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Waikato Islamic Studies Review

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Islamic Perspectives on Milk Banks and their Usage by Muslims

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The usage of milk banks by Muslim donors and recipients raises a number of questions that may seem uncommon in a non-Muslim majority context. Breastfeeding establishes a blood-like relationship between the wet nurse, the nursed child and a considerable number of other persons that forbids marriage in Islamic law. The anonymous donation of and reception of human milk through milk banks is controversially discussed by contemporary Muslim scholars as to its permissibility. The paper evaluates the different legal views and strategies on this issue with special reference to Muslims living in a non-Muslim majority context.

Introduction

Human Milk Banks are a relatively new invention. The first milk bank was reportedly established in Vienna in 1909.¹ Milk Banks seem to be increasingly popular in the Western World, i.e. in Europe², North America³, as well as in South America, mainly in Brazil⁴. Other countries are striving to open milk banks, such as New Zealand (with only one milk bank in Christchurch in 2013).⁵

As of 2015, no operational human milk bank is reported of in the Islamic World. Reports exist of pilot discussions on establishing human milk banks in Egypt, with a public discussion involving a fatwa of the Ifta' Office⁶; similar discussions are reported

¹ Ghaly, Mohammed: "Milk Banks through the Lens of Muslim Scholars: One Text in Two Contexts." *Bioethics*, 2010, p.1.

² The European Milk Bank Association lists 206 active and 13 planned milk banks for Europe as of 2015. <http://www.europeanmilkbanking.com/index.html>

³ The Human Milk Banking Association of North America lists 20 milk banks. <https://www.hmbana.org/locations>

⁴ Alone 210 milk banks are reported from Brazil. <http://www.ipsnews.net/2012/09/breast-milk-banks-from-brazil-to-the-world/>

⁵ <http://www.mothersmilknz.org.nz/>

⁶ On the discussion in Egypt see Ghaly: Milk Banks Through the Lens of Muslim Scholars, 1-11. See also the Proceedings of the 1983 IOMS Conference entitled "Al-Islam wa l-mushkilat al-tibbiyah al-mu'asirah, awwalan: al-Injab fi dhau'i l-islam" [*Islam and the contemporary Medical Problems. First: Reproduction in the Light of Islam.*] 2nd edition, Kuwait, 1991: 30-89. , ed. by al-Awadi, Abd al-Rahman. The volume pp. 458-465 also contains a very informative al-Ahram newspaper article on the discussion in Egypt.

from Turkey (Izmir).⁷ The question of using human milk banks in the Islamic world itself is therefore practically less pervasive in the Islamic world (although the large number of publications, particularly in Arabic, on this very specific topic tells of the public concern) than it may be for Muslims living in a non-Muslim context.

Anecdotal evidence reports of the experience of the medical staff in an Oxford Hospital, where Muslim parents of a pre-term child rejected an anonymous human milk donation for their infant.⁸ It is to be expected that medical staff in other places with Muslim communities among their patients encounter similar reactions.

To put things into the right relation, the question of using human milk banks is not one of the most pressing issues in need of discussion for either the Muslim world or Muslim communities in a non-Muslim majority background. It is however a question that needs to be answered, and a communication of the Islamic legal rule related to it is mandatory. In addition, certain aspects of the discussion may serve as a case study for Muslims residing in a non-Muslim majority society.

The usage of Human Milk Banks has been controversially discussed by Muslim scholars and the educated public for one major reason; according to Islamic Law, a relationship resembling the blood relation is established between the wet-nurse, the nursed infant and a number of other people; the nature of this relationship brings about a prohibition of marriage (*tahreem*) between the involved specified persons. Marriage between foster relatives is considered incestuous. If married partners are found to be foster siblings, the marriage contract will be annulled.

As wet-nursing other than one's own children therefore considerably broadens the scope of the extended family bonds and limits the number of people eligible for

⁷ See Ozdemir, R, et al: Human Milk Banking and Milk Kinship: perspectives of religious officers in a Muslim country. *Journal of Perinatology* 35, 137-141, Feb. 2015. The European Milk Bank Association reports of an established but not yet operational milk bank in Turkey. <http://www.europeanmilkbanking.com/turkey.html>.

⁸ See Ghaly: Milk Banks, p.5.

marriage, it has always been vital in Muslim societies to keep track of the breastfeeding record.

The major problem involved with human milk banks from an Islamic perspective is their anonymity; as milk from different donors is usually pooled, processed and allocated to recipients without either side(s) knowing the identity of the other(s). Therefore, the possibility of infants (being of about the same age) consuming the milk of one donor and marrying their foster siblings or other foster relations with whom marriage is prohibited two or three decades later cannot be belittled, particularly in smaller, isolated communities with limited catchment areas. (Contrary to some statements issued by some of the advocates of using human milk banks.⁹)

Islamic Legal Rules Regarding Breastfeeding and Tahreem

The Islamic evaluation of using human milk banks depends to a large extent on the Islamic legal rules concerning breastfeeding; how the foster relationship is established, by direct and indirect ways of feeding, the amount of breast milk reaching the infant's stomach, whether the milk was boiled or diluted, etc. Some of these questions will be summarized here.

Breastfeeding (arab. al-Ridha') is defined as "the milk of a woman or what has been produced from her milk reaching the stomach of an infant under conditions."¹⁰ Certain conditions apply to the type of wet-nursing that establishes tahreem, the prohibition of marriage. These are applicable to three pillars, the wet-nurse, the nursed infant and the milk.

⁹ For instance, Egyptian scholar with Qatari residence, Dr. Yusuf Al-Qaradawi, stated in an Arabic interview broadcast in the TV show Fiqh al-Hayat (entitled Bunuk al-halib wa l-muni – Milk and Semen Banks) that the possibility of these relations marrying later in their life is marginal. <https://www.youtube.com/watch?v=usD2JOGNOjI>

¹⁰ Kuwaiti Fiqh Encyclopedia, Al-Mawsu'ah al-Fiqhiyyah al-Kuwaitiyyah, Wizarat al-Awqaf wa l-shu'un al-islamiyyah, Kuwait, 1992. vol.22, p.238.

As for the origin of the milk, the wet-nurse, the main conditions to establish tahreem can be summarized under her being a female human being. The Hanafi and Shafi'i schools demand that the woman reached at least the age of puberty, should breast milk appear in her earlier, its consumption does not entail tahreem. The Maliki school asserts tahreem even if a girl under that age should have milk and feed an infant with it. The majority of scholars assert that milk of a dead woman establishes tahreem just like the milk of a living woman, as the nursing and growing of flesh and bones of the infant through this milk takes place, whether the milk donor is dead or alive. The Shafi'i school imposes the condition that the woman was alive at the time the milk was taken from her, if an infant is fed with it after her death, tahreem is established.¹¹

Pregnancy preceding the production of milk and nursing is not a condition to bring about tahreem; even the milk of a virgin leads to the foster bond being established. One reading of the Hanbali school excludes this possibility, as it is very seldom to happen and the milk will not be sufficient to nourish an infant.¹²

With regard to the nursed infant, one of the conditions is that the milk reaches the infant's stomach, either by holding and drinking from the breast, or pouring it down the throat, or even filling it in through the nostrils. It does not make a difference whether the milk is pure or diluted with any other liquid, as long as the milk is overweighing and its characteristics remain.¹³

In case the milk's portion is less than that of the other liquid, there is difference of opinion as to the establishment of tahreem; while the Hanafis and Malikis do not see tahreem established, the Shafi'is see it established as long as the milk reaches the infant's stomach, whether diluted or not.¹⁴

¹¹ Same source, vol.22, 242f.

¹² Same source, vol.22, p. 243.

¹³ Same source, vol.22, p.243.

¹⁴ Same source, vol.22, p.243.

Difference of opinion exists also over breast milk that is mixed with other foods or milk that changes its form (such as milk turning into cheese). The majority of schools see tahreem established in this case, as long as the milk reaches the infant's stomach and leads to its nourishment. The Hanafis exclude the milk in this form as well as milk that has been boiled, as it is not covered by the notion of breastfeeding.¹⁵

Of some importance for our milk bank example is the number of feedings that establish tahreem. There is no difference of opinion between the schools of law that five independent feedings (as mentioned in the hadith of A'isha (r.a.)) and above establish tahreem. However, there is difference of opinion with regard to an infant being fed less than this. On the basis of the generality of the text of Qur'an and Sunnah, the majority of scholars of the Hanafi and Maliki school, also the Ibadhi school, see tahreem established even after one feeding, under condition that the milk reaches the stomach, with no consideration of the quantity. The Shafi'i and Hanbali do not see tahreem established in this case. As to the five different feedings, different ways of taking in the milk do not influence the rule.¹⁶ Generally, tahreem is only validly established if the nursing child is less than two years of age – as this is the considered period of breastfeeding.¹⁷

Tahreem extends between the nursed infant and others on the same basis as it exists due to lineage (“Breastfeeding establishes tahreem in the same way as lineage”). Based on detailed evidences in the Qur'an and Sunnah, the foster relation establishes tahreem between the nursed infant and the wet-nurse as well as her ascending and descending female relations, her mother and grandmother, her daughters and sisters, paternal and maternal aunts, daughters of her brothers and sisters if the infant is male. Including by

¹⁵ Same source, vol.22, p.243.

¹⁶ Ali, Abdulhalim Muhammad Mansur: *Bunuk halib al-adamiyyat bayna l-hazhar wa l-ibahah*, al-Iskandariyyah, 2012, p.42.

¹⁷ *Al-Mawsu'ah al-fiqhiyyah*, vol.22, p.247.

tahreem is also the wet-nurse's father and grandfather(s) by lineage or fostering, her sons and brothers, paternal and maternal uncles, sons of her brothers and sisters if the infant is female. Infants breastfed by the same woman are related to the wet-nurse's relations as mentioned as well as to each other.¹⁸ Tahreem is also established between the nursed infant and children of the wet-nurse's husband under condition that he brought about the pregnancy inducing the milk (the scholars treat this under the headline *laban al-fahl*), and his children from other marriages.¹⁹ Tahreem is established if the wet-nurse (or the infant's family, respectively) is not a Muslim, as the texts are general and do not specify the adherence to Islam as a condition.²⁰

From this listing, it becomes obvious how many possible marital relations become excluded due to breastfeeding. The importance is therefore not only to identify donor and recipient of the milk, but rather to know their relations as well. The possibility that an infant may later in his / her life get married to any of these relations cannot be belittled, particularly in smaller communities, as mentioned above.

One could argue that religion plays a limiting role here as to the marriage choices for Muslims in a non-Muslim majority context, as Muslim females will only marry Muslims. Muslim males may however intermarry with adherents to other religions (Jewish and Christian ladies). In addition, there is always the possibility of conversion to Islam whereby an increasing part of the non-Muslim population may become eligible to marry Muslim women.

The ways to establish that a person has been nursed by a particular woman as an infant play an important role for our case study and shall therefore be summarised as well.

¹⁸ Same source, vol.22, p.247f.

¹⁹ Same source, vol.22, p.248f.

²⁰ Same source, vol.22, p.255.

The Hanbali school accepts the witnessing of the wet-nurse herself that said person has been nursed by her as an infant is sufficient to establish tahreem²¹, while other schools demand additional witnesses. Difference of opinion exists between the schools as to husband or wife themselves claiming they have been nursed by the same woman as infants, or their own mothers testifying to this.²² The complication in the usage of anonymous human milk banks is that donor and recipient are unknown from the outset, and both parties agree to the anonymity, which is in itself not a valid legal procedure. Contemporary scholars draw to a large extent on classical Islamic legal views with regard to establishing the foster bonds; however, to the extent that classical scholars of Islamic law arrived at different opinions in certain issues due to the nature of the case and the related texts involved (which are called non-definitive or zhanni), difference of opinion is to be expected.

Rationale and Wisdom – ‘Illah and Hikmah

One may ponder on the reasons for this legal rule; why should breastfeeding establish a bond similar to lineage? Scholars of Islamic law differentiate between legal rules that may or may not be rationalized. While it is agreed that for many legal rules, usually in the field of worship (i.e., the number of prayers, or the prohibition of certain food stuffs) the rationale (‘illah) or reason leading to their legislation has not been identified by the Lawgiver, Allah s.w.t.; for some legal rules the rationale is either clearly or by indication stated in the texts of the Qur’an and the Sunnah, or may be understood from their injunctions. In case the rationale to a legal rule is identifiable, the legal rule revolves around its rationale (‘illah) in absence and presence, which means that if the rationale is existent, the rule is applicable, if it is not existent, it is not applicable.²³

²¹ Same source, vol.22, p.254f

²² Same source, vol.22, p.253ff.

²³ See for example Zuhayli, Wahbeh, *Usul al-Fiqh al-Islami*, Dar al-Fikr, Beirut, 2005. Vol. 1, 614ff.

