots of tolerance and its consolidation in Arab-Muslim tradition as seen in the Hilf al-Fudul ("The Alliance of Excellence"), the Constitution of Medina, the Truce of Hudaybiyya, the Covenant of Umar, and the pact Mehmet II (nicknamed Fatih, "Conqueror") forged with the city of Constantinople.

The fourth chapter is based on a study of the biography of Muhammad offering models from his legacy as well as from contemporary understandings. We investigate the fundamentals of tolerance as practiced by the Prophet Muhammad and lay out the conflicting positions on tolerance in contemporary Arab-Muslim thinking.

In the fifth chapter, we explore "contemporary Arab-Muslim rhetoric dealing with tolerance." Here we set forth the views and conceptualizations of some Arab and Muslim reformers from the late nineteenth and early twentieth centuries through a survey of religious and liberal thought. After this, we look at the positions of Muslim authorities through the counter opinions, repudiations, and criticisms that were expressed. In the Conclusion, we explore hypotheses of tolerance along with some basic authorities and sources.

Kingston, London, August 20, 2004

Chapter One

Contemporary and Historical Aspects of the
Question of Tolerance

> *Without tolerance there can be no peace, and
> without peace, there can be no development or
> democracy.*
> UNESCO Declaration of Principles on Tolerance

1. The West and the Concept of Tolerance

The terrorist incidents of September 11, 2001 have left their marks on the international scene. Those marks and the dangerous regressions and retreats in international relations that have come in their wake can be read after the fact as a new occasion for the United States to display its power and might, to resort to power without limits, sometimes without cause. This new behavior represents a departure from America's reliance on such international alliances as in the case of its strike on Iraq in 1991 following Iraq's aggression against Kuwait in 1990. This departure was confirmed in threatening statements by American President Bush claiming that since the Security Council had taken no decision giving the United States permission to use force automatically and without submitting to its authority, the United States was thereby obliged to go to war without the blessing of the U.N. and either mount a unilateral attack or make war against Iraq through an alliance with some of its friends. This is the gist of the discussions that preceded and followed the prom-

ulgation of Resolution 1441 in early November, 2002.

revised In actuality, the United States and Britain had the audacity to take a decision to go to war against Iraq without going back to the Security Council. In particular, they did so because they thought it impractical to obtain permission to launch war in the name of "international law" even in the face of opposition from France, Russia, and significantly China in addition to the positions of Germany and some nations from the European Union that were also against launching war. Likewise a number of other nations throughout the world were opposed, not to mention the demonstrations against the war seen in some four hundred major cities in Europe on February 15, 2003. These demonstrations had been organized by civic social foundations and public opinion groups critical of the idea of going to war against Iraq who also made statements including expressions of solidarity with the Palestinian uprising.

The events of September 11 have had a direct bearing on campaigns for human rights throughout the world as a whole, and on the international level have led to a retreat from the concept of tolerance. The shock was tremendous, since there were never any possibilities of representing an attack upon the United States in its own house and with injuries of such a deep, profound nature in a convincing way. For the attack was not the result of fantasies, as if we were dealing with Hollywood movies and all their special effects. This dangerous strike against the strategic security of the greatest nation in the world was no fantasy, no special effect, and it has led us to the point where we are compelled to review the possibility of nuclear terror, to consider other weapons of mass destruction or the balance of terror, especially weapons of terror. What happened on September 11 cannot stop the spread of terror. Extensive measures and radical

treatments are necessary.

To ask the question another way: Is there a clash or a confrontation here between the West and Islam? That they happened in the United States notwithstanding, those terrorist deeds must be condemned on factual, religious, humanitarian and moral grounds. The deeds did not harm the United States alone, but Islam and Muslims as well; they were the principal victims of these events. Particular harm has been done by distorted depictions in the service of feverish efforts to link the events with Arabs and Muslims (noteworthy here are the excuses advanced for launching war against Afghanistan and after that against Iraq, the incorporation of Iran into the axis of evil, and threats of legal sanctions against Syria). The underlying assumption is that Arabs and Muslims are disposed to violence and terrorism and their religion is one that teaches violence and terrorism. According to this line of argument, Arab and Muslim societies, not to mention institutions of education and learning (especially religious ones) provide fertile soil for the production of terrorism and its dissemination whose aim is the elimination and extermination of adversaries, enemies, and "the Other."

This formulation is the same as that found on the tongue of Sheikh Osama bin Laden, who, just like George Bush, has divided the world into two camps: one, the camp of evil and injustice and the other, the camp of goodness and light, on the one hand, the corps of despotism and on the other the corps of freedom. According to this strange dualism, the world has been split in two: the world of civilization and the world of barbarism.[1]

1. See: Shaban, Abd al-Hussain, Al-Islam wa-l-Irhaab al-Dawli: Thalathia al-Thalathaa'a al-Daamy (Islam and InternationalTerrorism: The Bloody Third Tuesday), Dar al-Hikma, London, September, 2002, pp. 9ff.

The image of tolerance that had prevailed in Western political life has been shaken, especially on the domestic level, and a narrowly selective impression has appeared in Western policies, particularly as it applies to Islam. In the days of the Soviet occupation, Afghan Muslims were considered "good jihadists," but they became "Satans" after they began to resist American policies. Shia Muslims in Iran and southern Lebanon are labeled "terrorists" unless they cooperate with the United States. The same can be said of some of the factions and Islamic groups in Iraq. Nations afire with "Sunni fundamentalist" Islam, but which maintain silence about it, are counted as centers of support in efforts to stunt its growth and its incubation so long as they cooperate on matters of security and logistics and so long as they change their ways of studying, teaching, and their religious systems. If they cooperate, they avoid being classified among the "evil states" or "heretic nations" and won't have their names included on the list the United States keeps of some sixty political and religious movements among some forty nations.[2]

After the events of September 11, a communiqué signed by sixty American intellectuals and cultural critics was published arguing against the theories of Samuel Huntington ("clash of civilizations") and Francis Fukuyama ("the end of history"). The signers provided evidence of the absence of measures of toler-

2. See: Halliday, Saa'atan Hizatan al-'Alam: 11 Aylul 2001, al-Asbaab wa-l-Nitaa'ij (Two Hours That Shook the World, September 11, 2001, Causes and Consequences), translated by Abdullah al-Na'imi, Dar al-Saqy, Beirut-London, 2002, pp.19ff. The writer Mahmoud Haidar has used the term "captive nation" and sometimes the label "captive outpost" in speaking about the war against Iraq. See Haidar, Mahmoud, Al-Dawlat al-Mistibaaha, Min Nihayat al-Taarikh illi Bidayat al-Jiografia (The Captive Nation: From the End of History to the Beginning of Geography), Dar Riyadh Najib al-Rais, Beirut, 2004.

ance in face of what had transpired inasmuch as these theories dismissively cut off and tarred between 1.2 billion and 1.4 billion Muslims distributed throughout sixty countries, fifty-seven of which were Muslim member states in the Islamic Conference constituting about a third of the 192 nations of the world and one fifth of the world's population (an increase to be proud of and occurring mainly during the early part of the second half of the previous century). All of these Muslims found themselves abruptly reduced to the lowly status of societies who encouraged the practice of terrorism and its philosophical and financial nurture.

This limited understanding of how Muslims are perceived has persisted. Muslims are reckoned as a single mass, a monolith with no distinctions at times between Islamists and Islam or between Islamists and other Islamo-ists. There is much talk of the "Islamic threat" and the "Islamic danger" lumping all Muslims together in a "single box" as if terrorism went hand in hand with Islam and as if the majority of Muslims were predisposed to terrorism. This "aggressiveness" or "terrorism" has fed the view that most terrorists are automatically Islamists or Muslims.

This characterization fails to discriminate one from another. No alternative characterizations are presented. There is no attempt to understand the fundamentals of the religion, its laws, its prevailing systems, its observed policies, or its international relations, not to mention the varieties and differences that distinguish Muslim societies one from another.[3]

Apart from this, the United States and some Western govern-

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3. Compare: Article by Gustav Niehbur in The New York Times entitled "Arab Christians, Too: They Continue to be Oppressed," October 15, 2001. Also: Nizam al-Din, Arafan, Al-Arab wa-l-Gharb Ba'ad-l-Zilzilal (Arabs and the West After the Earthquake), Beirut, 2002.

ments have adhered to the idea of "the Islamic Alliance." It was an idea originally developed in the middle 1960s, to characterize populist-Arab liberation and Leftist movements. However, today these governments are applying it in extreme demands directed against Islam and against Muslims.

Indeed, for Islamists and for Muslims, views on policies, society, and relations differ respectively according to their interests, aims, and conceptions. For there is no "all" related to Islam. All Muslims are not al-Qaeda, or patrons of the former Afghan Taliban, or carbon copies of bin Laden. On the contrary, there are huge divisions among Islamists, not to mention Muslims. Many do not support what the Taliban government did in Afghanistan, do not support the fanaticism of the al-Qaeda organization, and do not support the violent patrons upon whom they depended. Instead, they have taken a resolute stand against them including a stand against the destruction of the Bamiyan Buddha statues as un-Islamic, an act of nihilism as well as insensitivity and bad taste aesthetically, not to mention an act of negligence with respect to historical treasures. It is not the right of the Taliban government, the al-Qaeda organization, or even Afghanistan to engage in such irresponsible conduct.

The West has viewed our world only through the lens of "Islam" without making distinctions or heeding the different structures and formations that make up our world, careless with respect to the dazzling reality that we represent as peoples, enduring peoples of the Earth. It is true that we practice the religion of Islam, but we embody a civilization, a history, and a society with conceptual, national, and political differences and differing schools of thought especially on growth and development. We are influenced by knowledge and by the accomplishments of world civilizations and cultures and by everything that

is happening around us in the ways of progress, knowledge, technology, ideas, and new developments.

It is the case that every Muslim, whether believing or non-believing, practicing or non-practicing, fundamentalist or liberal, worldly or narrow-minded, revivalist or conservative, rightist or leftist, realizes that he is but a part of a large consubstantiality called "Islam" that celebrates its Islamic festivals, gives Islamic names to its children and grandchildren, and establishes rituals of mourning and burial according to Islamic ways. Contrary to what some may think, the overwhelming majority do not eat meats unless they have been slaughtered according to Islamic custom. However, this thing, this organization called al-Qaeda, these patrons of the governments of the Taliban or others like them such as movements and Islamic governments that borrow from the religion the basis for their laws, are another thing altogether. Islam, in the final analysis, is a civilization and an identity for nations, peoples, and structures that are at the same time deeply rooted and diverse. Islam has continued to play a large role in subsequent forms. However, Islam does not put obstacles in the way of new nations joining in the development of new things, democracy, and human rights.

The Islamic movement has not been seen for what it really is; instead it has been seen as either incomprehensible or fanatical. It has not been seen as open and receptive to development and renewal, as capable of evolving into political parties or a collection of political organizations. Perhaps it is more accurately described as a religion and a set of values, models, principles, and spiritual teachings, that are applied according to their suitability and their uniqueness in support of human civilization.

Likewise, fanatical and extremist Islamic movements are seen

as the main defining feature of Arab and Islamic society while the same does not apply to Christian and Jewish societies although fanatical and extremist movements exist in them as well. But, extremist movements in fact do not apply to all Muslims by the same logic that holds that narrow-minded, terrorist Jewish movements along with exclusivistic (minghaliqa) Christian movements do not apply to all Jews and Christians. All extremisms and fanaticisms are incompatible with modernity and with the principles of tolerance, whether in the Islamic world, or in Christian or Jewish societies.

Indeed, the actual problem with some Western thinkers, and in a unique way with prevailing Western policies, is not "Islamic fundamentalism" and acts of extremism and fanaticism as such, but with Islam itself as a religion and a set of teachings. Muslim countries as peoples and nations perceive Western policies as seeking to subjugate them and exploit them in the pursuit of their own interests and as a means of achieving their own aims and plans. Some Islamist movements, which have used political Islam in fanatic and the extremist ways, are organizing supporters whose aim is to destroy the peace and security of Arab and Islamic societies before they move on to destroy the West. This is to be seen specifically in their calls for the use of violence and unlawful terrorist methods as a means of settling conflicts with local governments.[4] But some of these movements have not met with the desired condemnation from official Western policy makers. On the contrary, they have sometimes met with implicit

4. Compare: Shaban, Abd al-Hussain, "Al-Gharb wa-l-Wajh al-Hiwaar: Al-Islam aam al-Tayaraat al-Islamiyya?" ("The West and the Course of Dialogue: Islam or Islamist Movements?"), Al-Hayat London, issue no. 14312, May 27, 2002…The author replaced the word "Islamic" with "Islamist" in the passage which he published in his book, Islam and International Terrorism, op. cit. , p. 122.

or explicit encouragement when the aim has been to weaken any Arab or Islamic nation resistant to Western policies. All of this happens without consideration for the interests of the peoples of these countries and their yearnings for freedom, democracy, development, modernism, and human rights.

The "Statement of American Intellectuals" produced propaganda claiming that Islam was inextricably linked with terrorism. These calls reached the point where Edward Said, the Palestinian thinker and academic, singled out with a clarity approaching an accusation the attempts of some them of to emphasize "the danger of Islam and criticism of it as a source of violence, despotism, and terrorism." He was referring to the work of Judy Miller, Samuel Huntington, Martin Kramer, Bernard Lewis, Daniel Pipes, Steven Emerson, and Barry Rubin, in addition to a group of Israeli academicians who have classified Islam as a terrible and frightening thing unmatched by anything else.[5]

At times, there has been a great deal of ambiguity, confusion, and obscurity with respect to the collective humanitarian aspects of Islam which, along with language or nationality, make up the cultural and religious identity of Islamic societies. Consequent-

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5. Compare the Qassibi Lecture, D. Ghazi, London, Westminster University, published in Al-Hayat, July 10, 2002.

Also compare: Al-'Ajluni, Ibrahim, "Biyaan al-Muthqafiin al-Amerikiyiin" ("The Statement of the American Intellectuals") in the Jordanian newspaper Al-Ra'iy [no date given]. The text of the statement was published in the newspaper Al-Safir on February 11, 2002 and was translated by Rula al-Ayyubi and Sam Sa'eda.

See likewise: D. Harb, Ali, "Radd 'alaa Risalat al-Muthqafiin al-Amerikiyiin bi-sha'an al-Ahadaath 11 Aylul" ("A Response to the Message of the American Intellectuals on the Events of September 11"), in the Jordanian newspaper Al-Ra'iy, April 9, 2002.

ly, if this characterization seems remote from the way the typical citizen of the West would think, it is not far from the thinking or perceptions of the ruling political elected elites and their interests. But, the propagation of such representations has been such that Islamists, extremists, or fanatics have become the model for Islam as a whole and for another purpose: not for seeking the truth behind the way things appear, thereby to guard against dangers and to arrive at useful way to confront them, but for the sake of imposing subservience and hegemony.

From this point of departure, we wish to proceed to a discussion of the concept of tolerance and its international foundations, meanings, and forms. First, we wish to say a word about the philosophy of the Age of Enlightenment since the Enlightenment constitutes an entry point for a discussion of tolerance from the Islamic perspective, especially the modern Arab-Islamic concept.[6] This is by way of rounding out the picture, sorting out its various shades of meaning, and recognizing its components and its peculiarities.

The spread and strengthening of a culture of tolerance has necessitated a process of openness along with an environment suitable for creating great hopes for the vast space of freedom, the right of expression, and the right of diversity without fear of punishment. It has also required the creation of a civil society, a public space, within which genuine participation in the affairs of the nation must be permitted to operate on the basis of the prev-

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6. See: Shaban, Abd al-Hussain, Al-Islam wa Huquq al-Insaan: Al-Mushtarik al-Insaani li-l-Thaqafaat wa-l- Hadaraat al-Mukhtalifa (Islam and Human Rights: Human Cooperation in Different Cultures and Civilizations), Institute for Human Rights and Human Truth, First Edition, Beirut, 2001, and Second Edition, Kurdistan, Erbil (Iraq), Mawkriyani Institute for Printing and Publishing, 2001.

alence of law and the prevalence of equality between citizens without discrimination on the basis of sex, religion, language, nationality, sociological differences, political affiliation, or any other reason.

2. Tolerance and the Philosophy of the Enlightenment

The Enlightenment as a movement and as a term traces back to the 17th and 18th centuries at which time it spread throughout Europe. It spurred the development of liberal ideas and the rise to prominence of a humanistic reliance upon reason in approaching the Godhead. In addition, the Enlightenment posited reason's reliance upon nature, upon individuality in approaching metaphysical matters, and upon the practice of interpreting the world of appearances through testing and experimentation.[7]

Because of the breakdown and failure of the nationalist, socialist, and Islamist philosophical and political experiments, philosophical and cultural competition has dominated a huge debate especially in recent years, a debate that has begun but is far from over. Its objective is to probe the roots of liberal thought, the questions of enlightenment and revival, and the philosophical starting points of Arab and Muslim reformers. In the same vein, the term "enlightenment" has lately come into circulation once more. It is a term that is coincidental with the discovery of these political enterprises, not only in the Arab and Muslim worlds alone, but on the global level as well, along with "experiments with the theoretical roots," by which I mean "socialist countries," along with "derivative countries," by which I mean experiments with countries where the label "national liberation

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7. The term "enlightenment" does not appear in the Holy Qur'an, but the word "light" is repeated 43 times and this will be the term used when referring to the concept in the Qur'an.

movement" does not apply.

We have been guided in our study of the linguistic aspects of the term "enlightenment" by Ibn Manzur's Lisan al-Arab ("The Arab Tongue"). In his mind, "enlightenment" meant the glowing sun of morning, the warmth of dawn in its light. He says the morning has brought forth light, and the light or the illumination: it is the glowing and disclosing, that is to say, the warming of the dawn in enlightenment.

In Al-Mu'jam al-Waseet ("The Middle Dictionary"), a word meaning the seeking or obtaining of enlightenment appears: to shed light upon, as in "a person seeking to become enlightened": the forming of consciousness along with education or acculturation. God has filled his heart with light; that is, the light guides him into truth and goodness.[8]

Light also steers the teaching that "God is the light of the heavens and the earth," that is to say, it is He who guides and lights the way. Kafawi's, Al-Kuliyat ("Complete Works") goes on to say, "Light is the luminous essence."[9]

The Enlightenment in its cultural dimension, especially in the period called "The Age of Reason," rested on three bases: reason, nature, and progress. As for the aim of the Enlightenment

8. See: Al-Mu'jam al-Waseet (The Unintelligible Intermediary), The Arabic Language Group, Cairo, vol. 2, p. 962. Based on a transcription by al-Tawijri, Dr. Abd al-Aziz Ibn Uthman, Mafhuum al-Tanwir fi-l-Tasur al-Islami (The Meaning of the Enlightenment in the Islamic Imagination), pamphlets from the Islamic Organization for Education, Knowledge, and Culture, ASECO, Rabat, 2002, p. 11.

9. Al-Kafawi, Abu al-Baqa', Kitaab al-Kuliyat: Mu'jam al-Mustalihaat wa-l-Furuq al-Lughia (Complete Workss: Dictionary of Terms and Linguistic Distinctions), Institute of the Message, Beirut, 1992, p. 909.

in the 17th and 18th centuries, it represented liberation from inherited values and traditions and the reconstruction of life on the basis of reason and the will to act.[10]

It may be said that the first to use the term Enlightenment was the German philosopher Kant. Kant considered it an actual movement that Europe initiated in the 17th century and completed in the 18th century. Kant captured the essence of the French Enlightenment in last quarter of the 18th century when he answered a question put to him by a simple man of religion,[11] "What is the Enlightenment?" That was in 1784. Kant's interpretation of the question of the Enlightenment filled a huge vacuum in a German philosophical arena where reasoning had come to resemble a stagnant pond.

The Enlightenment, in Kant's view, meant the liberation of human beings from the prison of intellectual baseness in which it had compliantly put itself; that is to say humankind had loaded itself with its own chains and had done so with open eyes. Kant goes on to say that impotence in its power to perceive had led humanity to a lack of courage and the capacity to make decisions. Laziness and cowardice render people rationally ripe, even if they are not aware of it, to fall under the influence of im-

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10. See: Ziqzuq, Dr. Mahmoud Hamdy, Al-Diin wa-l-Falsafa al-Tanwir (The Religion and Philosophy of the Enlightenment), Dar al-Maaruf, Cairo, 1996, p. 79.

11. Kant, Immanuel, one of the trailblazing critical thinkers, lived 1724-1804. Among his fundamental books are The Critique of Pure Reason, The Critique of Practical Reason, The Critique of Judgment, and The Metaphysical Principles of Moral Philosophy.
    See: al-Arees, Ibrahim, "Ma huwwa al-Tanwir?" ("What is the Enlightenment?"), Al-Hayat (newspaper), December, 2002.
    Likewise see: Karam, Yusuf, Taarikh al-Falsafa al-Haditha (The History of Modern Philosophy), Dar al-Maaraf, Cairo, 1986, pp. 208ff.

peratives they have learned and made habits of in order that they might practice these imperatives.

Kant goes on to say that first obligation of every enlightened nation practicing enlightened ways is to practice it by educating its people about the meaning of freedom. Respect for criticism and for independent thinking rank as fundamental principles of existence.

It is said of Socrates that he represents the point at which Greek philosophy split into two parts: that which came before him and that which came after him. The same is said of Descartes, who is regarded as the "father of modern philosophy," and whom some consider the defining line between the old and the new in the evolution of European thought.

Descartes sees God as encompassing all reality in all its varieties. It is God who sets human reason in motion. Descartes distinguishes between three kinds of thinking: sensory or impressionistic, imaginary or ideal, and natural or innate. The basis of Cartesian methodology is axioms and the process of deduction whereas the maxims for Cartesian methodology themselves are built upon the foundation of certitude, the foundation of analysis, the foundation synthesis, and the foundation of investigation.[12]

In this sense, it is possible to say that Kant participated in splitting modern philosophy into two parts: for he took many who preceded him, such as Descartes, Hume, and Rousseau, borrowed freely from them, and synthesized a new way of seeing that left its mark on the nineteenth century, influencing, for

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12. See: Fadlallah, Dr. Mahdi, Falsafat Descartes and His Methodology (Descartes' Philosophy and Methodology), Dar al-Talii'a, Beirut, 2nd edition, pp. 87-118.

example, Marxist philosophy in the last quarter of the nineteenth century and after that nearly the whole twentieth century as well.

The Greek philosophers had divided knowledge into three parts: natural philosophy, morality, and logic. Everything is knowable, whether empirical or a product of the imagination. The first, natural philosophy, deals with objectivity: laws of nature, laws of freedom, and what Kant called knowledge or the moral point of view. The second part is marked by the mode of reason, or, what is called "logic."

This division resembles that which reigned after Aristotle and the Stoics and it is linked to the followers of Plotinus, explicitly and implicitly.[13]

The Fundamental Principles of the Metaphysics of Morals deals the most mature period of a critical stage in Kant's philosophy. Kant published this book after his earlier book, The Critique of Pure Reason. Dr. Abd al-Ghafar Makawi thinks that Kant brought about a revolution in rational knowledge resembling the revolution that Copernicus wrought in the knowledge of astronomy. This revolution was in the method of human thinking and resulted in the demolition of the prevailing way of doing metaphysics in his time. In its place, Kant set up a cohesively built structure that firmly anchored in place the foundations for a new morality extending its roots into the ground of critical thought.[14]

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13. See: Kant, Immanuel, Taasiis Miitafisica al-Akhlaaq (Fundamental Principles of the Metaphysics of Morals,) translation and introduction by Dr. Abd al-Ghafar Makawi, edited by Rd. Abd al-Rahman al-Badawi, combined publications, Cologne, 2002, pp. 19-20.
14. Op. cit. (translated introduction)

As for Voltaire[15], he is counted among the disciples of Locke and Newton. He had studied their books in England, where he spent three years (1726-1729), and wrote to them Philosophical Letters, published in 1734, but without his permission and in spite of his having instructed his agents to burn them.

Voltaire stood in opposition to Descartes. He was convinced of the legitimacy of the experimental method which the philosophers Francis Bacon[16], Locke[17], and Newton[18] had called

15. Voltaire was born in France and lived from 1694-1778 and is regarded as one of the most famous writers. He was a propagandist, poet, and philosopher. He was among those who called for tolerance. We intend to review those sections in Voltaire where he deals with morality, especially as related to tolerance, enlightenment, and philosophy, among other topics.

16. Francis Bacon was born in London in 1561 and died in 1626. His father had carried the Great Seal in the service of Queen Elizabeth. Bacon entered Cambridge University, but did not graduate. He traveled to France and worked in the British Embassy in Paris. He returned to his country following the death of his father in 1597. There he studied law while waiting to be admitted to the bar.

17. John Locke was born near the British city of Bristol. His father was a lawyer who boldly plunged into the civil war in defense of Parliament and spread the love of freedom and related virtues until the last day of his life. John Locke (1632-1704) is regarded as one of the greatest examples of English empiricism after Hobbes and Bacon, in fact, its leading light in the modern period. In his book, The Essence of Reality (1641), he teaches that empiricism does not provide us with increased knowledge of the truth, and that reason is the outcome of the origins of higher meanings necessary for science and morality. For, if knowledge actually rises above the senses…and that morality refers to what ought to be, not what may be…and that reason does not achieve its peace of mind except through knowledge of the first deficiency of everything in existence…and that our knowledge is only of everything that exists in God which renders us guiltless of envy and teaches us that our happiness comes from being happy with what is close at hand. From his book A Treatise on Human Understanding. Locke thought that human beings possessed absolute rights which are not =

for. In place of Descartes' philosophy Voltaire promoted Locke, and in place of Descartes' science, he promoted Newton.

The concept of tolerance is inextricably linked with the name of Voltaire. He studied it, propagated it, and defended it. Therefore, we will devote the remainder of this study to the thought of Voltaire.

Voltaire is counted among the most eloquent defenders of the Enlightenment, a movement opposed to the dogmatic, religious rigidity that characterized the thinking of the time. His attempts to acknowledge a Creator, and accordingly divine justice, notwithstanding, Voltaire rejected most of the other fundamental creeds of Christianity. Instead, Voltaire preached the good news that men have a solemn duty to defend one another. Voltaire viewed religious creeds as beneficial, but not necessarily true or salutary. His dissertations on religious freedom became a cause célèbre in the modern Western world, even among those religious believers who were not of a fanatical inclination.

What were the factors Voltaire advanced for calling upon each

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=created by society, that our natural condition is the origin of the establishment of freedom, that is to say natural relations between people are as if they were free and leading to equality. The rights of people are limited to increasing freedom and defending it and all the other obligations related to it in the way of rights outweigh the right of the monarch and outweigh the right to personal freedom…etc. He called for the separation of Church and State. See Karam, Yusuf, The History of Modern Philosophy, op. cit., pp. 141-152.

18. Newton (1642-1727) is counted among the most famous scholars of mathematics and philosophy and especially the "laws of gravity." His thinking on gravity led to sayings on infinite space and infinite time and liberation as one of the characteristics of God. Infinite space is the arena within which God is revealed, and infinite time is God's eternity. In this manner, Newton made space and time firm entities.

one of us to assume responsibility for the Other in our midst? Indeed, some might have considered it beneficial for people to be allowed to remain in their states of superstition: for example, the delusions "humankind is weak," or, "wavering," or, that refusing to cast doubt upon them may yield better results than denying all those fantasies as long as they aren't lethal; and this would be better for us than trying to live without religion. For mankind is in constant need of curbing his willfulness even if there is a possibility of impairing the freedom to please God.

Indeed, venerating that idol and the glorious views of the Godhead and the heavens are more reasonable and beneficial than plunging into apostasy. For, the apostate who has been rational, strong, or rigorous is probably more dangerous than he who believes in superstitions.

When humankind does not possess wholesome ideas with respect to matters divine, delusional missteps can be quite destructive. For example, when a man is going through a bad time because money is scarce, he can fall into the clutches of false ideas. The pagan is afraid to commit any crime fearful of supposed divine punishment.

But, where a deeply rooted and durable society is found, religion is a necessity; so too, laws addressing crimes: laws that have been made clear to all. Religion also deals with crimes committed in secret or that are otherwise hidden from view.

But, when men's faith moves to the stage of embracing the pure religion of saints who are venerated, superstitions become unbeneficial; on the contrary, they become very dangerous. We must not hasten to live on acorns, Voltaire says, when God has given us bread.

Voltaire thought that the relationship between superstitions and religion was akin to that between astrology and astronomy. Superstition and astrology are the most deceitful forces in the world because they lead humankind into a life of barbarism. Where it was rare that any two feudal lords were in possession of a copy of the "New Testament," superstitions and the yarns were probably invented and passed on to the masses who longed to receive pardon for their sins, as in the case of those who tell fibs to their simple-minded wives or their servants and the fools go right along with them: such fibs as the one about St. Christopher carrying the Christ child from one bank of the river to the other.

The understanding of the masses was thus so satiated with stories of sorcery and magic and their spiritual faculties that it became easy to depict St. Genou, the Healer of Disease, as a skilled and experienced physician and St. Claire as one who could heal the eyes. Likewise, children believed in fables and in the belted cloak of St. Francis. The influence of the saints and their glorious deeds, their relics, and all the healings they have reputedly performed along with other wonders can hardly be understated. Examples of "beliefs" such as these have played a part in all religions, particularly intercessory faiths: such as "primitive" beliefs, "ancestor worship," "the Companions of the Prophet," and "the Imams."

According to Voltaire, the residues of these superstitions, their rumors and gloomy dispositions, persisted among people until that time when religion became refined. It is possible to say along with Voltaire that these superstitions are not particular to a specific society or people or community, but on the contrary are present in every society, people, and community, indeed wherever backwardness is found to the point where some of

them have become residues in "the prevailing culture" and have almost achieved the status of sainthood and objects of wonder.

So, Voltaire concludes: there are still a few "convulsive fanatics" in some remote outlying areas, but, this disease rushes only to attack except people of understanding. Every day, Voltaire thought, rationalism was spreading in France – in taverns and businesses as well as in the palaces of lords. We must, he says, harvest the fruits of this rationalistic logic especially because it had become difficult (if not impossible) to thwart its advance. It had achieved the level of hegemony over France. Since then, it has illumined the ideas of Pascal, Nicole, Arnauld, Descartes, Gassendi, Fontenelle to the point that France could never revert to being governed by Garasse.

Since these are superstitions that return no benefits whatsoever, the superstitions of the men of religion in Rome must of necessity count for naught. Voltaire proceeds in his summary conclusion asking: From among all these superstitions, are not the most dangerous those that arouse hatred of your neighbor because of his views?

In a class by itself, Voltaire proceeds with his influential and related views on tolerance with an allusion to: a few timely doctrines, a tragic few. "If this were not true, I should be mistaken," says Voltaire.

He saw that religion had been established to make us happy in this life and in the life of the Hereafter. What are we to do in order to be happy in this life and in the life to come? We must behave fairly, righteously, and honestly to the extent our destiny will permit given the wretched state of human nature. We need to be forbearing, indulgent, and lenient.

It is perhaps hypocrisy, Voltaire muses, to think that people could develop to the point that they think as one about the unseen, metaphysical things in ways that don't lead to stupidity and folly. It is easier to compel others to submit totally to the whims of armed power than to force them submitting to understand people of another village and their way of life. For, difference is part of the human character. As for global tolerance, Voltaire goes on to say: the matter does not require great power or artistry or experienced linguistic eloquence to demonstrate that it is the responsibility of Christians to be at the head of the pack on this point. Having said this, Voltaire asserts what is considered the most farsighted feature of this discussion: that it is incumbent upon us to regard all human beings as our brothers. "What?," he cries. "The Turk is my brother? The Chinaman is my brother? The Jew? The Siam? Yes, without doubt, are we not all children of the same father and creatures of the same God?"

Voltaire adds: but, these people have despised us and deal with us as if we were pagans. "Fine!," he says, "I will tell them they are gravely mistaken. It is clear to me that I would at the very least astonish a staid "Muslim imam" or a "Buddhist priest" if I pointed out to him that this world is small, not more than a speck. It revolves in space along with a number of other worlds and we are lost in the vastness of the universe. Not one of us, and most of us not more than five feet in height, is more than a mere sliver compared to the creation as a whole." One of these little, created beings says to his neighbor in the Arab peninsula or in South Africa: "Listen to me because the God of all the worlds has enlightened me as to the right way. There are nine hundred million little insects like us on the earth, but I alone am loved by this God. All others are banished, expelled, cast away

for ever. Only my insects will be accorded happiness and bliss; as for all the others, they are cursed forever."

