

# Islam and Muslims in America (Part 1)

Dr. Jasser Auda\*

Dr. Jasser Auda at Onislam.net

During his recent visit to Cairo, the first visit following the Egyptian revolution which started this year on January 25<sup>th</sup>, Dr. Jasser Auda met with members of the Onislam.net editorial team for more than two hours in a dialogue on the Purposes of Islamic Law (Maqasid Al-Shari'ah) in the context of today's current events, which is his field of specialization.

Dr. Jasser Auda is an Egyptian/Canadian scholar born in Cairo in 1966. He is an Associate Professor at the Public Policy in Islam Program of the Faculty of Islamic Studies in Qatar. He is a Founding Member of the International Union for Muslim Scholars (IUMS) in Ireland, and a member of several committees dealing with Islamic thought and contemporary issues in Canada, the UK, Egypt, India and the US.

Before the start of his talk on Maqasid, we conducted with him this interview on the Shari'ah Index project, and the recent controversy in the US on the issue of Islamic Law and the conditions of Islam in America, followed by the situation of Muslims in Europe and how the conditions of Muslims in the West in general could be improved in the near and distant future.

This is a transcript of the first part of the interview on Islam and Muslims in America, which took place in Cairo, on Wednesday 9 March 2011:

Onislam.net (OI): It is a pleasure to have you with us today at Onislam, and we are honored by your visit.

**OI: You mentioned today something about the initiative you took in cooperation with the Gallup Foundation, to present Shari'ah (called the Shari'ah Index). Could you give us the background of the project, and elaborate on the findings you reached in this project?**

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Jasser Auda (JA): The Shari'ah Index project is a project that started several years ago, about five years ago. I actually joined the project two years after it started. It started as an initiative of the Cordoba Initiative, which is an American NGO that is interested in bridging the gap between the West and Islam. They were supported by the Prime Minister of Malaysia, Badawi at that point, in order for them to answer the following question: "What is an Islamic State?"

There were a number of experts who met over a number of years in order to answer that question. I was honored to join that committee in 2007, where that seminar reached the following conclusion: The Islamic state is the state that establishes Maqasid Al-Shari'ah, or the purposes, objectives, intents, higher principles of the Islamic Law. That is how we can measure the "islamicity" of a state. Obviously Maqasid Al-Shari'ah is a very human general way of measuring the well-being of human beings, whether we are talking about the preservation of religion (faith), the preservation of souls (of life), the preservation of wealth, the preservation of offspring, or if you wish for a contemporary translation the preservation of family, and the preservation of honor, and dignity or rights in the general sense.

So from this, the committee started to consult with Gallup Foundation in the States, as to how can we measure the achievements of Maqasid Al-Shari'ah in Muslim societies, and also in non-Muslim majority societies, whether Muslims are majority or minority, how can we measure the success of the state in implementing or achieving these things in the society via its policies. And actually even this idea evolved to how to measure the success of the society itself, whether the state plays a major or minor role or not in that, so how the society succeeds in achieving these goals. When we met with Gallup as a delegation from the Committee, in their HQ in Washington DC, for a couple of years, trying to brainstorm with them the intersection between that index, which we ended up calling the Shari'ah Index, or the Maqasid Index, and their well-being Index. And there was a lot of intersection.

**OI: Was this study limited to the US or was it on a global scale?**

JA: It was actually on a global scale. We ended up deciding to study the OIC countries, which is the Organization of the Islamic Conference countries as a first stage, and then to expand that to other countries in the world. And we realized that we were not big enough, and that our support from the Malaysian

government, even though it was a great support, it was not big enough to really come up with the ranking itself of the different countries, but at least to come up with the criteria by which you can build the Index.

Of course to make an index, we have to go to all the different countries and ask them, which would require a building and a number of people. Gallup though cooperated by giving us data that they have on the Muslim world. Our sister Dalia Mugahed at that time she was the Head of the Muslim societies branch, now she is in Abu Dhabi leading the same project on Muslim societies in a different project. At that time in Washington she was leading the Muslim societies index, and she gave us according to an agreement between Gallup, Cordoba and the Prime Minister of Malaysia office, gave us the data for three years, through which we came up with some conclusions based on asking people.