Some scholars state that the rationale for the prohibition of marriage through breastfeeding is that the infant's flesh and bones grow on this milk. The infant is seen as becoming a part of the wet-nurse through this process. Formally, ta'lil or rationalizing is hooked on the growing of flesh and bones through the milk. This rationale can be realized with the infant filling his stomach with the milk and benefitting from the nutrition, even once.²⁴

In addition, some classical scholars alert that a wet-nurse should be chosen with care, as her physical and even character traits may be acquired by the infant. A wet-nurse should therefore not be imbecile, or of shadowy morals.²⁵ This argumentation leads us to "the reason behind the reason" or *hikmah*; the wisdom of legislating a particular rule with regard to its effects. This wisdom is generally perceived to be in the knowledge of Allah s.w.t. and can be known to the human being only through communication by Him. The wisdom may or may not materialize as an after-effect; therefore, it does not enter a cause-effect-relationship with the legal rule. With regard to breastfeeding leading to tahreem, it is not target-oriented to ponder over the wisdom behind. It could lie in the sociological reasons (children nursed by the same woman are often raised together), or in biological or medical reasons we cannot yet discern. (As a matter of fact, scientists have only recently understood that the wet-nurses' stem cells are expressed through breast milk and may play a functional role in the system of the nursed infant later on in life.²⁶) Pondering over the wisdom, even if found, does however not have any effect on validity or implementation of the rule, as it is the 'illah (as mentioned above) that plays the decisive role.

²⁴ See Al-Akshah, *Bunuk laban al-ridha'*, p.21.

²⁵ Same source, p.185.

²⁶ See the promising research of Foteini Hassiotou on Stem Cells expressed in Breast milk; Hassiotou et al: „Breastmilk is a novel source of Stem cells with Multilineage differentiation potential.“ *Stem Cells* 2012; 30: 2164-2174; see also: Hassiotou, Foteini and Peter Hartmann: „At the dawn of a new discovery:The potential of Breast milk stem cells.“ *Advances in Nutrition*, November 2014. vol. 5: 770-778.

Contemporary Scholars on the Usage of Human Milk Banks

Two main opinions among contemporary scholars with regard to the usage of human milk banks can be identified.

Advocates of their usage, among the most popular representatives Dr. Yusuf al-Qaradawi, rely heavily on the dictum of necessity (dharurah). Dr. al-Qaradawi denies the commonly presupposed rationale ('illah) of growing of flesh and bones through the consumed milk, saying that if this were the reason for tahreem, a blood transfusion is more eligible to cause a foster relation, as the blood has a stronger effect on the recipient than milk. He sees in the motherly care of the wet-nurse the rationale for establishing tahreem. Dr. Qaradawi's fatwa relies heavily on the solitary juristic approach of an eminent scholar of the Zhabiri school, Ibn Hazm, who, based on his literal interpretation of the texts, demands that direct contact between wet-nurse and infant and suckling from her breast is a condition to establish the foster bond. He also builds his view on the doubt (shakk) as to the origin of the milk, as the milk of different donors is pooled; inferring that in case of doubt, tahreem is not established. Referring to the Hanbali scholar Ibn Qudamah, he concludes that any doubt with regard to the numbers of feeding etc. does not establish tahreem, as the origin is its (tahreem's) absence, and the legal maxim states that the clear cut knowledge (yaqin) is not removed by doubt (al-Yaqin la yazulu bi l-shakk). Quoting the dictum of Abu Hanifa that in case of dilution (which basically means the dilution with other liquids, not with milk from other women), the legal rule is based on the prevailing characteristic; he mentions that no prevailing origin can be established in this case.²⁷ Although the scholarly views quoted are acceptable in their own right and within their own methodology, Dr. al-

²⁷ See the minutes of the IOMS conference discussion on milk banks, *Al-Islam wa l-mushkilat al-tibbiyah al-mu'asirah*, awwalan: *al-Injab fi dhau' il-islam*, Kuwait, 1991, p.50ff, see also Mi'wadh, 'Abd al-Tawwab Mustafa, *Bunuk al-halib fi dhaw'i l-shari'ati l-islamiyyah*, www.alukah.net/sharia/0/3724, and the mentioned TV broadcast for Dr. Al-Qaradawi's ideas.

Qaradawi has been criticized for deliberately resorting to an inconsistent methodology in order to gather evidence for a permissive fatwa.²⁸

The Egyptian Dar al-Ifta' has taken the same permissive approach, stating that the conditions of establishing tahreem are not met through using milk banks. Among already mentioned arguments, they forward the Hanafi view that boiling the milk (here: pasteurizing) defies the establishment of tahreem.²⁹

Opponents to the reference to doubt argue that the principle of 'doubt' cannot be properly called upon to solve a problem where the doubt (about the origin of the milk) is deliberately induced.³⁰

Opponents of the usage of human milk banks, among them 'Abd al-Rahman al-Najjar, further refer to the prohibition mentioned in the texts of Qur'an and Sunnah, and the general objectives of these injunctions which need to be observed in any time. He definitely sees tahreem established through milk banks and therefore prohibits their usage.³¹

Milk Banks – A Case of Necessity?

In Islamic Law, the maxim "necessity renders the prohibited lawful" (al-dharurah tubih al-mahzhurah) can be implemented in certain emergency situations where loss of life and limbs (or feasible danger of the same) are imminent. In this case, originally prohibited foodstuffs (like pork, carrion, alcohol) are permissible to the extent needed to avert the imminent danger of loss of life. A case for dharurah can however not be made in cases of need (hajah), where a need may arise but no impending danger exists.

A vital role to assess where this rule may or may not be implemented is the existence of

²⁸ See Mi'wadh, *Bunuk al-halib*.

²⁹ Same source

³⁰ See for instance the view of Dr. al-Qaradaghi, www.qaradaghi.com, an article under the rubric of "the fiqh of contemporary issues": "milk banks"; see also Al-Akshah: Jamal Mahdi Mahmud: *Bunuk laban al-Ridha' bayna l-hill wa l-hurmah*. Dar al-Jami'ah al-jadidah, al-Azaritah, 2008, p.202.

³¹ Mi'wadh, *Bunuk al-halib*.

alternatives; necessity cannot be claimed with the existence of an alternative. With regard to term babies, such a case for necessity cannot be upheld as alternative ways of feeding (formula) exist.

It needs to be observed that the discussion in the Islamic world and among Muslim scholars was initially led with regard to preterm infants in intensive care units who cannot be breastfed by their own mothers due to medical reasons. In this setting, feeding human breast milk instead of formula has been ascribed to increasing the survival rate.³² Though there is a considerable benefit in feeding breast milk, it remains questionable whether the non-acceptance of unidentified donor milk does not necessarily expose them to certain doom. Alternatives exist in form of formula and, preferably, *identified* donor milk.

Interestingly, while both the Islamic Organisation of Medical Sciences (IOMS) based in Kuwait and the International Islamic Fiqh Council (IIFA) based in Saudi-Arabia have declared the usage of anonymous human milk banks as non permissible for Muslims (IOMS declared that labeling of origin and recipient should take place in case the usage of milk banking cannot be avoided), the European Council for Fatwa and Research (ECFR) which is nearly identical to the IIFA with regard to its personnel composition has taken a different stance for Muslims residing in non-Muslim countries. Although it is questionable in how far this verdict really reaches and influences the Muslim communities in the non-Islamic world, it is worthwhile looking into the argumentation of this body.³³

³² Bertino, Enrico, et al: "Benefits of donor human milk for preterm infants: Current evidence." *Early Human Development*, 85 (2009), pp. 9-10. Not all studies seem to agree on the evidence, though. Compare Heiman, Howard, and Richard J. Schanler: "Benefits of Maternal and Donor Human Milk for Premature Infants." *Journal of Early Human Development*, 2006, 82, pp. 781-787; and Simmer, Karen, and Ben Hartmann: "The Knowns and Unknowns of Human Milk Banking." *Journal of Early Human Development*, 85 (2009), pp.701 – 704.

³³ Ghaly (Milk Banks) summarises the background of issuing the diverse fatwas in detail.

One of the vital questions surrounding human milk banks and the permissive view of some scholars with regard to Muslims living in a non-Muslim majority context is; is there a mechanism in Islamic law that considers the spatial factor in a way that the same action can be permissible in one context and not permissible in another? A large portion of what is summarized today under ‘minority fiqh or fiqh al-aqalliyat’ seems to suggest this view. The main axioms of this branch of contemporary scholarly activity are the reference to necessity (dharurah) which renders the prohibited lawful, used in ways so as to annul definitive injunctions of the Qur’an and Sunnah; such as the permission given by some scholars to purchase houses on interest based loans, or to remove the female Islamic dress to enhance job opportunities. It can be observed that permissive fatwas initially given to Muslims residing in a non-Muslim majority context, are then taken to be applied to Muslims residing in a Muslim majority context under secular rules and systems. Islamic law has treated questions of Muslim – non-Muslim relations and Muslims permanently residing in a non-Muslim setting in much detail. Definitive legal rules, questions of haram and halal, have however not been compromised in these discussions.

With regard to the human milk banking involving Muslims living in a non-Muslim context, a case for *necessity* cannot be made for the average term baby. Even though the health benefits of human milk as compared to formula milk are considerable, no immediate danger for the baby’s health exists. Even pre-term babies can thrive on formula milk. Milk donation to term or pre-term babies is in no way excluded, but should take place under consideration of the Islamic particularities, i.e. donor and recipient (the recipient’s family respectively) should be known to each other and be aware of the foster bond being established between them. Reports of respective successful trials have been published from the Duchess of Kent Hospital in Sabah, Malaysia, as well as the Adan Hospital in Kuwait. It may need more endeavours on the part of the Muslim patient’s family in a non-Muslim majority setting to communicate

the need for identification of milk donors to the neonatal unit, doctors and nurses and secure their cooperation. Assistance to find identified milk donors may be found through social networks. Even in a setting where there is no extended family, no friends and neighbours who just gave birth, it is not impossible to find ways and means to secure the benefits of human breast milk to a (preterm) infant in need under observation of the Islamic rules.

Searching for Islamically compatible solutions in this setting seems a more viable solution than the advocating of Fatwas with limited credibility³⁴ or parents abstaining from acquiring the health benefits for the baby.

As to the establishment of human milk banks in the Islamic world, public responses to date have shown that a reception of anonymous human milk banks will not find positive reception.

Wet-nursing is an age-old established practice in the Islamic world and fulfilled an important sociological function in broadening the scope of the extended family. The anonymity affiliated with human milk banks is very much expression of Western attitudes towards life, as some of the contributors have stated.³⁵ Identifying donors and recipients and helping to establish a foster bond could be a means to capture the benefits under observation of legal rules that are vital for the Muslim community – as well as enhancing social relations.

While the societal makeup in the Islamic countries will enable parents of a prematurely born baby in need of donor milk to have access to it as some observers have rightly stated³⁶, the Muslim community living in a non-Muslim majority context is asked to find means and ways to observe the injunctions of the Islamic way of life in any context

³⁴ El-Khuffash, Afif, MD and Sharon Unger, MD: “The Concept of Milk Kinship in Islam: Issues Raised when Offering Preterm Infants of Muslim Families Donor Human Milk.” *Journal of Human Lactation*, 28 (2), 125-127.

³⁵ See al-Qaradaghi, *Fiqh al-Qadhaya al-tibbiyah al-mu'asirah*, www.qaradaghi.com/portal/index

³⁶ Al-Qaradaghi, Same source.

as far as possible. Claims to a necessity of the sort that renders the prohibited permissible are not justified in every context.

There is reasonable suspicion that more permissive fatwas, such as the ERFC statement, which are originally particularly designed for Muslim communities living in a non-Muslim majority context, and its realization among Muslims may serve as a basis to legitimize the introduction of milk banks in the context of Muslim majority countries.³⁷

Apart from the vital question whether or not foster relations and tahreem are established through the consumption of donor milk allocated by human milk banks, contributions to the discussion raise a number of other concerns, such as the commodification of human milk, which may lead the affluent woman to buy the milk for her baby from the milk bank, and the destitute selling it while neglecting her own child.³⁸ Other questions such as the accruing costs for running a milk bank, the reliability of health screening of donors and milk, need to be taken into consideration when talking about milk banks in the Islamic world.

Conclusion

In conclusion, there seems to be no difference between using anonymous human milk banks in a Muslim majority or non-majority context.

Foster relations and thereby tahreem are established through breastfeeding, under the described conditions, and with no difference as to the religion of donor or recipient. The author abides by the view of the majority of scholars that tahreem is established under condition that the milk reaches the infant's stomach, even without direct contact to the milk donor, be it diluted, boiled, or reconstituted. If the milk reaches the infant's

³⁷ See Ghaly, "Milk Banks", p.10, El-Khuffash: "The Concept of Milk Kinship in Islam", p.126.

³⁸ See for instance Haneef, Sayed Sikandar Shah: "Fosterage as a Ground of Marital Prohibition in Islam and the Status of Human Milk Banks." *Arab Law Quarterly*, 1994, 9 (1): 3-7, p.6.

stomach and it is nourished through it, tahreem is established. Pooling of milk from different donors does not change this. Anonymous milk banks bring about confusion as to the exact identity of people (donors and recipients and their respective relations) and can with some probability lead to later marriages that are forbidden by Islamic law.

Neither the principle of dharurah nor the reference to the doubtful as non-identified origin can be scrupulously used to justify using human milk banks. The singling out of some solitary views from some legal schools under disregard of majority views is to be seen as non-acceptable methodology that does, in addition, not cater for the needs of the majority of Muslims. In a setting where Muslims pertaining to different legal schools are affected, it would be advisable to search for a commonly accepted ground rather than opt for legal loopholes that are not acceptable to most.

It is strongly advisable that no anonymous milk banks are established in the Islamic world. Muslims in a majority non-Muslim setting should neither donate nor receive milk from these banks, but are advised to search for alternatives on an institutional or non-institutional level in case of need.