These separatists will arrest me questioning me as to who is the numbskull who utters such idle talk. And, I will be forced to reply: "You yourselves." After that, I will proceed to get them on my side, a difficult prospect indeed.

Then, I will try to speak with the Christians, boldly, in conversation with Christian members of the Dominican inquisitions (those who led the ill-reputed examinations and inquisitorial trials those who had passed judgment on people who had left strict Catholicism and whose punishment was death): "My brother, I confess that every Italian region has its own dialect, that the people of Venice or Bergamo do not speak the same as the people of Florence.

The Crusca Academy near Florence had consolidated the language, and its dictionary is regarded as unsurpassed. Likewise, the grammar of Buonmattei was considered essential. But, can you actually believe that the academic assembly is infallible or that Buonmattei will sever all the tongues of the Venetians and the Bergamese who willfully persist in speaking in their own dialects! The members of the Inquisition will reply: Truly, there is a distinction between this analogy and our religious customs; for they are with respect to ourselves a matter that bears on the health of our souls.

This line of reasoning goes on to say: truly, it is for your own good and in your own interest that the Head of the Inquisition decides to take the solitary testimony of a single individual, whether hard of hearing or a criminal, that you should have no lawyer to defend yourself, and that those who accuse you should remain unknown to you, and that it is a possibility that a mem-

ber of the Inquisition may have mercy on you and forgive you, or that he may pass judgment upon you immediately and put in place five different tortures as punishment for you, that you will be flogged and beaten with whips or sent to the galleys, or to the scaffold, or burnt at the stake at an official public ceremony. For, Father Ivonet, and Doctor Cushalon, and others like them are adamant about those vested rites safeguarding their piety and may not be contradicted in any way."

Concluding this point, Voltaire continues his intellectual exercise offering forbearance when he says: "I will permit myself the freedom to respond saying, 'My brother, perhaps you are reasonable. If so, then I am satisfied that you will find some good in me; but, is it not possible to save and protect me in ways other than these?"

All of these foolish, useless, horrible punishments: do they not stain the face of the earth every day? But, they happen repeatedly. They have so easily filled more volumes than the gospels which condemn and curse them. Is it not cruelty in the extreme to engage in persecuting others in this short life, others who do not think as we do? I do not know what is more insolent or impertinent in the end than declaring openly and with eternal conviction, 'Prepare for the final word and judgment of your Creator.'" [19]

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19. We have sought to utilize as far as possible essential portions of the texts of Voltaire himself in order to bring to light his ideas. Coming to our aid in the pursuit of accuracy and verification of the translation, the engineer and builder Professor Wejdan Maher, knowing that many of these ideas and examples are not useful for our own age alone, but for all time.

Chapter Two

Tolerance and Modern International Jurisprudence

We are the people of the United Nations, de-termined
to save succeeding generations from the scourge
of war...and to reaffirm again our faith
in fundamental human rights, in the dignity and
worth of the human person...
and for these ends to practice
tolerance and live together
in peace with one another as good neighbors...

Charter of the United Nations

1. The United Nations and the Idea of Tolerance

It may well be the case that past attempts to ban the slave trade, especially in the nineteenth century, were launched extensively and widely in order to pursue "tolerance." The steps that began with the founding of the United Nations were taken with the concept of tolerance in mind, especially so because they came after two world wars that saw tens of millions of human victims.

The preamble from the Charter, along with Article 1 and Article 55, include stipulations about which kinds of individuals would benefit from considerations of tolerance. These are the

principles, aims, and targets which the United Nations proceeds from and upon which it depends in its dealings.

Since its founding in 1945 at the san francisco conference, the united nations has proceeded to universalize the concept of tolerance. This concept was stipulated in the preamble to its charter:

> "we the people of the united nations, determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends, to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security..."[20]

When the universal declaration of human rights, considered a document of significant value for all civilization, was published in 1948, it underscored the principle of tolerance. Its first article held:

> "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood."

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20. See: The Charter of the United Nations and the Foundation for the Court of International Justice, New York, 1997.

Article 26, second passage, goes on to affirm the right to education aimed at:

> "the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups..."[21]

For the past six decades approximately the concept of tolerance has found its way into a number of international documents and particularly into The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Both were passed by the General Assembly of the United Nations in 1966 and were implemented in 1976. These two covenants, along with the Universal Declaration of Human Rights published in 1948, form the basis for international law pertaining to human rights.[22]

We must also call attention here to the place of tolerance in international agreements, especially in the following documents: "The Extermination of the Human Race" [Convention on the Prevention and Punishment of the Crime of Genocide] published on Dec. 9, 1948; the international agreement on judging all forms of racial discrimination published on November 30, 1973; the agreement on the rights of children disseminated by the General Assembly of the United Nations on November 20,

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21. See: "The Universal Declaration on Human Rights," Dec. 10, 1948, International Documents Related to Human Rights, publications of the Ministry in Charge of Human Rights, Rabat, vol. 1, 1998.

22. See: Shaban, Abd al-Hussain, Al-Insan huwwa al-Asal: Madkhal illi-l-Qanun al-Dowli al-Insani wa Huqquq al-Insan (Mankind is the Foundation: Pathway into International Human Law and Human Rights), Cairo Center for Human Rights Studies, Cairo, 2002.

1985; the agreement adjudicating all forms of discrimination against women issued on December 18, 1979; the agreement opposing torture published in December, 1984; the international agreements on refugee affairs of 1933 and 1951 along with the protocols appended to them in 1967; The Special Declaration adjudicating/defining all forms of bigotry and discrimination based on nationality or on the basis of religion or belief, November 25, 1981 [Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief - http://www.ohchr.org/english/law/religion.htm], which affirmed in its preamble:

"...it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion and belief."

Article Five stipulates that each child "shall be protected from any form of discrimination on the ground of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men."[23]

The United Nations called for firmly anchoring in place a culture of tolerance and resistance against bigotry, and created a commission on human rights in 1986 which adjudicates within clear and fixed parameters cases involving bigotry following governmental measures aimed at deciding these cases. Likewise, the United Nations declaration on persons belonging to minorities (1992) [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, G.A. res. 47/135, 47 U.N. GAOR Supp. (No. 49) at 210, U.N. Doc.

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23. See: International Charters Related to Human Rights, previously cited.

A/47/49 (1992) emphasizes the place of tolerance for persons belonging to national, religious, or ethnic minorities. In addition, the Vienna World Conference on Human Rights, June 14-25, 1993, addressed the question of tolerance, and in its working plan made a specific point of rejecting bigotry taking into account the development and consolidation of human rights. The 1993 Vienna conference (the second world conference, the first having occurred in Tehran in 1968) was important because it came at a time when the international mood was quite different from what it had been in the Cold War period. It was also a time when human rights had become an important issue. Indeed, human rights had risen so high in rank that the decision was taken to underscore it as a principle of compelling law (jus cogens) within international law as a whole and in the underlying foundational framework to be followed by all progressive societies.

Perhaps it was similar concerns in the area of tolerance, including rejection of all forms of racism, bigotry, and hatred of foreigners that formed the essence and content of the important world conference repudiating racism held in Durban (South Africa) in late August and early September of 2001. This conference grew out of two previous international conferences against racism in 1978 and 1983 prior to the end of the apartheid regime in South Africa.

The relationship between intolerance and racial discrimination is indisputable.

Dr. Amin Maki Madani thinks that this kind of discrimination is the ugliest of all, especially the form that arose with Nazism, because it is premised on the superiority of the white Aryan race over the rest of humanity. He highlights some of its practices targeting Jews, Gypsies, and Negroes, whether for extermina-

tion, deportation, evacuation, or prison. Of course, another example we should mention is the racist apartheid regime in South Africa itself which went on for decades and which was based on racist and discriminatory laws against Blacks and other coloreds especially in the homeland regime of Bantustan where Blacks lived isolated from Whites for whom they worked as servants.

There is another model: the philosophy of Israel which proceeded to establish a purely Jewish state with internal distinctions between nationality and citizenship as well as distinctions between eastern Jews – "Sephardim" – and non-Arab Jews – "Ashkenazim" – also distinctions between Bedouin and non-Bedouin Arabs and Falashi Jews and non-Falashi Jews, all facts which render it a model of intolerance promoting racial discrimination.[24]

It is fitting to point out that March 21 is considered a global day of resolution against racial discrimination. It commemorates the Sharpeville massacre in South Africa. The world observes this day annually.

Antoine Misra deals with the role and strategy of tolerance and world peace and considers the participation of religions in making peace linked by at least three basic elements:

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24. See: Madani, Amin Maki, Al-La-Tasammuh wa-l- Tamiiz al-'Unsari (Intolerance and Racial Discrimination), paper introducing the regional conference "The Value of Tolerance – Toward Actualizing Human Security," The Jordanian Diplomatic Institute, Regional Center for Human Security, Amman, October 20-22, 2003.
On the Durban conference see: Shaban, Abd al-Hussain, "Muttamur Durban wa Su'al al-'Unsari: Nusf Intisar Am Nusf Hazima (The Durban Conference and Questions of Racism: Half Victory or Half Defeat," Majalla al-Mustaqbil al-Arabi (The Arab Future Magazine), no. 272, October, 2001.

1. Tolerance as a group of values, taking into account the understanding UNESCO articulated in its Session 28 of November 16, 1995.

2. Democratic administration of religious and confessional diversity by means of collaboration on the mechanics of constructing resolutions and common sources of revenue.

3. International justice taking into account the principles of the United Nations Charter.

A representation of the Other cannot be abridged by a single mode or form but must be discerned from a variety of forms. All modes need to lead to a method whereby they can be analyzed and treated:

First mode: The Other as a source of political threat.

Second mode: The Other as a competitor.

Third mode: The Other as a friend.[25]

The first mode seeks to eliminate, drive away, or exterminate the Other. The second does not threaten identity, but does bring the threat of combat. The third embraces a kind of integration.

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25. Doctor Atef ʿAdibaat indicated in his opening remarks at the Hotel "Radisson SAS" in Amman on October 20, 2003 at a seminar on international tolerance organized by the Advisory Regional Center for Human Security attended at the invitation of His Majesty King Abdullah II by students from Jordanian schools on September 1, 2003 on the importance of clinging to the values of truth, justice, tolerance, and laudable morality considering this to be the most penetrating way to propagate the value of tolerance and root it deeply in Jordanian society in order to strengthen the values of security and peace.

See likewise: Shaban, Abd al-Hussain, Al-Malik Hussain: al-Wajh al-Akhar: al-Hakim wa-l-Insan wa-l-Suʾal al-Tassamuh (The Face of the Other: The Sovereign, the Human Being, and the Question of Tolerance), Hussain bin Talal University, Maan (Jordan), April 8-10, 2002 (A conference of studies of the thought of al-Hussain Ibn Talal).

Therefore, it is not possible to speak about tolerance in its religious sense alone because this model is too narrow, hence incomplete.[26]

2. UNESCO and Tolerance

The conceptualization of tolerance has produced various associations whether on the intellectual level or the practical level, especially in the way it has been discussed in recent years. To describe the principle of tolerance, we can point to the English word "toleration. And when we deal with the actual doing or practicing of tolerance or its application, most of the time we use the word "tolerance." The Oxford English Dictionary lists the words "toleration" and "tolerance" as having interlocking meanings at some times and different meanings at others.[27] As for the specific view of tolerance or the doctrine of tolerance, the French have for a long time found the equivalent in their word "Ttolérantsime."

The United Nations declared the year 1996 to be the international "Year of Tolerance." The "Declaration of Principles on Tolerance" prompted UNESCO in its 28th session held on November 16, 1995 to proclaim an annual celebration of each November 16th henceforth as an International Day For Tolerance. In practice, reasonable curricular procedures to teach tolerance have been put in place discussing the causes of cultural, societal,

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26. See: Antoine Masra, Mafhum al-Tassamuh – Al-Aba'd, al-Dallalet, al-Ishkaliyat (The Understanding of Tolerance – The Dimensions, the Meanings, the Ambiguities), seminar at the Regional Center for Human Security, Amman, op. cit.
27. See: Nicholson, Peter B., "Tolerance as a Moral Model," in a joint book, Tolerance Between East and West, translated by Ibrahim al-'Arees, Dar as-Saqy, London, First Edition, 1992, pp. 28-29ff.

political, and religious intolerance, that is to say the chief roots of violence and despotic absolutism.

In sum, the significance of The Declaration of Principles on Tolerance is the recognition that human society must spread the value of tolerance and root it as a human and moral outlook. This acknowledges the fact that without tolerance, international, human society can make no progress out of its current excess of failures. Only through universalizing the concept of accepting the view of the Other can this occur, even if the view of the Other contradicts the view of the group as a whole and especially where the group as a whole fails to acknowledge a pressing need for this change and tends to regard the need as merely an intellectual luxury. The antithesis (intolerance) is fanaticism, exclusivism, and rejection of the Other accompanied by language that expands the sphere of violence, the confiscation of freedom of expression, and despotism on the governmental level. This is the kind of process that dangerously increases the chances of extremism and violence, and prohibits and criminalizes alternate views. This is the perspective that mandates extra-legal power, generates terror, and oversteps prevailing laws and systems.

The Declaration of Principles on Tolerance[28] was produced by the UNESCO organization (United Nations Educational, Scientific, and Cultural Organization) and is critical to international development, especially to the concept of tolerance. This organization conducts research on the idea of tolerance with respect to its political bases in every civil society and works on behalf of peace. It also demands acknowledgment of the Other

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28. See: "The Declaration of Principles on Tolerance," UNESCO, Paris, 28th Session, November 16, 1995. Likewise see: "The Declaration of the United Nations Year for Tolerance" and "The Declaration on Tolerance, November 15, 1993.

and esteems his right to self-worth. Tolerance requires the capacity to live with others and to maintain close relations with them. "Tolerance is respect, acceptance and appreciation of the rich diversity of our world's cultures, our forms of expression and ways of being human. It is fostered by knowledge, openness, communication, and freedom of thought, conscience and belief."

The Declaration proceeded to interpret the understanding of tolerance by saying, "it is harmony in difference. It is not only a moral duty, it is also a political and legal requirement." Going on, it says that tolerance is, "an active attitude prompted by recognition of the universal human rights and fundamental freedoms of others." Then it affirms, "Tolerance is the responsibility that upholds human rights, pluralism (including cultural pluralism), democracy and the rule of law. It involves the rejection of dogmatism and absolutism and affirms the standards set out in international human rights instruments." One is free to adhere to one's beliefs and conversely must accept the right of others to cling to their beliefs.

Tolerance means affirming that people who differ according to their nature, their appearance, their situations, their behavior and manners, and their values have the right to live in peace. The Declaration points out that the first step toward universalizing the principle of tolerance is, "to teach people what their shared rights and freedoms are, so that these rights and freedoms may be respected; likewise, to promote the will to protect the rights and freedoms of others."[29]

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29. Op. cit.: See also: Shaaan, Abd al-Hussain, "Al-Tassamuh fi-l-Fikr-l-Arabi-al-Islami," participation in The Arabic Thought Seminar Room, Amman, December 17-19, 2002. See: text of The Declaration in Appendices and Documents.

Federico Mayor, former Director General of UNESCO, says: how much stronger the possibility for confrontation exists when rights are sacrificed and how much stronger the possibility for dignity becomes when these rights are given consideration and defended in accordance with "cultural and moral solidarity" of the kind which the UNESCO Charter ringingly proclaims, "because wars are born for human reasons, and, in those reasons ought to be built fortresses of peace." We should heed what Mayor says in an article he wrote in the London newspaper Al-Hayat on the occasion marking 54 years since the establishment of the United Nations, an article entitled, "The Duty to Remember 1945-1999." He wrote about the enormous cost of global conflicts which have slaughtered millions and which have resulted in criminal silence and the overstepping of all bounds against the principles of tolerance yielding only whirlwinds, conflagrations, wars, and catastrophes.

3. The Ambiguities of Tolerance

Obviously, the question of tolerance is not "ambiguous" in open societies. Some fundamental and gross abuses have interfered, especially on the level of practical application. But for these societies, every "individual" human being is an object of tolerance for every "other" individual. These societies have achieved a kind of "respectful attitude," but only after prolonged periods of suffering and after grinding wars. Only after all this did they enter upon a stage of tolerance and begin to fully engage with the concept and think about it as a fait accompli. Indeed, we now know that tolerance is indispensable for the stability necessary to build up society as an intellectual and moral system, whether on the political, religious, doctrinal, sociological, or cultural levels. However, it is extremely regretful that

"tolerance" as an understanding and a right, not to mention tolerance as an established practice, is still absent from our Arab and Islamic world.

Perhaps it is this bitter reality that prompts one Islamic thinker to say: "A good deal of our Islamic thinking is nihilistic, resembling a mill turning round and round and grinding itself up or a fire consuming itself, a source of backwardness and decline."[30]

The absence of tolerance heralds the spread of fanaticism and violence and the dominance of the mentality of interdiction and criminalization inside and outside the ruling power. These are the antecedents to extremist groups or whatever kinds of fundamentalism we agree to call them, whether on the intellectual, political, social, or cultural levels or whatever other way of life we care to talk about.

In terms of ideas, a lack of tolerance is indicated when leaders and officials veil or otherwise prohibit by decree the right to think, the right to profess a faith, and the right to express oneself, and hand down judgments and punishments against those who dare to think outside the dominant value system. This is accomplished through restrictive laws, repressive practices, or by other means.

In terms of politics, intolerance means the monopolization of rule and process by the dominant power along with the promulgation of opinions about the Other, whether in the name of nationalism, the Arab-Israeli conflict, the stratification and defense of the interests of the working classes, or religion. The aim is to

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30. Azzam al-Tamimi (compiler and editor), Al-Sharia al-Siyasiyya fi-l-Islam (Political Law in Islam), Liberty Organization, participation by Sheikh Rashid al-Ghanouchi, London, 1997, p. 199.

silence any voice or formation of any ideas that may threaten the monopoly or that may demand autonomy over rights.

In terms of religion, a lack of tolerance means the prohibition of independent thinking [ijtihad] and the prohibition, indeed the condemnation, of any view affirming freedom under the pretense that it amounts to apostasy [muruq], this by means of demagogic and nebulous pretexts forbidding the right to issue variant interpretations, especially if they contravene prevailing rulings. Sometimes the problem stems from a monopoly on religious expression by a single religious sect. Society falls under the shadow of practiced operators, whether itinerants or doctrinaire sectarians, whose aim is to get rid of division, denominationalism, and other forms of judicially independent thinking; indeed, they mean to impose hegemony by force.[31] This can happen even when an Islamic Party holds a conference in Britain under the banner of "The Battle for Democracy," according to Shaykh Rashid al-Ghannouchi.

I do not think there can be any society without diversity, opposition, or splits in points of view. Indeed, one can say that a society without diversity, partiality, or private affairs is an imaginary one, a utopia, completely separate from the real world. Such a society is utterly inconceivable. If anything like such a society could be found to exist, it would be a dead one without the slightest doubt. For, diversity is in the very nature of things. One will not find a ruler, reformer, thinker, or prophet without

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31. Compare: multi-author book, Al-Tasamuh Bayn Sharq wa Gharb (Tolerance Between East and West), op. cit. Also see Al-Bakush, Naji, and Al-Talibi, Muhammad, and 'Umar, Abd al-Fatah, Dirassaat fi-l-Tasamuh (Studies in Tolerance), The Arab Institute for Human Rights, Combined Tunisian "Bayt al-Hikma," Tunis, 1995. Also, The Arab Magazine for Human Rights, published by the Arab Institute for Human Rights, issue no. 2, Tunis, October, 1995, a special issue on tolerance.

at the same time finding another who will differ with him. Diversity also extends to that between good and evil. Even God, praise Him, the Most High, honored His own power by suffering the existence of his adversary Iblis who refused to bow down. [you may wish to add a footnote to s. 2:34 here]

Diversity and conflict, therefore, are the unyielding backbones of life just as night differs from day, man from woman, truth from falsehood, the tyrant from the tyrannized, and good from bad. Indeed, there is diversity in the very nature of phenomena, in different forms of independent thinking all trying to realize one aim: sometimes through differing means and at times diversifying to the point of conflict and discord.

The identity of society, its essence, its unity, and its cohesiveness are in no way repudiated or endangered by conflict, difference, diversity, and pluralism. Diversity is one of the components of the awakening of consciousness and one of the pillars that stimulates consciousness inasmuch as it helps to develop and renew. In the same vein, the individual "I" cannot be defined separately from the identity of the "Other."

Diversity is a natural part of life: in form and likeness, in social composition, in language, behavior, values, religion, political affiliation, and so forth. Diversity is likewise a right, and to abrogate this right causes rigidity and sterility in society and leads to absolutism and despotism [istibdad]. Where diversity is free to exist, meaning pours copiously forth and guidance takes shape.

Whenever separatism owing to natural partisanship is prescribed, immoderation in its exercise can sometimes lead to a lack of understanding, to fanaticism, and to disregard for the basis for creating adherence to the narrow "particularity" in the

first place. This can lead to a point where the "Other" becomes the object of hatreds and resentment. The Other in such cases is often forgotten or disregarded, sometimes to the extent that he will be liquidated. In such cases there is, under the pretense of guarding individuality, a failure to understand the individuality of the "Other," suspicion of him (and resistance to interacting with those who are "different"). In this way, particular, individualized identity is dissolved – in terms of party, class, and religious belief – and what is left becomes a generalized identity. "Particular" history, then, becomes the lawful and legitimate norm, possibly expressed as the one and only history. And, that which resists or is hostile to it becomes the worst of enemies.

Sociologically speaking, the absence of tolerance leads to the imposition of a fixed way of life irrespective of the tempestuous developments the world has witnessed. What is lost is variety and diversity: intertwining, interacting patterns of behavior. What results is entrenchment of behavior, and outmoded, obsolete practices, all too often the legacy of the past.

Culturally speaking, intolerance means adherence to old, traditional values and concepts and to making war upon any desire for renewal or any form or method for change; as if the modern sense had become "heresy [bid’a], that is to say, straying from the straight path." Change is seen as contradicting legacy and history. It is sometimes even regarded as a "big conspiracy" cursed by those who resist it. These resisters in turn seek to inflict punishment upon the proponents of change causing the withdrawal of many who contribute to literature, the arts, and especially music, dance, singing, theater, and sculpture, among others, not to mention those who promote love!

In spite of failure to understand one another and the absence

of tolerance, both of which have darkened our Arab and Islamic world, and while there have been some newly emerging signs and reasons to be encouraged, we Arabs and Muslims look around and see the rest of the world, having universalized tolerance as a moral value, actually moving forward in an effort to spread tolerance while we lag behind. This tolerance calls, among other things, for the defense of those who are intolerant or who spread and circulate totalitarian ideologies of intolerance.

We should note that the picture in the non-Arab and Muslim worlds is not all rosy. In spite of the fact that tolerance has spawned the right to be critical, terrorist incidents of September 11, 2001 in the United States have created some amount of alarm in the West presently which has narrowed the range of tolerance aspired to up to that point. There are those who believe that the events of nine-eleven have put the very idea of tolerance itself in danger, indeed, that those same events are destroying freedoms. But, Karl Buber responds that we must not give in to knee-jerk emotional reactions (never the right thing to do). A discussion about this very phenomenon took place after the Islamists won in Algeria [in 1992]. They had announced that they would bring democracy and that it would come about by means of legal authority. This was their pretext, but the military men saw it all as "unacceptable and unlawful." And so, without the support of the majority of the people, these military men proceeded to carry out their coup d'état on the pretext of defending a democracy which they maintained was under threat.

This is how democracy can become depraved in the eyes of some and incompatible with their interests at a time when "Muhammadan" democracy, inasmuch as it produced results, was in closer harmony with what they aimed to achieve in terms of the

real aims and gains of democracy. The incongruities began to become clear as the "missing" democracy more and more turned out to be a phantom, the "promised" democracy more and more merely an unfulfilled dream.[32]

Perhaps the only good thing about the events of September 11, 2001, including the war on Afghanistan and Iraq, is that they have opened up large scale discussions and arguments about what measures need to be taken in the face of those who are not tolerant, indeed, in the face of those who wish to destroy the value of tolerance itself.

Human civilization has been challenged, and some forces need to be confronted even if this means doing it in the name of tolerance. But, the concern is not limited to how some trends or movements are named, but how they are exploited in selective ways. Some have demonstrated duplicity in their standards as they apply themselves to the Arab-Islamic region. In this whirlpool of confusion, movements resisting occupation in part face accusations which caricature or brand them as the single source or basis for international terrorism.

Perhaps the loathsome pictures of Bin Laden or Saddam Hussain or Zarqawi are responsible for clouding the difference between resistance and terrorism. Resistance is sometimes seen as just another form of terrorism. Hegemonic political tendencies in international relations, on the other hand, are not counted as terrorism in the eyes of the United States in particular and its satellite Israel. Silence reigns in the face of the violations committed by Israel, especially by the Sharon government and the

32. Shaban, Abd al-Hussain, Madakhil al-Intiqal illi-l-Dimocratiya fi-l-Baladan al-Arabiya (Transition Zones for Democracy in Arab Countries) (multiple authors), Center for Arab Unity Studies, Beirut, 2003.

massacres it has committed against the Palestinian people in Jenin, Ramallah, Hebron, Nablus, Gaza, and Jerusalem, not to mention the targeting of Palestinian leaders as has been the case lately with the leadership of "HAMAS": the assassinations of Ahmed Yassin and of Dr. Abd al-Aziz al-Rantissi. In addition, there is the construction of the racist barrier wall in spite of opposition from the United Nations, which has characterized the building of that wall as an unlawful and futile act. The General Assembly has demanded that Israel tear down the portions that have already been built and refrain from putting up any more. Subsequently, the issue was placed before the International Court of Justice in the Hague in 2004. An advisory opinion was requested, but Israel opposed the move, dismissing it as politically motivated and unlawful.

4. On the Meaning of Tolerance

If the idea of tolerance means the ability to hear the opinion of the Other, and to be patient with things you may not like or wish any part of (indeed patient with things that may be in sharp contradiction with your own intellectual and moral system), then acceptance of the principle of tolerance and the idea of co-existence means at the very least leaving behind the ways of schisms growing out of blood ties, nationalism, religion, sect, clan, or other bonds or connections such as provincial points of view and morality.

The principle of tolerance means living together on the basis of differences, whether practicing the right to express one's view freely or the right to one's beliefs, the right to associate and organize, or the right to political participation. These are the fundamental rights and freedoms after the right to life and the right to live in peace. Together they constitute the pivot point

upon which the concept of human rights hinges, a concept which grew out of the French Revolution in 1789 and before that, the American Constitution of 1776 [NOTE: you mean, the American Declaration of Independence here, right? The U.S. Constitution comes later.] affirming individual rights with the sole limit upon one's freedom being respect for the freedoms and rights of others without exception.

Indeed, acceptance of coexistence and tolerance means consenting to what is held in common even if the views of the Other seem immoral or possibly even close to, if not actually, evil. In this sense, the principle of tolerance is a moral idea in and of itself as well as a political and intellectual one, and applies to beliefs, deeds, and practices. The antithesis of the idea of tolerance is intolerance, that is to say, fanaticism, violence, and the attempt to impose views even by force.[33]

Ibn Sina addressed the question of evil this way: "Evil is not found except in the earthly world of depravity." He meant that evil "is but a small part of things" and that it is necessary for the sake of "the Good" of the many, the universal, and the eternal, indeed, the whole...but, evil in itself does not exist. Therefore, the Good under these circumstances is found to be good in and

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33. See: The Fifth Philosophical Convention of the Arab Organization of Human Rights, London, 1995, characterized by "Tolerance, Arab Choice, and Human Rights," a jointly authored book under the title of Thaqafa Huquq al-Insaan (The Culture of Human Rights), published by the Arab Program for Activism in Human Rights, Cairo, 2001, edited and introduced by Abd al-Hussain Shaban.
Likewise, see Shaban, Abd al-Hussain, Su'al al-Tassamuh (The Question of Tolerance) (jointly authored book), lecture by the researcher and dialogue with him, with participation by a select group of university professors and savants from the Research Center in Jordan, published by the Amman Center for Human Rights Studies, 2002.

of itself only in relation to evil. Evil is born out of good and is shaped and determined therefore by its preconditions and constituent elements.

In actuality, the evolution of the principle of tolerance did not used to matter much to the civilized world or urbanized humanity and had been regarded as no more than a quaint fancy, an idea that amounted to a mere moral obstacle and nothing more. However, it has since become something of an obligation, that is to say, the mandatory basis of respect in the world in all its diverse, varied, and conflicted social forms.

It is possible to say that every ideology is measurably a justification and a means of ordering reality. Every ideology requires a conceptual structure and a means of defending its positions. Such opinions and defenses of ideological doctrine are prone to becoming forms of despotism and can indeed result in fanaticism, bigotry, censure, failure to understand, and denial of the Other. Whenever human beings exceed the proper boundaries and impose doctrines by force, the matter eventually reaches the point where it becomes terrorism and dialogue gives way to a mere desire to destroy customs, laws, and taboos.

The conduct of the scholar is different from that of the political propagandist. The scholar is busy trying to discover the reality which exists apart from ideology and political doctrine. The scholar sees people as innovative, human, and far from holy. His approach is quite different from that of the formulator of political doctrine or propaganda who regards the literal text as a holy entity and, because of this, seeks interpretation of phenomena and their formation based on texts.

John Locke defended the principle of religious tolerance as signifying that every human being possesses the natural right to

freedom, but freedom conditioned by morality and natural law. Locke thought that reason is natural law itself and is not the medium that teaches us this law. In this sense, natural law is the foundation for my reasoning. As for the controlling mechanisms in political authority upon which natural freedom rests, "the foundation of freedoms," there are three necessary institutions which others must respect: institutions that limit rights (legislative power); institutions that arbitrate disputes (judicial power); and institutions that impose punishments upon those who violate rights (enforcement power). This is the concept that came into common use by the name of the separation of powers. There are those who would add a fourth to the list of powers: that of the press in a democratic system. Over time, this power became known as "Her Majesty."

The aim of the press is information and the development of the modern media which have spread around the world today and have created a "global village," specifically under global auspices. We may add a fifth power, a common denominator of the other three we delineated, or "four" if we include the Press just mentioned above (the power of information and the media). I mean here the power of "human rights," which the civilized world must not encroach upon or disregard. This position holds that no country, people, society, community, political, cultural, or religious group can advance except to the degree that it respects human rights. This understanding informs the concept of the collective whole especially as we understand it in the aftermath of the polarized Second World and the end of the Cold War era including the renunciation of one form of ideological conflict or another.

As for Voltaire, he answered the question, "What is tolerance?" by saying,

"It is the product of our human existence. We are the sum total of that existence: all of us are brittle, biased, and inclined to error. Therefore, we are called to be tolerant of one another. We must be mutually forbearing in the face of the folly we manifest one to another. This is the first principle of natural law." [is this a direct quotation from Voltaire?] One may add that tolerance is, "The first principle of all human rights without exception." Voltaire's intention here is that tolerance must become reciprocal and acceptable to all factions: religious, political, social, national, etc.[34]

In spite of the influence of public opinion in open societies, and especially in the West, which aims to prevent ongoing repetition of past atrocities in places where mutual sectarian, religious, nationalistic, and political struggles and vehement splits occur, leftist regimes came to power in Europe which claimed to renounce the principle of violence, but which behind their backs committed substantial violations. "The Night of Long Knives" that saw Hitler's massacre of "Nazi" minor officials laid the groundwork for the second World War which gathered momentum from that point on. [if I have translated "shamooliyya" correctly as Leftist, do you mean to imply that Hitler's regime was "Leftist?" It usually is thought of as extreme rightist, although the point can be argued.] The infamous Stalin trials in the mid thirties witnessed repugnant liquidations of old guard Communists as a preliminary step toward the enslavement of in-

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34. Compare: Jointly authored book, The Culture of Human Rights, op. cit. Likewise, compare the jointly authored book, Studies in Tolerance, op.cit. Likewise, the book, The Question of Tolerance, op.cit. Likewise, Lecture, Shaban, Abd al-Hussain, under the title, "The Understanding of Tolerance," Conference on Islam and Tolerance, Foundation of the Cultural Club in Holland, in cooperation with the Islamic University of Rotterdam, November 15-16, 2002.

dividuals and the abrogation of anything having to do with tolerance. Perhaps what we have seen in the massacres that have occurred in Bosnia and Herzegovina, Chechnya, Kosovo, Somalia, Afghanistan, Iraq, and Palestine are good proof that tolerance has not enjoyed the favor of respect to the degree it does now under the auspices of the new world order, a new world order which, it has been said, is "the most humane ever" compared to the dualistic, polarized world that preceded it, a new world order which puts tolerance in its proper and necessary place.