The Index itself of Muslim societies, or the Poll of Muslim societies, was not meant to be a Maqasid Index, but we transformed the results of these questions and answers into what could fit as an analysis of the Maqasid of Shari'ah Index. And we ended up with some sort of index, but not really ranking the countries, but just an initial study. Unfortunately it was never published anyway. I guess politically the project could not continue after some point, but it was a proposal for an Index as to how we can measure the well-being of the society which is based on the Maqasid Al-Shari'ah achievement in a society, based on an analysis of what exactly we mean by the right for life, for example, or preservation of life. For example, we divided that into health related issues and environment related issues,... etc. all from an Islamic point of view. And the poll which was asking Muslims how these things are achieved on the ground, in different Muslim countries, these questions were used as indices into the Maqasid Index, so that we can measure the achievements of these Maqasid in Muslim societies. So, that was the project.

**OI: What were the most important criteria for the Shari'ah Index. You mentioned health, others criteria for the Index included education I assume?**

JA: Well, we divided the criteria in the same division that is there in Maqasid Al-Shari'ah, which are: (Darooriyat, Hajiyyat & Tahsiniyat), meaning the necessities, what we call "the needs" and what we call the "luxuries". The

necessary criteria were the main criteria, and this is divided into five as it is in the classic theory of Maqasid: The preservation of religion/faith, The preservation of life, The preservation of family, The preservation of honor, The preservation of mind and dignity

Now, these were equally-weighted, because each of those represent a part of the Islamic understanding of well-being, but the necessities were the highest of the scores. Now measuring these things, there were things that overlapped with the UNDP for example (The United Nations Development Program) criteria as in health, education and all of that, and there were things that were exclusively Islamic, like for example in the preservation of mind number one criteria was what we call the Sobriety Index. It is very important in Islam that a mind is conscious, and the society that is free of drugs and alcohol for that matter, is an Islamic society in that sense. And therefore countries that allowed alcohol to some extent, or was not tough on drugs for example compared to other countries scored less, though these countries could be alright in other well-being indices.

The preservation of honor, the issue of adultery in Islam is a major issue, so if a country is giving a priority in its educational system, and if the formal and informal media in that country is going against the culture of adultery, this country for example scored higher, even though the family values ... etc are common amongst people. So there were issues which were common among humanity, to be honest most of the indices, but some of the indices were exclusively Islamic that we inserted in the Index.

**OI: So the first phase as I understand it was Muslim countries (OIC countries). Then you went to a second phase of this project to apply this concept to the US?**

JA: Actually we didn't finish the first phase. Before the end of the first phase and publishing anything which has to do with OIC countries, what we decided a couple of months ago is to publish a book which has the criteria of the Index, and the theoretical analysis of the index, but without ranking any countries. And I think the project stopped there. We can appreciate that there is a lot of politics in ranking Islamic or non-Islamic countries in term of how Islamic they are, which I think put the project at the end to a halt at this stage.

**OI: But you presented this idea to a society in the US?**

JA: O yes of course. It was on the web site of The Cordoba Initiative, some of the initial findings and the initial criteria of the index, but again without ranking or anything, because this was never finalized, and I think the cooperation with Gallup stopped there. This will be in that book which Cordoba will publish, will be an Appendix really, an initial study carried out with Gallup as to how we can really try to measure these things. The questions will be included in the Appendix but not the findings.

There was a lot of uproar in the States when the findings were presented because some obviously right-wing politicians in the States, Neocons to be precise, they thought that this is too friendly of a picture that we are introducing for Islam, and especially with the other project of the Cordoba Initiative, which is the Islamic Center in New York, that the Shari'ah Index was supposed to have the headquarter there, in one of the floors. This was too much for them to take in terms of how friendly this is. You find articles on the Internet and blogs sites and stuff, and how these people are deceiving America by making Shari'ah very friendly. But actually the council which was formed of thirty very prominent Shari'ah scholars, that is how they viewed Shari'ah. Nobody was giving any false picture, and In-Shaa-Allah when the book comes out, hopefully by the end of this year, you will see how authentic and classic these views are. This is Shari'ah, that is how we understand it. But perhaps some people have an agenda not to present any friendly picture of the Shari'ah. It is supposed to remain a buzzword for evil and stuff for some agendas.

**OI: Did you get any positive reactions from academics or objective researchers?**

JA: Yes, we did actually. In our campaign for publishing that book, we sent a summary and some main highlights to a number of Muslim thinkers and scholars who praised the project and were willing to participate in the seminar when we announce it. Yet exactly the contributions and the official statements evaluations are still in the making, we don't have anything to publish so far.