Muslima Rising: The Role of Social Media and the Blogosphere for Muslim Women in the West

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The rise of social media and blogging websites transformed the face of the Internet. Increasingly, American Muslims are taking advantage of the Internet to create and produce content that represents their community's diverse cultures and identities. Young Muslim women are taking to websites like Tumblr to create virtual communities that foster self-actualization and self-expression in ways they never could in mainstream American culture and their own localities. This paper aims to explore these burgeoning spaces online and examine the ways in which social media and blogs succeed and fail in supporting these virtual communities. By undertaking an extensive review of the available literature on Muslim women's activities online and conducting interviews with website founders and Muslim bloggers, this paper identifies several critical roles that Tumblr and other websites play in supporting these spaces online. Through using Tumblr and other websites on the Internet, American Muslim women can form their own identity and interpretations of Islam on their own terms, and challenge their various communities' conceptions of womanhood.

Introduction

Mus • lim • a

*(n) A Muslim woman who is cool and knows how to socialize. She's on her game and keeps it moving and dresses well. An educated Muslim woman in her 20s who's making a difference.
My homegirls.¹*

The development of the World Wide Web in the mid-1990s ushered in an era of unprecedented informational exchange among people around the globe, albeit primarily from developed countries. In the past decade, social networking and blogging websites such as Facebook, Twitter, and Tumblr have revolutionized the face of the Internet, creating new spaces for people of all ages to express their thoughts in a simultaneously local and global setting. Cultural groups, too, have

¹ Nzinga K. "Definition - Muslima." Urban Dictionary. N.p., 9 Oct. 2006. Web. 25 June 2015.

capitalized on the rapidly expanding opportunities for communication, activism, and community building online. Young Muslim women living in the West are increasingly taking advantage of these services by creating a community of sisters that coalesces around their multifaceted identities. Centered in the West, this online space offers young Muslim women, particularly those who are one or more generations removed from their ‘roots’ in Muslim majority countries, a unique space to form and shape their identities. In doing so, they continue to deconstruct Western stereotypes of Muslim women while reimagining their own place in society by constantly reconciling and reinterpreting Western culture through a Muslim or Muslim-American lens.² Muslim women can use these new Internet resources for at least two purposes: to foster intra-community solidarity with fellow Muslims and to enable intercommunity dialogue to combat stereotypes of Muslims, particularly those of young Muslim women.

This paper will survey the available literature on Muslim presence online, with a particular focus on the recent emergence of an American-Muslim culture increasingly driven by young Muslim women. I posit three claims about the implications of the Internet, social media services, and blogging platforms for Muslim Americans. Firstly, they collectively enable Muslim Americans to reinterpret American culture through a distinctly Muslim lens, expanding an already thriving Muslim-American subculture set apart from the mainstream. Secondly, these media vastly democratized the ability for Muslim women outside of strictly academic circles to exegete the *Qur’an*, *hadith*, and *fiqh* and disseminate their conclusions in a field historically dominated by males. Thirdly, they contradict the commonly accepted notion that the rise of new technology gave rise to an increase in secularization among youth; instead, the Internet, social media, and blogs have deepened the bond found among members of the Muslim community and fostered a new youth culture that openly

² Zainab Khan in discussion with the author, April 2015.

embraces religion. This article will also explore the role of online forums, newsgroups, and blogs that cater to Muslim women as well as the ways the Internet has facilitated the creation of online communities that serve to empower all people. Finally, I will discuss survey the critical role the Internet plays in the deconstruction of stereotypes and the reconstruction of identities for Muslim women online, analyzing social media's successes and failures.

History of Muslims Online and the Muslima Emergence on Social Media

The Internet remains a uniquely democratizing force for global voices, giving hundreds of millions of men and women access to myriad media and platforms for speech online. This is in no small part thanks to the relatively cheap use and wide availability in developed countries. The first appearance of Islam on the Internet dates back to the early 1980s. Muslim university students began to create virtual communities as resources for fellow Muslims to find local mosques, halal butchers, and local prayer times.³ After the influx of Middle Eastern and South Asian students to universities in the West during the 1990s, these communities expanded exponentially. Soon after, the Internet became a centralized “venue for Islamic expression and its contemporary reformation.”⁴

Khoury-Machool notes that the second Palestinian Intifada that began in 2000 was a major catalyst for Palestinian youth's use of the Internet, serving as “a new medium between teachers, students, and their peers, as well as a tool for intense politicization and peaceful cyber resistance in the public sphere.”⁵ It also allowed these students to tell their story to the world, engage in political and social activism, recruit others and

³ Anderson, Jon W. "Internet Islam: New Media of the Islamic Revolution." In *Everyday Life in the Muslim Middle East*, edited by Donna Lee Bowen and Evelyn A. Early, 301-302. 3rd ed. Bloomington: Indiana University Press, 2002.

⁴ Ibid, 300.

⁵ Khoury-Machool, Makram. "Cyber Resistance: Palestinian Youth and Emerging Internet Culture." In *Being Young and Muslim: New Cultural Politics in the Global South and North*, edited by Asef Bayat and Linda Herrera, 113. New York: Oxford University Press, 2010.

fundraise for their cause, and organize protests at almost no cost.⁶ By facilitating these previously inconceivable global discussions, the Internet is increasingly becoming the virtual heart to the activism of burgeoning communities previously unable to reach distant audiences. Very rapidly, Muslim women began developing their own unique and specific communities online, demonstrating the great diversity of communities that Muslim women shape, participate in, and identify with.

In her Ph. D. dissertation, Anna Piela looks at the way Muslim women utilized online newsgroups and ‘chatrooms’ from 2001 to 2006. Noting that “the expansion of the Internet has even affected the way some people practice and experience religion,”⁷ she speaks to the opportunities that the Internet has afforded Muslim women. Piela highlights three new possibilities for Muslimas: firstly, the ability to look up answers to religious questions online; secondly, the freedom to interpret and reinterpret Islamic sources that have historically oppressed women through a feminist lens that empowers Muslim women; and thirdly, the power to challenge Orientalist and conservative discourses that deny Muslim women their voice and public agenda.⁸ Consequentially, Muslim-American women today are able to choose a life track outside of academia while simultaneously embarking on their own independent theological quests, unencumbered by patriarchal interpretations of the Qur’an or the Hadith without deferring to male scholars, effectively taking this exegetical power into their own hands.

During her five years of research, Piela listed a number of the most commonly discussed topics: modesty, education, Qur’anic interpretation, marriage (including issues of polygamy), sexuality, employment, and socioeconomic mobility.⁹ Yet

⁶ Ibid.

⁷ Piela, Anna. *Muslim Women Online: Faith and Identity in Virtual Space*. Abingdon, Oxon: Routledge, 2012. 1.

⁸ Piela, Anna. *Muslim Women Online: Faith and Identity in Virtual Space*. 2-3. ⁹ Ibid, 66-139.

without question, Piela's most important find is that these women's participation in a Muslim sisterhood transcended their path to Islam, socioeconomic class, age, race, and ethnicity.⁹ The ability to connect with other Muslim women through this support network helped deprioritize the other identities these women constructed for themselves, thus allowing them to put aside differences in lived experience in all other realms and focus on their shared Muslima identity. Websites like Tumblr function in a similar vein to newsgroups: both allow relatively anonymous posting and commentary amongst a niche of people sharing a common faith despite their diverse backgrounds. Though the media differ in their application and allow differing degrees of personal reflection and communal interaction, they serve a similar and important purpose that I will explore later in the paper.

Soon, this community of Muslima sisters carved their own niche on social media services, as well as on the blogosphere. A research project conducted in 2011 found over 150 different websites centered around Muslim social media services,¹⁰ including marriage and dating sites as well as social networking services. Additionally, websites that collect and organize Islamic fatawa (religious opinions) now have categories for women's issues.¹¹ Moreover, the Muslim fashion industry is estimated to be worth at least \$96 billion, with its consumer base booming thanks to online retail, fashion videos on YouTube, and blogs across the Internet.¹² Indeed, after Facebook's founding in 2004, Muslim women could now stay connected globally and bond over women's issues regardless of their niched identities (French-Muslim, American-Muslim, etc).

⁹ Ibid.

¹⁰ Mediabadge. "Muslim Women and Social Media: An Overview." Muslim Women & Social Media. April 4, 2011. Accessed April 30, 2015.

http://www.wunrn.com/news/2011/06_11/06_20/062011_muslim.htm

¹¹ Piela, Anna. *Muslim Women Online: Faith and Identity in Virtual Space*. 31.

¹² *What Does It Mean to Be Fashionably Modest?* The Atlantic.

http://www.theatlantic.com/video/index/391583/what-does-it-mean-to-be-fashionablymodest/?utm_source=SFFB, 2015. Film.

Mozzified.com¹³

Among the many popular news sites available online, BuzzFeed stands at the forefront as an entertaining news platform that supports quizzes and other alternative methods of presenting content. Mozzified.com takes the barebones format and journalistic style of BuzzFeed and applies a Muslim twist to it. Zainab Khan, a student at the UC Berkeley Graduate School of Journalism, founded Mozzified.com in January 2015 as a way to create a distinct space “for MuslimAmericans, by Muslim-Americans” that will help American-Muslim youth find their identities.¹⁴

As a first generation American whose parents emigrated from Pakistan to Chicago, Khan recognizes that “American Muslim youth are often told their dual identities are incompatible;”¹⁵ she created Mozzified.com as a space for Muslim youth to educate themselves and provide them with the resources to effect change independent of other non-Muslim influences for their own community. Indeed, Khan’s greatest hope is to put an end to the reactionary journalistic mode of reporting, especially seen after 9/11, and give Muslims new opportunities to produce their own creative content online. In doing so, they may be able to redefine themselves in context of their cultural history as well as their lived experience in the Western world.

The origin of the term “mozzified” itself perfectly summarizes the website’s goal. Rather than giving up bits of their own culture in the process of assimilation into American culture, she says, Muslims have the opportunity to “mozzify” American culture: that is, “you take from whatever culture you’re in and mesh it with Islam.”¹⁶ Thus, by reinterpreting American culture through a Muslim lens,¹⁷ American Muslims

¹³ "Mozzified." Mozzified. Accessed April 30, 2015. <http://mozzified.com/>

¹⁴ Zainab Khan in discussion with the author, April 2015.

¹⁵ Zainab Khan in discussion with the author, April 2015.

¹⁶ Ibid.

¹⁷ "Mozzified | About." Mozzified. Accessed April 30, 2015. <http://mozzified.com/about-2/>

can forge their own identity simultaneously distinct from and innate within both of these seemingly incompatible identities.

Khan's own experiences online also point to the benefits of using social media. She used several social media and blogging websites as a teenager and as an adult. In speaking about this, Khan cites Khadija, the first wife of the Prophet Muhammad and successful businesswoman, as an example of a woman central to Islam who acted on her own terms. Similarly, she notes the entrepreneurial spirit of Muslim women in the West and sees the Internet as an ideal venue for women to express this spirit. Keeping this in mind as a journalist, she believes the Internet successfully facilitates a platform for "unbiased news spread by [one's] own community on [one's] own terms."¹⁸ As a website that reinterprets a popular news source for American youth, Mozzified.com represents the potential for young Muslims to restructure and render their own conceptions of America in their own space. The site also facilitates the growth of the American Muslim subculture. While influenced by mainstream American culture, many of the posts are humor-infused attempts at reconciling their Muslim identity to American, or more generally Western, cultural norms. Whether commending modest, hijab-friendly attire worn by attendees of various 2015 Red Carpet events¹⁹ or observing the types of men on the latest Muslim spousal searching app Minder,²⁰ the website promotes and shapes a distinctly Muslim American popular culture for youth who identify as hyphenated Muslim-Americans.

¹⁸ Zainab Khan in discussion with the author, April 2015.

¹⁹ Mozzified Staff. "Hijab-Friendly Red Carpet Ideas We Love." Mozzified. N.p., 19 Feb. 2014. Web. <http://mozzified.com/2014/02/20/hijab-friendly-red-carpet-ideas-we-love/>

²⁰ Khan, Zainab, and Zara Khurshid. "The 12 Kinds of Guys You'll Find on Minder." Mozzified. N.p., 16 Apr. 2015. Web. 20 July 2015. <http://mozzified.com/2015/04/16/the-12-kinds-of-guysyoull-find-on-minder/>

#Mipsterz²¹

In recent years, several new movements have risen to global status. Perhaps the most prevalent of all is #Mipsterz (a portmanteau of Muslim and hipster), started in 2012 among American Muslims as an e-mail newsgroup that promoted an “organic way to connect, get together, and exchange ideas over e-mail for young American-Muslims.”²² Their first clip, “Somewhere in America #MIPSTERZ”, is a video “focused on a couple dozen Muslim women in *hijab* showcasing their fashion sensibilities and having a good time.”²³ The video itself went viral, topping out at over one million views and inspiring upwards of eight hundred articles written on Mipsterz, according to Layla Shaikley, co-producer and fashion director of the clip.²⁴ Shaikley is a core member of Mipsterz. She believes that the thriving success of Mipsterz is largely due to a deficiency of spaces for young American Muslims to both connect on contemporary political or social issues and embrace popular culture online. Tying together her many identities – Muslim, American, Arab, Californian – Shaikley describes her conception of being a mipster as an “unapologetic reconciliation of [her] multiple identities” that she wears as an emblem of pride.²⁵

Without question, the Mipster identity is growing and outpacing the video’s depiction of fashionable hijabi girls skating and posing across America. This is exactly what Shaikley loves about Mipsterz. “Muslims are not monolithic. We are a multi-faceted people, with different opinions and representations. Let’s keep the dialogue on identity going, and all feel empowered – as women or minorities – to represent ourselves.”²⁶

²¹ "#Mipsterz – Muslim Hipsters." Mipsterz. Accessed April 30, 2015.