Here I think we should recall what Federico Mayor wrote specifically about the United Nations: that we have an obligation to think and to act as those before us did in 1945...that we reinforce and confirm the work on the virtues of principles and unity between countries, especially nations that presently seem bent on outdoing one another in violence or warfare. This unity must be based upon four new foci or centers: society, nature, culture, and morality. We must impose and honor bases for behavior congruent with initiatives by heads of finance, energy, water, and weapons. This must be accomplished by issuing calls for returning to the United Nations the capacity to tear violence and terrorism up by their roots, emphasizing the causal factors that give birth to violence or terrorism in matters of sectarian practices and in manifestations of nationalistic, religious, and ideological fanaticism. The United Nations is the power that can call the international family to task if it will not recognize those who come to power moderately and calls the international family to task if it resorts to the shedding of blood and has no regard for the ballot box. The United Nations should be authorized to send its forces immediately and without delay into areas where there is terror in governance and widespread, shameful violations of human rights.

Therefore, the collective whole must define or determine which direction it will take if we are to avoid the colossal state of ruin which seems to accompany the outbreak of every struggle; because in reality that same collective whole is the first casualty in every war.

Would that we had relied upon the standards defined by Federico Mayor and others who have called for humane principles of intervention, principles that were neither selective nor represented a double standard but which have healthy applications and are in harmony with the principles of the International Charter and the foundations of international human law arrived at by different channels.

The ordeal of the embargo against the Iraqi people for more than thirteen years and the war that was launched there under the pretense of removing its despotic regime and under the pretext that there were weapons of mass destruction present (or at least Iraq's capacity for developing such weapons) in addition to all that was said about Iraq's connections with international terrorism assures that tolerance for other peoples, civilizations, and nations is in short supply. If a country's representatives have committed crimes, and serious, substantial transgressions, then the ordinary people will bear the cost every time. The world stood by in silence throughout the seventies and eighties in both the East and the West in the face of human rights violations by the Iraqi regime, especially because they were occurring during a "desirable" period in the region, to wit during the Iraqi-Iranian War (1980-1988).

Therefore, the perception is that the Iraqi people themselves were the criminals. As for those who actually committed the crimes, they remained "free" in two instances while the people

paid the bill two or more times. In the first instance, it was be-
tween the anvil of the foreign blockade, which pulverized the
bones of the Iraqis and which saw their blood shed in vain, and
the hammer of internal despotism that went on for an extended
period of time. In the second instance, Iraq became prey to the
beasts of occupation and anarchy and after that, wrangling, ten-
sion, and violence, especially after attempts by the occupier to
create a format and basis for dealing with the sectarian-ethnic
divisions and a basis for administering the affairs of state coop-
eratively: actions which only fanned divisive trends, sensitiv-
ities, and grudges, and, ushered in a period of violence which
overwhelmed the broad political, social, religious, nationalistic,
and doctrinal center. All of it amounts to a one of a kind "ac-
tion" which legalized international and local severity and cruel-
ty, where foreign looting and enduring internal repression
reigned. And, it has led us to the point where we now have to
evaluate tolerance on the international and local levels in a cli-
mate of crimes of mass extermination which international law is
in the process of prosecuting especially on the basis of the 1949
Geneva Conventions and specifically the Fourth Convention
and the Addendum of 1977 with respect to civilians.[35]

35. See: 1949 Geneva Conventions, International Committee of the Inter-
    national Red Cross, Geneva, 1987. See especially the concept of "humane
    intervention" which Federico Mayor discusses. The investigator had been
    calling for this for a long time as it dealt with the investigation and ac-
    curacy without omitting the erroneous applications which it relied upon
    and which were poisoned with duplicity and selectivity in standards. Per-
    haps the model that has continued to be helpful for some time is Resolu-
    tion 688 in reference to human rights in Iraq specifically is good proof of
    that. It was designated "The Wandering Forgotten Orphan Resolution"
    compared with Resolution 60 issued by the General Assemby all of them
    including the seventh section specifying sanctions with the exception of
    Resolution 688. It would be possible at this point to return to some of=

Simultaneously, there was coercion, monopolization of power, and internal tyranny in the extreme including laws and resolutions by the [Iraqi] Revolutionary Assembly of Leaders against human rights which at times fell upon deaf ears in the international community, times when the matter demanded early humane "intervention," not encouragement and indifference followed by military action and occupation.

In Iraq, it was not enough for President Saddam Hussain and the former regime to lead the country into two homegrown, national catastrophes: the first being the Iraq-Iran War and the second being the aggression against Kuwait. But, contrary to the principle of tolerance and motivated by revenge supported by chauvinistic, sectarian, and ethnic pretexts, along with alleged wrongdoings by Iranian fifth columnists, Saddam went further by driving into exile roughly half a million citizens on the eve of and during the Iraq-Iran War.

On the same pretext, he proceeded to spray mustard gas [or was it nerve gas?] on the Kurdish city of Halabja and launched Iraqi ethnic cleansing operations in the general Anfal Campaign along with other renowned misdeeds. At the same time, Saddam, acting true to form against both human beings and the environment, destroyed the lakes [marshes?] in southern Iraq. All

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= what the investigator wrote specifically about the principle of "humane intervention" : Al-Siyada wa Mubda' al-Tadakkhul al-Insani (Sovereignty and the Principle of Humane Intervention), Salah al-Din University, Irbil, Region of Kurdistan, Iraq, 2000. See also, Jama't al-Dawl al-Arabiyya wa-l-Mujtama' al-Madani al-Araby (The League of Arab States and Arab Civil Society: Reform and the Fading Voice – Approaches to Sovereignty, Partnership, and the Human Dimension), Dar al-Mahrusa, Cairo, 2004. Also, 'Asafa 'aly Bilad al-Shams (Storm Over Greater Syria), Dar al-Kinuz al-Adiyya, Beirut, 1994. Also, Panorama of the Gulf War, Dar al-Biraq, Damascus-London, 1994.

of these examples represent a total divorce from the principle of tolerance. At a time when the former regime was engaged in practices like these with adversaries and perceived enemies, Saddam did not refrain from the same methodical behavior toward friends, followers, and "the colonels" by marriage or blood completely liquidating the Baathist leaders without lawful trials on the eve of his assumption of power as President in July, 1979 (22 Baathist leaders were executed and 33 others were given heavy sentences in a sham trial court). All of this took place to great joy, reminiscent of the act of Mengistu Hilal Maryam against his comrades in Ethiopia. Yemen witnessed similar incidents in 1986 and following its desired unity in 1994. Likewise, the Kurds, following the ordeals of their adolescence, have had to endure liquidation operations in which, quite apart from the principle of tolerance, roughly three thousand persons were eliminated, as well as power struggles and rivalries between centers of political activity during the internecine Kurd-Kurd struggles (1994-1998).

Truth is, defending the value of tolerance means defending the value of democracy. Tolerance, when considered a value among all those we define as human values, grants the ability to endure errors and to accept coexisting one with another (the proximity of opposites), the middle path, the rule of reason, and the heeding of public opinion. In all of this, the idea of democracy along with its institutions can spread and deepen.

Descartes[36] ventured to say that reason is the fairest of all

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36. René Descartes was born in France in the province of Touraine in 1596 and he died in 1650. Descartes recognized that philosophy was the study of wisdom. The aim of wisdom was not cleverness in deeds but rather total comprehension of everything in the known human sphere in addition to the planning of one's life, the preservation of one's health, and the discovery=

things among people, meaning by this that reason addresses questions of great concern for people, or, influences questions that address basic doubts. Indeed, for him the very act of asking refutes and resolves doubt. While al-Ghazalli spoke of the transcendental or unseen dimension, Ibn Sina[37] put the same ques-

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= of fields of work so that one may have knowledge of what kind of person one ought to be as an inventor of first causes. His method of doing philosophy is conjecture of simple principles and deduction of new theorems/causes from principles in order to become a singular, complete philosophy. His method took into account four operational maxims:

First Maxim: To accept as true nothing that is not recognized by reason as a clear and distinct idea.

Second Maxim: To break every problem down into its constituent parts and analyze it as such.

Third Maxim: To arrange thoughts in order and synthesize them from simple to complex.

Fourth Maxim: Using the methods of induction and deduction to make a complete enumeration of each problem.

37. Ibn Sina was born in 980 in the village of Afshana near Bukhara and was named "Abu Ali" al-Hussain and surnamed in his philosophical works "Head Shaykh." He studied science under private teachers in his father's house, as we have been informed about his life through his having related it to his disciple Abu Ubaydallah al-Juzajani al-Qifti in his book Discourse of the Learned on Matters of the Philosophers. Ibn Sina died in Hamadan in 1036. Ibn Sina was raised up in the Ismaili doctrine, but he remained independent in his thinking relative to his father and his brother. In spite of his independence, he listened to them and they to him with good will between them. However, his political activities led him to part with his predecessors and to participate in government two or three times, some sources say (in Hamadan), where he lived a life of ease and luxury in the ranks of administration. But, he remained far from the ideas of the rulers and did not use his philosophical ideas to express the ideology of the ruling class and his political work did not dominate his work on intellectual problems.

See: al-Qifti, Abu Abaydallah al-Juzajani, Ikhbar al-'Ulama'i bi-Akhbar al-Hukama'i (Discourse of the Learned on Matters of the Philosophers), =

tion in terms of existence and essence when he said, "Is the soul not distinct from the body?" What is the aim of man's descent from 'Divine' paradise to earth? Why has the soul come from the other world into this our own world only to return to the world of its Lord and Creator, the world that sent it forth to begin with?" Did wisdom or volition come to be on the day when human beings were created, to help them choose between the piety and immorality that lay all about them afterward, to return to their Creator to be judged on whether or not they chose the right path or the wrong one?

Hussain Muruwa regards the philosophy of Ibn Sina as a mere appendage to the philosophy of al-Farabi for an entire generation of philosophers among whom al-Farabi[38] was the most prominent.

= p. 269, as reported by Muruwa, Hussain, Al-Niza'at al-Madiyya fi-l-Falsafa al-Arabiyya al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy), Part 1, p. 194.

Compare: Harb, Dr. Ali, Khitab al-Huwiyya, Siira Fikriyya (The Rhetoric of Identity, a Way of Thinking), Dar al-Kinuz al-Adabiyya, First Edition, Beirut, 1996, pp. 156-157.

38. He was Abu Nasr Muhammad bin Muhammad bin Tirkhan bin Awzalij. The majority opinion is that he was Turkish in lineage from Farab and that he lived about 80 years, dying in Damascus (it is possible he was born in 259 AH and died in 339 AH). Farabi was known by his surname "Abu Nasr." See: Ibn Khalkan, Wafiat al-'Iyan (Deaths of People of Distinction), Part 5, edited by Dr. Ihsan 'Ibas, Dar al-Thaqafa, Beirut, 1968, p. 153.

See likewise: Abd al-Razzaq, Shaykh Mustafa, Filosouf al-Arab (Philosopher of the Arabs),and Al-Mu'allim al-Thani (The Second Teacher), printed by 'Aysa al-Halabi, Cairo, 1945, p. 55 (as reported by Dr. Ibrahim al-'Ati).

Compare: al-'Ati, Dr. Ibrahim, Al-Insan fi Falsafa al-Farabi (Humanity in the Philosophy of al-Farabi), Dar al-Nabugh, Beirut, 1998, p. 16.

This same generation produced remarkable changes to Greek philosophical theories: Athenian and Alexandrian. The theory of emanation especially opened up for Arab philosophy new horizons for addressing the most important problems, such as the ideological contents of the Islamic Middle Ages and the relationship between God and the world.[39]

Al-Farabi was interested in the human soul. We may say that he was the founder of the science of the soul in Islam, and was guided by the Quranic verse, "They ask thee concerning the Spirit, say, "The Spirit comes by command of my Lord: of knowledge it is only a little that is communicated to you." (al-Isra'a: 85)

Al-Farabi kept himself busy with the problem of providing insights into Greek philosophy and participating in its evolution, especially concerning the teachings of that primary teacher, Aristotle. Al-Farabi was known for his many travels. He arrived in Baghdad, the international Islamic capital of its time, and in addition traveled in middle Asia. These wide travels gave him encyclopedic and culturally varied perspectives. He began writing his book Al-Medina al-Fadila (The Ideal City) in Baghdad transporting it to Syria in late 330 and completing it there in 331 AH. Al-Farabi used to meet with Saif al-Dowla bin Hamadan who was astonished at al-Farabi's wisdom. Furthermore, al-Farabi was fluent in a number of languages in addition to Arabic - Turkish, Farsi, and other languages. Although he lived the life of an ascetic,[40] Al-Farabi was interested in the methodology and

39. See: Muruwa, Dr. Hussain, , Al-Niza'at al-Madiyya fi-l-Falsafa al-Arabiyya al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy), 4 vols., Dar al-Farabi, Beirut, 2002, pp. 177-179.
40. See: al-'Ati, Dr. Ibrahim, Al-Insan fi Falsafa al-Farabi (Humanity in the Philosophy of al-Farabi), op.cit., pp. 20-28.

classification of knowledge, especially Linguistics, Logic, and the science of education. He divided knowledge into seven parts: Mathematics, Engineering, Optics, Astronomy, Music, Weights, and the Genealogy of Debate ("Rhetoric and Proof"). To these he added Biology, Theology, Political Science, Jurisprudence, and Islamic Philosophy.

Imitating Plato principally, al-Farabi used the method of dialectical debate. According to Abd al-Rahman Badawi, "Dialectical knowledge is philosophical knowledge completely. It is not possible for mankind to obtain truthful knowledge except by way of dialectics."[41]

Worth mentioning among al-Farabi's views in his book, Views of the People of the Ideal City are the following:

1. The property of volition and choice of members of society (as opposed to fatalism).

2. Reform of the classes of society according to their actual traits and talents, intentionally through the administration of society.

3. The actual capacities of people and their place in society determine their social power.

As for Voltaire, he focused on the idea of error and correctness. This idea goes hand in hand with the meaning of tolerance. Imam Shafa'i said, "My correct opinion tolerates error, while your mistaken view tolerates one that is correct." Imam Abu Hanifa al-Naaman went on to say: "Our conversation is merely opinion; whoever has a better view, let it come before us." This

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41. Badawi, Dr. Abd al-Rahman, Aflatun (Plato), second edition, Maktaba al-Nahd al-Misriyya, 1944, p. 142.

is what Voltaire also went on to say in establishing his concept of tolerance: "We are susceptible to falling into error..we are created human beings, and thus most of the time, we make mistakes.." Therefore, he concludes, tolerance is necessary because free thinking is a relative matter susceptible likewise to error. In this sense, opinions are equal because all of them have as much chance of being wrong as right. The concept may be formulated as follows: "I am prone to error just as you are prone to be correct." Whenever the two sides rely on this saying, it will be possible to achieve mutual tolerance, as well as the democracy we desire, the rationalism we aspire to, and accordingly the possibility that we can correct our mistakes.[42]

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42. See: Al-Bakush, Naji, and others (a jointly authored book), Dirasaat fi-l-Tasamuh (Studies in Tolerance), op. cit.
    See also: Al-Majalla al Arabiyya l-Huqquq al-Insan (The Arab Magazine on Human Rights), op.cit.
    See also: (jointly authored book), Thaqafa Huqquq al-Insan (The Culture of Human Rights), op. cit.

Chapter Three

Religion and Tolerance: Past and Present

Our conversation is merely opinion;
whoever has a better view, let it come be-
fore us...
Imam Abu Hanifa al-Naaman

1. Non-Violence and Tolerance in Christianity[43]

An investigation of the question of tolerance in the Christian religion leads us to a comparison of questions concerning non-violence in "The New Testament." Perhaps what Jesus Christ said to Peter is proof enough that failure to trust in non-violence was a problem, and, that the "believer" was in danger of falling into fighting with others.

The New Testament tells us that a message came from the

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43. I find it proper, while speaking of tolerance in Islam, to carry out a survey, even in very rapid fashion, of tolerance and non-violence in the Christian religion, which predates Islam. I have conversed and corresponded with Bishop George Khodr. He has encouraged me to do exactly that and, indeed, he has assisted me in making a proper start toward investigating the topic. I have taken it upon myself to pay careful attention to the importance of investigating the topic of religion as a whole and the idea of tolerance through my study The Understanding of Tolerance in Arab-Islamic Thought. I hope that I will be given time to devote myself to a book studying in a broad way the relationship between religion and tolerance.

Chief Priest and the scribes to arrest Jesus. Jesus' disciple Peter then drew his sword and struck the servant of the High Priest cutting off his ear. At this, Christ called out to Peter saying, "Put your sword back in its place; for, all who live by the sword will die by the sword."[44] Surely, what Christ says here contains profound guidance: its essence is the repudiation and prohibition of the use of arms (even in self-defense). This teaching functions like an ideal type for the question of non-violence. It comes close to being categorical: that is, allowing no exceptions. The believer accepts the fact that he may be killed, but nevertheless vows he will not resort to killing. So says the Arab Christian thinker Doctor Metropolitan George Khodr. Indeed, Bishop Khodr goes even further in saying that the Church right up to the present day forbids clergy and monastics from committing violence in self-defense.[45]

Christ was sacrificed, as the Old Testament Prophet Isaiah prophesied: "Surely he has borne our grief and carried our sorrows; yet we esteemed him stricken, smitten by God, and afflicted. But he was wounded for our transgressions, he was bruised for our iniquities...He was oppressed, and he was afflicted, yet he opened not his mouth; like a lamb that is led to the slaughter, and like a sheep that before its shearers is dumb, so he opened not his mouth."[46] As the Old Testament text was later applied to Jesus, he "empties himself, taking the form of a servant, being born in the likeness of men. And being found in human form he humbled himself and became obedient unto death, even death on a cross."[47]

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44. See: Matthew 26:52 [Note: Arabic text says 15:62 ???]
45. Personal conversation with Metropolitan George Khodr, Burama, Lebanon, June 8, 2002.
46. See: Isaiah 53:4-7.
47. See Philippians 2:7-8.

So Jesus became an example for those martyrs who gladly and willingly embraced death during the Roman Empire up until the time of the Declaration of Constantine proclaiming freedom of religion in the year 313 C.E. This was the way for Christian believers for generation after generation in many countries around the world up to our own day who through their sacrifice received pardon for their sins through Jesus Christ by following in his footsteps.

In the same tradition of non-violence, Saint John Chrysostom said, "Woe to all those who teach that it is permissible to kill heretics." In his time, St. Basil of Caesarea employed the analogy of disciplinary action against soldiers who participate in war indicating that the Church always rejected the practice of conferring sainthood upon those troops who were killed in battle for Christian Rome. In like manner, the Eastern Orthodox Church did not endorse warfare. If the empire waged war, and if this led to God awarding victory against the barbarians, then their annihilation at the hands of the empire would lead to its being viewed as persecution by the Church. In Byzantine political philosophy warfare was always defensive.

Whenever the Church punished someone with excommunication, it would readmit him if he repented. A person who appeared to have repented was entitled to join in worship before being restored to full membership. There was no obligation upon anyone to inflict bodily punishment upon him. Likewise, Orthodox Christians coexisted with heretics even if the political ruler at times decreed prison or exile for the creators of heresy. The Christian position existed in spite of the prevailing idea, which was that heresy threatened the unity of the empire.

It is possible from the perspective of generations of history since then to say that the Church often practiced coexistence

with members of those doctrines deemed deviant or immoral in the eyes of the of the dominant sect in spite of the fact that the Orthodox imperium (Constantinian or Russian) was tightening the noose around their necks. Heresy was a political designation, and, within it could often be found a range of extenuating circumstances from reformist movements, definitive positions, and sometimes stances that provoked extreme sanctions.

There was no oppression against Jews in the Orthodox world. Solzhenitsyn's most recent book makes this clear in the case of Jews in Russia. It is a certainty among scholars that the Russian Church detested the rare occurrences of butchery suffered by Jews in Russia in the nineteenth century. It is also certain that Muslims in the Russian Empire used to enjoy freedom of worship and freedom to establish their religion and languages.[48]

Mosques remained in Greece and Cyprus after the complete emigration of Muslims and were maintained by the state.

But, this was not always the case. The Catholic world, unlike the Orthodox, dealt viciously with Christian heretics and likewise with Muslims and Jews, too. The first calls for just war came from Augustine, and later from Thomas Aquinas, who defended the practice of executing heretics. More accurately, the Catholic Church transferred the accused to the civil judicial authorities, and it was they who sentenced them to death and carried out the executions. In like manner, Jews and Muslims were herded before the courts of the Inquisition in Andalus (Spain) following the departure of the Arabs in 1492.[49]

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48. Letter from Metropolitan George Khodr to the author, August 3, 2004.

49. We single out here some the more prominent historical events involving the European [Franja] Crusaders. In 1099, slaughter and acts of pillaging were committed in Jerusalem after it fell to the Crusaders. Tripoli was subjected to a one thousand day blockade until it, too, fell in 1109, followed

It would thus be vehemently excessive to take the view that the Catholic Church depended upon freedom of thought up to modern times. Indeed, to the contrary there were many harsh instances when this was not the case. But, an important development came about in the mid 1960s with Vatican II at which time the Council opened up the issue of the acceptance of other religions and the proposition of coexisting with them. Christian-Jewish relations and then Christian-Muslim relations took a big step forward toward establishing tolerance and acceptance of the Other.

It was perhaps the stance that Pope John Paul II took with respect to Muslims that excited the most delight and admiration. It represented an important step on the road toward strengthening Christian-Muslim relations by means of a review of the past, and in particular by means of a critical reading of history that would lead to an official apology for the terrible things the Crusaders committed as they went about "spreading the truth." This apology came on March 12, 2000 inaugurating and consecrating a comprehensive Muslim-Christian dialogue. Dialogue about the problems led to setting up organizations and conducting seminars where debate took place. In addition there were books, conferences, and visits back and forth that one could partake of in a number of regions in the Muslim world focusing particularly on the case of the Palestinian issue and the embargo against

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by Beirut and Sidon in 1110. When Salah al-Din al-Ayyubi was able to repel the Crusader armies, it was possible for him to unify Egypt and Syria in 1171. However, he died in 1193 in Damascus. Then it became possible for the Crusaders in 1204 to seize Constantinople and plunder it. After this, they went on to occupy Egypt from 1218-1221. See the literary portrait that novelist/writer Amin Maalouf has set down into writing in his renowned book The Crusades Through Arab Eyes, trans. by Jon Rothschild (Schocken Books, New York, 1984).

the Iraqi people.[50]

We can say that today, all the major Churches have been inspired to promote the cause of living in complete coexistence with non-Christians in thought and in deed, and in the present have repudiated what may be called "Crusader wars" as universally unacceptable, the aim being to secure economic, trade, and military interests, centers of influence, and so on. It is not possible to interpret what some Western countries today have committed against Arabs and Muslims as "Crusades" since these are matters that apply to nations and their interests. These interests are above all primarily economic and strategic, not religious or evangelical in nature.

We do not claim that Christian history is renowned for its tolerance and leave it at that. Indeed, it is full of error just as are all histories. It includes enlightened and radiant periods side by side with gloom and darkness. But, it is enough to say that the spirit of Christ and his magnanimous gospel teachings on tolerance, meekness, and love have continued to be important for generations of Christians throughout history. This is what drove the righteous to follow him in the first generations, and many others since have done the same. All-inclusive, unconditional love toward friends and enemies alike is the single most profound basis for the existence of tolerance. Love leaves all judgment to God on the Last Day, and before that day comes, people are not to

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50. See: Jabur, George, Risalla ili Qadassa al-Baba bi-munasiba al-Dhikri al-900 l-Hurubal-Faranjati (Letter to His Holiness the Pope on the Occasion of the 900th Anniversary of the Crusades), Dar al-Kunuz al-Adibiya, Beirut, 1995. Dr. Jabur took the initiative to publish a number of pieces in newspapers beginning in 1989 putting forth the question to the Vatican to offer by way of an explanation approaching an apology offered to the descendants of all the victims of the Crusades, Muslim and non-Muslim.

fight with or kill one another, behavior that has weakened faith.[51]

In its contemporary thinking, Christianity isn't calling for tolerance alone, but speaks of cooperation in thought and in society under the protection of citizenship in a single country or group of countries. Indeed, Catholic thought itself has emerged from its isolation and is now from the tongues of Popes and the Vatican calling for national cooperation and defense of the poor as well as those who have suffered injustice. Furthermore, it has placed responsibility for dealing with all these ills on the shoulders of the Church. In countries where the overwhelming majority is Christian, such as Russia, the Church has freely and unrestrainedly proceeded to establish social values based on cooperation, partnership, and the coming together of religious leaders, united and disunited. For example, many cultural Christians throughout the whole world have spoken highly of the lifestyles and texts of the Muslim Sufis, whose eloquence has spread far and wide.

It is known that Christianity is free of punitive laws and that Christ himself was opposed to Jewish laws of punishment, which the Islamic Sharia law later borrowed from. But, the Church of Croatia in Europe went even further: rebelling against required religious education in European feudal society. The European Church is the better for the absence of punitive laws in its religious traditions that imposed punishments for defiling those traditions. However, in practice, Christian - and Muslim - institutions have often proceeded to stoke the fires for the Creator's punishments on Judgment Day. Islamic punishments have been especially severe and grim in the case of the hudud penalties, failure to pay the jizya (poll tax on non-Muslims), the

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51. Letter from Bishop George Khodr to the author, August 3, 2004.

kharaj (agricultural land tax), etc.

The Church throughout the Middle Ages and through part of the Renaissance remained a source of terror as clergy roamed about forming boards of inquiry and tribunals of inquisition. Hadi al-Alawi tells us that Christian repression was limited to the European Churches. Eastern Churches, composed chiefly of Syrian-Arab Christians, did not become involved in these vicious cycles of inquisition and persecution. The Eastern Churches played a role closer in line with the spirit of the Lord Christ especially in centers where Byzantine power was concentrated. They set up institutions completely different from those found in Europe, institutions committed to protecting the poor among believers and compelling Hellenistic culture to keep the peace with the Arab Muslims in their midst.[52]

Coexistence in Europe is a question of culture to a considerable extent. Perhaps the Muslim mosques being erected by the thousands in every European city are good proof of that in spite of the problems Arabs and Muslims face around adaptation, assimilation, and the interplay of their civilization with different European cultures. There remain difficulties and sharp disparities in some instances. Demonstrations have taken place in one country or another where some right wing, racist voices have been raised opposing assimilation of Arabs, Muslims, and foreigners in general. These are signs of a tilt toward xenophobia (hatred of the foreigner) or Islamophobia (fear of Islam) especially in the wake of the criminal terror attacks of Nine Eleven and the appearance of laws to battle terrorism. This has all led to incidents of gross encroachment upon and erosion of

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52. See: al-Alawi, Hadi, Min Tarikh al-T'aathib fi-l-Islam, al-'Amaal al-Kamala (From the History of Punishment in Islam, Complete Works) (3), Dar al-Madi, second printing, Damascus, 1999, pp. 79-80.

human rights and freedoms, collective and personal. Such laws have singled out foreigners for detention and deportation without due process of law; likewise administrative arrest and interment with no charges filed, investigations conducted in secret, and interrogations infringing upon the rights of the accused.

In Britain, a new security law covering crime and the battle against terrorism was passed in the British Parliament on December 13, 2001. This is the same law that Judge Collins, from the Immigration Appeal Board in London, later ruled discriminatory against foreigners and non-citizens.

In the United States, a state of emergency was announced three days after Nine Eleven. Congress passed a slate of laws granting full, comprehensive powers to the security apparatus. President George W. Bush took decisions giving the CIA the right to carry out political assassinations, which up to that point had been forbidden. President Bush gave security authorities the right to arrest people on suspicion and put them on trial before military tribunals without the right of appeal, which is incompatible with the constitutional right of defense under the American Constitution for all accused and is likewise in opposition to commitments the United States has made with respect to civil and political rights as stipulated in the International Covenant on Civil and Political Rights of 1966, which the United States, only much later and following intense pressure, ratified in 1992.

The number of detainees in the United States at the end of 2001 reached more than 1,200 persons from Arab and Muslim countries, some of whom were being confined at secret locations. As many as 5,000 had been interrogated. In addition, ap-

proximately 360 persons from about 50 countries outside the United States had been arrested. The Office of Homeland Security in the United States set up something resembling a police state creating a huge contradiction between the evolution of American civil society and the milieu of individual and public freedoms, which, up to that point, had been regarded as unimpeachable. Indeed, these freedoms had become an inseparable part of American culture. All of these measures accompanied the American "war on terror."

The land of milk and honey and freedoms, the land of happiness and prosperity has become something more akin to an "emergency powers" regime or some other run-of-the-mill power. It looks more like a military coup in the Third World, where citizens labor beneath the burdens of chronic despotism, emergency laws, and emergency circumstances.

In Germany, the government passed security laws and financing measures to combat terror that were designed to curry favor with the Americans. Sweden moved in the same direction, promulgating a law against what it called "fundamentalists." The Italian government passed a law to confront emergency conditions related to what was called "international terrorism." Under this law, the Italian government was obligated to permit the security apparatus to carry out operations under broad mandatory powers that included breaching laws governing criminal activities and sanctions in case of emergency. The overall purpose was to conduct operations aimed at preserving what was called Italian "national security." Other European nations have gone down a similar path.

In Arab and Muslim countries these measures were mirrored to an extreme and severe degree. For their part, Arab and Mus-

lim governments found themselves, probably for the first time, in the same boat with their people. Whether pushed by unconditional international efforts against terrorism or by the perception that they were on the brink of danger, Arab governments took direct aim at the problem. Arab countries had already ratified an agreement in the name of combating terrorism in 1998 following the international conference at Sharm al-Sheikh on battling terrorism in 1996.

Before I close this section (an involved one at that), I want here, in my capacity as a former president of the Arab Organization of Human Rights in Great Britain and in addition to my work as a legal consultant) to call attention to the voice of the Church in defending Muslims living in non-Muslim countries as well as those who have been exiled: having fled from persecution, these Muslims have found refuge in the Church and protection of their rights as refugees in the guest country. Indeed, many such humanitarian situations have come to light that are worthy of praise and appreciation.[53]

When we examine the situation of the Church, we must draw

53. See: Halliday, Fred, Two Hours That Shook the World: September 11, 2001, Saqi Books, 2001, pp. 19ff.

See also: Shaban, Abd al-Hussain, Al-Islam wa-l-Irhabi al-Dowli, Thalathia al-Thulatha' al-Daami, al-Din, al-Qanun, al-Siyassa (Islam and International Terrorism: The Trinity of a Bloody Tuesday, Religion, Law, Politics), Dar al-Hikma, London, First Printing, 2002, pp. 36-38. Worth mentioning and highlighting is the role of three internationally binding resolutions passed by the U.N. Security Council after Nine-Eleven, the most meaningful being Resolution 1368 of 12 September, 2001, Resolution 1373 of 28 September, 2001, and Resolution 1390 of 16 January, 2002, which was used to defend international efforts in fighting international terrorism but which created an equally tense and strained environment on the global level especially as they included extreme security regulations and measures, etc.

a distinction between doctrine, faith, and belief on the one hand and love on the other. According to some Christian thinkers, your right to believe as you wish also means acknowledging the right of the Other to believe as he may wish. There has been agreement on some points and there have been differences on other points. But, that does not rule out each person's right to continue living his own way of life out of his own beliefs. As for love, it is the unifying force of all humanity: for every human being love is the center of religion. For one and all, love is truth in life, freedom, and the education of children. In freedom a person serves his God as he wishes and wills the contentment of others and respects them.[54]

This basic rapprochement in societies that are pluralistic with respect to religions, doctrines, customs, and languages (with religion being our particular concern here) does not mean that Christians want to stand with Muslims as a single front over against those who deny God. However, cooperation, congruence, love and respect between them empowers each side, eliminates isolation, and helps strengthen human partnership along with the values of goodness, love, and peace.