**OI: So as you are familiar with the environment of Islam in the States and the conditions of Muslims in the US, what do you consider are the main challenges Muslims in America are facing at the moment, especially with the recent campaign against Shari'ah in the US?**

JA: I think the main challenges are political, rather than cultural. I think Islam is integrating in America in a very good way. The second generation of Muslims there are advancing, building their own institutions, and I am speaking about America and Canada, being a Canadian anyway. I think these people are re-defining their existence there in a very indigenous and familiar way. You see they are, like in Canada, because it's a multi-cultural society, they present Islam as one component of that society. And I think so far they've been successful in separating their cultural baggage and their cultural background from the new reality of life in Canada.

In the States it's a bit different because it's a melting pot, where you know you have to be American before anything else. But I think American Muslims are succeeding in that. America has the advantage of allowing people to add another description to being American, Arab American, Muslim American, Italian American, ... etc., and I think Muslim Americans or American Muslims are succeeding in forming this new identity in a very good way. I think the challenges are mostly political. Of course there are cultural challenges where they have to kind of develop the initiatives that they took, in mosques being more family-friendly and women-friendly, and I think this is very important to develop.

But I think the major challenge is political because there are so many people who have a political agenda against minorities in general, on racial basis or partisan basis or something. And these people are very powerful in the media, some of them have some Zionist agendas, some of them are pro-Israel and they think that the American Muslims are going to be a problem for their political views, and political agendas. So this is the main challenge in America for Muslims from my perspective.

**O1: Do you consider that the overall image of Islam and Muslims in the States is more positive now compared to what it used to be a few years ago? Is the image of Muslims and Islam in the media improving with time or is it getting worst?**

JA: I think it's improving. I think a few years ago, especially after 9/11, the image of Muslims was very negative. Now as there are more and more Americans who question the official narration of 9/11 and asking for more investigations on one hand, and as Muslims are becoming more vocal and more representative of the values of Islam on the other hand, I think that

makes the overall picture of Muslims being much better, because on the one hand Muslims are more aware of the need to present themselves in a vocal way and in a way where they seek common grounds between them and fellow citizens, and on the other hand the campaign which was against Muslims and the accusations of Muslims that they are behind every evil in the American society is actually becoming less and less as more average Americans are being aware of perhaps the other evils in society, and the other interest groups that are causing damage to society.

So Al-Hamdul-el-Alah, the image is improving in general. The current Administration is very friendly towards Muslims, and the initiatives that they take are very useful. President Obama's statements that Islam is one of the religions of America, even though it brought him a lot of accusations of being Muslim and all this non-sense, but actually it is very true and very useful for Muslims, that is a very different talk from the Islamo-facism and all that stuff we heard before, and that is very useful for Muslims in America.

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## **Islam and Muslims in America (Part 2)**

Dr. Auda gave a background of the Shariah Index project, in cooperation with the Gallup Foundation, and gave his personal views on the image of Islam and Muslim in the US and Canada

According to Dr. Auda, the main challenges Muslims face in America are political, and that despite all challenges, the future looks promising, especially that the current administration is taking more positive steps towards American Muslims, compared to the previous administration.

In the second part of this interview, the focus turns to the situation of Muslims in Europe. This is the full transcript.

**Onislam.net (OI): If we move to Europe, I know that you lived for a number of years in the UK, and you established there a center for Maqasid Al-Shari'ah studies. How different is the situation of Muslims in Europe compared to Muslims in America?**

Dr. Jasser Auda (JA): Actually, it is different. It is different due to the differences between European societies and North American societies. In European societies, people have Islam already as a component that is even much more prominent than Islam in America, for example, in terms of the

number of people and in terms of the role these people play in the society, how much they contribute to society in a positive way, as well as how much they contribute negatively, some of them to the society.

Yet, the question of Islam in Europe is still not answered fully by Europeans. I always say in conferences, lectures, and so on, that the concept of being British, or being German or being French, is in need of revision, with all honesty, to my fellow European friends who are British, German or French. When you bring that many people to your British, German or French ... etc society, the society starts to change, you have to redefine yourself.

Not just because I'm Canadian, but because it is a very good system, I think multiculturalism is in need of revision. Several European leaders are telling us now that multiculturalism had failed; we heard that in Germany, and we heard that in England, and I think it failed because of failed policies of dealing with Muslims there, not because the concept of multiculturalism is bad. It succeeded in Canada for example, despite of course some problems that Muslim extremists have caused in Canada that Muslims themselves were against anyway, like anybody else.

I think linking multiculturalism to terrorism, or to unrest, or to problems or to the compromise of the European values of human rights, I think that this is cheap political talk. I think multiculturalism is a value that is absolutely compatible with European values, and politicians instead of saying that multiculturalism had failed, I think they should redefine or re-align themselves to be more multicultural. You could still keep the core values of Europe which every European Muslim respects, and leave different communities for some specificities of these communities.