<http://muslimhipsters.tumblr.com/>

²² Layla Shaikley in discussion with the author, April 2015.

²³ Shaikley, Layla. "The Surprising Lessons of the 'Muslim Hipsters' Backlash." *The Atlantic*, March 13, 2014. Accessed April 30, 2015.

²⁴ "Layla Shaikley." Layla Shaikley. Accessed April 30, 2015. <http://www.laylashaikley.com/>

²⁵ Layla Shaikley in discussion with the author, April 2015.

²⁶ Ibid.

Shaikley's response to Khan's conception of mozzification is also telling. Describing her own experiences as a Muslim woman reinterpreting American culture and "straddling two worlds,"²⁷ she reflects on her own Iraqi-American identity. Only recently was she able to feel truly comfortable "proclaiming [she] was simply American," without needing to "preface her identity with an explanation as to why she was different."²⁸ These new social media sites now provide unprecedented opportunities for Muslim youth not only to find online communities that mirror or resemble their own identity, but also to experiment and construct a new identity with roots in both American and Muslim culture.

Hijabis of New York²⁹

Hijabis of New York began in 2013 as a social media campaign of Women's Initiative for Self Empowerment (WISE), an organization "focused on the empowerment of young Muslim women through self-defense, leadership and entrepreneurship programming."³⁰ The project itself is a very close mirror to Humans of New York, a project that attempts to paint the diverse experiences of New Yorkers by taking a photo portrait of someone the photographer meets on the streets of New York. While Humans of New York has published a book and now exceeds 12 million 'likes' on Facebook, Hijabis of New York also has a significant online following aimed at "inspiring the world, one hijabi at a time."³¹ Hijabis of New York currently has over 45 profiles of hijabi women speaking about their personal relationships with their faith and their experiences living in New York as Muslim women.

²⁷ Ibid.

²⁸ Ibid.

²⁹ "Hijabis of New York." Hijabis of New York. Accessed April 30, 2015.

<https://www.facebook.com/hijabisofny>

³⁰ "Women's Initiative for Self Empowerment." WISE. Accessed April 30, 2015.

<https://www.facebook.com/WISE2013/info>

³¹ "Hijabis of New York." https://www.facebook.com/hijabisofny/info?tab=page_info

The curator of Hijabis of New York is a rising senior in high school interested in photography. She aspires to “give Muslim women a voice and show that [they’re] just like anyone else” and “combat stereotypes [to] show that [they’re] really not oppressed.”³² Without question, she believes social media gives Muslim women a unique voice because the platforms available now, including Facebook, allow Muslimas to counter the stereotypes and labels society ascribes to them. These photographic representations, accompanied with their answers to deeply personal questions, reconstruct the oppressed minority trope for America Muslim women with an exponentially larger audience.

In each of these three cases, projects that redefine and reconstruct the American Muslim identity are being done by Muslims, for Muslims. These websites, and the Internet and social media more generally, are crucial in eliminating non-Muslim “middlemen” from the process of content creation and publication, allowing more authentic voices to arise from the bottom-up, rather than the top-down.

The Role of Tumblr as a Unique Medium for Muslim Women

As blogging websites became significantly more popular, Tumblr emerged in February 2007 as a distinct blogging service online. Its servers currently host over 272 million blogs with a combined total of over 127.1 billion posts, with 16 languages supported.³³ Perhaps the most unique feature of the site is the versatility it allows users: bloggers can publish text, photo, quotes, links, audio, and video content all from their blog’s dashboard. The website also allows users to “reblog” posts from other users onto their own blogs (akin to retweeting on Twitter) and ‘like’ posts they approve, which are saved to a “favorites” list they can access privately at anytime. Users can also “follow” blogs they like, ensuring they will receive their posts on their

³² Curator of Hijabis of New York in discussion with the author, April 2015.

³³ “Tumblr | About.” Accessed January 7, 2016. <https://www.tumblr.com/about>

dashboards when they log in to use the service. Another major advantage is the ability to search different “tags” (e.g., muslima, hijab, etc.) throughout Tumblr’s database to find posts and blogs related to one’s passions, enabling users to connect with people from around the world with common interests. The combination of its easy-to-use interface, distinct posting styles, and massive searchable database prompted me to explore the role Tumblr plays in the construction of and experimentation with identity for Muslim women online.

To find the subjects of my interviews,³⁴ I used Tumblr’s searchable database to find female Muslim bloggers who used the “muslima” tag in their posts and openly identified themselves as Muslims in the biography section of their blog. I ultimately spoke with 14 bloggers who responded to my private message and gave informed consent in participating in an online interview. All correspondence was recorded using Tumblr’s private messaging service, or some cases, over private e-mail. These interviews took place over the course of a month. At no point was any participant’s identity made known to anyone else taking part in these interviews.

All but one of the Muslim women I communicated with over Tumblr resided in the West. All were between the ages of 17 and 23. The majority of these women began blogging between 2011 and 2013 while in high school. Of the 12 that graduated high school or obtained their GED, at least 6 were currently enrolled in an undergraduate level program (or its equivalent) in university. Their most popular interests were fashion and politics. Only 2 of the 14 women recounted being personally attacked because of their Muslim identity online, although several who had not been targeted believed that they escaped some of this discrimination because they are not hijabis. Qualitatively, all but one blogger described their experience on Tumblr as a net

³⁴ In the interest of preserving the privacy of these individual Tumblr users, I have used omitted their names and any identifying demographic information. They have been assigned number identifiers in their place. All interviewees gave informed consent to have their responses published anonymously in an academic paper. All full-length interviews have been saved and are available upon request.

positive experience; some went as far to describe the site as a safe haven where they feel free from judgment.

After analyzing their responses to my questions and viewing the posts on their respective blogs, I posit that Tumblr plays four fundamental roles as a medium. Firstly, Tumblr fosters the creation of online communities for Muslim women that coalesces around Muslim sisterhood.

Secondly, it allows the free exchange of personal opinions about political, social, and religious issues where members suffer less ostracization or chastisement for diverging from their communities' opinion than they would have offline. Thirdly, it develops a space for crosscultural interaction, especially along religious or national lines, where Muslim women can meet and interact with fellow bloggers with shared interests ranging from soccer to photography to social justice. Finally, it facilitates the deconstruction and reinterpretation of stereotypes of Muslim women while simultaneously allowing for Muslim to non-Muslim interaction in a setting removed from face-to-face interaction, which may become confrontational or unsafe.

Interviewees frequently cited their ability to participate in a Muslim online community, particularly one of Muslim sisterhood, as one of the main benefits of using Tumblr and social media. One blogger recounted that her Muslim identity “gave [her] a sort of advantage” by being able to strike up special friendships and connections with other Muslima bloggers, which are predicated on their shared Muslim faith.³⁵ Another noted that the Internet gave her a space to communicate with other Muslim girls in a way she otherwise could not have because of the small size of her own local community. Clearly, the ability to tag posts and find users through this tagging system is instrumental to the growth and sustainment of the online Muslima community. Blogging itself has allowed “individuals to place dialogue and respond to

³⁵ Interviewee 5 in discussion with the author, April 2015.

contemporary issues while developing and enhancing new forms of Muslim networks.”³⁶ This online sisterhood that transcends and supersedes any conflict in these women’s other identities plays a pivotal role for Muslimas sustaining their presence online.

Within this community, Muslimas are able to communicate and create content online in ways that would otherwise be received much more negatively offline for those living in more conservative communities. One interviewee commented on the advantages of posting anonymously, such as posting a song that her family and friends might chastise her for because of its profanity.³⁷ Another user commented that she is able to exchange ideas and discuss Islam online more openly than she could offline because the anonymity Tumblr effectively prevents her community members from rebuking her directly.

This anonymity also gives Muslim women a platform to voice their opinions without risking legal or social consequences. Bunt found that while blogs’ “narratives range from the politicized to the personal, [...] blogs open up forms of Muslim discourse to analysis that can have an extremely personal focus.”³⁸ By allowing for a varying degree of anonymity based on an individual’s choice, bloggers who live in conservative communities can more freely express their ideas and delve deeper into personal issues without any outside concerns for their safety or privacy. In many ways, Tumblr has become what Lenie Brouwer describes as a “third space” for Muslim women – “a space where Muslim women can discuss all religious issues without interference of the West or other Muslims who might want to deny their

³⁶ Bunt, Gary R. "The Islamic Blogosphere." In *iMuslims: Rewiring the House of Islam*, 175. Chapel Hill: U of North Carolina, 2009.

³⁷ Interviewee 10 in discussion with the author, April 2015.

³⁸ Bunt, Gary R. "The Islamic Blogosphere." In *iMuslims: Rewiring the House of Islam*, 132133.

freedom.”³⁹ My research of these Muslimas’ blogs uncovered evidence supporting this theory, exemplified by the following two posts:

“I’m so tired of men who use Islam to try to control women. Shut. Up.”⁴⁰

“As a Muslim, it’s not your job to memorize explanations to controversial hadiths are [sic] ayahs of the Qur’an. It’s not your job to try and make Islam fit in a western framework so white people are comfortable. It’s not your job to constantly justify your religion to people who are hostile to it. Don’t define your Islam by the west’s opposition to it.”⁴¹

In Ananda Mitra’s study of the power of the Internet for women in South Asia, she found that “new digital technologies are transforming the sense of silence by offering opportunities for traditionally invisible groups, [...] to find a new discursive space where they can voice themselves and thus become visible and make their presence felt.”⁴³ Here, we see Muslima bloggers unapologetically voicing their criticisms of Muslim men and the West on their blogs, making their presence felt.

Indeed, the Internet effectively levels the playing field for those who, though marginalized, can have their voices heard so long as they have moderate levels of tech savvy and minimal financial capital. It now offers a “new ‘mode of information’ exchange in which the medium allows one to simultaneously speak within or outside of the structures of power”⁴² such that Muslimas can successfully challenge the criticisms from both Islamophobes and “alpha male Muslims.”⁴³ Additionally, Rahimi noted that:

³⁹ Piela, Anna. *Muslim Women Online: Faith and Identity in Virtual Space*. 33.

⁴⁰ Quote of post made by Interviewee 6. Available upon request.

⁴¹ Quote of post made by Ayesha (name changed by request). Available upon request. ⁴³ Mitra, Ananda. "Voices of the Marginalized on the Internet: Examples From a Website for Women of South Asia." *Journal of Communication* 54, no. 3 (2006): 492-493.

⁴² *Ibid*, 496.

⁴³ Interviewee 11 in discussion with the author, April 2015.

“Internet users – especially women – are finding in blogs an alternative medium for expression that is denied to them in physical public spaces,”⁴⁴ such as in mosques or other community spaces. Mitra too hypothesizes that the Internet “offers the opportunity for those who traditionally have had limited speaking capital now to harness the new technologies to produce and circulate a discourse that is their own and not modulated and refracted by the dominant who have always controlled the voices of the powerless.”⁴⁵

The ability of Muslim women to occupy a unique space online anonymously frees them from the potential of either bodily harm or character defamation in ‘real world’ locations. Simultaneously, the Internet provides women with the agency to reveal as much of their identities as they choose and post content on their own terms with significantly less pressure to conform to the dominating narrative or opinion around them.

Tumblr also cultivates an environment in which Muslimas are able to post and explore a wide array of ideas or interests. One blogger mentioned that her religion is never a point of conversation with her followers: instead, she primarily interacts with others on Tumblr about her interests in soccer.⁴⁸ Another blogger of Somali heritage referred to Tumblr as her social justice portal, where she could keep up to date with contemporary issues facing the African-American community in the United States. “People follow you for your interests,” one user commented, “and not necessarily for what you look like or because they’re your friends.”⁴⁹ By granting these Muslimas an anonymous space online, they are able to create new identities that are neither Muslim nor Islamic in the Western sense of these identities.

⁴⁴ Rahimi, Babak. “The Politics of the Internet in Iran.” In *Media, Culture and Society in Iran: Living with Globalization and the Islamic State*, edited by Mehdi Semati, 41. London: Routledge, 2008.

⁴⁵ Mitra, Ananda. “Voices of the Marginalized on the Internet.” 498.

⁴⁸ Interviewee 8 in discussion with the author, April 2015. ⁴⁹ Ibid.

This ability to clearly showcase the multifaceted aspects of the Muslima identity is essential in deconstructing and reinterpreting stereotypes of Muslim women online. The most common ways of challenging these negative images of Muslim women are through answering questions from other bloggers, as well as sharing personal text posts. Frequently, these bloggers answer questions from non-Muslims about misconceptions about Islam. Common themes of questions included: why the blogger wears the hijab, how a non-Muslim should behave in a mosque, and what the role of women is in Islam. One user aptly commented that Muslim bloggers are able to “encourage the youth who dismiss their religion in order to fit in to essentially have a second thought and think, ‘I’m different, but different isn’t bad.’”⁴⁶

Photographic self-portraits (commonly referred to as selfies) also play an important role in challenging these stereotypes of Muslim women. Almost all of the women I interviewed chose to post a picture of themselves as their avatar. Piela describes these selfies as an effective tool to dismantle the Orientalist ahistorical, stereotypical image of Muslim women as meek, exotic, fetishized women who are submissive to Muslim men.⁴⁷ Indeed, she posits that the “authors of the analyzed self-portraits are as much photographers, designers of the set, art directors, and publishers as objects of the photograph. They have control over their photographs.”⁴⁸ A perfect example comes from a comment Piela finds on a Muslim woman’s selfie. The author of the comment is surprised by the poise and confidence of the photo’s subject. Piela concludes that “Self-portraits cause consternation for users who, on the one hand, are able to discern her face expressions – indeed powerful and self-confident, and on the other hand, are bombarded with images and discourses representing Muslim women as voiceless, meek, and submissive. [...] [These pictures] are a change – a change from victimizing

⁴⁶ Interviewee 1 in discussion with the author, April 2015.