2. Tolerance and Political Islam

There have been no critical treatments of tolerance and intolerance from the Muslim point of view. This was the case especially throughout the nineteenth century up to the beginning of the twentieth. And, this is aside from some of the actual cases we have seen that have led to emigrations of ethnic, religious, and sectarian minorities from the Arab and Muslim worlds. Acts of discrimination against national, linguistic, and religious mi-

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54. Letter from Bishop George Khodr to the author, op.cit.

norities, whether against the Kurds of Iraq, the tribes of southern Sudan, or the mixed bloods of the Arab Maghreb cannot be regarded as tolerant behavior. The problem is real and it is growing increasingly serious. Moreover and particularly, discrimination is being increasingly exploited as a pretext for foreign interventions.

Islamic (or prevailing Islamist) rhetoric, especially from the ranks of political Islam, stands as an obstacle to tolerance, to modernity, and fosters a political culture that nurtures and protects tyrants. It is the culture of distancing, of isolation, and of extermination accompanied by prohibition and criminalization.

For sure, some have tried to move things in the direction of progress. But, it is an extreme pity that one is so seldom able to find anyone inclined toward republicanism. There is a bottomless pit between republicanism and the oppressive reality, the powerful chains, the tremendous obstacles that are arrayed against reform and change.

The face of modernity is exposed to fractures in a number of countries. Shaykh Rashid al-Ghanouchi says, "We must choose between two directions: to open ourselves widely to a broader spectrum of Muslims, to all Islamic movements, and even to non-Muslim movements...or, to choose zealotry and to strive for "purity." We must choose between the prospect of kindness, generosity, forbearance, and openness on the one hand, and on the other hand, the prospect of mutual struggle, obscurity and incomprehensibility." Dr. Abd al-Wahab al-Masiri in turn calls for a new, critical, reciprocal rhetoric in dealing with the Western modernity. Fahmy Huwaydi proceeds to concentrate on the crisis of democratic law. By the same measure, it is necessary to move the case for democracy to the front ranks of Islamic rhet-

oric because it is a fundamental requirement and a lofty value.[55]

Certainly the culture of tolerance has spread. It has grown in strength and has moved in the direction of openness toward a suitable and spacious environment for nurturing the freedom and right of self-expression and the right to diversity without fear of sanctions, and has moved toward a civil society where an active partnership can exist with the nation, a nation that is obliged to act based on the prevalence of law and the concept of equality between citizens.

Achieving this will require a review of many laws, prevailing systems, and institutions of teaching and learning in order to purge them of the elitist and racist tendencies that appear at times especially with respect to dealing with the Other and assuring his right to dissent. To the extent that we remain far removed from reaching these goals, tolerance will also remain far removed and a difficult goal to attain.[56]

Indeed, tolerance in this sense means patience and steadfastness in willpower. It means taking stands, and it means ways of thinking that we may not like. We will probably find ourselves in, among other things, radical forms of conflict with our intellectual, moral, social, religious, and political ranks. But, the alternative is intolerance, elimination, extermination, and rejection all of which will lead only to violence and mutual conflict. Gandhi (1869-1948) said in a letter written from prison, "I do not like the word tolerance, but I haven't found a better one."

55. Al-Ghanouchi, al-Shaykh Rashid, Al-Sharia al-Siyassiya fi-l-Islam (Politcal Law in Islam), op.cit., p. 199. Also, al-Masiri, Dr. Abd al-Wahab, op.cit., p. 177ff. Also, Huwaydi, Fahmy, op. Cit., p. 191.

56. Al-Shamari, Khamayis, Al-Tassamuh Ghayat Saaba al-Manal (Tolerance is a Difficult Goal to Reach), Al-Majalla al-Arabiyya l-Huqquq al-Insan, Al-Maahd al-Arabi l-Huqquq al-Insan, no.2, 1995.

I think what Gandhi meant was that tolerance was the doctrinal basis for dealing with the Other in the sense that as a whole we do not think alike and only apprehend a portion of reality and truth from the various angles we approach things.

Tolerance was the object of vision and thought among men of thought in the seventeenth century, especially among the clergy in the Church. The pressing need for tolerance, was driven by the excesses and zealous fanaticism of the Church in persecuting those views and positions that were critical of its authority. The need for tolerance became visible and sowed the seeds of doubt especially in the Middle Ages.

When liberation from the authority of the Church got underway, it also meant liberation of thought from the government apparatus, and that brought about the spread of liberalism. Tolerance appeared to confirm the capacity of society to embrace opposition and difference and to respect both of them.

Understandings of tolerance range along a continuum from the individual level to the societal, from there to the national, and thence to the level of the family of nations as a whole. Tolerance is understood not merely as a term or linguistic convention linked only with generosity, munificence, openhandedness, forgiveness, forbearance, and so forth. The concept has an ethical component, too: it addresses what is the right thing to do. Needless to say, it is also linked to prosperity and development.[57]

Indeed, the principle of tolerance has become widespread and the dominant spirit of the truth of diversity requires rethinking cultural legacies of the past, taking the measure of this heritage

57. Al-Bakush, Naji and others, Dirassat fi-l-Tasamuh (Studies in Tolerance), op.cit. See also 'Amr Abd al-Fatah, same source.

throughout the course of history, and rebuilding the relationship between culture and nation, society and authority, and between government and opposition. At the same time, all of that is both a collective responsibility and an individual one. There is no society that is insulated or protected from inducements to lapse into divisions between its members or intolerance. Societies must apply great power to the effort and must always be vigilant.

The principle of tolerance is not attached to a particular heritage or society. Indeed, it has spread across the ages. It is "neither Western nor Eastern," as al-Bakush put it. In spite of the fact that all religions say they cling to tolerance, wars and exterminations have continued throughout history even sometimes in the name of religion.[58]

The Qur'an speaks of freedom of religion in nearly 100 verses. It asserts that tolerance is a fundamental pattern in Islam. It confirms:

  * Freedom of belief for non-Muslims.
  * Freedom of worship.
  * No compulsion or coercion.
  * The obligation to respect the Other.

In this sense, tolerance constitutes a virtue of value and of moral worth. Perhaps the great weight upon which its demands are constituted is the basis of "the right to differ." This right requires a degree of pluralism and coexistence, and accordingly, it presupposes tolerance. The right of diversity is the crucial precondition of tolerance, democracy, and human rights. Recognizing the right of diversity begins with acceptance of or re-

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58. Op. cit.

liance upon dialogue. This in turn presupposes equal opportunity in order to be effective. Dialogue presupposes criticism. For the most part, criticism is a two-fold process along the path laid out by John Locke and David Hume: i.e. criticism must be carried out as a rational process if it is to be free from irrational adherence to tradition and heritage (a critique of mechanisms that are the products of abstract reason along with their offspring or residues). This approach includes a critique of autocratic regimes dependent upon "domination," "Sharia law," the "source of power," and "law."[59]

3. Islamic Sharia and Tolerance

The literal use of the word tolerance does not appear in the Holy Qur'an, But, Islamic Sharia law has held to a vision of tolerance it assumes undergirds the Qur'an. The Qur'an approaches or even embraces this meaning in the whole in its call for piety, deliberation, cooperation, the demonstration of human understanding, love, and respect vis-à-vis one another, and in its call for people to get to know one another. All of these calls presuppose and prescribe "tolerance" and affirm the right to diversity among human beings. "Diversity is Quranic" and does not annul harmony.

The language and its esteemed lexicons, from which many have sought assistance in interpreting the Qur'an, coined the expression "forbearance" as a synonym for "tolerance." Ibn Manzur pointed out in The Tongue of the Arabs that tolerance and forbearance should be considered synonymous. Al-Hanifa advised that in mercy, magnanimity, and generosity there is no

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59. Awmalil, D. Ali, Fi Sharia al-Ikhtilaf (On the Sharia of Diversity), publications of the National Council of Arab Culture, Rabat, first edition, 1991, p.89.

scarcity, narrowness, or severity or vehemence.[60]

Al-Faruzabadi says in Dictionary of the Domain: forbearance is like forgiveness, and when you forgive, you forbear. To forbear is to forgive, to be lenient and obliging.[61]

Clearly, therefore, Islam was founded on the basis of tolerance. This has been its open message to the world: "We sent thee not but as a mercy for all creatures," (s. 21:107). Islam has always denoted peace, peacefulness, conciliation, compromise, and mercy.

Returning to the Holy Qur'an, which constitutes the basic authority for Islamic Sharia law, in addition to the Prophetic sunna (customs), and tracking some verses from the Qur'an, we are presented with a brilliant and advanced picture of the face of tolerance Islam depended upon throughout its early documentary history. The holy verse was revealed saying, "and the variations in your languages and your colors: verily, in that are signs for those who know." (s. 30:22).

The Holy Qur'an affirms in many verses the differences among peoples, tribes, and "ethnic memory." As Almighty God says, "O mankind! We created you from a single pair of a male and a female and made you into nations and tribes that ye may know one another. Verily the most honored of you in the sight of God is he who is the most righteous of you. And God has full knowledge and is well acquainted with all things." s.49:13. Likewise, "If it had been thy Lord's Will, they would have all believed – all who are on earth! Wilt thou compel mankind,

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60. See Ibn Manzur, Lisan al-Arab (The Tongue of the Arabs), Dar Ihya'a al-Turath al-Arabi, Part 6, pp. 354-356.

61. Al-Faruzabadi, Al-Qamoos al-Muhit (The Dictionary of the Domain), Dar Ihya'a al-Turath al-Arabi, Part 1, p. 46.

against their will to believe!" s. 10:99.

Sura Two, verse 256 affirms, "Let there be no compulsion in religion: Truth stands out clear from error: whoever rejects evil and believes in God hath grasped the most trustworthy handhold that never breaks. And God heareth and knoweth all things."

The Qur'an says in s.88: 21-22, "Therefore, do thou give admonition, for thou art one to admonish. Thou art not one to manage human affairs." And in s.39:41 it says, "Verily we have revealed The Book to thee in Truth, for (instructing) mankind. He, then, that receives guidance benefits his own soul: but, he that strays injures his own soul. Nor art thou set over to dispose of their affairs." It said in s.24:54, "...the Apostle's duty is only to preach the clear message."

Certainly, these philosophical points of departure appearing in the Holy Qur'an have yielded an abundance, intellectually speaking, and a vision for progressive Islamic practices. They all stem to a great extent from what was laid down in the times of the Messenger and the Rashidoon ("rightly guided") caliphs who followed him all of whom placed special emphasis on tolerance. The concept of tolerance was applied in a number of documents and agreements of far reaching vision in addition to strictly political tracts. These materials stood as an antithesis to other practices some might classify as intolerant deeming them foreign and in opposition to these holy texts especially the Holy Qur'an as well as the Muhammadan sunna ("customs") that appeared after the Qur'an was revealed. There are other charters that should provide firm authority in the dispute with intolerant "Islamist" orientations of today: orientations that do not recognize the Other and are prone to rush toward exterminating,

negating, or marginalizing him.

In the following section we will attempt to shed light upon the roots of tolerance by means of an examination of "the charter," that is to say, a text that is tantamount to a prophetic message as well. There is little need for interpretation or explanation particularly because some of these texts, while introduced in the Qur'an, drew their support from the first Muslim state. Likewise, the Prophet's lifestyle manifested the same natural, sacred authority and intellectual and cultural background for Muslims as a whole. In this sense, there is much in these documents in the way of guidance and wisdom.

4. Roots of Tolerance in Arab-Muslim Documentary Evidence

There is proof of tolerance, not to mention the delineation of rights, in a number of Arab-Muslim documents. Among the documents we may consider are:

1. The Hilf al-Fudul ("Alliance of Excellence"), which was ratified in the late sixth century C.E., probably between 590 and 595, at which time the notables of Mecca met in the house of Abdullah bin Jud'an and committed themselves to a compact that "provided that inside Mecca, none of them would tolerate injustices committed against anyone else in the city."[62] When Is-

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62. Jabur, George, and others, Hilf al-Fudul (The Alliance of Excellence), published by the Iraqi League of Human Rights, Syrian Branch, Damascus, 1998. This leads me to commend the role Jabur has played as a philosopher and tireless scholar in advancing thinking about the Alliance of Excellence, whether through his correspondence with the United Nations and the Semitic Legation for Human Rights, the Arab League, the Islamic Conference, and others, or, in their in their repudiation by a number of international, regional, and Arab fields, to what he has published in the Arab

lam came along, it adopted a positive stance vis-à-vis this "pagan" Alliance of Excellence. The Prophet Muhammad later nullified all the pagan alliances with the exception of this one, the "Alliance of Excellence." One day when he was asked about it, he responded, "I witnessed along with my paternal uncles in the house of Abdullah bin Jud'an an alliance that, were I to be invited to participate in another such alliance under the auspices of Islam, I would readily do so."

We may consider the Alliance of Excellence the earliest expression promoting human rights, a kind of Magna Carta. It called for:

* Rejection of injustice and working to remove it.
* Equality between the people of Mecca, those inside the community and those who were not.
* That truth may prevail along with support for one unjustly treated and the restoration of his rights.
* Preservation of the lives of people and their dignity.
* Establishing recourse to an "erudite" commission to restore justice.

Here we find ourselves in the presence of a cultural stream that preceded Islam and continued flowing after the arrival of Islam, a stream in which the values of law and mercy were strengthened by the principle of tolerance. Tolerance is a prin-

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and foreign press. Dr. Jabur alone deserves credit for his work and his efforts. His record of additional intellectual participation (and more particularly we are mindful of his early studies on understanding of "colonialism" or his opposition to Zionism and racism while supporting UN Resolution 3379, passed by the United Nations on November 10, 1975) is responsible for his great esteem and the honor in which he is held, a fitting tribute for him as a Syrian as well as an Arab. He is perhaps one of the most highly respected and creative personalities of our era.

ciple with which no one has found fault in spite of differences in the supporting structures of collective human standards of conduct and methods of assessing that conduct through reciprocal action.[63]

With respect to the Alliance of Excellence, Ibn al-Athir said, "...Truly, therefore, the tribes of the Quraysh were invited to join in this alliance. They forged a pact in the house of Abdullah bin Jud'an to honor him and to establish a tradition in his name. The Bani Hashem, the Bani Talib (or Mutalib), the Bani Asad bin Abd al-Azzi, Zahra bin Kilab, and Tamim bin Mara. Together they forged a pact and swore to uphold their responsibility to resist any injustice committed by Mecca against its own people or any other people, and to rise up and repel same injustice. The Quraysh named that alliance, Hilf al-Fudul, the "Alliance of Excellence."[64]

The essential idea of the Alliance rests upon the rejection of injustice and discrimination of any kind: political, civil, economic, social, or cultural. The idea of the alliance was nourished and deepened through reference to values and principles that were dependent upon tolerance and which are echoed in the Holy Qur'an. It was by means of this approach that Arabs and Muslims rooted their idea of tolerance, an idea that has been growing for 1,400 years and which for Muslims has functioned as their cultural tributary, a stream flowing into human civilization as a model for all nations and peoples seeking the same

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63. See: Shaban, Abd al-Hussain, Al-Islam wa Huqquq al-Insan (Islam and Human Rights), op. cit., p. 42.

64. That appeared in the biography of Ibn Hashem, as related by Ibn Ishaq (1/ 92 from the Jamalia printing). See al-Ghazzali, Muhammad, Fiqh a-Seera al-Nabuwiya (The Understanding of the Prophetic Life), Dar al-Dawa for Printing, Publishing, and Distribution, Alexandria, Egypt, Second Edition, 1989.

from their own histories and legacies even when they have supported the uniquely modern idea that tolerance is a mere sham, or have been ignorant of it, or whether they have been bent on obstructing it.

REVISED The ideals of the Alliance of Excellence and other examples from culture and from historical heritage have been opposed by some prevailing and influential tendencies in the West that regard Arabs and Muslims as incompatible with the concepts of tolerance and human rights, that by virtue of the nature, structure, milieu, and religious stance from which these centers are raising their challenge comes the notion that there is a cultural incompatibility between the idea of tolerance and the make up of Arabs and Muslims. Moreover, the Alliance of Excellence is a counterweight against the prevailing tendencies toward intolerance in our own Arab and Muslim world in power centers that are both autocratic and alien to us: from among the extremist, fanatical, and terrorist groups that are being established on the basis that the Other should not be recognized, should be declared null and void, and should be eliminated: behavior that exceeds all bounds and claims to dominate the truth.

At times, Islamist movements have been no different in some of their practices from those of autocratic powers: in their comprehensive methods and procedures for creating distance as they proceed to dehumanize and reject others, in their refusal to recognize the right of others to be different, and in their rejection of the idea of tolerance on the basis of their claim to possess the truth. In this sense, while they like to see themselves in the rank and file of "the adversaries" in the face of autocratic governments, in fact they nurse from the same breast as these tyrannical or "authoritarian" governments.

The upshot is that they have ended up fueling some of the

forces in the West that have resisted Islam, and have contributed to the present record on human rights in the Arab and Muslim world, a record that, naturally, is not encouraging. On the contrary, it is a record that is among the worst in the world based on reports coming out of reliable international organizations like Amnesty International, the Organization for the Inspection of Human Rights, and the Arab Organization for Human Rights among others. because it provides an example of this insulting "justification/excuse" or "lawful" pretext if we presume good intentions. Based on that, "playing" on the strings of terrorism and deep-rooted and culturally fanatical and bigoted Arab and Muslim violence that builds upon excess, extremism, and blurring the facts.

I can say that Arabs and Muslims are as concerned as anyone about all this. But, they stand more in need of making their culture and their heritage more fertile and receptive to human accomplishments and achievements through openness, cooperation, and reciprocity with different civilizations and cultures, and, by means of common ventures and common ties without losing their religious, national, or cultural identity, their particular qualities, and their distinctiveness. The unique virtues of Islamic civilization can be preserved without neglecting global development and mutual human endeavors. Indeed, the particular case of Arabs and Muslims is built upon their right to preserve their national polities and their particular identities as they map out and decide their destiny, while achieving real progress, development, respect for human rights, and the recovery or liberation of their occupied lands.[65] One must fight for the value of common humanity in order to build up humankind as a whole.

65. See: Shaban, Abd al-Hussain, Al-Islam wa Huquq al-Insani (Islam and Human Rights), op. cit., pp. 42-43.

2 – The Constitution of Medina, which some regard as the first written constitution in the world, addresses rights and obligations, or, the canonical law code of Medina which the Messenger Muhammad wrote down when he came to Medina as an émigré (muhajir). It included rights for religious minorities and groups living there, especially the founders of the Jewish community there.

Salah al-Din al-Jurushi says with respect to the legacy of Medina, "It was the first legal and constitutional attempt to establish the new Islamic society, one which the Messenger was prepared to give up his life for."[66] Al-Sahifa (the Arabic name for the Constitution of Medina) affirmed that Muslim society, as preached by the Messenger, was pluralistic in nature. Al-Sahifa appeared during the first year of the Hijra (about 622 C.E.) before the great Battle of Badr, and, in spite of its locus in Medina, it traced its origins back to the earlier Meccan phase of Islam. The years preceding the Hijra of the Messenger were consumed with a phase of preaching in Mecca marked by themes of tolerance. However, some ruling figures from this period were serving as his advisors in Medina, such that he felt compelled to speak ambiguously at times about the role of tolerance and its place at the very core of the truth of the faith, an emphasis in Islamic preaching past and present. Was this merely a tactical or strategic choice? It is a matter of huge debate in madressas of political Islam from Iran to Algeria through the Sudan, and from Afghanistan through Iraq and the Tuareg to Lebanon and Egypt and arriving ultimately in Tunis and Morocco.

Al-Baqr al-Afif says that al-Sahifa is built upon Quranic texts,

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66. See: Jawad, Ghanim and others, "Al-Haq al-Qadim," ("The Old Truth"), introduced by Salah al-Din al-Jurushi: The Legacy in the Field of Human Rights, Cairo Center for the Study of Human Rights, Cairo, 2000, p. 65.

on what are called "the verses of forbearance [ayaat al-Ismah]. Among them are the Cave Sura (s.18), the Calamity Sura (s.88), the Ma'ida Sura (s.5), and the Pilgrimage Sura (s.22), as we shall demonstrate further ahead. These verses lay out the basic principles of Islam. They are universal principles, such as freedom, as called for by the second Caliph, "al-Faruqan," ("He who distinguishes truth from falsehood"), a nickname for the Caliph Umar bin al-Khattab, who is famous for his question, "How can you enslave people whose mothers freely gave birth to them?" Consider also what Imam Ali said to his governor in Egypt, Malik al-Ashtar al-Naja'i: "Do not behave toward them (that is, toward the people) like a voracious beast of prey, seizing that which belongs to them; for, they are of two kinds: they are either your brothers in religion or your equals in creation...." This sentiment was echoed roughly fourteen centuries later in Article I of the U. N. Global Statement on Human Rights: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." [see chapter two, page 50].[67]

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67. See Global Statement on Human Rights, published by the General Assembly of the United Nations in December, 1948. International law for human rights, Message no. 2, Geneva, 1988. It is perhaps true that what appeared in Nahj al-Balagha ("The Peak of Eloquence") prefigured modern thinking about human rights by 1400 years. See also: our article, "Imam Ali and the Philosophy of Truth and Freedom," in The Book of Islam and Human Rights, a lecture I gave in Dearborn, Michigan in 1992. See: Nahj al-Balagha ("The Peak of Eloquence"), Book 427, no. 53 (Risalla al-Imam Ali illi Malik al-Ashtar, "Letter of Imam Ali to Malik al-Ashtar). Compare: Shariati, Dr. Ali, Al-Imam Ali, trans. by Ali al-Hussaini, Dar al-Kitaab al-Islami, First Edition, Iran, 2000. Also compare: Gridaq, George, Al-Imam Ali: Sawt al-Insaniyya (Imam Ali: Voice of Humanity), Four Parts, Dar al-Milain, Beirut, 1962. (See Part Four, "Imam Ali and the Rights of Man").

Freedom is a human choice. Man is free, meaning he is free by choice. Choice here must be free from compulsion or coercion. It is a matter of careful, conscious volition, complete free will. The goal is equality, not discrimination or favoritism among people, equality without regard for affiliation, religion, nationality, ethnicity, or language. The basis for equality is humanitarian magnanimity toward Muslims and non-Muslims alike, and right action stemming from this spirit of magnanimity. As for religious dogma, it is a measure of the value of the individual and must assure respect for reason. Almighty God in all His loftiness and perfection forbade Muhammad from dominating others when He said (s.88:21-22), "Remember, you are only a man; you are not their ruler." Likewise, the aim is to assure equality in respect for all religions, peoples, and different constitutions. This is the basis for al-Sahifa, the Constitution of Medina.

Let us follow up analytically with some selected verses that support this point:

First, s.18:29, which permits freedom of choice and free will: "Say, "The truth is from your Lord": Let him who will believe, and let him who will, reject..."

Second, s.88:21-22, which lends convincing support: "Therefore do thou give admonition, for thou art one to admonish. Thou art not one to manage (men's) affairs."

Third, s.5:69, which underscores equality: "Those who believe (in the Qur'an), those who follow the Jewish (scriptures), and the Sabians and the Christians,- any who believe in Allah and the Last Day, and work righteousness,- on them shall be no fear, nor shall they grieve."

Fourth, s.22:17, which supports total equality: "Those who be-

lieve (in the Qur'an), those who follow the Jewish (scriptures), and the Sabians, Christians, Magians, and Polytheists,- Allah will judge between them on the Day of Judgment: for Allah is witness of all things."[68]

However, some of these guidelines were obscured and obstructed after the "Sword Verses" [s.9:5 and s.9:29], as they came to be known, were revealed, especially the last mentioned, and it was the Sword Verses that came to be established as prevalent in Islamic culture, especially after the Jews violated their promises to and pacts with the Muslims. For this reason, whether or not the revelation of the verses of tolerance indicate that they formed the philosophical basis for the Muslim humanitarian ranks is an important question for the here and now. The question must be raised as an antithesis to prevailing inclinations toward intolerance, those inclinations we regard as nihilism and extremism, and especially those nihilistic and extremist leanings that lay claim to "cultural heritage," "history," and "Sharia" law. These examples deal with Quranic texts on a selective basis far removed from the historical context that prevailed at the time they were revealed. Therefore, without exception, "extremist" incidents and examples of intolerance must be seen in their true historical contexts. Al-Qaeda in particular has no precedent in early Muhammadan Islam, nor in the Islam of the Rightly Guided Caliphs. Together both formed the initial cultural and international basis for Islam including the forces that inspired it.

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68. See: Al-Baqr, al-Afif, Al Haq Qadim ("The Truth is Old"), op.cit., pp. 71-72. See also: Al-Baqr, al-Afif, et.al., Huquq al-Insani fi Fikr-l-Islamieen ("Human Right in the Thought of the Islamists"), Cairo Center for Human Rights Studies, series of philosophical discussions no. 7, Cairo, 2000. Compare the texts of Quranic verses in The Holy Qur'an, under the supervision of Suwar, Marwan, The Sharbiji Library and Printing House, Damscus, First edition, 1987.

When we look back on the Constitution of Medina and its emphasis, or the revelation of the tolerance texts, along with the Verses of Tolerance, and life of Muhammad himself (long considered one of the main supports for tolerance, human rights, and respect for the right to diversity), such a review can help to eliminate some of the antagonisms challenging the international community today, especially those which accuse Arabs and Muslims of intolerance. There is no doubt that such an approach will puts in the line of fire of those organizations and movements that preach intolerance to their people and that endeavor to appeal for their support to some texts and some practices that seem to support intolerance, cutting these texts and practices off from their true historical contexts and generalizing from them in ways intended to be taken as universal models for Muslims while they only serve the particular motives and interests of these forces of intolerance and serve to keep them viable and in power.

Some regard "Sura al-Tauba" ("The Repentance Sura," s.9) as the decisive turning point between the "Tolerance Phase" and the "Sword Phase." There is support for this contention in the fact that the sura does not begin with the bismilla (shorthand for typical introductory words that open most of the chapters of the Qur'an: "In the Name of God, the Gracious, the Merciful"). Instead, the first verse reads, "A release from the legal obligation of Allah and His Messenger to those pagans with whom you have contracted alliances..." Taking into account the trends reflected in this verse and the circumstances under which it was revealed, it prescribes secular and punitive measures for shirkers. Whereas Jews and Christians had promised their allegiance to the Constitution of Medina alongside Muslims, they later broke their pledge and became the people of killing and warfare.

At this point, they became second class citizens and had to begin paying the jizya poll tax.[69]

The example of the Constitution of Medina has raised ambiguities and problems of a certain nature, especially as it applies to the modern state and to the principles of equal rights and the primacy of law not to mention human rights treaties, covenants barring discrimination, and pacts comprehensive citizenship rights, and others of those we could have cited above in terms of their corrosive impact on international relations. Perhaps the really pressing question that leaps to mind is: Can it be true that public opinion in the modern state with respect to the rights of citizens has weakened?

Would it be possible, for example, to implement the Constitution of Medina in the here and now? What would be its place in the ranks of international human rights? These questions are important and are in need of answers that are in tune with the spirit of our current modern age of progress. In these questions can be found inspiration for human beings to cooperate with one another, tempered with a degree of "realism" about the potential of their being implemented in the present time.

Would this constitution grant permission to apply secular punishments for idolatry or polytheism? Would it legitimate a call for conflict and fighting among people on the global and domestic scales alike if we took this text and universalized it? Or, might there be other means people could resort to in order to deal with idolatry as it appears and to destroy it if they pre-

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69. Al-Afif, al-Baqr, Wathai'iq Huquq al-Insan al-Islamiyya fi-l Siyaq al-Tarikhi wa-l Ijtimaa'i ("The Legacy of Muslim Human Rights in Historical and Social Context"), in a book, Al-Haq Qadim (The Truth is Old), op. cit.

sumed it to be a threat to belief? No doubt the spread of ideas of tolerance and the teaching of religious tolerance, whether Muslim, Christian, or of some other religion, and the degree to which both individuals and society can be persuaded to behave in proper and upright ways based on the principles of justice, truth, fairness, equality, and the rule of law are the best ways to assure the spread of religious faith. This would seem to be the case in view of the fact that brandishing the threat that heads will be cut off or resorting to cruelty and violence to coerce the Other to the point where he is forced to give up his faith will most likely bring harm to faith itself. There is no place for the sword, be it as master or as the decisive force in reason.

Thus, it is possible to divide the Muslim legacies with respect to the concept of tolerance, embracing some of the principles of human rights historically, into three phases:

First: The Prophecy Phase. This is the phase of the call and of proclamation and it includes the formation and writing down of the law, or what could more accurately be described as multiple systems of law and hadith ("traditions") that came in the wake of nomadic society and promoted the forces of brotherliness, cooperation, the duty to follow established tradition, mercifulness, unity, mutual recognition, forgiveness, and so on. The suras and verses were "revealed" to the Prophet and his followers as a conceptual and political program or method for confronting their adversaries and enemies and arming them for the purpose of spreading the teaching of their religion and its principles.

Second: the phase of the Rashidoon ["Rightly Guided"] Caliphs. This is the phase of the establishment and building up the Islamic state. In this stage, one can observe a movement evolv-

ing into the new Islamic society of give-and-take debate and discussion as it expanded in the time after those who witnessed the actual appearance of the Islamic message had passes away. It found support in the process of legalization that the Rightly Guided Caliphs were inspired to undertake based on the Holy Qur'an and the biography of the Prophet. They strove through independent reasoning [ijtahidu] within these boundaries, hoping to live according to its inspiration while they passed through periods of evolution, change, and renewal, especially given the mixing of peoples and communities that occurred as the result of "conquests" and a number of penetrations of groups of people into the world of Islam.

Third: the phase of codification and elaboration. This is the stage that extended from the end of the Rashidoon Caliph period, through the Umayyad Dynasty and continued through the breakup of the Abbasid Dynasty.[70] This stage could be expanded to include the Ottoman period and the Caliphate, which

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70. For details, see: Jawad, Ghanim, Al-Haq Qadim (The Truth is Old) op.cit., pp. 22ff. Professor Ghanim Jawad goes on to say that in the modern period the term "revisionist history" applies to the fourth stage, a time of reconsolidation beginning with the 1909 message of Imam al-Na'aini concerning the right of participation in the administration of the affairs of the Muslim community [al-umma] and that the people are the source of the government's power and play a recognized role as participants in "the revival of the umma and the deanthropomorphism of the community of faith." Al-Na'aini belonged to the Hawza school of Islamic jurisprudence in Najaf. He passed away in 1936. He was inclined toward constitutionalism, that is to say as a hedge against despotism. The second source is the book, Tiba'u al-Istibdad wa Masar'a-l-Ista'ab (The Nature of Despotism and the Downfall of Enslavement) of Kawakabi. As for the fifth stage, it begins with permission to proceed with the (modern) reformulations including some of the Islamic legacies, most prominently "The Cairo Charter for Human Rights."

can genuinely be said to have lasted until the First World War and the breakup of the Ottoman Empire at the end of that war.

If the primary heritage is the Qur'an with its glorious rights and principles promoting tolerance, then the Prophetic Tradition [sunna] sets forth in detail the universal and particular rights, collective and individual, whether they be the rights of the citizens or the rights of "the power" [al-sultan].

To return to the Constitution of Medina, or al-Sahifa, it represents an evolving humanitarian approach written in legalistic language that approximates some contemporary constitutional principles as related to political, social, and religious forms in civil society: principles of tolerance, cooperation, the right to diversity, and pluralism among Muslims, Christians, Jews, and the Pagan Arab tribes.

It is possible for me to say that the Constitution of Medina (al-Sahifa) should be counted as the first civil covenant in Islamic history. It did not derive from the Qur'an, nor from the Hadith, but was a pact made by the residents of Medina. This pact was an arrangement under which the affairs of their lives were to be administered by the Prophet together with the non-Muslims among the city's residents. The fixing of a date for its writing, so as to avoid error, is not as precise as we may wish: it was written sometime between August, 622 and June 624 (i.e. sometime between the Hijra and two years later).