There is no harm for a community to find, like for example same sex marriages, to be a sin, there is no harm in this, whether they are Muslims, Christians or Jews. There is nothing wrong. Nobody criminalized that. The law could have a degree of tolerance and all that for these forms of marriage, this is absolutely fine, I don't think that the majority of Muslims want any criminalization of that, if I understand that correctly. Yet, religions are free to consider whatever is a sin is a sin. Nobody is forcing the society for anything.

Muslims consider alcohol to be a sin, and I think that is a positive thing, but for believing that alcohol is not a sin to be a requirement for you to be a European citizen or to be a good citizen, I think that this is again cheap politics, because people are free to define their morals as much as they want, as long as they don't contradict with the laws.



So I think that the talk about "contextualizing of Islam in Europe" or "integrating Islam in Europe", needs to be open-minded on both sides, not just from the Muslim side, but also from the other side. People who consider themselves to be originally European, I think there should be compromises on both sides; from the Islamic side, re-interpretation which is taking place already should continue in order for Muslims to find their grounds and their new culture as Europeans, as well as from the other side, where reinterpretation of European values or European ideals, should also expand in order for Muslims to have a place as a part of society, not just Muslims but any religious or cultural minority in Europe not to be marginalized, and therefore problems come out of marginalization, not of Islam or multiculturalism, but because of marginalization.

**OI: So for European Muslims to better integrate in Europe, and minimize the attacks that they are getting all the time, specially with the rise of right wing political parties in Europe in the last few years, especially since the recession, what would be your main recommendations for European Muslims? And what should they do in order to be able to cope with this storm?**

JA: In my humble opinion, I think the main recommendation would be to separate Islam as a religion from Islam as a culture. There is a difference, and people are not supposed to bring their cultural baggage to European societies and then force them on the societies, as these cultural baggage are harmful for the community in one way or the other. All the divisions that we have in the East between, I don't know, Bangladeshis and Pakistanis, Iraqis and Kuwaitis,... etc, we are not supposed to bring that to the West and form all sorts of problems because of that. I think we need to separate our cultural, political, and sectarian baggage that we had in our countries and bring the core of Islam to Europe and practice the core of Islam only as Islam. The rest of it should be European, how culture is in Europe, and how the norms are in Europe, so I think that is one recommendation.

The other recommendation is to be active politically. Democracy is the best system that we know now as human beings, and is the ideal that even Muslim thinkers converge to, so I think that we should practice our democratic rights in order to make a change in European societies towards our ideals. So I think Muslims have to be more active politically, and more mainstream, and be able to change the system if they think that it needs changing via democratic means, because that is how the system works.

**OI: As regards education, what would you recommend?**

JA: In terms of education, again I think Islamic education in Europe has to be again more mainstream. I visited Islamic schools there and I felt that with all respect to the efforts and all appreciation, they are extensions to the "ghettoization" culture in Europe. So I think that the Islamic schools there will have to be more mainstream, they will have to keep their identity, but they have to be able to attract even non-Muslim children there, because it is a good school, a good system, similar in a way to Catholic schools attracted Muslim children, and they were able to practice their Islam in a relatively very clean and a very tolerant environment, and they succeeded.

I think that Muslim schools, and Muslim education in general has to be more mainstream, to direct themselves more towards the society and be open more towards the society. Of course they should reshape the curricula in the way they view priorities, but they still have to be open. That is talking about the schools.

Talking about the madrassas in the UK or in other parts, I think these madrassas have to be re-designed, with all honesty. They cannot take the curriculum as it is from Deoband or from Peshawar and then put it there in the madrassa, and the kids, because you are making kids who belong to a different society, and sometimes with all honesty a different century and history. And these kids are now becoming part of the British society, and they cause more harm than good for the Muslim community. So I think the madrassas yes they ought to teach Qur'an and Arabic language, ... etc, but they have to reshape themselves and their curricula, and revolutionize the way they teach the kids. With all honesty, I think the Islamic education system there is in need of great revision, from within. I am not saying to ask the government what we should be as Muslims, we should revise from within, and we have the elements of *tajdeed* (renovation) and so on, from within Islam.