⁴⁷ Piela, Anna. "Challenging Stereotypes: Muslim Women's Photographic Self-Representations on the Internet." *Heidelberg Journal of Religion on the Internet* 4, no. 1 (2010): 91. Accessed April 30, 2015. http://archiv.ub.uniheidelberg.de/volltextserver/11299/1/05_piela_muslim_womens_photographs_2.pdf

⁴⁸ Ibid, 93.

images of Muslim women saturating the mainstream media. This is a very poignant contrast between self-representation and representation.”⁴⁹

By empowering these Muslimas to choose their own representation of themselves – whether through the content or photos they post on their blogs – these women can deconstruct stereotypes placed upon Muslim women and work to redefine what being a Muslim in the West means – a complex array of intersectional identities too unique and diverse to be put into a single definition.

Failures of the Internet for Muslim Women in the West

Unfortunately, Muslim women still face many other challenges online. Online and offline discrimination are both prevalent in many of these women’s lives, often in the form of indirect comments or jokes or personal attacks from non-Muslims. While the lived experiences of the Muslimas I interviewed varied significantly, there is still clearly widespread prejudice against Muslims online. One blogger claimed that she had never met a Muslim woman who had been completely spared of discrimination in the United States.⁵⁰ One particular Muslima went as far as to say that she is “constantly aware that [she is] seen as an ambassador of Islam”⁵¹ to non-Muslims, thus forcing her to be careful of how she replied to questions. Another believed that her identity as a Muslim actually forced her to censor what she posted so she wouldn’t appear radical and give off the “DEATH TO AMERICA”⁵² (her emphasis) vibe. For another blogger living in New York, the online discrimination was so personal that she decided to stop publically posting about her Muslim identity.⁵³

⁴⁹ Piela, Anna. "Challenging Stereotypes." 95-96.

⁵⁰ Interviewee 1 in discussion with the author, April 2015.

⁵¹ Interviewee 11 in discussion with the author, April 2015.

⁵² Interviewee 3 in discussion with the author, April 2015.

⁵³ Interviewee 14 in discussion with the author, April 2015.

Another issue lies in intra-community chastisement and criticism from fellow Muslim youth, as well as from older generation Muslims who claim that while social media is not inherently *haram*, it will inevitably “invite a host of problems into [one’s] life,”⁵⁴ including inappropriate interactions with the opposite sex, wasting one’s time, and exposing one’s sins. Several interviewees said they choose not to post any controversial content in order to avoid the backlash from her other Muslim followers. One Muslima in particular noted the issues she faced for supporting LGBTQ issues, wearing make up, and being too politically liberal.⁵⁵ She expanded on this thought, saying that the Muslim community is “so obsessed with making stuff ‘haram’ for [fellow Muslims] that people actually get angry that these groups are looking anything like Westerners, as if they didn’t go [sic – grow] up in the West.”⁵⁶ She does, however, enjoy the work Khan and Shaikley are doing to “make modern stuff *halal*”⁶¹ for young Muslims so they can create their own independent interpretations of American and Western culture.

Conclusion

Without a doubt, the Internet has afforded a number of previously inaccessible options to Muslim women, particularly young Muslimas living in the West. The Muslima identity is evolving before our eyes. A visible, vibrant American-Muslima culture is rapidly emerging, thanks in no small part to norm entrepreneurs⁵⁷ like Khan and Shaikley. Both are at the forefront of the articulation and formulation of this burgeoning identity that is finally making its appearance into the mainstream. Facebook, YouTube, and Twitter are effective tools for Muslim women to express

⁵⁴ Quadri, Habeeb, and Sa'ad Quadri. *The War Within Our Hearts*. 2nd ed. Leicestershire: Kube, 2009. 92-95.

⁵⁵ Interviewee 3 in discussion with the author, April 2015.

⁵⁶ Ibid.

⁵⁷ The term itself, defined as persons who want (and usually influential enough to) change social norms, has its origins in the following paper: Sunstein, Cass R. (1996) Social Norms and Social Roles, *Columbia Law Review*, Vol. 96, No. 4, May, pp. 903-968.

themselves and voice their own opinions. Tumblr and other blogging platforms, however, deserve the most credit for fostering an online community of Muslim sisterhood to exchange ideas and formulate an identity online and offline. Projects like Hijabis of New York are crucial to the successful reimagining of Western perceptions of Muslim women. By attempting to shatter stereotypes online, Muslimas in the United States are leading the charge at reshaping Orientalist and post-9/11 conceptions of Muslim women. Concurrently, they are overcoming the limitations stemming from traditional understanding of women's roles from within the Muslim community itself and successfully reformulating their own identities that are fully American and Muslim. With the number of Muslim women online growing daily, and the increased use of the Internet in developing countries, Muslim women have the opportunity to completely reshape the image of Muslims in America by stripping away the negative stereotypes prevalent in today's society.

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Don't Panic: Muslim Settlement in the Waikato Region of New Zealand

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The discourse surrounding Muslim immigration to New Zealand has largely revolved around settlement in the larger urban centres of Auckland, Wellington and Christchurch. However, a considerable minority have domiciled in the various provinces of the country and an elucidation of the history of the Muslims in the Waikato region uncovers a great deal about the wider immigrant experience and the slow evolution of Islam inside a largely secular society informed by a Christian heritage. There are nearly 3000 Muslims in the Waikato, mostly concentrated in the commercial hub of Hamilton, and have been living in the region for over a hundred year. The first regional Muslim Association was set up in 1980 and the first Islamic Centre established in 1984. This paper reviews the immigration and settlement of Muslims here, and the organisations they created.

Introduction

The basic purpose of this essay is to provide a very brief outline of the history of Muslims in the Waikato region of New Zealand. The Muslim population has grown substantially over the past one hundred years and deserves further study and elucidation. The 2013 government census recorded 2919 Muslims in the Waikato region (up from 2166 in 2006).¹ Most reside in the only city of the area, Hamilton, which has been described as “the high tide mark of Western civilisation” in New Zealand.² The Islamic community across the entire country presently numbers approximately 40,000.³ The Waikato-Bay of Plenty Muslim Association was set up legally in November 1980 and the property for the current mosque on the corner of Heaphy Terrace and Boundary Road was acquired in December 1983. The current mosque was erected on this plot over 1997 and 1998. The Muslim community has always been vibrant and vigorous, representing a plethora of races and nationalities, and this has thrown up a series of unique challenges and abstruse questions.

¹ ‘Where in NZ are the Muslims?’, *Rocket Science*, August 2014, p. 8.

² Libby Wilson, ‘Proud and Humbled’, *Waikato Times*, 12 December 2015, p.2.

³ *New Zealand Official Yearbook*, (Rosedale, Auckland: David Bateman, 2010), p. 106.

I restrict my definition of the Waikato region to the lower catchment area of the Waikato River, particularly the city of Hamilton and its environs, stretching from Port Waikato southwards to the Waitomo district and eastwards to the Piako Plains. Periodically I will discuss Muslims in bordering locations like Rotorua and the King Country as these have strong ties to the lower Waikato districts economically and socially.

Itinerant Origins

Muslims have always worked in the Waikato and a strong work ethic remains one of the defining features of the community. All the identifiable migrants before the 1980s were employed here either as labourers or shopkeepers; international students arrived in the 1970s and refugees in the 1990s. The adherents of Islam have been resident in the area for over a hundred years but identities are difficult to pin down. The first Muslims here were probably itinerant hawkers such as Sajawal Mulk Khan who was called as a witness in 1899 to a murder trial in Cambridge.⁴ Khan was most likely to have hailed from British India but in 1904 he was identified as an ‘Assyrian’ resident in New Zealand for seven years.⁵ This would tie in nicely with a Sajamilik Khan, a 30 year old labourer who arrived in Bluff, Southland, on 25 April 1898.⁶ He may very well have worked his way up the country and lived in the Waikato for a period. It is believed that he left the country ultimately. Other such men probably arrived, worked and moved elsewhere.

In 1908 an Ali Mahomet was charged in an Otorohanga court with ‘supplying a prohibited person with liquor and also with bringing liquor into a prohibited area’.⁷

Curiously there also an Ali Mahomet, the following year in court facing charges of

⁴ ‘The Alleged Wife Murder at Cambridge’ *Evening Post*, 9 June 1899, p. 5; ‘Charge of Murder’, *Auckland Star*, 15 June 1899, p. 5; ‘Alleged Murder’, *Auckland Star*, 1 September 1899, p. 5.

⁵ ‘Law and Police’, *New Zealand Herald*, 19 February 1904, p. 7.

⁶ ‘New Zealand, Archives New Zealand, Passenger Lists, 1839-1973’, Sajamilik Khan, 1898, National Archives, Wellington, p.25.

⁷ ‘Otorohanga S.M. Court’, *King Country Chronicle*, 31 January 1908, p. 3.

assaulting a man at his (Mahomet's) restaurant in Cambridge. The local newspaper *Waikato Argus* later identified him as a Persian.⁸ Evidently Ali Mahomet, a prohibited person (legally forbidden to access alcohol), had been before the courts in June and July 1909 when his friends E. Ferguson and D. Caswell supplied him liquor.⁹ An advert for the Victoria Street business of Ali Mahomet in August 1909 describes a 'Confectionary and Dining Rooms' establishment.¹⁰ In September 1909 Mahomet's lawyer, Mr S. Lewis, applied to have a prohibition of alcohol order cancelled as it was damaging the legitimate business of an otherwise 'law-abiding citizen'. A general storekeeper who lived nearby, Mr Richards, gave evidence in support of the application and said 'Mahomet thought the Cambridge people had a down on him because he was a black man.'¹¹ The point was also established in court that Mahomet had neither kith nor kin dependent on him in New Zealand, nor could he read or write in English.¹² The matter was deferred for further legal clarification and on 14 September the order was lifted.¹³ The presiding justices declared both sides to be committing perjury and the testimony was so contradictory that the case was dropped. However evidently: 'Mahomet had a prohibition order issued against him some time since, but it was suspended. It will now be revived.'¹⁴ By January 1910 he was advertising ice cream and sweets in the local newspaper.¹⁵ We know not what happened ultimately to either Ali Mahomet or his Cambridge business.

During the Great War of 1914-1918 a Jamal Khan of Te Awamutu was balloted to serve in the New Zealand army. There is no record that he actually served so Khan

⁸ 'Police Court, Cambridge', *Waikato Argus*, 8 October 1909, p. 2.

⁹ 'S.M. Court, Cambridge', *Waikato Argus*, 22 July 1909, p. 2.

¹⁰ 'Confectionary and Dining Rooms', *Waikato Independent*, 31 August 1909, p 6.

¹¹ 'Cancellation of Prohibition Order', *Waikato Independent*, 4 September 1909, p.5; 'Untitled', *Auckland Star*, 6 September 1909, p 4.

¹² 'A Knotty Point', *Waikato Argus*, 6 September 1909, p. 2.

¹³ 'Prohibition Order Suspended', *Auckland Star*, 14 September 1909, p. 5; 'Ruining his Business', *New Zealand Herald*, 15 September 1909, p. 7; 'Prohibition Orders', *Waikato Argus*, 15 September 1909, p. 3.

¹⁴ 'Waikato Items', *Auckland Star*, 7 October 1909, p 6; 'Police Court, Cambridge', *Waikato Argus*, 8 October 1909, p. 2.

¹⁵ 'Advert for Ice Cream, Sweets, Ice, etc.', *Waikato Independent*, 29 January, p.1.

probably obtained some kind of exemption.¹⁶ On 30 November 1918 Wali Muhammed, a labourer and hawker in Frankton, died. He was buried on 9 December in the Hamilton East cemetery, making him the first identifiable Muslim buried in this region.¹⁷ His probate file indicated he left behind over 70 schillings.¹⁸

There appear to be three Muslim men from India working in the fruit trade around Frankton over the 1920s and 1930s. How they came to be here or how much they worked together, or apart, is difficult to assess. Equally, their ultimate fate is unclear. However we are able to piece together some of their movements and activities in the Waikato. In 1926 and 1933 Gulam Mahiudin secured an alien re-entry certificate, allowing him to travel more freely between India and New Zealand.¹⁹ Similarly Hederalli Chhajoomia also secured an alien re-entry certificate at the same time it would seem.²⁰ A 'Goolan Mahnidin' (most likely Gulam Mahiudin) was involved in a road incident in 1929 at Frankton. The *New Zealand Herald* described Mahnidin as "an Indian hawker... of Frankton".²¹ Evidently Mahnidin was driving a fruit laden cart into Frankton and was hit by a motor car: he sustained a fractured rib. In 1930 an Indian fruit hawker identified as 'Hedarllj Chhajoomia' (most likely Hyder Ali) in the same newspaper 'was charged with creating a nuisance' in the Hamilton's Magistrate's Court. Evidently he maintained a property on a small section in Smith Street, Frankton, where he kept horses alongside decayed fruit and vegetables. A fine of one pound was imposed.²² On 3 October 1932 Hideralli Chhajoomia sailed on the SS *Aorangi* from Auckland to Sydney; he was listed as a fruiterer, aged 38.²³

¹⁶ 'The Ballot', *Waikato Times*, 17 April 1917, p. 4.