Al-Sahifa is based upon a model of pluralism, juxtaposition, and contiguity (tajawuriyya) recognized by Christians, Jews, and Hindus alike..., and makes assurances to protect a whole class of rights, among them: the affirmation of equal rights and equal obligations between Muslim groups and Jewish groups. Not only did it apply in times of peace, but it also affirmed the

basis for the provision of aid or support in times of war. The confirmation of relations was based upon piety, kindness, charity, and righteousness, and upon sincere counsel and the repudiation of crime. The regulation of relations in criminal law was based on the recognition of a reconciliation between Arabism and Islam which put Arabism first and took regard for the deepest interests of each tribe without regard for religion, as in the case of one who avenges a blood feud through fighting or some other form of conflict.[71]

It can be said, based on the preceding text that appeared in "The Constitution of Medina," that what underlies this critically important charter is an invitation to each jurisdiction or district to accommodate itself with Islam. That is to say its points of departure, its content, and its background are such that they closely profile the modern understanding of citizenship. The charter grew out of relations between tribes, pluralities, and human cooperation, and represents a variety of social bonding that anticipated very modern understandings. In like manner, it described a political reality that was established on a balance of power. But, first and foremost, it is distinguished for its reliance

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71. The text of the Constitution of Medina, or al-Sahifa, that is considered the charter for creation of the Muslim state in a number of books on the life of the Prophet, for example, the biographies of Ibn Hisham and Halibiyya. They were published abroad by Ibn Abaid. Dr. Abd al-Hamid has established in his book Asool Huqquq al-Insan wa-l-'Adala al-Jinaa'ia (The Roots of Human Rights and Criminal Justice) together with their enumeration and with marginal annotations (pp.200-205). We have striven to present them accurately as they appeared throughout the readings of most of the texts and as they are found in most studies. See: Al-Bahnasawi, Salim Ali, Al-Sharia al-Muftara'a 'Alayha (The Law Being Falsified, Dar al-Wafa', First Edition, Cairo, 1995, p. 251. See also: Mana'a, Dr. Hisham, Al-Im'an fi Huqquq al-Insan (Close Attention in Human Rights), two parts, Dar al-Ahali, Damascus, First Edition, Part I, 2000, p. 539.

upon human cooperation and human truth, qualities God endowed all human beings with impartially, indiscriminately, and without favoring one over another, awarding them only on the basis of piety [taqwa] and on the doing good deeds.

Perhaps the genuine foundations of the Medinan state as well as its administrative and organizational groundings were laid down in its constitution through the process of the political unification of the state of Medina, centering on the unity of the Aws and the Khazraj along with the al-Ansar (the Medinan followers of Muhammad) and al-Muhajireen (those who made the journey of "migration" with Muhammad from Mecca to Medina). After this initial phase, it was fully embraced by other elements who accepted and followed its arrangement through alliances or treaties. Moreover, some see it as the first constitution in the juristic sense of the word, in that it arranged the relations between Muslims (al-Ansar and al-Muhajireen) and the Jews and other communities. In the words of the philosopher Aziz al-Said Jasm, it was "the constitution of the city state." That is to say, the alliance was "an expression of the socio-political bond that transformed the social life of a society of clashing tribes into a political unity approaching a society that became distilled into a nationalism that took into account Islamic practices. It was the first political alliance in history that included freedom of belief and defended it.[72]

Islam called for the fulfillment contractual promises and respect for agreements. God says in his holy book as it appears in s.5:1: "O ye who believe, fulfill all obligations..." and as it appears in s.16:91-95:

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72. See: Al-Said, Jasm, Muhammad: Al-Haqqiqa al-Azami (Muhammad: The Mighty Reality), House of Public Affairs Printing Office, Baghdad, 1987, pp. 192-193.

"Fulfil the Covenant of Allah when ye have entered into it, and break not your oaths after ye have confirmed them; indeed ye have made Allah your surety; for Allah knoweth all that ye do. And be not like a woman who breaks into untwisted strands the yarn which she has spun, after it has become strong. Nor take your oaths to practise deception between yourselves, lest one party should be more numerous than another: for Allah will test you by this; and on the Day of Judgment He will certainly make clear to you (the truth of) that wherein ye disagree. If Allah so willed, He could make you all one people: But He leaves straying whom He pleases, and He guides whom He pleases: but ye shall certainly be called to account for all your actions. And take not your oaths, to practise deception between yourselves, with the result that someone's foot may slip after it was firmly planted, and ye may have to taste the evil (consequences) of having hindered (men) from the Path of Allah, and a Mighty Wrath descend on you. Nor sell the covenant of Allah for a miserable price: for with Allah is (a prize) far better for you, if ye only knew.[73]

We will now attempt to summarize shedding light upon the most important principles and constitutional and genuine foundations that inspired the Constitution of Medina organized according to the following elements:

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73. See: The Holy Qur'an, Damascus edition, under the supervision of Professor Marwan Suwar, authentication of copies by the Syrian Waqfs, Sharbiji Library and Printing House, 1407-1987. Worth mentioning is that Sura 16 (al-Nahl) is a Meccan sura which was part of 128 verses revealed after Sura 18 (al-Kahf) with the exception of the last three verses which are of Medinan origin.

* Unification of the residents of Medina, Muslim and non-Muslim, with no partiality or discrimination, that is to say affirming the principles of equality and of rights.
* Equality in rights and human dignity for the lowly and the exalted alike.
* Partnership and collective responsibility. Believers cannot maintain mutual peace in isolation from other believers (that is to say, peace, whether partial or whole or must be inclusive, the Muslim together with his brother Muslims defending one another's rights). This is a call for a total, comprehensive peace, a collective, self-contained whole.
* Obligation to respect the coroporate arrangement and social bonds together with the duty to refrain from accepting aid from outside the collective so as to affirm and preserve the commitment to and responsibility for the whole.
* Foundation of a societal arrangement according to which the whole will steer itself in the direction of seeking equality.
* Defense of minorities: This principle accepts the right of minorities to live in peace in the midst of Muslims and refrains from treating them unjustly.
* Freedom of belief and the right to ownership of property for non-Muslims, not forcing Islam upon them, and no seizure of their wealth. We should take into account here the modern understanding of this as stipulated in the Global Declaration of Human Rights and international charters and treaties on the illegality of the arbitrary seizure of private property with regard for the "right of possession" as a genuine human right which it is not permissible to diminish, impair, or otherwise weaken.
* The responsibility of non-Muslims living in a Muslim state

to join in fending off dangers or attacks and challenges by enemies of the state, including participation in paying expenses incurred by the state, i.e. taking part with Muslims in and sharing the costs of fighting side by side with the combatants.

* Duty of the Islamic state to help in the struggle against those who persecute non-Muslims: including, for example, protecting the right of every Muslim who wishes to convert to Christianity and who faces hostility for doing so. This is to say, there must be justice for all without regard for religion, ethnicity, color, point of view, place of origin, and so forth.

* Refraining from supporting the enemy and criminalization of acts of dealing with the enemy. This applies to Muslims and non-Muslims alike living in an Islamic state (individuals whom we characterize today as "fifth columnists"): all shall refrain from helping the enemy or facilitating his mission.

* "Ratification of peace" whenever required and deemed to be in the interests of the community [umma]. This principle is enumerated as an obligation of the Islamic state incumbent upon all of its members to accept, Muslim and non-Muslim alike.

* Punishment on an individual basis only – no collective punishment of persons for the wrongs committed by others, no demonizing of whole groups of people because of the crimes committed by single members.

* Defending freedom of movement, freedom to change residence, and freedom to travel inside the Islamic state and outside its borders. This freedom is the duty of the Islamic state to uphold and defend.

* Responsibility of the state to uphold justice and not to protect wrongdoing or injustice.

Society depends upon cooperation, piety, and fear of God, not crime and enmity. These principles are based upon belief in God and upon Muhammad, his servant and Messenger, regarding him the loftiest model.[74]

The new Islamic state was launched on a trajectory designed to conform to that of the state of Medina and its constitution: that is to say, based upon written agreements, covenants or treaties, and charters. Among the most prominent Islamic personalities involved in this process, that is with the political and artistic aspects of the state, were Ali Abu Talib bin Ka'ab al-Ansari, Zaid bin Thabit, al-Arqam bin Ab al-Arqam al-Zuhiri, Abdullah bin Ruwaha al-Ansari, Mughairitu bin Shuaba, al-Zabiir bin al-'Awam, and others.

There was in the new state a wide variety of people including poets, translators, hoteliers, and administrators center for surrounding towns and provincial districts. Consequently, when the Messenger was obliged to go out to war, he appointed those to represent him in his absence who were accountable for abiding by his dictum, "Each of you is a shepherd, and each of you is responsible for his flock." This is what we in our own modern world today call responsibility [???? – responsibility or interrogation?], accountability, and transparency. For, when someone takes on the duty of building his society, he realizes that he is at the same time establishing obedience and faith without the support of any repressive apparatus or inquisition. Likewise, he strives to be in harmony with the evolution of his society in a direction that confers rights upon its citizens. Here we need to

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74. See the text of the Constitution of Medina in the appendix.

mention a saying of the Messenger as transmitted by Ahmad Ibn Hanbal in Al-Misnad. Muhammad became anxious about some negative attitudes that had been gaining ground agains Islam and against his government. It may be that these early warnings became the seeds from which grew Muslim constitutional jurisprudence. They spurred discussion about proper and rightly guided government, and in particular the need to avoid unrestrained, ill-informed, and reckless governing, deployment of the police as an arm of repression, and the spread of bribery, corruption, intolerance, lack of mercy, absence of the capacity for judges to choose between options, and preferential treatment for rulers, all of which constitute a danger for culture, state, and religion. Ibn Hanbal warned against:

* The influence of boys; by this he means ignorant recklessness of those who rule or become judges.
* Too many policemen, that is to say: using the police to carry out repression.
* Bribery in the justice system.
* Ruptures in the capacity to practice mercifulness leading people to make light of bloodshed.
* Absence of more judicious and more excellent choice.

The standards the Messenger set for the administration of state, province, or emirate, relations between ruler and ruled, and relations one to another subsequently became standards for political activity responsibilities that have endured up to our present day. These standards have supported humanitarianism and humanitarian thinking for more than 1400 years.

The Messenger provided guidance on how to govern by means of consultation [shura] in administering the affairs of Muslims in the state of Medina and beyond. This is the funda-

mental basis in Islam that has inspired solid and dependable government in times of peace and war alike and has evolved in step with our own times. It derives support from s. 42:38 in the Holy Qur'an: "...who conduct their affairs by mutual consultation." Consultation had always been a principle rooted in the principles of the Prophet Muhammad in his everyday life. This principle emanated in the first place from his faith, secondarily from his value system, and thirdly from his skill, the fruit of a lifetime of rich experience. He always took extreme care to consult with his companions candidly and sincerely. Matters were never approached in a mood of partiality or favoritism, but comprehensively, inclusively, and with an eye toward universality in application. He carefully examined the opinions of his companions turning up sometimes multivariegated but equally genuine facets, and then made his choice based on a position he believed was in harmony with historical precedent.

This Islamic "consultative" practice (shura)was firmly established during the Prophet's lifetime and continued to inform the life of the Muslim believing community in the Rashidoon period that followed to a not insignificant extent. We should take into account here and recall the day of the Battle of Badr, when the Messenger said, "Consult with me, O my people!" In this case, he adopted the opinion of the majority in spite of the danger to himself and his fellow Muslims (dangers that finally did catch up with them in the Battle of Uhud which followed). The reverence and awe with which they regarded the Prophet Muhammad did not deter the Companions from advancing their opinions. It was his nature to take in the views of others, listen to differing opinions, and weigh their ideas, sure that in the end he would make the correct decision.

The relations between the Messenger and his companions, the

way he listened to their views, together with his stance on the Badr captives all make clear the manner in which Muslims were accustomed to debating freely until they arrived at a final decision. The talking and quarreling could go on for a long time. What emerged from the issue of the Badr captives was more than a point of view. Some said: "The most proper thing to do is to kill them." Others said, "Take a ransom for them." Abu Bakr was among those who argued for ransom. Umar, on the other hand, wanted to break their necks, for he regarded them as the worst of blasphemers and purveyors of error.

Abu Bakr and Umar looked at both points of view in a balanced way. Abu Bakr believed that these individuals were all kinsmen and that the Messenger ought to behave graciously to them, a stance the Quraysh regarded as too soft and indulging. Umar believed these captives were among the most powerful and were, therefore, also among the most malevolent and hateful. If they were set free, he thought, they would pose a great danger to Islam and wreak dire harm upon it.

When Abu Bakr and Umar finished speaking, the Prophet Muhammad got up, entered his dome, and remained there with the people as they considered the fate of the captives. Some of them took Abu Bakr's side while others stood in the ranks of Umar. The Messenger consulted with them on what he was arranging to have done, and told them what Abu Bakr and Umar had proposed. The people consulted with one another and finally settled upon accepting the ransom. In so doing, they came very close to the model of democracy practiced by the Greek Athenians: the distinguishing factor being that it was carried out in a free society, arising from the process of dialogue, and in an atmosphere of equality of which not even the Athenians themselves could boast.

The Mosque was the center and the everyday model for debate, consultation, and dialogue. The Messenger of God made this clear when he said, "Whoever contracts an agreement without consulting Muslims hasn't made one, and neither he nor the other party is under any obligation." In this sense we may say that the idea of the Mosque formed the requisite basis for Muslim societies at first. It was the place where Muslims came together to discuss their affairs and exchange opinions on matters pertaining to their lives: including their problems, concerns connected to their future, issues pertaining to their religion, and other things. It was the place where individuals focused their faculties on interpreting opinions, positions, and behavior.

The Messenger founded the first mosque in Islam after his migration to Yathrib (al-Medina). Before he arrived, Yathrib commissioned the building of the first arched congregational mosque, and it became known as the "Mosque of the Fear of God." It was here that the holy verse of Sura al-Tauba (s.9) was revealed, verse 108: "...There is a mosque whose foundation was laid from the first day on piety; it is more worthy of the standing forth (for prayer) therein. In it are men who love to be purified; and Allah loveth those who make themselves pure."

It is worth mentioning that Muhammad completed seventeen mosques, among them the ones in Medina and Tabuk, where the he used to preach his famous sermon on the Pillars of Islam as a part of his media message, his "ideological" mission, to use contemporary terms. Dialogues, disputes, discussions, and differences were all found to be fully acceptable yet were kept distinct from the ritual observance of prayer and worship.

It is possible to say that the congregational and prayer mosques played a big role in modern Islamic history, whether in standing up to foreign aggression, foreign occupation, or, in re-

sisting domestic injustice. Perhaps the roles played by Sheikh Abd al-Qadr al-Jiza'iri in Algeria, Abd al-Karim al-Khatabi in Morocco, Umar al-Mukhtar in Libya, Abd al-Qadr al-Hussaini in Palestine, Muhammad Said al-Hububi, Muhammad Taqi al-Shirazi, Muhammad Baqr al-Sadr, and a number of Muslim leaders in Iraq, Ayatollah Khomeini in Iran, Said Hasan Nasrallah, Sheikh Muhammad Mahdi Shems al-Din, Said Muhammad Hussain Fadlallah, and others in Lebanon, together with many other celebrated thinkers and politicians are proof enough of the role played by prayer mosques and congregational mosques in mobilizing the masses and influencing public opinion, especially when we consider that Muslim communities come together to pray or meet five times a day, or at least three times a day on the whole. Muslims have always gathered together for Friday prayers (and especially the Friday sermon) meaning that teachings and guidance related to the political blueprint of Islam are disseminated weekly to some Muslim political movements and they are framed in the political language and of contemporary parties.

The picture of the Muslim public in Muhammadan times is based on mutuality, cooperation, inclusiveness, modest respectfulness, and equality, quite different from appeals to power or patronage, and quite apart from any priesthood standing between God and individual human beings. In Islam, one does not find persons we could call "priests" or any other men of religion in this sense, only students and teachers. Every Muslim is a brother to every other Muslim and every other human non-Muslim. This is what makes Islam pure, open, unambiguous, unequivocal, clear, and learned. The Qur'an concludes with a dispute between early Muslims and the People of the Book [Jews and Christians] over which is better. It reveals that there was at that time an unprecedented argument, a basic dialogue

with Muslims. As it says in Sura al-'Ankubut (s.29), verse 46: "And dispute ye not with the People of the Book, except with means better (than mere disputation), unless it be with those of them who inflict wrong (and injury): but say, "We believe in the revelation which has come down to us and in that which came down to you; Our Allah and your Allah is one; and it is to Him we bow (in Islam)." In this sense Islam laid the groundwork for the humanistic unity of all mankind based on pluralism in religion, a unity that all constitutional structures and all sects could appeal to: "For, all men are sons of Adam, and Adam came from dust." (Prophet Muhammad, Hadith, as recorded by Abu Dawud, Tirmidhi).

This includes freedom of worship and belief, collectively and individually, that is to say, privately (inwardly) and as a resident of a "fatherland" or a "state," and this is what we are today calling the basis for rights on the internal level and "international law in Islam" on the external level. It is an approach that seeks good relations between Islam and other religions and peoples based on foundations between communities, religions, and individuals. It is grounded in peace, in its humanitarian purpose, and in human security.

We might add a quotation from a letter the Prophet Muhammad wrote to the Byzantine Emperor Heraclius and also to the Persian ruler Chosroes which has come down to us. It is a sublime model for the language of diplomatic discourse especially when we consider the historical context of international relations and politics. The letter was an invitation to "speech between equals." It concludes with Muhammad's famous exhortation, "Peace upon whoever has followed the Guidance."[75]

Because Muhammad regarded himself as the Messenger of

75. See: Al-Said Jasm, Aziz, op. cit., pp. 219-220.

God, and in spite of the fact he was not a king or any other kind of ruler, he felt compelled to address the ruler of Rome and the ruler of the Persians about the importance of establishing peace and tolerance between himself and themselves. In doing so, Muhammad was modeling the Peace of Hudaybiyya, the Constitution of Medina, and other such pacts. The rulers of Rome and Persia had benefited from the conditions created in the wake of these pacts, safeguarded from tyranny and attack. But, diplomacy, an understanding of international relations, and progress toward solving international problems concerning the path to mutual understanding and dialogue all formed a part of Muhammad's strategic policy, stemming as they did from his standards and his commitment to spreading the teachings of Islam in a singularly unique arena of international conflict. This was one of the weapons upon which Muhammadan policy relied in its efforts to create a balance of power within the prevailing conditions at that time.

In particular, relations between ruler and ruled, between the Caliph and his subjects, and between the top of the pyramid of state and its foundations formed an important part of the cultural and philosophical

110 order of early Islam. It is impossible to forget what Abu Bakr, the trusted friend of Muslims, said following the death of the Messenger whose passing was a violent blow and caused deep shock for some. Abu Bakr climbed the minbar and said, "Now then, whoever among you worships Muhammad, Muhammad is dead; and whoever among you worships God, God lives and has not died." Similarly, we should read the holy verse that says:

"Muhammad is no more than an apostle: many were the apostles that passed away before him. If he died or were slain, will

ye then turn back on your heels?..."[76]

Al-Siddiq ("The Righteous") Abu Bakr governed the Muslim state after the death of the Prophet Muhammad, that is to say, more than twenty-two years after the call to Islam burst forth as guided by the Messenger in particular and according to the principles of consultation (shura), the right to differ with one another, and so forth. This is the meaning of the sermon Abu Bakr preached to the people, "I have been given authority over you even though I am not the best of you. If I do well, help me; if I do wrong, set me right."

Al-Faruq Umar bin al-Khatib modeled Abu Bakr's example when he spoke to the people saying: "Whoever sees me straying from the right path, let him set things right again with his sword." That constituted a call for rule that was rightly guided, virtuous, and pious. It encouraged revolution against corruption, exploitation by rulers, and mismanagement. Reading these texts in connection with the Constitution of Medina (al-Sahifa), led to the creation of a constitutional, juristic authority for early Islam, its culture, and the early Islamic state, particularly in conjunction with some of the practices and applications associated with the Holy Qur'an and Muhammad's living example.

3 – The Peace of Hudabiyya, ratified six years after the Hiijra, or the Prophet's oath to the Christians of Nijran, also represents for us recognition of the Other and appeals to the principle of tolerance.

The "Peace of Hudaybiyya" was so named because it was ratified near Mount al-Hudaybiyya, a whole day's journey from

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76. See: Sura al-'Imran (3), verse 144.
   Compare: Muruwa, Hussain, Al-Naza'at-l-Madiyya fi-l-Falsafat-l-'Arabiyya-al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy, op.cit., pp. 431-432.

Mecca. A part of it is inside the sacred (haram) precinct, while another part of it stands in the permissible (halal) precinct. That day, "al-Qaswa," the Prophet's she-camel, knelt down where he was standing along with 1,400 of his companions until the caravan of pilgrims arrived. The Messenger tried to avoid a clash with the Quraysh, who had become agitated and furious over his imminent arrival in Mecca. These were the same Quraysh who had forced him to emigrate to Medina. The Prophet had not intended to attack the Quraysh, only to make the hoped for Tawaf (circles around the Kaaba). Toward that end, it had not been his plan to conquer Mecca, the same Mecca that had constantly occupied so central a place in his thoughts, was the direction he prayed toward, the Mecca that had been the birthplace of his divine revelation, as well as his own place of birth, and the hometown of his memories, both sweet and bitter.

The Quraysh sent emissaries to the Prophet Muhammad to dissuade him from entering Mecca. He said to them, "We have not come to Mecca to kill a single person; we have come only to perform the umra' (pilgrimage) rituals." If the Quraysh had wanted the "Peace," or a "truce for a set amount of time," he was prepared to honor either. If they refused, then, he said, "Whoever tries to stop us, I will fight them." Following discussions, parleys, and messages, the Quraysh agreed to confirm the peace treaty. They had failed to dissuade the Prophet from his objective. There was no doubt the Messenger, though his strategic objectives were clear and though the truce had not yet been confirmed, had conceived an exit strategy and tactics. These precautions demonstrate his extraordinarily sound philosophical judgment and unmatched political foresight and diplomatic skill as well as sophistication in negotiations and powers of persuasion.

The Prophet chose Uthman bin Affan to conduct the negotiations, and the Quraysh chose Suhail bin Amr. The two sides commenced to ratify the final agreement. The Messenger ordered Imam Ali to put the agreement in writing, saying, "Write 'In the Name of God, the Gracious, the Merciful.'" Suhail then said, "We don't recognize this; instead, write, 'In Thy Name, O God.'" Muhammad responded, "Write, 'What Muhammad, Messenger of God, has settled with Suhail bin Amr.'" Suhail said, "If we had recognized you as the Messenger of God, we would not have fought you. Instead, write your name and the name of your father." So, Muhammad said to Ali, "Write, 'This is what Muhammad bin Abdullah has agreed to: to set aside warring for ten years (there are those who say it was to be for only two years) during which men can be assured of safety. But, if anyone comes to the Messenger of God without the permission of his guardian, he will return him to them. Likewise, if any of those who are with the Messenger of God come to the Quraysh, the Quraysh will not return him to the Messenger of God. Whoever desires to enter into covenant with the Messenger of God, may do so. The Messenger of God must go back this year, but, the following year, Muhammad and his companions will be permitted to enter Mecca and remain there three days and will be permitted to carry their swords with them close at hand but no weapons other than these."[77]

Indeed, the Peace of Hudaybiyya was, strategically and tactically, a distinctive step that underscored the confidence the Messenger and Islam with him placed upon making peace, living peacefully, practicing tolerance, and resorting to legal means to avoid war. It further underscores the honorable and upright purpose the Messenger lived by and relied upon. In this manner,

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77. See: Al-Said Jasm, Aziz, Muhammad: Al-Haqqiqa al-Kubri (Muhammad: The Great Reality), op. cit., p. 153.

the Messenger's longing to make tawaf in the sacred Kaaba precinct became a sanctified question of principle. For, he attempted to reclaim his rights by degrees (gradually, by means of the Peace of Hudaybiyya), without shedding any blood. Placing his trust in peace and pursuing the obligations of the Hajj did not require the Messenger to make war, but rather to rely on peace and to wait until the following year, in accordance with the Peace of Hudaybiyya and despite the wishes of some Muslims among his companions who were annoyed and who had not been in favor of waiting. It was Muhammad's assessment that the basic issues were the Hajj and the Umra even if it required some waiting to achieve them. In this we see profound evidence of the wide range of his vision, his farsightedness, and his talent for leadership of the first rank.

The Quraysh became obligated under the weight of the value of tolerance which the Prophet Muhammad imposed upon them to submit to his wishes within the scope of what constituted a peaceful attack by Islam. They were compelled to submit to the conditions of the Peace. This most important and positive outcome of the Peace of Hudaybiyya can readily be appreciated. The simple souls from among the Quraysh were moved by the example of the positive way the Prophet and his companions conducted themselves with them: they watched the Muslims attentively, observed their trustworthiness, their spiritual warmth, and their cooperative manner.

From that point forward, Muslims gained the right to enter Mecca and carry out the obligation to perform the Hajj and Umra. Qurayshi sovereignty over Mecca and the Ka'aba was no longer absolute. These events occurred within the scope of a philosophical struggle that established the right to free speech and freedom of belief.

Indeed, the visit of the Medinan émigrés to their kinsfolk in Mecca had raised the question of the extent to which the bonds of kinship, family, tribe, and society should be consolidated.

The Messenger had practiced superior forms of politics. The fruits were the achievement of a balance of power. Second, there came with it an appreciation of his deep trust in the necessity of peace, along with his reliance upon the principle of tolerance, the right to diversity, and recognition of the Other. Third was his faith in the intrinsic authenticity of measures of justice and equality in light of his status as possessor of The Message and its principles and values, for he had gone down this path in order to conclude and seal the Peace of Hudaybiyya. To that end, an important question presents itself: it is question of the "the origin of divine inspiration" which lies beyond the range or capacity of human action. The path taken by the Messenger was one that emanated solely from his relationship with God. In this sense, Muhammad was pursuing a divine mission, as it pertains to verse 217 from Sura al-Baqarah (s.2) of the Holy Quran: "They ask thee concerning fighting in the Prohibited Month. Say: "Fighting therein is a grave (offence); but graver is it in the sight of Allah to prevent access to the path of Allah, to deny Him, to prevent access to the Sacred Mosque, and drive out its members..."

However, the Quraysh cold bloodedly proceeded to break the Peace of Hudaybiyya with the Messenger exploiting the fact that the Peace enabled him to turn his attention to such matters as his battle against the threat of foreign occupation, that is, against the challenge posed by the Byzantines in Syria in the Battle of Muta (Jordan) [in 629 C.E.]. Jaafar bin Abu Talib was killed in that battle (there is a mausoleum and shrine to his honor at his burial site). The Quraysh regarded this battle as a defeat for the Mus-

lims and thus felt free to ignore the Peace. In fact, though, the Peace represented a new milestone in Arab history on the way toward a unified society constituted on the basis of Islam.

And so after this, the Muslims were free to conquer Mecca proclaiming the downfall of tribalism and slavery, and liberation from the sovereign authority and power of the Quraysh. The new idea was to build a united Islamic state and extend the Islamic dawa ("call") throughout the surrounding inhabited regions. The release of the captives set free after the Prophet spoke to them saying, "Go, for you are free," is abundant proof of the new kind of thinking going on in that early society, which up to that point had been darkened by all kinds of vengeance, reprisals, subjugation, and so forth. It was a time when Islam was endeavoring to cement the value of tolerance as a new virtue, one which it was essential to universalize as the basis for building the new society.

Thus, the Arab depth of character became realized by means of Islam through equality with other ethnicities and through abundant tolerance of them. Salman al-Farsi was the symbol of this equality.[78] Following the ratification of the Peace of Hu-

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78. He was Rouzbeh al-Asfahani [i.e. from Isfahan], the preferred name for the man known in history as "Salman al-Farsi," according to genealogical scholar Hadi al-Alawi. He has taken into account the views that Rouzbeh (Salman al-Farsi) was famous among the people of Iraq by the name of "Salman Bak" who traveled away from his country under circumstances unknown to us, heading west and settling in Mosul in northern Iraq or in Syria. After he grew up, entered a monastery and became a Christian and a monk. After a number of years, he traveled to the Hijaz with Bani Kalb and arrived in Medina. There, by the side of Muhammad himself, he committed himself to Islam after which the Prophet gave him the name of Salman al-Farsi so that he might forget his true name.

See: Al-Alawi, Hadi, Shakshiaat Ghair Qalqa fi-Islam (Restless Personalities in Islam), Dar al-Kinuz al-Adibiyya, first edition, 1995, p. 14.

daybiyya and acceptance of the terms of the Charter of Medina, the Messenger Muhammad set about forging agreements and covenants on borders after the fashion of international diplomacy.

In so doing, Muhammad pointed Islam in the direction of becoming a global force. The first step was to establish its status in the eyes of all Arabs, who became through his virtuousness a single community.

The Messenger rapidly set about reconstructing the factual reality of society and what it means to be human in light of the teachings of Islam. He experienced life in all of its rigors and roughness. He was not cut off or isolated from life, nor did he learn about life secondhand by means of religious lectures. His worldly life was not easy.

His reason and his wisdom had been defined by the treachery of Mecca. His rocklike firmness and strategic stability were farsighted.

The Messenger and his companions suffered dreadful trials. Because of these trials, the Muhajireen (those who had in the beginning joined him in the move from Mecca to Medina) gained new experience, knowledge, and the capacity to endure estrangement and rejection. Similarly, Medina was put to a new test when it received new leadership. Medina, whose history stretches back to 1600 B.C.E., had had no administration, direction, or sense of itself as a state. It had been in great need of purposeful leadership.

The Peace of Hudaybiyya was, in proportional terms, a crucially important test for Muslims in terms of practical and historical significance for those times, and in terms of the philosophical and intellectual implications for what followed.

Perhaps it can stand as a model for relations between factions and conflicting trends searching for peaceful and practical solutions. Perhaps it can suggest the basis for relations between those termed "Other" and those who are recognized, relations that will be grounded in the principle of tolerance. There can be no doubt that the confidence the Prophet Muhammad and his companions had in the just nature of their cause and the humanitarian example they set caused them to move forward in the public interest and led them to choose the way of peace. Peace was for them a strategic choice, among other options and solutions. In this manner, they entered into a treaty that insured there would be a final victory for their side (particularly in a conflict that highlighted the other extreme), through dialogue and debate, peaceful competition, and the contesting of ideas. This is what actually came to pass when Muslims, following the decision by the Quraysh to take their extremely negative and violent position against the Dawa and its followers, prepared to conquer Mecca.

4. The Covenant of Umar This is an expression describing the document promulgated by the Caliph Umar Ibn al-Khattab after the famous Battle of Yarmuk that ended with the Arab victory over the Byzantines. Abu Ubeida al-Jirah laid siege to the city of "Aelia" – Jerusalem in the year 15 A.H., and demanded that the Patriarch Sophronius, originally from Damascus, surrender the keys to the city to the Caliph Umar with guarantees that the religious customs, places of worship, and private affairs of the city would be respected and not violated. When "Al-Faruq" ("He who distinguishes truth from falsehood," nickname of Umar) entered the city of Jerusalem, its people received him without shedding a single drop of blood. He presented them with his famous pact, "The Covenant of Umar," which was witnessed by Khalid Ibn al-Walid and Umru Ibn al-Aas, and Abd al-RAhman bin 'Ouf, and Mu'awiyya bin Abi Sufyan.

The Covenant of Umar endorsed the safeguarding of rights. It conferred upon Christians, in particular the Jerusalem denominations, protection of their lives, their safety, their churches, and their wealth. The Covenant of Umar addressed the Patriarch of Jerusalem with all respect and reverence.