**OI: How about the formation of Imams, whether in Europe or the US, is there enough progress being done in that field? And what should be done to improve the situation?**

JA: Not really. I think the governments are too scared, with all honesty, to force the certification of Imams via government programs there. I had the honor to participate in the Leiden University Committee that had proposed the Imams program in Leiden University. They had a program that is supposed to be a requirement before an Imam becomes an Imam in Holland, and I did say in that committee I think that the Dutch government should take the step of

enforcing this, I believe in this. The Dutch government should say, ok here is a program put by Muslim scholars, Muslim consultants and Muslim teachers, and now this program is a requirement before any guy from the Middle East becomes an Imam in the Netherlands, and that he has to go through a program and prove that he understands the basics of that society, elementary at least language of that society, elementary information on the culture of the society. I think it is an absolute mistake, if not a total disaster, to bring a young man from Morocco, or Egypt or Saudi Arabia, or Pakistan and make him an Imam in a society that he is not aware of anything about

**OI: But can't the Muslim community play that role? Why the government?**

JA: Unfortunately, the community is not taking enough initiative.

**OI: Is that the case in Holland only, or in all European countries?**

JA: Actually it is in all European countries in general. Where is the initiatives of Muslim communities to train Imams? There are no initiatives.

**OI: In the UK, there are some centers where the training of Imams takes place, like for example the Islamic Foundation.**

JA: That is great. But I think that, without generalizing too much, such a program must have more indigenous elements than what is happening now. I am not aware of every detail of every program in Europe obviously, but I see the result. I've been to dozens of mosques in England and in other countries in Europe, and I don't see qualified Imams, with all honesty. Sometimes they are very qualified to speak in a different environment, to speak in Egypt, or to speak in Morocco or Pakistan. He would be a great Imam if he goes to a mosque in Egypt and speaks. But if he speaks in the Central Mosque in England, that is a very different story that requires a very different Imam. With all respect to all the degrees and all the esteem that all the Imams have there, some of these Dutch mosques or German mosques, he would be a great Imam if he is standing in Turkey and speaking, but if he is standing in Germany that is a very different story, and really he has to be trained to be a German Imam.

Ibn Taymiyah, may Allah have mercy upon him, he had a group of fatawa in every country, like *Al-Fatawa Al-Masriyyah* (Egyptian Fatwas), *Al-Fatawa Al-Hindiyyah* (Indian Fatwas). He had a group of fatwas for India, then when he is talking about Egypt, he himself, the same man, is changing his language and changing his pre-assumptions. And when he talked about Morocco, this is a very different Fatawa, and so on.

The context is very important. Imam Al-Shafe'i had a fiqh (*al-fiqh al-qadeem*) in Hijaz, and when he went to Egypt he had a new fiqh (*al-fiqh al-jadeed*), and when we studied the Shafe'i fiqh we had the two fiqh, *al-ra'i al-qadeem* and *al-ra'i al-jadeed*: the opinion in the old fiqh, and the opinion in the new fiqh. These are opinions of the same man, and that is the difference between you know Al-Hijaz and Egypt, of the same century, and the same years and the same everything, not the difference between today's (or yesterday's) Saudi Arabia, and today's for example Bosnia. That is a very different environment.

So we cannot bring an Imam from Umm Al-Qura, who is highly qualified in the text, but when you put him in Bosnia, he brings things that are very strange for the Bosnian society, then *fitnah* and all of that differences and conflicts start to happen. You put the same Imam in Germany, in England or in France, and the same Imam is not qualified to deal with the environment, simply because he doesn't know the environment, he comes from a different background.

And the same thing happens for the "qualifying programs of Imams" in the East, so you bring the Imam to Egypt or to Saudi Arabia, or to Kuwait. That is great. The Imam could learn Arabic and memorize the Qur'an. But that same Imam has to do some sort of *Ijtihad*, in order for him to be qualified to come back, even if he is originally Dutch, originally English, or whatever. When he comes back, he has to have again some *Ijtihad*, he has to learn how to project what he learned in Saudi Arabia, back to his home country, ... and so on

**OI: If these measures and recommendations are implemented in the coming years, are you optimistic about Islam being integrated in Europe, and in the West in general?**

JA: Yes, In-Shaa-Allah. Of course, I'm optimistic because it is the nature of Islam. You know Islam came out of Makkah and Madinah and integrated everywhere you went in the world. From India, to China to Russia to Africa. We see an African Islam that is indigenous and deep-rooted in the society. Islam came to Europe in the 20th century, in the most part, and it will take a few decades to integrate and indigenize, but I am really optimistic, and I look forward to seeing indigenous forms of Islam in these countries. And In-Shaa-Allah there will be an addition to the diversity of what Islam is, and the truth in what Islam is.