¹⁷ Unfortunately he was recorded in most of the documentation as Wati Mahad, making it difficult for researchers to identify him.

¹⁸ Wati Muhamed, 1920, Wellington Probate Files, 1843-1939, record number 28571, Archives New Zealand, Auckland Regional Office.

¹⁹ R24189341 / ACGV, Series 8840, L28, Box 20 / Number 4/[1926]; R24190752 / ACGV, Series 8840 / L28, Box 46 / Number 126/1933.

²⁰ R24189342 / ACGV, Series 8840, L28, Box 20 / Number 5/[1926]; R24190604 / ACGV, Series 8840 / L28, Box 42 / Number 178/1932.

²¹ 'Indian Hawker Injured', *New Zealand Herald*, 16 September 1929, p. 10.

²² 'Fruiterers Prosecuted', *New Zealand Herald*, 23 August 1930, p. 14.

²³ 'New Zealand, Archives New Zealand, Passenger Lists, 1839-1973', Hideralli Chhajoomia, 1932,

Hedaralli Chhajoomia returned to Auckland on 20 November 1934 on the SS Marama.²⁴ In 1939 the *New Zealand Herald* reported that an unidentified Indian Muslim was called to give witness in a Supreme Court case in Hamilton but evidently there was no Quran available for the Indian witness.²⁵ Instead the witness was allowed to make an affirmation instead.²⁶ This may well have been either Mahnidin or Hyder Ali Chhajoomia, or even Abraham Mahomet, a fruiterer who resided on Greenwood Street in Frankton from 1938 to 1946.²⁷ In January 1941 Mahomed Abraham, 38, travelled on the SS *Tegelberg* from Auckland to Singapore – with a Gulam Mahuidin, 49, and Hedaralli Chhajoomia, 46. All three were identified as fruit hawkers from India.²⁸ Gulam Mahiudin, aged 61 and listed as a ‘labourer’, travelled from Auckland to Sydney on 20 November 1952, on board the SS *Wanganella*.²⁹

Members of the Bhikoo and Musa (Moses) families arrived from the Gujarat in western India during the first two decades of the 20th century. They assumed labouring jobs and after accumulating some cash, operated small shops between the 1920s and 1940s around the Waikato, such as Huntly and Te Kohanga (east of Port Waikato).³⁰ In May 1940 Joseph Bhikoo, proprietor of a general store near the Waahi Pa at Rakaumanga, Huntly, ‘gave formal evidence’ at the inquest into the death of another Indian shopkeeper in the area.³¹

National Archives, Wellington, p.28.

²⁴ ‘New Zealand, Archives New Zealand, Passenger Lists, 1839-1973’, Hedaralli Chhajoomia, 1934, National Archives, Wellington, p.46.

²⁵ I have chosen to employ ‘Quran’ throughout this article except where making direct quotations from original source material that uses ‘Koran’.

²⁶ ‘No Koran for Witness’, *New Zealand Herald*, 11 August 1939, p. 10.

²⁷ 1938. *Electoral District of Hamilton – Supplementary Roll, No.1* (Hamilton: Waikato and King Country Press Ltd., September 1938), p.39; 1946. *Electoral District of Hamilton* (Hamilton: Bonds, September 1946), p.152.

²⁸ ‘New Zealand, Archives New Zealand, Passenger Lists, 1839-1973’, Mohomed Abraham, 1941, National Archives, Wellington, p.2.

²⁹ ‘New Zealand, Archives New Zealand, Passenger Lists, 1839-1973’, Gulam Mahiudin, 1952, National Archives, Wellington, p.53.

³⁰ Jacqueline Valerie Leckie. ‘They Sleep Standing Up: Gujaratis in New Zealand to 1945’, Unpublished doctoral thesis, (University of Otago, 1981), p.102, 505; 1935 *Electoral District of Raglan* (Hamilton: Waikato and King Country Press Ltd., August 1935), p. 13.

³¹ ‘Huntly Mystery’, *New Zealand Herald*, 21 May 1940, p. 6; See also: ‘Foul Play?’, *Auckland Star*, 20 May 1940, p. 8.

Another early Muslim migrant was Khamais 'Jim' Khan from the Punjab region in India. Born on 15 November 1891 in the village of Atta near Jalandhar, Khamais 'Jim' Khan appears to have worked first in Fiji before arriving in New Zealand in 1918. His father's name was Badoo Khan. William McLeod pointed out that 'it is evident that traditional rituals were largely abandoned by the few Punjabi Muslims who migrated to New Zealand.'³² There are records of Khamais Khan in the 'Alien Re-entry Certificates' issued by the Department of Labour for the years 1918, 1921 and 1925. This would suggest he possibly either visited Australia or returned home at these points. In 1921 a 27 year old Khamais Khan was recorded travelling on the *Riverina* from Sydney to Auckland.³³ The newspaper *Auckland Star* records his name on the passenger list returning to Auckland on 7 September 1926 from Sydney on board the SS *Ulimaroa*. In 1928 Khamais Khan was living on Cadman Road in Paeroa, eastern Waikato, working at a flax mill. In 1935 he was working for the Alderson brothers in Te Papa, in the Aria valley, as a drainer (digging drains).³⁴ He seems to have remained at Aria for the Electoral Rolls in 1946, 1949 and 1954. In 1947 he is still in Aria but is reported as a labourer. By 1963 he is resident of Mokauti Road in Aria and by 1969 he is listed as retired on Kiekie Street, still in Aria. In the 1972 Electoral Roll he is a pensioner in the hospital at Te Kuiti. The burial records show he was buried in Aria on 28 July 1972, in plot 42, Block 11, which was purchased by V J Williams & Son (the funeral directors). He does not appear to have had a family or descendants.

In 1917 one Wazir Ali Shah from Saloh in Nawanshahr, in the Punjab region, arrived in the Waikato to work on a farm. He had originally signed up for a five year work

³² William Hewat McLeod. *Punjabis in New Zealand: A History of Punjabi Migration, 1890-1940*. (Amritsar: Guru Nanak Dev University, 1986), p. 136.

³³ 'New Zealand, Archives New Zealand, Passenger Lists, 1839-1973', Khamais Khan, 1921, National Archives, Wellington, p.53.

³⁴ 1935. *Electoral District of Waitomo – Supplementary Roll, No.1* (Te Kuiti: King Country Chronicle, July 1935), p.28.

contract in Fiji but after three years managed to relocate to New Zealand.³⁵ In 1928 he brought out his son Hafizur Rahman from Jalandhar in the Punjab. Then Wazir Ali Shah promptly died later that year on 16 September and was buried at the Hamilton East cemetery; his internment being the earliest identifiable Muslims to be buried in the region. He is recorded in the official records as 'Bazar Ali'. Curiously enough Hafizur Rahman was balloted to serve in the army in 1940 but there is no evidence that he actually served.³⁶

In the early 1920s, possibly even 1920, Muhammed Faqir Jacob arrived in New Zealand from Kajurwala in the Sikh-majority part of the Punjab region. Jacob came from a 'Jemadars' caste family – traditional landowners whose men frequently worked outside their village or town. Jacob soon started operating a store for a Sikh couple in Kapaki and by 1925 he was a mill hand at Kakahi near Taumarunui. He befriended another Punjabi Muslim settler there named Mehar Akhtar Din, a Foreman for the Taumarunui Borough Council. Jacob travelled back to India in 1939. In 1948 Jacob married a relative named Alma and in 1949, following the Partition of India and the Punjab region in particular, she joined him in Taumarunui. He died three months later. Mrs Jacob gave birth the following year and raised her daughter alone until relocating to Hamilton in the 1970s. Her grandson, Tariq Ashraf is active in the Hamilton Muslim community today.

In 1969 Mohammed Hussein Sahib arrived from Fiji and obtained employment at the Afco freezing works in Horotiu outside Hamilton where he would undertake clerical duties and perform Halal slaughter when needed for Halal meat contracts.³⁷ He later

³⁵ Curiously, this would tie in nicely with a Wazir Ali who travelled with a Khamis Khan to Suva in 1914. See: 'New Zealand, Archives New Zealand, Passenger Lists, 1839-1973', Wazir Ali, 1914, National Archives, Wellington, p.10.

³⁶ 'Drawn in Ballot', *Auckland Star*, 4 December 1940, p. 12.

³⁷ 'Ritual Killing of Meat', *New Zealand Herald*, 7 March 1979, p. 8; Abdullah Drury, 'Halal's place in NZ', *Nelson Mail*, 15 September 2007, p. 14.

became a prominent and important member of the Waikato Muslim Association in the 1980s.

Before the creation of the Waikato Muslim Association most Muslim immigrants often associated with folk of their own ethnicity rather than religion. Esup Bhikoo for example was secretary of the Waikato Indian Association over 1946 to 1947 and president between 1947 and 1951. In the 1970s Muslim international students started arriving to attend Waikato University, and the 1980s and 1990s saw a large influx of students from Malaysia. The Malaysian High Commission rented a house on Dey Street, which served as 'Malaysia house' and was used for their regular gatherings. Presently a majority of the Muslim students at Waikato University hail from the Middle East and the Indian subcontinent.

In June 1972 Dr Anisur Rahman from Azamgarh in Uttar Pradesh, India, secured work as a scientist with the DSIR in Hamilton. He came with his wife and daughter via Canada where he had undertaken his tertiary study. Dr Rahman secured employment with the then Department of Agriculture and was based at the Ruakura Research Centre. The family was almost immediately in the newspapers when six year old Anjum Rahman was featured on the front page of the *Waikato Times* because she spoke five languages.³⁸ They acquired a property in Hillcrest, conveniently close to the University for foreign students, and this was the first Muslim household in Hamilton, serving as the site of much communal affairs until 1984. During Ramadan in 1984 Nadeem Shafiqul Rahman, aged seven years, featured in the *Waikato Times* as probably the first Hamilton born person to memorise the entire Quran:

³⁸ 'Skilled Linguist at Six', *Waikato Times*, 19 July 1972, p. 1.

On Saturday, Waikato's Muslim community of about 75 will celebrate Nadeem's achievement. After a dinner, Nadeem will recite some verses of the Quran, and that will be followed by prayers.³⁹

In June 2003 Dr Anis Rahman would be honoured for his decades of community work with a Q.S.O. medal from the Governor-General.⁴⁰ In December 2015 Dr Anis Rahman would similarly be honoured by a civic award from the City Council.⁴¹

Around the same time as Dr Rahman and family arrived in Hamilton, Mohammad Amin Farooqi settled in Putaruru and married the daughter of Hafizur Rahman. A Sri Lankan doctor, Haris Fuard, had also moved to Hamilton soon after. The Muslim Association of Waikato was established informally in 1975 by three families representing ten people. That year a visiting *Tablighi Jamaat* from South Africa had inspired a regular *Jumah Salaat* among a core of the Hamilton Muslim residents. This was held at Dr Anisur Rahman's private house and Dr Rahman became the acting lay-Imam for Hamilton. He has continued to deliver the *Jumah khutbah* periodically to date and has also been regularly involved in the *Tablighi Jamaat* activities. In 1978, Dr Anisur Rahman and Mohammed Hussein Sahib travelled to Saudi Arabia, to perform the pilgrim rites of Hajj in Mecca. As there were no organised trips in that period they undertook the journey privately and became the first Islamic pilgrims to leave from the city of Hamilton.

Creation of the Waikato Muslim Association

On 15 April 1979 Muslims from across the land met in the Ponsonby Islamic Centre, Auckland, to create the Federation of Islamic Associations of New Zealand (FIANZ)

³⁹ Bronwyn Dorreen, 'Religious Milestone', *Waikato Times*, 29 June 1984, p. 1.

⁴⁰ 'The Queen's Service Order', *New Zealand Gazette*, 4 June 2003, Issue Number 60, p. 1631.

⁴¹ Aaron Leaman, 'Awards Celebrate Hamilton's finest', *Waikato Times*, 18 November 2015, p. 2; Zia Ahmad, 'Hamilton Honours Muslim with Civic Award', *Indian Newslink*, 15 January 2015, p. 22.

with Mazhar Krasniqi appointed national president.⁴² Hamilton was represented by Amin Farooqi (the son-in-law of Hafizur Rahman), Hajji Mohammed Hussein Sahib and Dr Anisur Rahman, all of whom were to remain involved in FIANZ throughout the 1980s. Dr Rahman remains on the Hilal (moon-sighting) committee of the Federation to the present day. Initially the Waikato Muslim Association had one representative on the Federation Council. In May 1996 the Association petitioned FIANZ to increase representation from one delegate to two, on the grounds that membership was now over 500 and this measure was approved. The main focus of the Islamic Federation has been Halal certification here in negotiations with the Meat Producers Board.

In August 1979 the Waikato-Bay of Plenty Muslim Association was incorporated and on 30 January 1980 it was formed as a distinct legal body with '28 registered members comprising eight families'.⁴³ By the 1990s however, it was simply called the Waikato Muslim Association.⁴⁴ The inaugural president in 1980 was Hafizur Rahman and his son-in-law Amin Farooqi of Morrinsville was to play a key role on the Association Executive Committee during the 1980s.⁴⁵ On 28 February 1981, local convert to Islam Nizam Flynn was elected president of the Association. Flynn held this post until early 1983 when he left to study at the newly created International Islamic University in Malaysia. After his return in 1987, Flynn later served as Secretary of the Association and also on the FIANZ Executive Committee. He was an active member of the Association until he took up a job in Brunei in July 1996. A popular and modest man, a photograph of Flynn and his son Yusuf Adam featured on

⁴² An Albanian born in Kosova, Krasniqi arrived in Wellington on 1 May 1951 on board the MS Goya as part of an influx of Eastern European refugees following World War Two. He worked on the Meremere Power Station briefly in the Waikato during the 1950s. For more on Kosova history and Albanian emigration, see: Noel Malcolm, *Kosovo: A Short History* (New York: New York University Press, 1998), pp.285-286.