Accompanied by Patriarch Sophronius, Umar visited the site of the Jewish Temple and the Church of the Resurrection. While at the latter location, the time came for the regularly appointed Muslim prayer. Patriarch Sophronius invited Umar and the other Muslims to use the church for their prayers. However, Umar politely declined the invitation so that Muslims would not use the occasion in the future as precedent upon which to demand use of the church for their prayers (because the Caliph Umar had prayed inside). Umar left the church and prayed outside at a place just opposite "the Church of the Holy Sepulchre." At the place where he prayed a mosque was built and named "The Mosque of Umar. Near the rock that bears the imprint of the foot of the Messenger when he ascended into Heaven Umar ordered the mosque to be built and it was expanded during the Umayyad Caliphate of Abd al-Malik bin Marwan after which it became known as the Mosque and Dome of the Rock in the year 691.[79]

Umar bin al-Khattab's conduct represents a progressive model

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79. As for the Mosque of al-Aqsa, it is a holy place for all Muslims worldwide. It was built in Umayyad times between the years 705 and 714 C.E. On this account, these two mosques are called "The Holy Enclosure" (Haram al-Sharif).
   See: Kitn, Henry, Al-Quds (Jerusalem), translated by Ibrahim al-Rahib, Dar Kanaan for Studies and Publications, first edition, Damascus, 1997, pp. 9-10, 148.
   See also, Shaban, Abd al-Hussain, Al-Medina al-Maftuha:Muqarabaat Huquqia Hawal al-Quds wa-l-'Unsuriyya (The Open City: Juristic Approaches to Jerusalem and Racism), Dar al-Ahaali, 2000, pp. 18ff.

for the principles of tolerance and recognition of the Other: for his unique, personal characteristics, his religion and its rituals, and for the preservation of his wealth and his dignity. It recognizes the mutual humanity of all and their equality before the law.

5– The Charter of the Conqueror of Constantinople promulgated by Muhammad al-Fatih ("The Conqueror" – better known in the West as Mehmet II) was a letter Mehmet sent to Istanbul (Constantinople) following his conquest of that city. It conferred upon the city's residents basic rights of security, personal safety, the preservation of wealth and dignity, and the right to carry out religious customs and rituals, particularly those pertaining to Christians.[80]

This charter is on a continuum with a long line of other Arab-Muslim covenants based on the principles of tolerance and equality under the law and of human mutuality and its obligations. Muhammad al-Fatih promised to safeguard the rights of the residents of Istanbul with respect to their wealth, their unique characteristics, and their religious rites. The idea of denying or distancing the Other vis a vis Muslims was not consistent with the Muslim wish to spread Islam, nor was it consistent with some wish to offer Islam as the basis for keeping order in those times. Instead, it was the genuine wish of Muslims to guarantee open and progressive human reflection, consideration, and views relative to the times.

Truly, these charters are based on the central and basic idea which the law – its rights, limits, and obligations – lends to the building up of humanity, Muslim or non-Muslim.

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80. See: the introduction given by Dr. Ahmed Aqnuduz – President of the Islamic University of Rotterdam at a conference entitled "Islam and Tolerance," which was held by The Institute of the Tunisian Club in Holland in cooperation with the Islamic University in Rotterdam, November 15-16, 2002.

Chapter Four

Tolerance and the Biography of the Life of Muhammad Past and Present

"My viewpoint is right but may possibly be wrong, while the viewpoint of the other person is wrong, but may possibly be right."

Imam al-Shafi

1. Muhammad and the Roots of Tolerance

The call (dawa) for change emerging from the divine revelations to Muhammad has been described as a call for tolerance. We have mentioned many models and examples of this including what appears in the Qur'an and in the accounts of the life of Muhammad. We took a brief look also at reactions to this call for tolerance as the Islamic state became established and we looked at its influences on ideas and culture. We also highlighted some practices from the earliest phase, that of the first four caliphs. Perhaps the Messenger's call for persuasion and peacefulness (in spite of the years of persecution he suffered), in addition to the ban in Islam against killing children, the elderly, women, the sick, captives, and monks during war, has shaped humanitarian conduct on a high level. That is, Muhammad's call (dawa) has transmitted a lofty example: values ruled by tolerance.

Following their defeat in the Battle of Uhud, the Prophet Muhammad continued to behave toward Muslims according to the dictates of loving friendship and mercy with tolerance as the

starting point. Likewise, after the conquest of Mecca, the Messenger dealt with the pagans in a kind and forgiving manner. Muhajirani says, "As the Prophet was responsible for religious obligations, so he was also responsible for behaving tolerantly toward people and dealing with them kindly...God says in his Holy Book instructing the Messenger... 'Wert thou severe or harsh-hearted, they would have broken away from about thee: so pass over (their faults), and ask for (Allah's) forgiveness for them; and consult them in affairs (of moment). Then, when thou hast taken a decision put thy trust in Allah. For Allah loves those who put their trust (in Him).' (Imran (s.3): 159)"[81]

The Prophet says, "No forbearance is more loved by Almighty God than the forbearance and kindness of an Imam, and no ignorance is more hated by Almighty God than the ignorance and stupidity of an Imam."

Sura al-'Imran (s.3) was revealed after the Battle of Uhud. It was a Medinan sura, the substance of which is that the Prophet had decided to leave Medina to confront the pagans right after consulting with the Muslims and in spite of the fact that he himself thought it would have been best to remain in Medina and wait for the pagans to come to them. However, he deferred to the viewpoint of the majority. As things turned out, when they moved outside the city they met with defeat because a group of Muslims, seeking to satisfy their greed for booty, left the positions the Messenger had ordered them to occupy. That is when Hamza, the Prophet's uncle, was martyred and the Prophet himself was injured: his teeth were broken and he suffered scars and injuries to his face. The Muslims sustained heavy losses that ef-

81. Abu al-Fakr al-Razi has reckoned "severe" (al-fazz: behaving crudely or impolitely) as a mark of the man of evil character. As for the "harsh-hearted," he is the one whose heart nothing can move (op. cit.).

fectively wiped out their gains from the Battle of Badr. In spite of all this, God, Praise and Glory be unto Him, reasserted the principles of tolerance, forbearance, and consultation (al-tasammah, w-al-'afwa, wa-l-shura)as primary and firmly established foundations. The debacle of Uhud was not to render them secondary or of extraneous importance.

The peak example of the Prophet's gentle way of behaving toward others is seen in the conquest of Mecca. Muhammad stood by the door of the Kaaba reciting the victory anthem, "There is no god but the One God and He has no associates. He keeps His promises. He provides for His servants. He strengthens His soldiers. Only the parties are defeated." Then, addressing the Quraysh, he said, "God has eliminated from you the delusion of paganism and your vainglory with respect to your forbears whose grandeur you have magnified. People, however, are descended from Adam, and God created Adam from the dust of the earth." Then he said, "What do you think I am going to do with you?" They said, "Honored brother and son of an honored brother!" He said, "Go, for you are released." Even Abu Sufyan and Hind, who, having fought and killed Hamza then ate his "savage" liver, were pardoned.

Tolerance, as practiced by the Prophet, was one of the ways by which Arab-Islamic civilization flourished and shone brightly. For, God created people to be diverse in their modes of understanding and comprehension and in their will and volition. The behavior of the Prophet toward the Quraysh and the people of Mecca after their conquest provided assurance that the basis upon which Islam stood would be tolerance. Punishment, often necessary for pedagogical purposes or for purposes of reform, was to be the exception rather than the rule. If the foundation of Islam had been otherwise, the trial of Abu Sufyan and Hind and

others would have ended right there and their fates would have been sealed: i.e. with their executions.

Ibn Arabi thinks that the easiest pathway to God is a Sharia law that is magnanimous, kind, generous, liberal, plain, simple, and easy[82] stemming from the saying, "Truly, the goodness of your religion is that it is easy." When the Prophet Muhammad had to choose between two options, he chose the easier of the two.[83]

Sufis call Muhammad the Beloved of God and say that God bestows divine blessings upon all those who love Him and who live in spiritual union with Him. The love practiced by the lover, according to Ibn Arabi, is the highest form of belief through which God reveals Himself. He says: truly, the genuine Sufi loves God as He appears in all religions. This is what Ibn Arabi called "the unity of existence!"[84]

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82. Ibn Arabi, Muhiyiddin, Tafseer al-Qur'an al-Kareem (Interpretation of the Holy Qur'an), Dar al-Andalus, part 2, p. 796, as transcribed by Mohajerani, p. 42. The full name of Ibn Arabi (560-643 AH, or, 1165-1240 CE) was Abu Bakr Muhammad bin Ali, Muhiyiddin al-Hatimi al Ta'i al-Andalusi. Ibn Arabi was a Sufi Imam in Andalus. He was born in Murcia in Andalus (Spain) and died in Damascus in 1240. He authored many dozens of works, the most important of which are Fusoos al-Hikm (Bezels of Wisdom), Al-Futuhat al-Makkiyya (The Meccan Illuminations), and Tarjuman al-Ashwaq (The Interpreter of Yearnings).

83. Sahih al-Bukhari, Kitaab al-Manaqib (The Book of Virtues), Hadith no. 27. See: Al-Mujam al-Mufahras l-al-Faz al-Hadith al-Nabawwi (Bibliographical Lexicon for Terms in the Prophetic Sayings), part 7, 364-370. Likewise, see: al-Mohajerani, op. cit., pp. 44 and 56.

84. See: Arnold, Sir Thomas (and a throng of Orientalists), Turath al-Islam (The Legacy of Islam), Two Parts, Part 1, translated into Arabic with commentary by Girgis Fath Allah, Irbil, 2000, pp. 326-330. Commenting on that, the poet and philosopher al-Marri puts forth his view on the human relationship with religion, saying, "There are two kinds of people on earth: the one has brains but no religion, the other has religion but no brains!"

"My heart has become the meeting place of all forms,

In my pasture dwell two loves and the abode of two monks,

A house for two nations and the Kaaba welcoming pilgrims,

The Torah shimmers and shines as does the Qur'an,

The greatest religion of all is love and I turn my face toward it

And mount it,

For love is my religion and my faith.

Ibn Arabi, Al-Ihtihadia

Humanity has a natural disposition toward religious belief, what we call the faith instinct. The Holy Qur'an has taken humankind as a given and exalted people as vicars or protectors of the Earth. That is to say, the Qur'an has appointed man to serve as caliph to the earth: to honor the earth with dignity, respect, and noble-heartedness. Moreover, man is called to honor the earth as part of his faith, to honor it through actions, and to glorify actions that are productive and virtuous, "inspiring the act of doing good." These are among the analogs Salim al-Bahnasawi takes into account in his book Islam and Human Rights,[85] analogs for freedom, equality, justice, and mutual deliberation (shura).

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85. Al-Bahnasawi, Salim, Al-Islam wa-l-Huquq al-Insan (Islam and Human Rights). Compare: Al-Na'im, Abdullah, "Report," and other items, Al-'Abad al-Thaqafa l-Huquq al-Insan fi-l-Watan al-Araby (The Cultural Dimensions of Human Rights in the Arab Homeland), The Ibn Khaldun Center for Progressive Studies, Dar Saad al-Sabah, Cairo, 1993.
    Also compare: Hasan, 'Asaam Muhammad, "Report," and Muhammad, Dr. Sayyid Sa'id, "Presentation," Tajdeed al-Fikr-l-Siyassi fi Itar al-Dimocratiyya wa Huquq al-Insan (Renewing Political Philosophy Within the Framework of Democracy and Human Rights) (Islamic, Marxist, and Popular Movement), Brochures Ibn Rushd 2, Cairo Center for Human Rights Studies, Cairo, 1997.

The word truth appears in the Holy Qur'an about 250 times and the word man 70 times.

The prophetic phase lasted 23 years (610 – 632 C.E.). For the purposes of investigation, it is possible to divide the Sharia, including the Qur'an and the Prophetic Biography, into two parts or phases:

First: the Meccan phase during which about a third of the Quranic verses were revealed. This phase comprised the revelation of the central message as well as the handing down of political principles for Islam and the doctrinal roots of the faith. The message spoke of the high example, spiritual values, humanitarian standards, and the historical trials of the faith, especially as these pertain to the ways of the earlier prophets and their efforts to reform their religions and strengthen mankind.

In modern terms, the Meccan phase has been described as first, the dissemination of the call, and, after that, the propagation of the political call and exposition of the doctrines. This is the model as we have described it.

The first phase is distinguished by a high degree of tolerance both in the call and in the delivery of that call. It extended to some of the doctrinal and methodological roots. We can regard tolerance as one of the milestones of this phase, renowned for its rejection of the use of violence.

The second phase is known as the Medinan phase. It witnessed the migration of the Messenger to Medina following his forced departure from Mecca. This stage is described as a time when many questions were answered: questions about how to live, how to coexist with others, and questions of a practical nature about the issues Muslims faced in their various relationships with others. This all came after the formative Meccan period. It was during the Medinan phase that the doctrinal, intellectual, and cultural

background took shape laying the foundations for the Islamic state and for the propagation of the principles of Islam. We can say that the Holy Qur'an recognized Christianity and Judaism and was committed to commemorating them while calling upon Muslims to acknowledge and respect those two religions and to deal with them in the spirit of tolerance.

It is true that all religions concern themselves with mankind. They constitute divine, godly, holy preaching whose aim is human beings and how to conduct worldly life. However, Islam acknowledges the two revealed monotheistic religions that preceded it. For, these two religions honor mankind as we were meant to be honored. Islam, the final religion, came to acknowledge both the religions that preceded it and to embrace and bestow human rights. Toward that aim, it imposed a single obligation on Jews and Christians, a principled condition, summarized as the duty, in turn, to respect Islam and to promise not to make war upon it or to provide aid for its enemies.[86]

Recognizing the Other has its affirmative moral foundation in the respect God holds for mankind. Respect for the Other is respect for the Will of God: "It is true thou wilt not be able to guide every one, whom thou lovest; but Allah guides those whom He will and He knows best those who receive guidance." (al-Qassas, s.28:56)

And so, there can be no more exalted model for tolerance than that provided by God Himself: respecting the freedom of man to choose which path he will take. God steered clear of compelling man to be religious in the way God may want him to be. The

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86. Abu Zaid, Nasr Hamid, Al-Fikr al-Islami wa Huquq al-Insan Bayna al-Waqi'I wa-l-Mithal (Islamic Thought and Human Rights: Between Fact and Allegory), The Arab Magazine for Human Rights, no. 2, publication of the Arab Institute for Human Rights, 1995.

Messenger forbade compulsion, and in so doing provided an example and a lesson supporting respect for humanity and human dignity. The Messenger was dispatched to provide guidance about this, and he engaged in constant, ceaseless dialogue with humanity about this. It is a dialogue that never ends throughout which God extends a helping hand and guides those whom He wills without force or coercion of any kind.

Islam and Muslims (in theory) should extend affirmative respect toward the Other, the one who is different, even immoral, in accordance with divine goodness and congruent with their aim for mankind. Here we must point out that freedom, a human right, is a theme that persists throughout the holy texts. It is to be found everywhere in the Qur'an, in the Prophetic Hadith, and in the binding precedents (sunna) of the faith. Freedom has been the natural stance of every prophet who has spoken to mankind. It is what modern thought, and especially the philosophy of the Enlightenment, has called natural rights. As Naji al-Bakush assumed: "Religious freedom as a right is derived from human rights, in the secular understanding, and is not incompatible with the religious perspective; indeed, it is actively bound up with the religious perspective. However, it does not spring from the religious perspective. That is, it does not seek its legitimacy in religious faith, nor does it depend upon religious faith for its support…"[87] Indeed, this right is an export from the perception that freedom is an incontrovertible right of every human individual as such regardless of the nature of the person who demands this right. The Prophet did not resort to the sword for the sake of imposing religion. This manner of conduct represents the pinnacle of reason and goes directly to the Quranic verse, "Let there be no compulsion in religion," (2: 256). Could it ever

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87. Al-Bakush, Naji, Dirassatfi-l-Tassamuh (Studies in Tolerance), op. cit., p. 51.

be possible that we could understand religion entering human hearts by way of coercion or force? How could it be done with the use of strength, arms, and violence?

The Muslim religion earnestly advocates guidance, persuasion, and reason. God says in His Book, "We showed him the Way: whether he be grateful or ungrateful (rests on his will) (s.76:3)." And, He says, "The Messenger's duty is but to proclaim (s.5:99)."

The verses revealed in the first phase of revelation are sometimes called the "verses of forbearance": they are the verses of freedom, democracy, and complete equality between Muslims and non-Muslims, according to Baqar al-Afif. As it says in the Qur'an, "Those who believe (in the Qur'an), those who follow the Jewish (scriptures), and the Sabians and the Christians - any who believe in Allah and the Last Day, and work righteousness - on them shall be no fear, nor shall they grieve (s.5:69)."

God denied the Messenger all rank, standing, and glory. We must remember that, instead of lording it over people, he addressed adherents of various religions equally and on the same level, speaking to them gently for the sake of persuading them, and, in this fashion he won them over. Imam Ali says it is the duty of prophets "to bestir the hidden treasure trove of reason." This kind of language, by its very nature, differs from the language of the senses which can be gross and coarse. The manner in which Muhammad, truly a great thinker, put it has come down through history throbbing with humanistic overtones. It is a ringing call to freedom.

The voice of the Prophet Muhammad broke through the void of ignorance with a call to freedom so that truth might prevail, so that justice might expand and unfold, and equality among hu-

man beings might spread along with the liberation of humankind from ignorance, slavery, and the darkness of injustice.

The Messenger conquered Mecca in the year 630. With this victory, ancient history came to an end and a new phase of history opened up. Belief triumphed over the worship of idols. There is another aspect of this victory. It was a victory for doctrine and principles over against interests and paganism. For, the man who left Mecca – a man who was cast out, pursued, disowned, and abandoned – returned victorious carrying in his hand "The Book of God." Furthermore, as "slave and Messenger of God," he was granted leadership over the Quraysh and became their master, master over those who believed and over those who were pacified and surrendered to him.

In spite of all he endured in the way of bitterness, pain, and repudiation at the hands of Mecca, the Prophet responded with a tremendous degree of tolerance, countering hatred with love. He constantly stood up for truth and forgiveness with ever increasing attention and care, qualities springing from his own magnanimous nature and from his love for Mecca and its people. That love has persisted and we see it all around us as the Muhammadan pearl of tolerance.

The Prophet had not been residing in Mecca more than fifteen days before returning to Yathrib, "the enlightened city" which had defended him, provided for him, and given so much to him. He, in turn, made Yathrib – "Medina" - the permanent capital and seat of the Islamic state, an expression of his faith and his trust. When his supporters became anxious about his decision to return to Mecca, he made a covenant with them saying, "Your blood is my blood and your honor is my honor. I am with you and you are with me. When I make war I make war on your be-

half, and when I make peace, I make peace on your behalf."[88]

Thus, Medina became his capital while Mecca became his chosen "direction of prayer" (qibla) replacing Jerusalem, which had been his qibla before he became established in Medina. In this fashion he made Medina, which had compensated the Messenger following his rejection and alienation at the hands of Mecca, the center for the Islamic state. In the enlightened way in which he designated Mecca as qibla Muhammad elevated love in rank far above vengeance. When he left Mecca, he had already set his heart on returning to it. After fleeing into hiding and while on his way to Medina, he clung to the holy verse, "And We have put a bar in front of them and a bar behind them, and further, We have covered them up; so that they cannot see." (s.9:36)

Muhammad's genius is brilliantly illuminated in his application of the principle of brotherhood between those who participated in the migration to Medina (the muhajireen) and the Meccan supporters, the point where every Meccan became the brother of every Medinan. His genius is also visible in the process by which the conflicts between the Aws and the Khazraj tribes were resolved peacefully, as well as those conflicts between Jews, Christians, and Muslims. This pacification was accomplished through guarantees of freedom of doctrine, coexistence, and recognition of reciprocity between religions, with all having equal rights in an atmosphere governed by tolerance. Thus did Muhammad achieve fundamental solutions to the problems of early Medina, which became the Islamic capital from that point forward. Having once been a center of suicidal internecine conflicts Medina went on to become a radiant center for exceptional creativity and a model for human coexistence

88. Al-Said Jasm, Aziz, Muhammad: al-Haqiqa al-Azimi (Muhammad: the Great Truth), op. cit., p. 127.

through the practices of mutual consultation and listening to the viewpoints of others within a framework of unity.

The process of creating brotherhood between the Aws and the Khazraj mirrored the astonishing political, intellectual, and organizational superiority with which the Muhammadan leadership in the tribal cities was blessed, an unprecedented model for the area. The place of prayer and fasting in the process of creating unity and Islamic equality came later. A question of utmost importance is at what point did Muslims - old and young, rich and poor, men and women, Arabs and non-Arabs - begin to imitate example and teach religious unity, a unity which stipulates equality among all Muslims on the basis of human dignity. Another question is at what point did they begin to carry out their mutual rites through prayer in the mosque and through performance of the duties of fasting, making pilgrimage, and other such practices. The seed of that equality became the fundamental nucleus for the idea of human dignity and the comprehensive, mutual, humanitarian equality of all mankind, the acceptance of which sprang from the basic foundation of Islam: treating all equally, not with preference or bias, but, instead, with reverence and with acts of goodness.

Islam reinforced tolerance in the way it dealt with the Other by virtue of the solutions it put forward for society and for mutual coexistence. In addition, its understandings of truth, justice, equality, and how to combat injustice and oppression each played a role. And, there was its call for cooperation and mutual consultation. All of these forces were present and operating to the degree that an individual could readily comprehend Islam's humanitarian value and become an active supporter, not just someone who goes through the motions. For this reason, some Jews sided with Abdullah bin Salam when he proclaimed his

conversion to Islam. On the other hand, other Jews were moved to take revenge. They resorted to plotting, scheming, fraud, and deceit, which, in turn, kindled hostilities.

In this vein, the Prophet became a partner to an agreement reached at a conference of the three religions in Yathrib that included promises of secure and peaceful borders and pledges not to wage war. This is what prompted the Christians to choose him to serve as judge over them. They had noticed his desire to be utterly devoted to the pursuit of justice. The Prophet sent them Aba Abaida al-Jirah to serve as their judge on those occasions when differences among them arose (Muhammad Hussain Heikal mentions this in his book, The Life of Muhammad.[89])

But, the status of the Jews changed after they violated the pacts and began acting like "a fifth column" against the interests of the Quraysh. Jews attempted to drive wedges between the Aws and the Khazraj, inciting and inflaming them against the Muslims.

It may have been an episode of hostility on the part of some Jewish craftsman against a Muslim woman that provided the spark that inflamed the Muslims and prompted the Prophet Muhammad to take a decisive and firm stand with respect to them and especially with respect to the Bani Qaynuqa' Jews. The Prophet Muhammad continued to call for adherence to and respect for the treaty of peace or non-condemnation. However, the advisors to the Jews continued to make clear their intention to behave in unfriendly ways toward the Quraysh. So, when the Jews failed to submit, the Prophet ordered that, upon their surrender and in exchange for sparing them, they be sent into exile. They migrated northward toward Syria.

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89. See: Al-Said Jasm, Aziz, Muhammad:Al-Haqiqa al-Azimi(Muhammad: The Mighty Truth), op. cit., p. 142.

It is worth mentioning that this incident did not involve all the Jews in the country and that the peace treaty, for those who committed themselves to it, offered the possibility to live under conditions of peace, tolerance, and mutually humane cooperation. In this way, the fundamental laws, while they served as the basis for organizing and managing relations, established tolerance and recognition of the Other. What happened in the case of some who violated the pacts and what followed in reaction to these violations, constituted the exception and not the rule. If the peace treaty had been universally adhered to, historically and comprehensively, this wise and enlightened rule would have left a greater mark.

In spite of all of that, Islamic principles have persisted. Recognition of the Other, coexistence, and tolerance have held their own and are in no danger of nullification or extermination. They are what some Muslims and some contemporary Islamists presume when dealing with Jews. Their own positions descend from these principles. Here we must draw a necessary distinction between Judaism as a holy religion and the modern concept of Zionism, a concept that has no relation at all to any of the revealed religions. As part of the historical evidence, events, and occurrences, we point out that the siege of the Jews of Bani Qaynuqa' ended after fifteen days, after which they surrendered. Instead of killing them, it was decided to send them into exile from Medina. This paved the way for the liberation of Mecca, which was the greater strategic aim. Liberating Mecca required fortifying the domestic front, according to how we might understand it today.

After that, the later phase was implemented – the exodus of the Jews following the siege which lasted fifteen nights, starting from the time of the Khaybar assault (the large and final refuge of the Jews in the Arabian Peninsula). This siege ended a month after

the Peace of Hudaybiyya and was undertaken with the aim of securing the domestic front and bringing national unity to Islam.

The Messenger did not deal with his companions like someone addicted to power, giving orders right and left, forbidding this or that, behaving despotically, and throwing his weight around in the manner of the braggarts and imposters who held religious power in those times.

There is no evidence that the Prophet Muhammad contradicted himself or otherwise behaved inconsistently toward his companions. He listened closely to all sides, to every opinion. Sometimes, there were different facets to the truth. . With respect to the standing or dignity of the Message, he never resorted to excesses in language when preaching or to rhetoric that came close to insults or defamation. The Prophet always accepted others with gentleness, a big heart, and an open mind.

Al-Demerdash Zaki al-ʿAqali, a lawyer and writer on Muslim affairs, compares the situation of the Messenger and his companions with "the religious braggarts" of our own day with their shrillness, stridency, and vehemence (hidda) in preaching as we hear it today: "Divisions between two parties to a dialogue are invitations to disbelief and blasphemy (takfir); there is no safe haven for either of them, no way for either of them to avoid condemning the other or absorbing this condemnation, or from resorting to shedding blood in vain and unlawfully seizing land. and wealth."[90]

Umar boldly addressed the Messenger of God after the Peace of Hudaybiyya was ratified: "The world did not give us our religion." Umar continued to use this expression repeatedly, and

90. See: Al-ʿAqali, al-Demerdash Zaki, Al-Sulta al-Diniyya wa Hariyya al-Fikri (Religious Power and Freedom of Thought), Cairo, July 1992.

the Messenger paid no attention to it time after time until finally he told Umar, "I am the slave of God and He will not fail me."

When the following verse was revealed - "They say, 'If we return to Medina, surely the more honorable (element) will expel therefrom the meaner'" (Munafiqun ("Hypocrites") s.63:8) - it was in reaction to the words of one of the "hypocrites" swearing he would expel the Messenger along with the Muhajireen from Medina (Yathrib). When Umar reached the point where he wanted to break the neck of this hypocrite – the "Companion Abdullah bin Abi Sahab" – he confronted the Messenger face to face and said, "Truly, I am compelled to say that Muhammad should kill his companions."

2. Two Contemporary Positions on Tolerance

Returning to the present, there are two positions on the question of tolerance in the Islamist movement. There are those who reject all tolerance in the religious, intellectual, cultural, or internal social spheres on the pretext that only they have a monopoly on truth and virtue. As for he who is different or he who is "Other," he does not represent just the opposite; more than that, he represents blasphemy and Satanic pride on an absolute level. On the other hand, there is the Reformist Movement, which accepts some of the ideas on tolerance with the hope of starting a chain reaction of global development in this field. Portions of the Iranian cultural experiments in this area may have relevance. The reformist movement characterized al-Sayyid Muhammad Khatami's electoral victory of 23 May 1997 as the "the Second of Khordad Massacre," and, indeed, it was a genuine, open victory for "the Other." Mohajerani, the Minister of Culture, along with the Muslim Guides (Irshad)in his government, had announced that the government, "believes in tolerance and in cultural le-

niency under the auspices of magnanimous and transparent Sharia law."[91]

Mohajerani has covered the politics of cultural tolerance, albeit in a limited way, on account of the challenges he has faced. However, the questions of the press, freedom of expression, freedom of thought, and freedom for the Other to express his views found an important niche for themselves under his administration and afterward.[92]

An historical-revisionist reading of the Islamic text, for academic purposes and understanding, apart from the difficulties of the present age and its sensibilities, assures that Islam "in theory" and as mediated by its legal experts is broad and commodious, unconfined, and generous: a way of life one can follow throughout one's entire earthly existence that is chock-full of vitality, energy, open horizons, and rewards. Why then have some people at times sought to pit Islam and belief against one another as if they were opposing entities? All the more remarkable, then, that the strength of Islam has been of its own accord to strive to coexist with that which opposes it. Here I think we should include the Kitab al-Tawheed al-Kafi [a Twelver Shiite compilation of sayings of the Prophet] as one of the strongest proofs which those who object to unity lean on for support without taking into ac-

91. See: The splendid introduction written by Professor Muhammad Sadiq al-Hussaini in "Introduction on the State of Tolerance, Violence, and Intellectual and Cultural Conflict in Iran" in Sayyid ‘Ataallah Mohajerani, Al-Tassamuh wa-l-‘Unf fi-l-Islam (Tolerance and Violence in Islam), op. cit.

92. ‘Ata’allah Mohajerani was forced to resign from his ministerial post in the Khatami government in 2000. President Khatami, who accepted Mohajerani's resignation, had suffered through efforts to get him to resign in 1992, only to return to office with a bright future and in a preeminent position. Politics is politics, interests, compromises, making bargains, and settling controversies. On and on it goes!! See: op. cit.

count opposing views, even views that contradict the essential nature of the faith. For this reason, Islam has failed to renew and refresh itself in discussions, contests, disputes, and in the transmission of different points of view. Islam has failed to adhere to two foundations: first: the principle of tolerance in listening to the Other; and second, insufficient faith in reason: failure to exercise a basic dependence upon reason as a prerequisite for comprehending the opinion of the Other. Instead, the competing viewpoint is dismissed outright.

Mohajerani thought that tolerance was possible in two spheres: first, Religious Studies, and second, Philosophy and Sociology. There are various legal, moral, political, and semantic necessities.[93]

Imam Abu al-Fakhr al-Razi in Al-Tafsir al-Kebir ("The Great Commentary") opined that the Quranic state of yusra (relief, solace, and consolation -- see s. 94) comes from good deeds done according to the laws of kindness and generosity. Shaikh al-Tusi held the same view in Al-Tibyan ("The Exegesis"): he interpreted yusra as a refuge and a garden.[94]

Dr. Abd al-Wahab al-Masiri proceeds to investigate a number of hypotheses, among them those related to law. He follows in the footsteps of Max Weber classifying laws according to legal sharia, rationalistic sharia, and charismatic sharia. Legal scholars of Islam do the same through their study of empirical evidence.

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93. Mohajerani, Al-Islam wa-l-'Unf wa-l-Tassamuh (Islam, Violence, and Tolerance), op. cit., 39ff.

94. Al-Razi: Fakhr al-Din Muhammad bin 'Umar al-Razi is the author of the book Mahsal Afkar al-Mutaqadimeen wa-l-Muta'akhireen min al-'Ulama wa-l-Hukama'i (The Harvest of the Thought of the Ancients and Moderns From the Scholars, the Sages, and the Educated), 606 AH. The ideas of al-Razi referred to the stubborn, headstrong (youthfulness).

The assumptions of classical orthodox Islam are governed by two criteria: one of them a rationalist model and the other an empiricist model. The empiricist model stipulates that power flows to the person who already has it. Ibn Khaldun thought that power depended upon 'asabiyya ("solidarity"). Here we should mention Machiavelli and his book The Prince, which hinges on the principle of "the ends justify the means." We should also mention Hobbes and his view that religion can be harmful relative to the power of the ruler. This is so because whenever there is a religious institution that considers itself a law unto itself, it becomes considerably harmful to the ruler who opposes it. Hobbes thought that in such cases the ruler should either do away with the symbols of the religious establishment or place them beneath his authority.[95]

This understanding is in need of new thought and new readings of the traditions , especially in light of the ongoing applications and practices which "Islam" has taken as pretexts, past and present for mandating a single point of view, prohibiting diversity, and excluding the Other. Without change and diversity there will be no evolution, no renewal, and no change.

Abu-Bakr Muhammad ibn Zakariyya al-Razi, philosopher, savant, and physician, spoke of the body as a self-moving entity (a theme emphasized by Ibn Abi Usaibi'a later in his book Tabqaat al-Atibba'i (Classes of Physicians)). Al-Razi's book Al-Sira al-Falsafiyya (The Philosophical Way of Life) held that the material body is self-moved in the sense of being autonomous, and that this movement is a given. For this reason, the philosophe de Boer thought al-Razi had contradicted Aristotle's proposition of the self-moved mover as a principle in explaining motion. Hus-

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95. See: Al-Masiri, Dr. Abd al-Wahab, his introduction to the book Al-Sharia al-Siyassia fi-l-Islam (Political Law in Islam), op. cit.

sain Muruwa regards this attempt on the part of al-Razi as a first in Arab philosophy: the first time one does not find an explicit case of the traditional need for the elimination of anthropomorphic attributes from the conception of God (al-Tawheed, "unity") as a first and absolute principle: or, in other words, the principle of the absolute separation between God and world.