⁴³ *The Muslim*, Volume 1, Number 1 (November 1980), p. 13.

⁴⁴ William Shepard, 'New Zealand's Muslims and Their Organisations', *New Zealand Journal of Asian Studies*, Volume 8, Number 2 (December, 2006), p.13.

⁴⁵ Hafizur Rahman passed away in November 1981. See: Rehman, Hafeez-ur (Joe), 'Births, Deaths, In Memoriam', *Waikato Times*, 23 November 1981, p.26.

the front page on the *Waikato Times* in the newspapers first ever article about Ramadan: ‘More than 50 Waikato Muslims gathered in Hamilton today to end Ramadan.... Today’s ceremony included Pakistanis, Fijians, Indians, Malaysians, Yugoslavs, as well as New Zealanders.’⁴⁶

In the early 1980s numbers of Muslims in the Waikato diversified and multiplied. Membership of the Association continued to include folk from outside the city of Hamilton and even included Abbas and Jemal Hodzic resident in Te Aroha, for example. Jemal Hodzic, also known in Bosnian as ‘Demal’ and as ‘Jim’ to Kiwi friends, arrived in New Zealand in the 1962 to work on the Manapouri power station in the South Island.⁴⁷ Born in Trnopolje, Bosnia, the eldest of six brothers and one sister, his father was the town Mullah. In 1969 he married a Pakeha lady and in 1978 they settled in Te Aroha where they lived until 1985. Older Waikato Muslim residents recall he cooked a famously good goulash and also built the extension to Dr Rahman’s house in Hillcrest. He was later a founding member of the Bosnian and Hercegovinian Society, set up in September 1994, and also active as Patron of the South Auckland Muslim Association. Hodzic died of a heart attack whilst working alone in his flat in Te Aroha in October 2004.⁴⁸

The adoption of Halal slaughter in almost all of the freezing works both provided employment and income for some Muslims, and also served to slowly increase the size of the Muslim population. In 1984 Hajji Mohammed Hussein Sahib, an active member of the Waikato Muslim Association, was appointed regional Halal

⁴⁶ ‘Breakfast – After a Month’, *Waikato Times*, 13 July 1983, p. 1.

⁴⁷ Several Bosnian-Yugoslav Muslim individuals and families came to New Zealand in the 1960s due to the mismanagement of the economy there under the Communist regime. Currently there are currently more Slavic Muslims (and their descendants) living outside Bosnia than within. See: Noel Malcolm, *Bosnia: A Short History* (New York: New York University Press, 1994), pp.139-140, 201-203; Fikret Karčić. *The Bosniaks and the Challenges of Modernity* (Sarajevo: El Kalem, 1999), pp.109-11.

⁴⁸ Gul Zaman, ‘In Memory of Marhum Demal Hodzic’, *FIANZ News*, March 2006, p. 7.

Supervisor. He held this post until 1996 and was later Chairman of the Hamilton mosque construction committee.

Concerted efforts to raise funds for a proper mosque in Hamilton started in early 1982 with local collection drives and trips across New Zealand soliciting financial support from Muslims outside the thriving metropolis. By August 1983 the Association, representing approximately 40 adult Muslims in the entire region, had approximately \$14,000 and this was boosted by large donations from the Wellington based International Muslim Association of New Zealand the Federation of Islamic Associations of New Zealand (FIANZ). The Association was still around \$17,000 short and members of the Executive Committee made a quick trip to Auckland to borrow the necessary money from generous Muslims there.

Islamic Centre

On 15 December 1983 the Association purchased the current 971 Heaphy Terrace site for \$58,000 and the land was legally transferred to the Association on 7 February 1984. A few walls in the house were knocked down to make a big hall for men and a room was also set aside for ladies. The house was a three bedroom villa on nearly half an acre. FIANZ assisted with a \$15,000 loan to repay individuals in Auckland.

The mosque's first major event on the Islamic calendar was the celebration of the birthday of their prophet, Mohammed....An official opening for February or March next year would coincide with a seminar, deferred from October, to which a cross-section of religious scholars, Muslim and non-Muslim, would be invited.⁴⁹

The presence of the Islamic Centre allowed for regular prayers and regular Quran lessons for youth. These programmes were vigorously supported and often led by Dr

⁴⁹ 'New Base for Muslims', *Waikato Times*, 21 November 1984, p. 5.

Haji Anisur Rahman. However the fundamentally cosmopolitan nature of the congregation was vibrant but not always easy to manage. In an August 1987 newsletter Nizam Flynn wrote:

Our community is made up of member coming from various parts of the world, people coming from many different backgrounds and bringing with them many diverse cultures. In general, similar events may be handled in a different manner when the event takes place in another part of the world. To understand one another's culture is very important when a multicultural society or community is trying to establish unity or trying to form one community. It is very easy and to a certain extent natural that splinter groups will arise within a community when its members try to impose their own cultural ideas on others in matters concerning mutual community affairs..... By the same token, a particular grouping should not lose their composure if their suggestion is not adopted by the Shura.⁵⁰

In September 1987 the first Halal restaurant opened in Hamilton with the opening of the Viceroy of India on Bryce Street. Five years later the first Turkish restaurant opened when Ramazan Semiz from Samsun and his New Zealand wife Kerry opened the Café Sağlık in October 1993. He was soon joined by his brother Ayhan who also married a local lady and undertook measures to ensure all the food was Halal.⁵¹ In 1999 the Semiz family relocated to Rotorua and the shop shut. However a decade later another Turkish restaurant opened in Hamilton East, a few shops along the road. This was purchased ten months later in 2010 by Hasan Özkuz from Konya, Turkey, who had arrived in Wellington in 2002 and worked in Taumarunui as a plumber for a period before relocating to Hamilton.

⁵⁰ Nizam Flynn, 'Editorial', *Waikato-Bay of Plenty Association (Inc.) Newsletter*, August 1987, pp. 1-2.

⁵¹ Denise Irving, 'Lets talk Turkey', *Waikato Times*, 28 April 1994, p. 17; James McOnie, 'Christmas Just Another Day for Most Turks', *Waikato Times*, 16 December 1997, p. 2.

Over 1988 and 1989 the Waikato Muslim Association grappled with the challenge of financing a new car park as per City Council regulations and appeals were circulated nationwide in the FIANZ newsletters. On 27 March 1988 the Waikato-Bay of Plenty Muslim Association held its AGM and elected Dr Haris Fuard as president. Flynn retained his post as Secretary. This was repeated one year later on 19 March 1989. By 1991 there were approximately 150 Muslims in the Waikato region, including many children and youth. The decision as undertaken to fundraise towards improving the facility. Nearly \$40,000 was raised to build a two bedroom house for a religious teacher, a Hani Qalqalaq from Palestine. During this period a gifted personality, Niaz Al-Somai, an optometrist from Syria arrived Hamilton. He started sharing the task of leading prayers and delivering *Jumah khutbah* with Dr Rahman. He completed M.Sc and Ph.D. degrees at Waikato University, including the first Ph.D thesis to start with *Bismillahir Rahmanir Rahim* and a verse from the Quran about honey. Dr Al-Somai then undertook post-doctoral research simultaneously with AgResearch in Hamilton as well as with the University of Auckland. He further completed a Master's degree in clinical pharmacy from the University of Otago through distance learning and took up a career as a Pharmacist. On 1 March 1992 the Association elected Dr Niaz Mohammed Al-Somai as president. On 18 April 1993 Dr Haris Fuard was re-elected president of the Association and again on 17 April 1994. On 7 May 1995 an accountant named Mohammed Afiz, from Fiji, was elected president of the Association. He held this post until stepping down from the post in 2003.

In March 1991 Hamilton Muslims joined with Christians and other faiths to pray publicly for peace, following the first Gulf War. '150 people gathered in Hamilton's Parana Park for the special People Praying For Peace service' organised by City Councillor Brian Impson.⁵² The active Muslim presence in such interfaith peace

⁵² Douglas Pratt, 'City People to Pray for Peace', *Waikato Times*, 2 March 1991, p. 18; 'Praying for Peace', *Waikato Times*, 4 March 1991, p. 1.

efforts were noted. The Anglican vicar, the Reverent Bruce Keeley, and Mohammed Afiz from Fiji, jointly arranged a widely publicised inter-religious service in the City Council's Reception Lounge in October 1991.⁵³ Over 21-23 December 1991 the Federation of Islamic Associations organised a national Muslim youth camp, one of the earliest of its kind, at the Karakariki Christian Camp near Hamilton with the active participation of affiliate member Waikato Muslim Association who hosted the event. The age group was 12 to 20, and 48 boys and girls attended. The objective of the exercise was to give Muslim youth more social experience with other Muslim youth and to provide greater instruction on Islam.

In August 1992 New Zealand's first Muslim to be appointed a Justice of the Peace was sworn in at the Hamilton courthouse and took the oath on the Quran rather than the Bible. Mohammed Hassan from Fiji had migrated to New Zealand in 1987 and worked as a residential consultant. He had initially been involved in the Frankton Maori and Pacific Island Community Centre, and became New Zealand citizens in 1991. At the time Hassan was also Secretary to the Muslim Association and a Jaycee International senator. He later served as Secretary-General to the Islamic Federation.⁵⁴

In July 1993 the Waikato Muslim community faced the arrival of the first 36 Somali refugees. 'The Somalis were brought to Hamilton by the Waikato-Bay of Plenty Muslim Association and the Hamilton Refugee Migrant Service.'⁵⁵ By 2001 there were over 800 Somalis in Hamilton.⁵⁶ By 2005 there were over 900.⁵⁷ This means Africans constitute one-third of the total figures for Muslims in the region today and they probably make up the largest minority within the local Muslim community overall.

⁵³ Douglas Pratt, 'City Service Brings Many Faiths Together', *Waikato Times*, 26 October 1991, p. 3.

⁵⁴ 'New Zealand's First Muslim JP is Appointed in City', *Hamilton Press*, 12 August 1992, p. 8.

⁵⁵ Jim Kayes, 'Somali Refugees find New Home in Hamilton', *Waikato Times*, 3 July 1993, p. 1; See also: 'Refugees Settle in to Life in Hamilton', *Waikato Times*, 20 August 1993, p. 3.

⁵⁶ 'Somali Students Explore the City', *Hamilton Press*, 18 July 2001, p. 1.

⁵⁷ Geoff Lewis, 'Refugees Seek Community', *Hamilton Press*, 22 June 2005, p. 13.

In 1994 the Islamic Women's Council of New Zealand (IWCNZ) staged its fourth national conference in the Hamilton Islamic Centre with the theme 'Caring and Sharing: The Way of a Stronger Community'. Over 70 delegates attended including Aziza Abdel Halim and Aflah Johanna of the Regional Islamic Dawah Council for South East Asia and the Pacific (RISEAP). Another one was held inside the new mosque over 9-11 April 1999 with theme 'Education in Islam'. Over 120 Muslimah attended this event. In 2007 the Women's Organisation of the Waikato Muslim Association (WOWMA) was founded by a convert to Islam named Aliya Danzeisen, and Anjum Rahman, daughter of Dr Rahman. Their aim was to help Muslim women integrate into New Zealand society by connecting them with each other, New Zealand culture, tradition and history.

Converts to Islam have always trickled into the mosque and into the affairs of the Muslim Association. As noted Nizam Flynn, the first Hamiltonian to accept Islam in 1979, played a very important role in the establishment and development of the community over the subsequent decades. In 1995 Sadiq Denver Nicholson pronounced the *shahada* (testimony of faith). 'He was friends with a Somali family and played soccer with Somali boys his own age. This contact and reading of the Koran and other books cemented a teenage interest in Islam.'⁵⁸ He married a Fiji Indian lady and quickly became very active in the Hamilton Muslim soccer team. In addition to regularly aiding the 'Islam Awareness Week' functions in Hamilton he organised Muslim youth activities for a decade as Amir or leader of the Waikato Muslim Student Association (WAMSA). After completing his Bachelor's degree in Social Sciences, majoring in Anthropology, at the prestigious University of Waikato, Nicholson assumed work at NZ Post. He also had the privilege of studying Islam abroad. In 2001 for example he was the New Zealand representative at the World

⁵⁸ Lester Thorley, 'Being Muslim', *Waikato Times*, 16 July 2005, p. D2.

Assembly of Muslim Youth (WAMY) camp in Melbourne, Australia, and in 2004 he undertook a three/four month intensive course for Young Imams in Malaysia, organised by the Kuala Lumpur-based Regional Islamic Dawah Council of South East Asia and the Pacific (RISEAP). That same year he was a key speaker at the National Islamic Converts Conference at the Canterbury mosque in Christchurch.