Al-Razi's attempt sheds light upon the infinitely necessary relationship that connects our world to God via two paths: the path of the soul and the path of reason. Life emanates or pours forth into material, worldly bodies like a flood of light from the disk of the sun (a fundamental of Platonism) in partnership with God. Then, on a secondary level, God pours reason into the soul so that the soul may know its world.[96]

In the Islamic cultural heritage (notwithstanding such instances of intolerance as in the case of al-Hallaj[97] who wanders

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96. See: Ibn Abi Usaibi'a, Tabqaat al-Atibba'i (Classes of Physicians), Part 1, p. 322. Likewise: de Boer, The History of Philosophy in Islam, p. 6117, according to Hussain Muruwa, fourth volume, Al-Naza'at-l-Madiyya fi-l-Falsafat-l-'Arabiyya-al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy), op. cit., 187-191.

97. Al-Hallaj was one of the most prominent pioneers of the Sufi movement who held the view of awareness, that is to say, direct knowledge of God without intermediary, and the necessity to remove the wall between God and humankind, and in that to realize a broader aim: the demolishing of the wall separating one human being from another, that is to say, separating the will of the ruler and the will of those who are ruled. As for the wall itself, it is the social regime as represented by the law. Nullification of the intermediary means the unity of man with God or the incarnation of God in humanity and the oneness of existence between God and the world, according to some others.

See: Massignon, Diwan al-Hallaj ("Diwan"="Account" - French title: The Passion of al-Hallaj), Paris, 1955, p. 37 (quoted by Hussain Muruwa, , Al-Naza'at-l-Madiyya fi-l-Falsafat-l-'Arabiyya-al-Islamiyya (Materialistic =

about the earth reciting the mantra, "Kill me.. for in that lies my reward and rest."), there have been those who affirm diversity in questions of secondary importance, and, there have been those who go further than this: affirming diversity in questions of fundamental dogma. Each independent thinker may be correct in his reasoning if not correct in his judgment. Al-Imam Shafi went on to say: "My viewpoint is right but may possibly be wrong, while the viewpoint of the other person is wrong, but may possibly be right."

Al-Hallaj made famous the idea of incarnation when he said:

> "Glory to Him who manifested His human nature,
> Hiding the piercing brightness of His divinity:
> Till His creation saw Him openly,
> In the form of one eating and drinking
> Until His creation has seen Him
> As the Gatekeeper glances at the gate."

Al-Razi[98] thought space was infinite, and that it was eternally pre-existent based on the principle that all that is boundless and

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= Trends in Arab-Islamic Philosophy), op. cit, p. 129.

Also: Compare: 'Amal, Mahdi, Majallatu-l-Tareeq (The Way Magazine- a Lebanese publication), Beirut, Nov., 1968. Mahdi 'Amal says al-Hallaj combined the ideas of the incarnation of God with the apotheosis of humankind and vice versa.

98. Al-Razi's full name was Abu Bakr Muhammad bin Zakaria al-Razi. He was one of the greatest personalities in history whom history has treated unfairly. Al-Razi, who lived roughly ninety years (854-932) was known in Latin by the name of "Rhazes," and represents a pattern for the scholar/ savant who composed his philosophy on the basis of his scholarly experimentation in the fields of medicine and chemistry. His classic book "Al-Judari wa-l-Hasba" (Smallpox and Measles) remained in print in the West perhaps as late as the mid eighteenth century.

infinite must be eternally pre-existent. As for time, Razi thought it was a flowing essence: that is to say, it moves and is extended. Al-Razi assumed that both time and space were eternal.[99]

In the past it was said: "The seer in all cases aims for the truth." This is what Ibn Rushd had in mind when he said: doctrines are not independent of one another; there are no absolute divisions. They are interrelated. Therefore, one cannot in good faith accuse another of heresy or disbelief. In this fashion, while independently reasoned arguments and differences between interpretations may conflict, this only proves that the roads to reality are many and interconnected; there is no single way to the truth. The ways are multiple and numerous. This fact has gone unrecognized in our present day and age, our extremely confused reality, a condition quite far removed from the values of tolerance. Failing to see any problem with this current, prevailing state of things in Islam and in Islamic-Arab thinking relative to tolerance,[100] there are some contemporary Muslims or Islamists who think that calls for tolerance pave the way for neglect and carelessness with respect to doctrine and belief and pave the way for lack of restraint, for anarchy, and for licentiousness. In other words, so they think, calls for tolerance

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99. See: The Philosophy and Cultures of East and West, University of Hawaii, Honolulu, 1962, pp. 172-187.
    See also: Badawi, Abd al-Rahman, Ruh al-Hadara al-Arabiyya (The Spirit of Arab Civilization), Beirut, 1949, p. 115.
    Also compare: Muruwa, Hussain, Al-Naza'at-l-Madiyya fi-l-Falsafat-l-'Arabiyya-al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy), fourth volume, op. cit, p. 181.
100. Thaqafa Huquq al-Insan (The Culture of Human Rights), a publication of the Arab Organization for Human Rights, 2000, Special Philosophical Meeting on Tolerance, London, 1996.

pave the way for liberalism in all its dimensions at the expense of the religion.[101]

Mesbah Yazdi represents this school of thought. For Yazdi, regarded as one of the most prominent theorists of the conservative right wing movement in Iran, tolerance means looseness, going with the flow, a careless lack of discipline and restraint, and the lack of vigilant care. Tolerance for Yazdi is among those forces seeking to destroy Islam in that it promotes attitudes of forbearance and indulgence toward people in the name of Islam. According to this point of view, tolerance will lead to dissolution and disruption and will weaken and deform Islam at a time when what is required is that we protect the "purity" of Islam and adherence to its values and teachings. Only this path can serve to defend Islam against the destructive forces desiring to create "enmity" and "divisiveness" in its wake "driving a knife" into the heart of Islam.[102]

Tunisian Islamist philosopher Shaikh Rashid al-Ghannouchi takes exception to this approach and, indeed, considers it more dangerous than Zionism, the West, and despotic regimes all put together. He says: "I think that the greatest danger to us today no longer comes from Zionism, the West, and despotic rulers; it comes from extremist thinking, the thinking of renunciation and condemnation, the idea of the hegemony of Islam and some who

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101. See: the conversation between Mohajerani and Mesbah Yazdi, Al-Tassamuh wa-l-'Unf fi-l-Islam (Tolerance and Violence in Islam), op. cit.
    Also compare: Al-Yazdi, Mohammad Taqi Mesbah, Al-'Asa'la wa-l-Ajwiba (Questions and Answers), Part Three, The Imam Khomeini Institute for Research and Learning, Qom, 1999, p. 31.
102. See: Kareem, Salem, introduction to the book, Al-Tassamuh wa-l-'Unf fi-l-Islam (Tolerance and Violence in Islam) (translation), op. cit., p. 23.
    Also see: Professor Mesbah, Al-Mujtame'e wa-l-Tarikh (Society and History), Organization of Islamic Luminaries, 1999, p. 379.

claim the right to issue decrees in its name..."[103]

His contention is that with the death of the Messenger, inspiration and revelation ceased once and for all. Differences quickly arose requiring us to embrace them, comprehend them, and deal with them. Perhaps part of the current problem is concealed in the accumulation over time of negative patterns of intolerance. These have been passed down over the ages, driven by attempts to keep society unchanging and quiescent in order to guard prevailing ruling regimes, regimes that have waged war against multiplicity, diversity, tolerance, and democracy.

Therefore, current practices are excused as an effort to preserve the past in the name of steadfastness and tradition. This serves fixed aims the basis of which are the interests that resort to the same old violent measures, interests that rule in such a way as to create passivity and subservience, making war on everything new in the name of fighting the slanderous enemy until they've torn him apart, disfigured him, and destroyed him. In this way, fanaticism, over-reacting, obscurantism, and extremism are promoted.

The ideas of Ghannouchi, Tariq al-Bushri, Fatih Uthman, Fahmy Howeidi, Muhammad Hussain Fadlallah, Radwan al-Sayyid, and others are dismissed as Western and alien by prevailing Islamist movements even when addressed to local or regional concerns. There is still a vast chasm between the general public and the leading, intellectual elites. Revivalist and Islamist movements persist weakly within Muslim assemblies where they are driven by outmoded ways and by blindly following that which

103. Al-Ghannouchi, Shaikh Rashid, from the bulk of a conversation, book, Al-Sharia al-Siyasiyya fi-l-Islam, Masadirha wa Dawabitha (Political Law in Islam: Its Origins and Canons), compilation and report by Azzam al-Tamimi, Liberty Organization, 1997-1998.

has been handed down. Ghannouchi thinks, "The fodder we think of as the middle way in Islam continues to sink in murky manure." (See his study presented to the afore-mentioned London Conference and published in the book Al-Sharia al-Siyasiyya fi-l-Islam (Political Law in Islam), compiled by Dr. Azzam al-Tamimi.)

Indeed, harshness, strictness, severity, exceeding proper bounds, and extremism (as opposed to moderation, evenness, and tolerance) continue to manifest themselves in issues such as what stance to take toward other religions (Christianity, for example). They also appear in issues regarding the place of women, national minorities, social progress, intellectual pluralism and independent reasoning, as well as the role of religion in political life and the state.[104]

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104. Enlightened collections have appeared studying Islam and the surge in thinking about renewal and reform in the Arab and Muslim worlds. There has been spirited and energetic activity in philosophical seminars and academic conferences which have included some of the various political and philosophical movements. I want to call attention here to an important conference which was held in London under the title "Al-Sharia al-Siyasiyya fi-l-Islam, Masadirha wa Dawabitha (Political Law in Islam: Its Origins and Canons)," published in a special book by Azzam al-Tamimi, Liberty Organization, London, 1997. Another important conference was held in Paris concerning reform of religious rhetoric, organized by the Cairo Center for Human Rights Studies in cooperation with the International Federation on Human Rights in which Islamists, modernist secularists, Liberals, and Leftists all participated, July, 2003.

Chapter Five

Tolerance and the Rhetoric
of the Arab-Muslim Enlightenment

Do not behave toward them (that is toward the people) like a voracious beast of prey, seizing that which belongs them; for they are of two kinds: either they are your brothers in religion or your equals in creation.

Imam Ali
From his letter to Malik al-Ashtar al-Nakhai

1. Survey of Reformist Thought - Religious and Liberal, Arab-Muslim

While Islam spoke about what tolerance means and how it can be verified, philosophical thought about tolerance reached its fulfillment at the hands of the philosophers of the Enlightenment, especially Thomas Hobbes and his renowned book Leviathan; also John Locke and his book, The Two Treatises of Civil Government, and Machiavelli's book The Prince, Spinoza, Descartes, Kant, and with Montesquieu and his book Spirit of the Laws, Jean Jacques Rousseau's The Social Contract, and Voltaire's A Treatise on Tolerance in the eighteenth century. All of these endeavors and movements became crystallized in Western liberal political thought generally and the reach of their influence has extended throughout the world as a whole.

One of the first modern Arab rhetorical expressions of tolerance came from the hand of Farah Antun (1861-1922), who sought to show its importance and progressiveness as the embodiment of Western political modernism as well as a formulation of Western liberalism.[105] In1902, Farah Antun began using the term al-tasahul - "forbearance" - as a synonym of and prerequisite for freeing oneself from the practice of isolation from others, emancipation from fanaticism, and emancipation from the practice of treating others as enemies. He also used the term as a basis for drawing a distinction between the two powers: the religious and the civil.

Farah Antun spoke of three stages in human existence. The first is characterized by instinct. Here a man does not know good from evil. For the most part his concern is to survive in nature. The second stage is marked by barbarism: competition and fighting. In the third stage, man makes room for a degree of peace, harmony, and domestication which first sustains tribes, then kingdoms, and then whole civilizations.[106]

Farah Antun relied on Enlightenment philosophy in part for

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105. Some regard Farah Antun the first Arab defender of human rights in the modern sense of the word. He translated into Arabic for the first time the "Declaration of Human and Citizen Rights" which was published shortly after the French Revolution broke out in 1789. Antun published an article and translation in Egypt in 1901 in Majalla al-Jama'a, third vol., part 4, November.
    See: Majalla Riwaq Arabi (Arab Porch Magazine), a publication of the Cairo Center for Human Rights Studies, first vol., no. 4, 1996.
106. Compare: the introduction Farah Antun wrote to his translation of the "Declaration of Human and Citizen Rights" under the title of "Huquq al-Insan La Yajawiz Anna Yadusiha Insan (Human Rights that Human Beings Must Not Trample Underfoot)," Majalla Riwaq Arabi(Arab Porch Magazine), op. cit.

the development of modern political philosophy calling forth the following principles:

1. The principle of liberty.
2. The principle of equality.
3. The separation of religion from the exigencies of the physical world.
4. Dependence upon modern principles of citizenship that point the way toward tolerance.

Shaikh Muhammad Abduh entered into a rivalry with Farah Antun in his book Islam and Christianity. Abduh asserted that it was not possible for a ruler or a king to separate himself from his religion, and that the entities the ruler seeks to reach are the souls within which the spirit dwells, the same spirit that the man of religion is concerned with. How then, Abduh asked, can it be possible to separate the two powers? In like manner, said Abduh, it was a mistake to interpret the saying "Render unto Caesar what is Caesar's and unto God what is God's" as a duty to separate the two powers.[107]

Whatever progress in understanding has been achieved in opening the "Gates of Ijtihad ("free thinking"), promoting dialogue, and separating religious power from secular or civil power, including the relationship between religion and politics, the basic questions remain: questions revolving around the role of debate, how to handle the quarreling that inevitably breaks out, and how to handle the feelings that are stirred up at times, whether between Islamist movements or within them, or between them and their opponents and enemies such as the liberal

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107. See: Antun, Farah, Ibn Rushd wa Falsafatihi (Ibn Rushd and His Philosophy), Dar al-Tali'a, Beirut, reprinted edition, 1981, p. 150.

or modernist movements.

Farah Antun's system is based upon the following principles:

- Releasing human thought from its chains so that it can serve a humanitarian future.
- Equality between the members of the community (umma) regardless of beliefs and dogma.
- It is no business of religion to interfere in the affairs of the secular world, it being the duty of religions to manage the affairs of the Hereafter, not those of this world. Just as religious power ought not to interfere in the affairs of the world, so secular or civil power, if permitted to interfere, may try to exert pressure on the principles of religion and may even cause harm to them.
- The fabric of community continues to be weakened to the extent that religious and secular or civil power are consolidated in one set of hands.
- Human reason is fashioned with a tendency toward difference and contrariness. Existence is by its very nature diverse and this is the secret of its beauty. It is also the secret of human progress.

Antun adds: "There is no genuine civilization, no justice, no equality, no safety, no friendship, no freedom, no learning, no philosophy, and no progress apart from the separation of civil power from religious power..." He underscored this understanding in his tale Al-Din wa-l-'Ilm wa-l-Mal (Religion, Science, and Money).

Farah Antun defended civil rule as well as the concept of tolerance and spoke of the importance of adherence to conscience considering happiness the goal of all of our actions. He rejected religion, regarding it as human childishness. He was influenced

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here especially by the ideas of Auguste Comte and Ernest Renan. Farah Antun believed that at the root of things, metaphysical philosophy and religion were one and the same, whether in Islam or in Christianity.

Farah Antun was not capable of thinking about "Enlightenment" philosophy in its historical context: its time frame, and the extensive, imperialistic milieu which deepened and hastened its decay and impeded possibilities for development, advancement, and innovations in independent historical analyses in harmony with socio-economic reality.[108]

We can safely say that religious revolutions, the most recent being the Islamic Revolution in Iran, have been incapable of transforming the earth into paradise. Heaven along with the promise of paradise have continued to be the hope, and Muslims, in spite of revolutions, continue to pay the price, suffering exploitation at the hands of their rulers as despotisms arise, whether religious or secular. Abdullah al-Arawi says: Arab thinkers are not interested in an upright, independent state. Accordingly, they see no profit in exploring the question, "What is the state?" This is because classical Islamic thought continues to revolve around the blessing of the Caliphate and its priorities.[109]

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108. See: Abd al-Latif, Dr. Kamal. Al-Tafkir fi-l-Almaniya: I'ada Bina'u al-Majal al-Siyassi fi-l-Fikri al-'Arabi (Thinking About Secularism: Rebuilding the Political Sphere in Arab Thought), East Africa Publication, First Edition, Beirut-Casablanca, pp. 63, 83.
Compare: Antun, Farah, Ibn Rushd wa Falsafatihi (Ibn Rushd and His Philosophy), op. cit., pp. 137, 147, 148, 151.
109. See: Al-Arawi, Abdullah, Mafhum al-Dawla (Understanding the State), Casablanca, The Arab Cultural Center, 1982, p. 170.
Also compare: Shaban, Abd al-Hussein, Al-'Iraq: Al-Dustur wa-l-Dawla Min al-Ihtilal illi-l-Ihtilal (Iraq: Constitution and State From Occupation to Occupation), introductory exploration to a special conference on the

Fanaticism, which can only be described in the context of control or power and which is one of the surest signals of despotism, arbitrariness, and absolutism, is what Abd al-Rahman al-Kawakibi (1849-1902) spoke of[110] in his seminal book at the dawn of the twentieth century The Peculiarities of *Despotism and the Destruction of Subjugation*.[111] In this book he points out that, "Despotism ransacks the facts of the intellect" instead pushing to the center of attention the ideological dimension. This dimension operates in tandem with attempts to subjugate "the people," people who had constituted "forces loyal to the despot and to the source of his own power, people who had in the beginning stood together with him. Then, he turned against them, and, with the help and succor he continues to enjoy from some of them, he survives over and against others of them..."

Al-Kawakibi thought that the root of the disease afflicting Muslims was political despotism or tyranny. The cure was consultation (shura). He also thought that the essence of despotic government was the absence of oversight and accountability whatever the form. Al-Kawakibi stands out for his war on des-

American occupation of Iraq and its challenges, Arab Unity Studies Center, Beirut, March 8-11, 2004.

Also compare: Shaban, Abd al-Hussein, , Al-'Iraq: Al-Dustur wa-l-Dawla Min al-Ihtilal illi-l-Ihtilal (Iraq: Constitution and State From Occupation to Occupation), a book in press, 2005.

110. Kawakibi was born in the Syrian city of Aleppo. He worked in journalism and in business and ended up practicing law. He was jailed and badly mistreated. He fled Syria in 1900 to a series of Arab and African countries, then went on to India and the Far East before settling in Egypt where he died in 1902 after drinking a poisoned cup of coffee. He was buried in Cairo.

111. See: Al-Kawakibi, Abd al-Rahman, Taba'i al-Istibdad wa Masari al-Isti'bad (The Peculiarities of Despotism and the Destruction of Subjugation), new edition, Dar al-Qur'an al-Kareem, Beirut, 1973.

potism. He saw in despotism the causes for the decline of Muslims religiously, politically, and morally. With respect to religion, the most important of these causes was the "doctrine of fatalism" (al-'aqeeda al-jabriyya) and the impulse to surrender one's autonomy that it engenders in some people. As for the political causes, the most important was the deprivation of the community's freedom to speak and to act. Among the moral causes, the most prominent were ignorance, resignation, despair, hopelessness, and corruption in education.

Al-Kawakibi, great reformer that he was, introduced modern terms in his book Umm al-Qura (lit. "The Mother of Villages," meaning "Mecca"), Here he spoke of the people, the community, the citizen, and nationalism without falling under the spell of novelty and fearless about the prospects of being sent into exile. While he was emphatic in his adherence to Islam, he himself was hostile to the past or to attempts to forcibly apply texts handed down from the past. Instead, he carried out his discussions and analyses with an enlightened spirit using modern logic, the same logic that had earned a place of honor in the Arab and Muslim world.[112]

It was Kawakibi's view that the persistence of despotism was conditional upon the persistence of ignorance among the people and the regular armed forces. For, what the despot fears most of all is knowledge about life, the truths and facts about nations, rational philosophy, history, and so forth.

Rulers resist community ipso facto, utilizing every means to separate and divide: sectarianism, intimidation, and nostalgia for a golden past (that never existed!). Kawakabi also speaks about

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112. Shaban, Abd al-Hussein, Al-Islam wa-l-Irhab al-Dawli (Islam and International Terrorism), op. cit., p. 11.

the senility of despotism. For, despotism isn't personal; it's an apparatus or an institution by means of which the tyrant leads: "The despot's government is a despotism permeating all sectors, from the tyranny of the man at the top down to the tyranny of the ordinary policeman walking the beat."[113] In order for tyranny to persist, theories and philosophies of jurisprudence must be deployed to anesthetize the community.[114] Summing up al-Kawakibi, we can say that progress is linked to accountability (al-muhasaba), while backwardness is linked to despotism.

Jamal al-Din al-Afghani (1838-1897) resisted foreign despotism and domestic despotism and authoritarianism at the same time. He collaborated with Muhammad Abduh on the journal Al-'Urwat-l-Wathiqi ("The Firmest Bond").[115] Afghani pointed out the links between political democracy and social questions. It was his belief that Islam is not a "religious power" but rather a power of beautiful preaching, a call to goodness, and a deterrent to doing evil.

In spite of the fact that Al-'Urwat-l-Wathiqi ("The Firmest Bond") was in print for only a limited time, it left a huge mark on the thinking of those parts of the Islamist movement that devoted themselves to political reform. That reform came to be crystallized in the writings of Jamal al-Din al-Afghani and Mu-

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113. See: Al-Kawakibi, Abd al-Rahman, Taba'i al-Istibdad wa Masari al-Isti'bad (The Peculiarities of Despotism and the Destruction of Subjugation), op. cit.

114. Compare: Violet Dagger, Critical Books from Enlightenment Philosophy, Ru'aq Arabi (Magazine), no. 4, 1996, op. cit.

115. Al-'Urwat-l-Wathiqi (The Firmest Bond) ran for only 18 issues over the course of eight months. The first issue was published on March 13, 1884. The other issues were published during the Muslim month of October (Tishreen al-Awal), 1884 – see Abd al-Latif, Dr. Kamal, Al-Tafkir al-'Alamani (Secular Thinking), op. cit., p. 79.

hammad Abduh. Afghani connected the causes of Muslim decline to the absence of values of justice and consultation (shura), along with the absence of constitutional government.[116]

Shaikh Muhammad Abduh (1849-1905), a disciple of Afghani, was guided by this model and believed that the most critical limitation facing the Islamic community (umma) was the relationship between Islam and modernity. In order to forge an accommodation between Islamic principles and some Western ideas, Abduh demanded that generally accepted Muslim interests compared favorably with what was also in the interests of Westerners, that the Islamic concept of shura ("consultation") compared favorably with that of democracy, and that the Islamic juristic principle of ijma' ("agreement") compared favorably with the concept of majority opinion.[117]

Contending with this movement was the (new) or "modern" liberal movement, as it became known in contemporary political discourse, a liberalism established on the bedrock of secularism and which is counted among the options rising out of the European Renaissance as a means of guaranteeing tolerance and freedom of thought and belief, including as well the honor and dignity of the individual.

The discussion has revolved around a dualism in understanding as to which of two powers should be established: the first says that power should be religious in nature and that it should govern situational or worldly affairs; the second says that power is secular and that religion is an affair between the in-

116. Sayyid Ahmed, Dr. Raf'at, Al-Din wa-l-Dawla wa-l-Thawra (Religion, State, and Revolution), Al-Dar al-Sharqiyya, Cairo, 1989, pp. 44-47.
117. Al-Tamimi, 'Azam, Al-Sharia al-Siyasiyya fi-l-Islam (Political Sharia Law in Islam), op .cit., p. 231.

dividual person and his Creator. In our Arab-Islamic political thinking in decades past we have not been fortunate to a great extent in separating religious power from civil power, although there have been at times degrees of assimilation. At other times, the separation has been imposed arbitrarily. There have been those who attempted to justify despotism on the grounds that it safeguards religion and, thereby, also the state itself.[118]

A quarter century after the philosophical quarrel between Farah Antun and Muhammad Abduh over how best to bring about progress (with Antun summing it up as secularism and Abduh considering secularism as dangerous to Islam), Ali Abd al-Raziq (1888-1996) published his famous book, Al-Islam wa-l-Usul al-Hukm (Islam and the Foundations of Governance) in 1925. In the book, he attempted to establish a decisive boundary between Muslim Prophecy and political practice that defends judgments based on the use of reason, experimentation, and tests carried out by nations and by their political leaders. The book was an indirect response to Muhammad Abduh. Kamal Abd al-Latif thought Al-Raziq was ahead of his time in articulating his particular systematization: Islam's state on the one hand and the state of knowledge and civilization on the other.[119]

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118. Compare: Muhammad Abduh, archives of pages from the magazine Al-Jama'at wa-l-Manar (Mosque and Minaret) on "the question of persecution in Islam and Christianity."

Also: Farah Antun, Abd al-Latif, Kamal, and Musa, Salama, Ishkaaliat al-Nahda (Forms of Awakening), Dar al-Farabi, Beirut, 1982, pp. 59-64.

Also: Al-Jama'a, a well-known magazine founded by Farah Antun in Alexandria in 1897 and published for a period of 7 years. As for Al-Manar, it was a newspaper published under the supervision of Muhammad Rashid Rida on March 15, 1898 coming to an end in 1935 with the death of its founder.

119. Compare: Ali Abd al-Raziq, Al-Islam wa-l-Usul al-Hukm (Islam and the Foundations of Governance), published in 1925.=

Ali Abd al-Raziq was brought to trial on account of this book. He was thrown out of the ‘Ulema and suspended from his judgeship.

Returning to reformist thought or the Islamic Enlightenment, Al-Afghani and Abduh thought that the essence of reformist political thought lay concealed in the development of revivalist Islam and that political strength lay in Muslims preparing themselves to fight a new battle: "confronting the Crusading Danger." The targets were "Christianity" and "foreign aggression" both of which were present, if latent, inside the Muslim unity. Their starting point from there was to call forth the idea of "the Muslim league," which they did in founding Al-‘Urwat-l-Wathiqi ("The Firmest Bond"). Abduh and Afghani believed that salvation from the decay and decadence and the guarantee of unity and progress lay in Islam's return to the roots and origins that inspired it and disregarding differences over jurisprudence and doctrine that had come after the initial revelation had weakened the Muslim state and even fractured it.

There is another path. It springs from a pivotal and fundamental idea influenced by the West and founded on the idea of "building an indigenous state," that is to say, the national state. At first, this trend seems only to assure that we will remain in a condition of backwardness, rigidity, and decay. But, there are ways to avoid this condition:

    - Establish a state based on reform that is an orderly, well-

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= See a new edition put out by Muhammad ‘Amara, The Arab Institute for Studies and Publishing, Beirut, 1972. In spite of the importance of Ali al-Raziq’s book his influence was of limited duration given the publication of a book by Hasan al-Banna three years later (1928) for the political movement known as the Muslim Brotherhood which has been steering the Arab Street ever since.

regulated state.

- Reform the army.
- Put in place a modern educational system.
- Provide an orderly system for levying and collecting taxes.

In sum, the gap between the two models is clear and obvious: the first is an attempt to return to the past, to the origins, to the Islamic state at the time it first blossomed in Medina in the days of the Messenger and after that in the days of the first four (al-Rashideen, "rightly guided") Caliphs. This represents a return to the historical "solution" (hal) to the problem of modernity by resorting to the Arab-Islamic legacy. The second model attempts to search for a modern Islamic solution in harmony with the times, moving forward according to the Western model and reaping the benefits from that model.

At various times, modernism has proceeded to leave backwardness behind, to move away from the historical Islamic model (the religious model). But, most Salafi rhetoric is cut off from its history and primarily proceeds from standardized representations of a non-secular stamp. For its part, Europe in its contemporary historical context moved beyond its Middle Ages by constructing a renaissance without limits. It is possible to delineate three important stages:

First: The start of the Renaissance in the sixteenth century.

Second: The French Revolution in the eighteenth century and the Industrial Revolution in the nineteenth century.

Three: The ongoing revolutions in knowledge and in technology especially in recent times with their revolu-

tions in communications, computers, and technology in general.

Continuing with modern Arab-Islamic "enlightened" thinking after Jamal al-Din al-Afghani and Muhammad Abduh, we next spotlight Muhammad Rashid Rida (1865-1935). Rida took his stand on the principle of adherence to religious belief. Religious faith, he thought, offered protection from the evils of modern civilization. In spite of his support for the Salafist movement, he did not fall far from the spirit of revivalism and renewal (tajdid) and acceptance of modernity. He carried out debates and dialogues with a number of preachers. In Rida's opinion, the backwardness of the umma lay concealed in the fact that Muslims had lost touch with the real nature of their religion, a state that had encouraged the spread of rule by corrupt leaders.

According to Rida, the real Islam had gone into hiding on two questions:

First: Unity (tawhid).
Second: Consultation (shura).

We should also mention Azhar Shaikh Rifa'a al-Tahtawi (1801-1873) and his important book Takhlis Al-Ibriz fi Talkhis Bariz (A Paris Profile), printed in Egypt in 1834. The book heralds new directions in Arab-Islamic philosophy with respect to the concept of tolerance as well as acceptance of the Other. Among his ideas one finds the following:

- The basis of civilization is justice.
- Consultation is the foundation of good rule.
- The umma is the source of all power.
- Foreigners are the source of good things "i.e. seeing the Other from a rational perspective"

and adopting what is beneficial from his civilization insofar as these benefits conform to the circumstances of our society. Recently, a book about the thought of al-Tahtawi was published under the title Libralia al-Shaikh (The Shaik's Liberalism) by the Cairo Center for Human Rights Studies.

It is perhaps this modern, enlightened, rationalistic model that al-Kindi anticipated centuries ago and which he defended as "the philosophy of Greece."[120]

Al-Tahtawi emphasized the need for rationalistic standards and in doing so followed in the footsteps of the Mu'tazilites, the rationalists of classical Muslim philosophy. He called for the formation of a modern state based on the separation of powers of the kind advanced by Montesquieu and Jean Jacques Rousseau, regarding it as a domain without limits on the defense of freedom in the face of seizures of power and coups against such freedom. The separation of powers was for him one of the pillars of modern authority drawing strength from both secular and divine sources.

Shaikh Rifa'a al-Tahtawi influenced the debate about the concept of democracy. Louis 'Awad was probably right in conferring upon al-Tahtawi the nickname of "Father of Egyptian democracy." Following his graduation from al-Azhar, al-Tahtawi

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120. Al-Kindi's full name was Abu Yusuf Ya'qub bin Ishaq al-Kindi. Historians differ over the date of his death. He is regarded as one of most prominent founders of Arab philosophy. Hussein Muruwwa points out that the Mu'tazilite rationalists predated him by a century. His works were translated into Latin and a number of other languages. It may be that al-Kindi's philosophy was part of a dissenting voice from the al-Kulawiyya branch of the Mu'tazili movement and was inspired by Sufi theories.

See: Awad, Girgis, Ya'qub bin Ishaq al-Kindi, Hayatuhu wa Atharuhu (Ya'qub bin Ishaq al-Kindi: His Life and Influence), Baghdad, 1962, p. 13.

was sent to Paris as "Chief Adjutant" to a military detachment dispatched by Muhammad Ali Pasha for study and training. There, al-Tahtawi embarked upon a study of the French language and also studied Greek philosophy along with Geography, Logic. He read the books of leading figures of the Enlightenment: among them, Voltaire and Rousseau. In his book Takhlis Al-Ibriz fi Talkhis Bariz (A Paris Profile), al-Tahtawi compiled a record of the things he observed in France. His bias in favor of democracy grew no less weighty as a result of his experience.

Among other Muslim scholars, we should mention Khayr al-Din al-Tunisi, a pioneering leader in the Tunisian reformist movement of the nineteenth century especially in light of his renowned book, Aqwam al-Masalik fi Ma'rifat Ahwal al-Mamalik (The Surest Path to Knowledge About the Conditions of Countries). He became very famous when he called for reform and for the end of absolute rule.[121]

Returning to al-Kindi and his reformist rationalist philosophy, much akin to our own prevailing forms of thought today, we may say that he was not well or widely known for decades during his lifetime. All we have from his books are fragments, themselves not known until the German Orientalist Ritter discovered a group of letters he wrote in a sufi library in Istanbul and published them in a Czechoslovakian Orientalist journal in 1932. Since that date, selected works of al-Kindi have appeared and have been printed by a number of scholars and researchers.[122]

Contemporaries of al-Kindi gave him the nickname "phi-

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121. Al-Tamimi, 'Azam, Al-Sharia al-Siyasiyya fi-l-Islam (Political Sharia Law in Islam), op.cit., pp. 230ff.

122. See: Muruwa, Hussein, Al-Naza'at-l-Madiyya fi-l-Falsafat-l-'Arabiyya-al-Islamiyya (Materialistic Trends in Arab-Islamic Philosophy), op. cit., pp. 7-13.

losopher of the Arabs or of Islam." Al-Kindi's rationalist approach to science and knowledge in general was based on the factual existence of humanity. He divided human existence into sensory existence and rational existence, the latter constituting the really real, the realm that is connected to the world of universal forms, the universals of species and first causes as set forth by Plato. For al-Kindi, just as for Aristotle before him, the First Cause was God. God, for al-Kindi, was primary reality and primary truth: "Doer, First Truth, complete, absolute, and eternal."

In summary, I want to say that pursuit of the question of tolerance through the rhetoric of the Arab-Islamic Enlightenment leads us by necessity to trace the roots. Having taken into account the Holy Qur'an, the sunna Muhammadiyya ("Orthodox Muhammadan customs") and some of the ways they were applied by the Rashidoon Caliphs we felt obliged to also shed light briefly on some Muslim thinkers and philosophers. What we have attempted to do, albeit in short, is bring into view modern enlightened thought, especially in thinkers belonging to the nineteenth century and some from the twentieth century as well.

2. In Review: Qualities and Questions for Critical Consideration

Our aim in this book has not been to provide an exhaustive survey of Muslim tolerance in the Qur'an and the Prophetic sunna in order to put a shine on Islamic history, which, after all, is teeming with many examples of incidents of intolerance, whether on the theoretical or the empirical and applied levels. By my own reckoning here, three of the Rashidoon Caliphs provoked their own murders and thus did not profit from the merits of tol-

erance as propagated by Islam in its primary phase, especially through the Qur'an and the sunna and through some of the applications of the concept as practiced by the Rashidoon Caliphs. These Caliphs tried to dissolve the conditions where intolerance was flourishing. They tried to eliminate violence and forms of creating distance between some people and others, a process which then led to anathematizing and criminalizing "the Other."

Indeed, any critical reading of Muslim history induces many questions and inquiries about the reach of this tolerance and the extent to which Muslim society has been saturated with it, especially given some of the revelations where it is clear that tolerance was not universally embraced, but was regarded instead as an impediment to safeguarding the conditions under which Islam was trying to take root. There is an analogue of this in the consensus (ijma') exegetes reached over the verse "There is no compulsion in religion" (s.2:256) which is seen to have been abrogated by the "Sword Verses" (s. 9:5 and 29) along with a number of other verses urging forbearance. Perhaps the purest example of this is s.9:5: "But when the forbidden months are past, then fight and slay the Pagans wherever ye find them..." and so forth throughout the fifth verse.

If we had chosen not to regard this text as the child of its context and circumstances we would find ourselves face to face with a call to kill and lay siege to anything or anyone that opposes us. I don't think this has anything to do with jihad or with the teaching of a tolerant and forbearing Islam. Al-Fakhr al-Razi interprets the word "kill them" as "an absolute imperative to kill them at all times" (see volume 8 of his Tafseer – "Exegesis"). Al-Kashaf says, "The command to kill Pagans refers to those who are in disagreement with you and who provide aid to those who stand against you." This constitutes a call for continuous

killing! Such is especially the case in attempts by some Islamist orientations to universalize the call with no regard for its original historical context, a time when, as the exegesis makes absolutely clear, the call went out in response to those particular Pagans who were no longer abiding by the covenant they had made with the Muslims of the Arabian Peninsula. How, then, could the intention have been to set up an absolute decree for all places and all times?

As for blasphemers, the Qur'an (s.8:60) says: "Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies…"[123] While this may constitute a call for military preparedness, it does not necessarily constitute a call to kill. It includes, according to some analyses, the threat to resort to force in the modern sense as applied in international relations. Suras Al-Tauba (s.9) and Al-Anfal (s.8) are of Medinan origin. Could this mean that this way of dealing with the defense of the Muslim state as set up in Yathrib, applies only to circumstances inside Yathrib at that time and is not a call to kill all Pagans on earth even though they are growing larger and larger in numbers? What, then, is the relationship between "killing" and promoting universally acceptable conditions for waging jihad?

These are necessary questions to ask. Indeed, it is our obligation to do so in this present time especially as "Islamist" and Muslim calls multiply, calls that are extremist in nature, excessive, and rejectionist with respect to the Other, calls that spread slander as they seek to distance the Other, to render judgment against him after anathematizing and criminalizing him. These calls on the domestic and foreign levels claim to be in the

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123. See: Al-Anfal ("The Spoils"), s.8:60.

name of jihad : a jihad against apostasy, blasphemy, and in "defense" of the religion, sometimes, too, in the cause of "defending" the homeland, as in cases of military and cultural "aggression" coming from the West including its values and its civilization, according to the rationalizations contained in these calls.

Parenthetically, we should perhaps say that some of these tendencies have prevailed and exerted influence in the West, especially in the United States which has exploited extremist calls such as these in order to justify its war on "terror," its aggression in Afghanistan, and its occupation of Iraq, particularly after the criminal terrorist attacks in the United States on Nine Eleven.

While there have been differences and inconsistencies between political interests in the West and the interests of Arab and Muslim peoples and in the preponderant ways such interests have been put into practice, and while there have been differences between the various parties' expectations for the development and evolution of civilization and democracy, there has also been humanitarian partnership and interplay between civilizations, cultural connections, mutual interests and reciprocal benefits between peoples, nations, civilizations, and cultures. Each side is part of the whole, a universe that builds up humankind regardless of religion, skin color, nationality, language, gender, social class, political affiliation, and so forth. Therefore, it should be clear that those calls seeking to expel the Other along with those calls against acceptance of diversity and pluralism are only blows rooted in past, isolated attempts to claim primacy and rightful ownership. As such, they are attempts to legitimate all violent acts and acts of intolerance as ultimate truths, described in defamatory, obscure, and simplistic terms as the movement of history.

Some Islamist organizations rely for their support on some texts from the Holy Qur'an considering them props to be used to justify their targeting of "the nation of blasphemy" in "the House of War" without casting an eye toward the historical circumstances, limited conditions, motives behind the revelation of the texts, and other factors from among developments and alterations in state politics. The al-Qaeda organization and its leader Shaykh Osama bin Laden and before that the Afghan Taliban government along with Muslim and Islamist groups divided the world along dualistic lines into two camps. Such interpretations contain echoes of a return to the days of the Cold War and related ideological conflicts, a division of the world into two armed camps.

Many of the classic Marxist, nationalistic, and Islamist revolutionary movements built such classifications into their ideological theses in order to justify their wars against all others, lumped together into hostile wholes without regard for the contradictions and inconsistencies within societies that render such ideological labels as unfair caricatures.

Alternatively, this fantasy can be seen in attempts by "the West" to define all Arabs and Muslims without exception as people with a "natural inclination" toward terrorism. Furthermore, attempts to define Arabs and Muslims as those predisposed to terror are seen to be supported by some extremely narrow interpretations of some verses from the Holy Qur'an without recognizing that Arabs and Muslims are a variegated lot: they do not constitute a single monolithic society but represent a broad and diverse collection of different societies and nations aspiring and striving to gain freedom, democracy, and human rights. We have our differences and distinctions, and our conflicts. We think independently and we have our contra-

dictions. How, then, according to the logic of fairness and equity, can it be possible to lump us together into a "monolithic collective" subject to a "collective ban?"

On the practical level, the call to kill polytheists and idolaters would be impossible to realize today because polytheism is so thoroughly spread throughout the entire world. Muslims lack the strength to kill all the polytheists on earth as this would entail a "jihad" without end. Should we be holding on to this sharp distinction between "the House of Islam and the House of War" until all humanity bows down in submission? This is, of course, not likely to happen in view of the fact that there are billions of non-Muslims.

Yes, there are charters and agreements, truces and peace treaties with non-Muslim states. But, there is no escape from saying that the Sword Verses were prompted by conditions particular to the situation in which they were revealed and were, thus, governed by limited, historical circumstances related to the conflict that was underway between Muhammad's call for security and the polytheists who attempted to thwart it, especially the attempts to outflank and penetrate the Muslim community and commit treachery.

In this fashion, some in our own time see those verses as limited to the times in which they were revealed. These verses should not be universalized and applied to all times and situations. Indeed, doing so is not likely to achieve a lasting and humanitarian peace, at least not of the sort dreamt of here. For this reason, the values and standards of the United Nations and its charters have aimed to augment amicable relations between nations on the basis of respect for the principle of leveling or equity in rights between peoples and the right for all to decide

their own destiny...

Perhaps the aims of the United Nations may be summed up as safeguarding peace and security, actualizing international cooperation with respect to authority, and delivering humanity from the calamities of the wars we have too often seen. In order to realize these goals, the United Nations hit upon tolerance and living in peace as the pathways toward achieving them.[124]

Jihad, in the comprehensive sense that some Islamist strongmen keep up as a call of the oppressed, has not gotten a warm reception in the Muslim world in spite of constant prodding. Surely, such effort [the literal meaning of jihad] will only lead to more disasters and wars, more squandering of faculties and capacities, and more hindrances cast in the way of development, democracy, and human rights all of which Arab and Muslim peoples are in need of. As for jihad in the sense of self-defense against aggression and against occupation of home, land, wealth, and religion, that is another matter. This kind of jihad can be described as legitimate even on the basis of the pillars of contemporary international law, the Charter of the United Nations, and a number of international treaties and agreements. It should not be understood in the sense of "the right to conquest" and not in the sense of "spreading the Call to Islam" by force of arms or otherwise. In this case, jihad can only be applied by some Islamic (Sunni) legal authorities or exegetes. The Caliphate is one such authority endowed with the power to call for jihad. Therefore, the call by one nation or another today, or the call to jihad by armed individual or parties in the narrow sense

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124. See: Mithaq al-Umm al-Mutahida wa-l-Nizam al-Asasi l-Mahkama al-'Adl al-Dawlia (The United Nations Charter and the Fundamental Structure of the International Court of Justice), New York, Arabic edition, March, 1997.

of the word has no legal foundation. In Shiite doctrine, the Hidden Imam (the Awaited Mahdi) is the only one authorized to call for jihad. The Muslim umma as a whole has no right to call for jihad in the view of the legal authorities and jurists: jihad is a latent duty, not an active one. The jihad of Lebanese Muslims against Israeli occupation can in and of itself be defended on the basis of the Islamic Sharia and international law. This is considerably different from the "jihad" to blow up the World Trade Center, to kill civilians, or to shed the blood of the innocent!

In the mid-nineteenth century, the Ottoman Empire legally declared null and void the concept of special protection ("Ahl al-Dhimma") for non-Muslims and allowed them to participate in warfare. Non-Muslims were also no longer required to pay the poll tax ("al-Jizya"). These older understandings came to be at variance with the understanding of citizenship and equality in the modern state.

The Ottoman Empire got rid of the dualistic way of visualizing things as set forth by the old Islamic jurisprudence (fiqh) which had divided the world into two parts – "the House of Islam" and "the House of War" – to the degree that in an internecine struggle between two Muslim states, non-Muslim states with no interest in becoming Muslim nations could come to the aid of one Muslim state or the other at the same time the Muslim states were lining up against one another. Muslim and non-Muslim nations have raised their voices in the United Nations in line with their interests (there are two glaring examples: the Iraq-Iran War and the attack by Iraqi armed forces against Kuwait). Not infrequently, a Muslim nation has cut off diplomatic relations with another Muslim nation when a Muslim state has exchanged diplomatic envoys with Israel or established strong relations with military allies from among "the blaspheming in-

fidels" ("al-Kufr"), in the prevailing traditional sense of the term.

In my estimation, clashes between the "umma" ("community") of Muslims and other nations are no longer legitimate given political interests, cultural exchange, and the convergence of civilizations, all of which bring with them mutual benefits. Maintaining the rivalry for precedence between Muslims and non-Muslims is seen as a worthy cause only in some traditionalist organizations while the modern nation derives its support from objective laws stemming from the principle of complete equality and citizenship.

Some thinkers have chosen to assert that peace is the practical foundation for the Holy Qur'an when it says, "But if the enemy incline towards peace, do thou (also) incline towards peace."[125] Likewise, even if the enemy stands ready to launch an attack upon you, you are expected to continue to seek peaceful means to settle the disputes. This revelation from the Qur'an constitutes an evolutionary step in international relations and international law.

Likewise the following: "Therefore if they withdraw from you but fight you not, and (instead) send you (Guarantees of) peace, then Allah Hath opened no way for you (to war against them)."[126] This was a milestone in Meccan development and put into practice another Quranic revelation: "Say: O ye men! Now Truth hath reached you from your Lord! Those who receive guidance, do so for the good of their own souls; those who stray, do so to their own loss: and I am not (set) over you to arrange your affairs."[127] There is another group of verses along these

125. See: s.8:61.
126. See s.4:90.
127. See: s.10:108.

lines: "Allah is our Lord and your Lord: for us (is the responsibility for) our deeds, and for you for your deeds. There is no contention between us and you. Allah will bring us together, and to Him is (our) Final Goal."[128]

The fruit of this idea is that Muslims began reading their Book as a guide to history and as a historical critique, not merely as a mandate for all eternity with no relationship to the here and now. In the same way that slavery actually preceded Muslims but Muslims did not nullify the revelations relevant to slavery, one wishes that Muslims, and especially the godly ones among them, would join together with the developed world and, in their own countries begin to promote complete freedom for non-Muslim citizens to establish their own religions and to act with self-determination not only in permitting them to erect their own religious symbols and practicing their unique customs but also by admitting them to the high ranks and offices within the state on the basis of equality, rights, and obligations. The goal is to share with Christians in ways that rest on standards of equity, impartiality, and sincere devotion to the vision of Islamic tolerance in its true form along with what is in harmony with the modern constitutional requirements of the state and full citizenship, with no discrimination for any reason. This would be in line with the development of a united society, a society that acknowledges the wish to coexist and that acknowledges the desire for complete equality. Behavior such as this points the way toward living with all other peoples and nations and indicates how to bring about genuine world peace aimed at humanity as a whole and based on the concept of tolerance, a concept that religions are dependent upon and to which philosophies, too, have turned for support.

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128. See: s.42:15.

It is incumbent upon me as a Muslim to practice full awareness living in a country (Iraq) where the overwhelming majority of Muslims are by necessity protecting a Christian minority along with other minorities - religious, doctrinal, ethnic, linguistic, and so forth – on the basis of complete equality. It is our duty to safeguard their right to grow along equal pathways. Indeed, it is an obligation of the state, more than that, of society, to protect the right of Christians to compete for employment opportunities equally with Muslims based on qualifications and without discrimination. Moreover, as Arabs living in an overwhelmingly Arab nation it is our duty to defend the Kurds as a second nationality and their right to share in Iraqi citizenship. Likewise, we have the obligation to defend other nationalities such as Turkomen, Chaldeans, and all others, and to defend and protect religious minorities such as the Yazidis, Sabeans, and all others in whatever forms they may take. I am aware that this stance is not merely a matter of opinion or courtesy, but that it represents the essence of the natural humanitarian posture: one that is sensitive to the need to preserve human justice and equality, the divine gift that is given to all humankind. Naturally, it is the obligation of minorities to likewise respect the rights of the majorities based on the principles of peaceful citizenship, honorable competition, and the pillars of the contested nature of democratic life and charters of human rights.

More than this there is no place and no justification for the concept of paying the jizya poll tax and other such matters, not to mention the idea of spreading Islam by force at the point of the sword. These practices cannot be justified in light of the millions of Muslims who now live in the nations of the Christian West, who receive subsidies and support, and who are blessed with freedom having fled their own countries for reasons of political, nationalistic, doctrinal persecution, or other forms of the

same. The status of women may well continue to be in a state of ongoing evolution. International charters and agreements and the question of the equality of woman and man constitute the strongest pillar of this evolution, and Muslims, especially the true believers among them, would do well to heed it as a pillar that envisions convergence and harmony with the advanced world and with the human dignity that God gave to all human beings, women and men. This pillar should be solidly lodged in the world we all inhabit as created beings.

These matters are like those of the jurists and well-versed men of learning and culture: people who are able to guide us along the path toward new readings of history, harmonizing those readings with the spirit of modernity, globalization, technology, and equality which the modern state requires along with standards of human rights. We must initiate here broad based dialogues based on freedom of choice: intellectual, philosophical, cultural, political, governmental and non-governmental. These dialogues should take place in the sectors of civilized society, including religious institutions, in order to assure that the principles of equality and non-discrimination will take root in law, in the behavior of judges, and in everyday practice. In this way, we may plant and nurture traditions of respect for the opinions of others, along with reforms in religious preaching. Once disseminated as a set of understandings and then rights, these traditions will continue to aid us in our search for humanitarian partnership in building up humankind and grounding this partnership in a legal and constitutional framework. The ultimate goal is a complete society in which everything crystallizes into the legal pillars and texts from which constitutions can be generated. From there, we will move on to discover the correspondent blessings and benefits and defend them through dependable institutions.

Conclusion: Hypotheses of Tolerance

We must admit that the situation we in the Arab and Muslim world are living with is, from a global perspective, among the grimmest on the issues of tolerance and respect for human rights. The Human Development Report published by the United Nations Development Program for the past three years has brought to light the bottomless pit into which the Arab world has sunk. We may add that the Islamic world as a whole as it relates to civil and political liberties and political repression has sustained heavy damage to its systems of knowledge. The Muslim world has suffered terribly frightful levels of regression in the fields of science and technology, the issue of the liberation of women, and the way the questions of minorities and human rights generally have been treated.

Perhaps these circumstances taken together constitute the chief reason for the spreading phenomenon of intolerance. In particular, we must call attention to the domestic, intellectual, and cultural causes, along with the economic and social repercussions, in addition to those foreign elements or factors that are contributing to the isolation of Arabs and Muslims, their marginalization, and hindrances to their participation in obtaining necessary know-how and technology. Moreover, we cannot fail to mention the wars, repeated hostilities, embargos, occupations of lands, and so forth that continue to play a role in wasting Arab and Muslim potential and wealth. Expenditures for "the military" and specifically for arms continue to go down the drain under the guise of helping the Arab Palestinian people to determine the process of building and consolidating their in-

dependent national state. All of this goes on while Israel persists with its repeated hostilities against the Arab community [umma] by obstructing and delaying reforms, impeding democracy, and hindering the march toward renewal.

Some Arab and Islamic governments along with other (Leftist) movements (even those who oppose these governments) have exploited the reality of the Arab-Israeli conflict to justify the confiscation of freedoms, the policy of intolerance, refusal to acknowledge pluralism, refusal to acknowledge the right to be different and to stand in opposition, and finally hampering the march toward development, progress, and democracy.

Indeed, refusal to acknowledge the Other while distancing him and denying or marginalizing him on the domestic level (that is, with respect to governments by the people) or in like manner on the international level (the attempt to impose subordination and rule by decree or hegemony) have led to unjustifiable assumptions of priorities and attempts to control the truth along with how the Other, the one who is different, the opponent, and the enemy are to be treated: whether they will be respected or anathematized and criminalized. Thus, in the case of the one who is different, according to the viewpoint of the fundamentalist movements, domestic and international, what is required is to eliminate his resistance and refuse to acknowledge him as an equal, whether "he" is an individual or a movement, a party, a community, a people, or a nation.

The basic challenge the Arab world faces has to do with our capacity to follow the march of civilization. At this point what is needed is a sound and thorough appraisal of our most pressing needs and fundamental requirements if we are to achieve progress and change. Our hope lies in development, moderation, symmetry, and proportion. It rests in the search for human coop-

eration, acknowledgement of the Other and tolerance in dealing with him, treatment such as we would wish for ourselves in return. The alternative is yielding to entrenched practices and rejecting any change for the sake of preserving "the legacy" and "the fundamentals." Going down this path will lead to our drowning in extremism, tribalistic fanaticism, and other such excesses. This is perhaps why we are aggravated at our calamitous situation and why our societies have seen such an increase in suffering. This is also perhaps what is causing the buildup of political, social, religious, and doctrinal congestion.

Admittedly, the current "new initiative" with respect to "reform" and "the Greater Middle East" and the many international laws that are being urgently discussed are not thoroughly understood nor have clear and specific aims been delineated. But that doesn't necessarily mean we have to regard with suspicion all talk of reform, change, and renewal. For the power of the forces pushing Arabs and Muslims to bring themselves up to date, the forces pushing for renewal and reformation, have been demanding reform, democracy, and change since the last half of the nineteenth century and the beginning of the twentieth.

This call was renewed following the acquisition of political independence that put an end to the age of colonial rule. However, it was, and continues to be, met with attempts at autocracy and the monopolization of power, the removal of freedoms, the weakening of political participation, the continuance of prohibitions against or marginalization of the role of the foundations of civil society, the right of political and professional interests to organize themselves and establish leagues and unions, the removal of a place for law, the weakening of institutions of supervision, accountability, and transparency, the seizure of executive powers at the expense of other powers, and the decline

of the judiciary except in a limited manner in some countries where it continues to preserve a distinctive independent role.

Indeed, there is a pressing and urgent need that reform, whether dependent upon "national merits" or upon "a foreign agenda" or whether dependent upon domestic strength, not be allowed to slip away or stray from its course especially while the situation continues to be marked by severity and intolerance, the weakening of initiative, and the absence of any genuine steps toward reform and toward fighting corruption, bad government, and the concentration and monopolization of power. Unless reform comes from within in response to gradual, cumulative, and objective development, there will be only storms and plagues at the hands of foreign challenges and barefaced international interventions (including military ones). The ordeal of Iraq's occupation is perhaps proof enough of that.

It isn't necessary to view talk of reform as "a big conspiracy" or "a dubious innovation" offered by "the foreigner," the alien, the adversary, the enemy. Where once reform may only have been a matter of internal necessity, now it is a global movement that is impossible for us to remain hostile to under pretexts of "privacy" or retreat. Instead, there must be interaction with the forces of reform and support for it. It is not possible to speak about reform in ready-made descriptions, slogans, or tropes while we rush about trying to keep body and soul together addressing our political, economic, and social situation. A path and a lasting outcome require institutions that will nurture and protect regular, predictable laws, and provide for an extended period of gradual, permanent development, and clarity of objectives.

The problem is not hidden in the past but is facing us in the

here and now. A number of Muslims or Islamists are living in the past and don't want to come out of its dark tunnel sometimes. Their deliberations are limited to thoroughly examining and excavating "libraries" of pure, fundamentalist, hand-me-down legacies and history in its cleanest and neatest form, while ignoring mistakes or unhealthful practices. They embellish and adorn these formulaic traditions in their quest to provide moral yardsticks for the present. The results they have gleaned from the examples and models of Muhammad and the Rightly Guided Caliphs are proof of that. At times these even fall outside their proper historical context: a history of 1400 years. They often bear no correlation with Islam. The mistaken practices done in Islam's name over the course of the long, past centuries, not to mention the present, the least of which can be said is that they have not been marked by tolerance, are replete with voluminous, oppressive affronts to human rights committed by the many and the great.

Unless those of us writing in our libraries carry out a thorough examination in accordance with all that is new, and, in particular, all that is aimed at the good of mankind and is in harmony with the spirit of the times and its political attributes and furthermore is in accordance with the customs, laws, and objectives of the times, then, human partnership will become a partnership of the worst human divisiveness for different civilizations, cultures, religions, communities, and peoples.

It isn't possible to enter modernity while we remain shackled in ancient chains and in the language of "glorification" of the abstract. We must be critical of and repudiate what is outmoded and obsolete and what has been left behind by life. This is what is needed to inspire the example of tolerance. It requires recognizing the Other and the ways he differs from us. We must

practice respect for diversity. Similarly, rigorous and profuse attentiveness to the freedom of women and their equality with men is also required along with genuine acknowledgement of the role of minorities and their fair and lawful rights. We must also establish the principle of complete citizenship and equality for all constitutions and respect for the principles of equality based on contemporary constitutional foundations in harmony with international standards and measures of human rights and the establishment of cultural, national, and religious distinctiveness.

Indeed, genuine progress requires, beyond respect for human rights as a central issue, utilization of the known world and utilization of everything that both secular and religious revolutions have brought us, especially the revolution in communications and communications technology for the good of mankind and his freedom and happiness.

I believe that one of the problems of the Arab and Muslim world is deeply rooted in the absence of tolerance and the absence of a milieu that make it possible for tolerance to spread. Going down this path requires genuine reform on the constitutional and legal levels as well as on the level of related social, political, cultural circumstances, and discussions about how to sustain rational and ongoing development.

The new rhetoric requires recognition of the Other and his place, and at the same time a critique of him as well (including, for example, a critique of the West and its policies with respect to the Arab-Muslim issue, and with special attention to the Palestinian problem). At the same time, we ourselves must engage in self-criticism, criticism of the "I" as well as the "Other." This means recognizing the Other as a full equal and recognizing his rights and role in partnership with us as we jointly pursue a ra-

tional model. It requires a logic that is responsive to change and development.

Getting to that point demands room to grow and a healthy milieu: climates appropriate to the times and a healthy environment in which to sow and grow the idea of tolerance. It also requires increasing the conditions and necessary prerequisites. No doubt, depending upon some of the following hypotheses and actual conditions, this will lead us back to discussions of cumulative experience and degrees of progress that are of long standing; but it will also result in a substantial acceleration in our political, legal, social, economic, cultural, and intellectual situation (to name just some areas of potential growth).

The first hypothesis concerns itself with establishing a concept of error and correctness. That is to say, the possibility that we could be either right or wrong means the possibility of two outcomes. In the event that both are in error, then, we must resort to a third opinion which becomes the correct one. In this vein, accepting the principle of tolerance means establishing the principle of the relativity of knowledge, a point that was grasped by both Socrates and his more recent protégé Voltaire.

Indeed, the establishment of a concept of error-correctness and the relativity of knowledge constitute the basis for what was taught by Imam al-Shafi, Imam Jaafar al-Sadiq, Abu Hanifa, Voltaire, and others. All helped prepare fertile soil for accepting the principle of tolerance. Their contributions represent important and fundamental steps forward. However, particularly in the case of Muslims it has been to no avail. Muslims seem constantly to be harking back to what Faruq 'Umar said: "May God have mercy on whatever leads me to imperfection!" Perhaps here we see an acknowledgement of all that is wrong with us. This axiom could become a kind of "apology" and an axial step

toward tolerance.

The idea of rational, mutual understanding is a pressing and necessary question in that it represents and models discussion and dialogue in the pursuit of correcting errors. It aims to discern what is right, what is wrong, or what is real and what is counterfeit without becoming immersed in discussions of who is wrong and who is correct. This whole study has been directed at the possibility of how we may all live together and practice tolerance: not restricting rights, but rather acknowledging those rights by adhering to them and defending them.

The second hypothesis deals with recognizing the concept of approaching reality as opposed to grasping it once and for all. This is how discussion ripens and matures. It is how ideas evolve on their way toward the truth. Perhaps the greatest discussions in history of all were those between Einstein and Bohr, the most important theoretical physicists in the world, and those between Marx and Engels, the most important social philosophers. Both pairs of thinkers were competitive and had their disputes. But, clearly the outcome in each case was a blossoming of will, ideas, and results. Indeed, negating claims to possess the truth and discussing and arguing about the way to arrive at the truth leads to tolerance. It is a step that cannot be ignored and without which tolerance cannot be achieved.

The third hypothesis deals with the idea of non-infallibility with respect to making mistakes. That is to say, scholars and thinkers likewise make mistakes, indeed, have been mistaken over and over again in their judgment, knowledge, in experiments, and on the moral level as well. Socrates said: "Be wise, know yourself, and know that you know nothing!"

Establishing a principle of non-infallibility with respect to making mistakes makes it possible for us to acknowledge our

mistakes. Accordingly, whenever each one of us can bring himself to acknowledge his mistakes it becomes easier for us to reach moderate solutions on a common footing of tolerance.

The fourth hypothesis asserts that tolerance means accepting diversity and respecting cultural differences as well as the similarities in human qualities. Because of this, tolerance presumes and prescribes recognition of the Other, openness to him, contacts with him, and freedom to deal with him and coexist with him.

The fifth hypothesis says that tolerance prescribes the establishment of differences between human beings as to their innate natures, their appearance, their circumstances, their languages, their behavior, and their values. Because of this, tolerance demands the right of all to live in peace with one another.

The sixth hypothesis states that tolerance presumes taking a positive stance with respect to others, indeed, affirming specifically the right of others to enjoy their basic human rights and freedoms. This does not mean surrendering "the me" or bargaining it away, but rather recognizing that "the Other" exists.

The seventh hypothesis asserts that tolerance on the international level means including justice and non-discrimination in legislative matters and administering the law and judicial, administrative, and other such proceedings on behalf of all without marginalizing anyone or practicing favoritism or tribalism.

The eighth hypothesis states that tolerance is required on the individual, familial, and societal levels. Individuals are equal in honor and in rights. They are obligated to help one another through coexistence and through recognition of one another's diversity and equality.

The tenth hypothesis asserts that education is the mechanism for stopping intolerance in its tracks, specifically, education of

society and of individuals on human rights and the freedoms they all share. Perhaps schools and other modes of educating children can become partners in creating an environment that is prepared to accept tolerance and diversity. The Church, the Mosque, and other religious institutions should participate in reforming conditions and should set requirements for a long term, extensive evolution toward the establishment of tolerance.

Finally, the principle of tolerance has a variety of sources: religious, political, legal, racial, moral, social, intellectual, and philosophical. However, it faces obstacles put in place by intolerance, the fruit of tribalism and sectarianism. Sometimes these obstacles come in the form of wars and hostilities of other kinds including exterminations, acts of revenge, the silencing of freedom of expression, the criminalization of points of view, or condemnation of thought. Some of these ills even extend into private life where barriers are set up between partners, spouses, and families!

Are we ready to look at this? Are we fortified with reason? Calls for tolerance have been few or have given rise to acts of repression. The road is especially difficult in light of the prevailing fashion for uniformity, absolutism, and for calls to seize possession of the truth. The cause requires personal and spiritual discipline, as moral standards of measure, in the same way that responsible and protective laws and institutions do.

In the end, it is progressive models that are the most inspiring on the spiritual and moral levels. The same is true with the practical constraints that can make intolerance gradually subside especially through development and the accumulation of experience. Thus, we are able to reply again and again with Imam Ali Ibn Abu Talib, who used to say: "Do not be afraid if the path toward truth becomes a bit blocked."

Biography of the Translators

Ted Thornton

Ted Thornton holds an M.A. in History from the University of Massachusetts and an M.Div. from Harvard Divinity School. He also studied at the Tantur Ecumenical Institute in Jerusalem and the American University in Cairo. Ted specializes in the creation of online resources and web based applications linking his students with other students and teachers in schools as far away as Beirut and Brazil. He is the author of a web based resource, "History of the Middle East Database," and the founder of the "Islamic Middle East Blog," a web forum for teachers and students. He has won awards for his use of web based learning materials and for excellence in teaching. Ted has done consulting work in London and Cairo for the Aga Khan Education Services. He frequently translates media material from Arabic to English and recently translated a book by Abd al-Hussain Shaban, The Understanding of Tolerance in Arab Muslim Thought: Culture and State. Dar an-Nahar, Beirut, 2005.

Ted has led student travel-study programs to Egypt, Turkey, Portugal, Jordan, Qatar, Brazil, and South Africa. He was the founding director of the Northfield Mount Hermon Middle East Resource Center, which sponsored speakers at the school, ran a summer study institute for area teachers, served as a consulting agency onMiddle East affairs for local schools and churches, published an electronic newsletter, and developed and distributed software and other resources. He is a frequentlecturer and panelist on Middle East affairs and Islam in area schools and churches and has presented workshops on teaching about the Islamic world at professional conferences in such venues as Cairo, Montreal, San Francisco, and Boston.

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