Mosque

Over January and February 1996 the Waikato Muslim Association secured the services of a Qari named Fahi Abdul Halim Mustafa courtesy of the Egyptian government to recite the Quran every evening throughout the month of Ramadan. With the relaxation of immigration rules, rising numbers of Halal slaughtermen and their families, and the arrival of Somalian refugees, the converted house at Heaphy Terrace became increasingly too small for congregational prayers. Consequently a decision was taken after Ramadan (in 1996) and the Association launched a serious fundraising drive to secure money to build a proper mosque on their 1760 square metre property. Local architectural firm Stiles & Hooker were contracted to prepare the plans for the half million dollar project. 'Association member Mohammed Hassan said growing numbers of immigrant Muslims from Fiji, Malaysia and Somali had pushed up total city followers to about 500. The new building would cost about \$500,000 and provide enough space for 250 at prayer.'⁵⁹ When the architectural plans were submitted to the City Council there were only four objections from members of the general public. 'Dennis McLeod attacked anti-Israel Islamic teachings, saying the mosque would be the start of Islamic people taking the whole world.'⁶⁰

Mary Clarkson, president of the Hamilton Council of Christian Churches, and the Reverend Alan Leadley, wrote a letter to the editor of the *Waikato Times* newspaper

⁵⁹ 'City Muslims Seek Bigger Mosque', *Waikato Times*, 29 January 1996, p. 3.

⁶⁰ 'City Muslims Seek Approval for New Mosque', *Waikato Times*, 27 April 1996, p. 3.

voicing their support for the project welcoming Muslims to the city. 'We affirm that as Christians we have an affinity with Muslims as people who worship God and honour the name of Jesus'⁶¹ A further public statement supporting the mosque project was also signed by the Anglican Bishop of Waikato David Moxon, Hamilton's Auxiliary Roman Catholic Bishop Takuiria Mariu, Methodist Superintendent of Waikato-Bay of Plenty David Ancell and the Presbyterian Moderator of Waikato Jim Findlay.⁶² Mark Wright, a lone opponent of the mosque project at the statutory management committee meeting on 27 May 1996, said 'one day New Zealand would pay for having the Muslim faith here.'⁶³ The City Council disagreed and the resource consent to build a mosque was granted.

Christian support for Muslims in Hamilton should never be understated. When Muslim refugees appealed for assistance to extract relatives from refugee camps, Hamilton churches often helped. For example when Saynab Hassan launched a fund raising appeal to bring her family out from camps in Kenya the (Anglican) St Albans Church contributed thousands of dollars through donations and loans.⁶⁴ The Muslim Association has consistently welcomed this reception and supported Inter faith dialogue and joint ventures such as the appeal against the construction of an unnecessary casino in Hamilton over 1999 and 2000.

The old house was removed from 971 Heaphy Terrace. On Friday, 9 May 1997 (the first day of the month of Muharram on the Islamic calendar), work on the erection of the first purpose built mosque in Hamilton began and a foundation ceremony for the new mosque was staged with senior Muslim leadership from across the country plus local dignitaries and Church representatives. Attended by over 300 people prayers were held by Sheikh Khalid Abdul Hafiz, the popular Imam of Wellington, who

⁶¹ 'Christians Back Mosque', *Waikato Times*, 13 May 1996, p. 6.

⁶² Chris Barclay, 'Churches Join Forces to Back City Mosque', *Waikato Times*, 25 May 1996, p. 3.

⁶³ Chris Barclay, 'City Mosque Wins Council Blessing', *Waikato Times*, 28 May 1996, p. 1.

⁶⁴ 'Loan Boosts Effort to Help Refugees', *Waikato Times*, 14 June 1997, p. 20.

emphasized peace and tolerance towards all people and all faiths. Ironically the construction site was hit by mindless miscreants carving crude swastikas in late October 1997. ‘Waikato Muslim Association president Mohammed Afiz vowed to catch the vandals.’⁶⁵ Work on the mosque finished on 26 December 1997, just before Ramadan started, and an official open day and opening ceremony was staged on Saturday 28 February 1998. The opening ceremony included a visit by the Mayor and several City Councillors, Church leaders and a special blessing from Tainui Maori. Qari Mohammad Sharif, originally from Peshawar, Pakistan but resident in Auckland, was appointed the first Mullah of the new mosque. However he mysteriously remained in the city for only two years before returning to Auckland, and then back to Pakistan.

March 1998 saw one of the most peculiar incidents in the history of the Waikato Muslim Association. On Saturday, 28 March 1998, the Auckland based Milad Committee and three busloads of Auckland Muslims descended on the Hamilton mosque with the intention of observing their *Jalsa* (Urdu: gathering). The event had been promoted on Hindi radio, with flyers distributed and special announcements made at Auckland mosques and Islamic Centres. The buses arrived after midday but were informed that the event had not been formally approved by the mosque management. In fact the majority of members of the Association were specifically opposed to the plan and on the spot asked the visitors to desist. Sadly an argument evolved all afternoon and ultimately descended into a fist fight that necessitated police intervention. The outcome of this event was that *Jalsa*-celebrating Muslims in Hamilton formed a separate organisation, initially named the Hamilton West Islamic Centre. On 21 June 1999, this group was formally registered as the New Zealand Muslim League Incorporated, and came to operate an Islamic Centre at Bandon Street in Frankton.

⁶⁵ Scott McLeod, ‘Mosque Project Hit by Vandals’, *Waikato Times*, 22 October 1997, p. 3.

Tragically on 6 August 1998 the Hamilton mosque was gutted by arson between 4 and 6 a.m. Police never caught the culprits although a substantial reward was offered by NZI. On the brighter side there was a positive outpouring of sympathy and support from the wider non-Muslim population of Hamilton and an appeal was launched to raise funds from the general public for the \$150,000 rebuilding project that took place over 1998 and 1999. 'Waikato Jewish Association president Dov Bing said it was important for civic and community leaders to speak out against racism and bigotry. The association also pledged its support for the mosque's rebuilding.'⁶⁶ Free space was provided across the road at the Waikato Events Centre at the Claudelands Showground for Muslims to worship in the meantime.⁶⁷ Muslim Association president 'Mr Afiz said faith and the English language were the bonds keeping the Waikato's diverse Islamic society together at such a difficult time.'⁶⁸

In 2003 Ismail Dirie Gamadid was elected president of the Waikato Muslim Association, the first African to do so, and he held the position until he retired to Australia. On 2 February 2015 Mubarik Ahmed from Singapore became president.

Conclusions

In the final analysis it can be concluded that Muslims have been living in the Waikato region for over a century, living and working quietly. The first Muslims appear to have arrived within sixty years of the Treaty of Waitangi and Christianity, and all were economic immigrants seeking employment. By 1979 the creation of a formal organisation signalled both the new direction the vague assembly of families would take and also the point of transition from a hitherto itinerant community into a settled one; the Waikato Muslim Association was the first real reflection of religious

⁶⁶ Kris McGehan, 'Arsonist Hunted as Muslims Grieve', *Waikato Times*, 8 August 1998, p. 3.

⁶⁷ Kris McGehan, 'Fire Guts City Mosque', *Waikato Times*, 6 August 1998, p. 3; Melissa Moxon, 'Muslims not Daunted by Mosque Fire', *New Zealand Herald*, 7 August 1998, p. A7.

⁶⁸ Bruce Holloway, 'Leader says Mosque Fire wasn't an Act of Racism', *Waikato Times*, 11 August 1998, p. 3.

community for local adherents of Islam. The narrative of Waikato Muslims has been a discourse of constant change: at times very dynamic and difficult to analyse accurately or predict. Muslims in the Waikato have faced many vicissitudes: from arson to fist-fights.⁶⁹ Whither Islam in the Waikato today? The receptive and positive socio-economic environment makes this region one of great prospects for Muslims.

⁶⁹ The Association has struggled with finances from time to time, and for a variety of reasons. In 2002 there were public objections raised when it eventuated that the Muslim Association had received funds, inexplicably, from the Waikato Ethnic Council. (See: Retnam, Selva, 'Religion and Public Funding', *Hamilton Press*, 18 December 2002, p.10.). In 2015, a year after receiving a substantial fiscal grant from Saudi Arabia to erect a small building for use as a Muslim school beside the Heaphy Terrace mosque, the Waikato Muslim Association secured a \$4000 grant from Trust Waikato. (See: *Trust Waikato Annual Report 2015*, Hamilton: Trust Waikato, 2015, p.28.).

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Religious Tolerance within the Framework of Islam: A Modest Approach for Nigeria

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The problem of religious intolerance in Nigeria casts a serious doubt to the future socio-political and economic stability of the country. This paper will set out to examine the problem of religious intolerance and its implications in a heterogeneous society like Nigeria with the aim of providing solutions within the framework of Islam. Historical, moral and sociological approaches were adopted as methodologies. Islam has a lot to offer in response to the numerous problems faced by man today especially in matters of peaceful co-existence and harmonious living. The study also discovered that the ideas of peace and religious tolerance constitute some of the fundamental values of Islam. The study concluded by recommending that all hands should be on deck to tolerate each other's religion and to root out the vices of religious intolerance from the socio-political arena of the country by borrowing a leaf from what Islam has provided over fourteen hundred years ago.

Introduction

While it is true that it's not possible to know the exact number of religious conflicts due to lack of adequate record keeping, it is believed that in Nigeria religious crises have resulted in the loss of millions of lives and unquantifiable psychological and material damage. The Nigerian people are distributed thirty-six states that make up the nation-state. Moreover, Nigeria, which has over four hundred ethnic groups and several religious sects, has been trying to cope with the problem of ethnicity on the one hand and the problem of religious conflict on the other. In other words, Nigeria, a blessed country with human and natural resources, has been witnessing a number of inter and intra ethnic and religious crisis, and this has been an impediment to its overall development.

The discussion of religious conflicts in whatever context, which often take the form of riots, assassinations and suicide bombing, becomes necessary given the fact that there is a reoccurring phenomenon of conflict; especially among the Muslims and the

Christians. The crisis which has increased the level of general insecurity, especially in the Northern part of the country, has created a misunderstanding that Islam is a religion that promotes violence and terrorism. This misunderstanding is essentially based not on the established principles in Islam, but on some examples presented by those who claim to be Muslims.

It has to be stated categorically that this paper is not aiming at discussing religious crises which Nigeria has witnessed as a nation, but to argue that religious tolerance from Islamic perspective will be a model approach for Nigeria in combating her religious crises, after all the methods adopted in combating them have yielded no positive results. In addressing the issue, the paper will briefly look at the nature and causes of religious crises in Nigeria before discussing the Islamic conception of religious tolerance.

The Nature and Causes of Religious Conflicts in Nigeria

Observation has shown that the differences of religious belief have sometimes contributed to inter-religious disharmony at international as well as national level. According to Salawu, religious conflict means a situation in which the relationship between members of one religious group and members of another group in a multi-religious society is characterized by a lack of cordiality, mutual suspicion and fear, and a tendency towards violent confrontation.¹ For some time now, many parts of Nigeria have come to resemble theatres of war characterized by an increasing number of socio-religious crises. It is an undisputable fact that, consciously or unconsciously, the Nigerian population is being polarized along communal-religious lines. Many Nigerians have lost their lives and property because they belong or do not align to a given religious group.

The problem of religious conflicts in Nigeria, according to Igboin, is one that has not been well distinguished because many scholars have shifted ground on the nature of conflicts in Nigeria and categorized them into ethno-religious and political-religious crises.² The reason why the first one is called ethno-religious is that the patterns of crisis in Nigeria show that it cannot be authoritatively traced to religion all the time. Igboin observes that ethnicity has assumed a quasi-religious status because it has been an ideology which the people use to get what they want to get from the Government.³ The second one which is political religious in nature is the one in which some desperate and frustrated politicians arm-twist religion to vent their anger and frustration. The above explanations notwithstanding, the fact remains that there is religious crisis in Nigeria.

In a nutshell, the causes of religious crises in Nigeria seem to have been an event that occurs as a surprise to Nigerian citizens. The crises are mostly centered on religion though with some hidden motives. Religion, which is often used as cover up, is considered as one of the major causes of the crises in Nigeria.

A look at the history of humanity throughout the ages reveals that certain constant factors breed and nurture religious intolerance with obvious consequences on the political, social, economic and moral lives of the citizens. In modern day Nigeria, the problem of the religious factor of a heterogeneous cultural society becomes more complex with the entrenchment of two virile missionary oriented world religions – Islam and Christianity. The existence of these world religions alongside the traditional religion has left its indelible impression on the political, economic and social life of Nigerian citizens. Here are some of the causes of religious conflicts in Nigeria.

A major cause of what we see as religious crisis in Nigeria has to do with the claiming of a particular group or sect monopoly of religious truth and practice.⁴ There is a

tendency that members of that group will ignore whatever truths that are contained in other religious systems. Thus, the seed of religious intolerance is sown.

One cannot also forget to link the cause of religious intolerance with the failure of Nigerian leaders to establish good governments and promote real economic progress through articulate policies which has led to mass poverty and unemployment. This has resulted into communal, ethnic and religious conflicts that have now characterized the nation of Nigeria. Poverty and unemployment have served as catalyst for many religious conflicts in Nigeria. The reason is that the country has a reservoir of poor people. In a nutshell, poverty and unemployment increase the number of people who are ready to kill or be killed for a token benefit.

The long history of military intervention in Nigerian politics, which tends to encourage and legitimize the use of force and violence as instruments of social change, is another important factor responsible for religious conflicts. From this, it has become a custom to see that the use of coercion and force in settling conflicts has become a tradition in the Nigerian body politics. This has resulted in uncontrolled distribution of arms (legal and illegal) within society and encouraged people to go on fighting rather than finding peaceful settlement to disputes.

Wrong and exaggerated information by the press and media houses sometimes form the background for religious conflicts in the country. Such exaggerated news always encourages other religious groups to attack innocent citizens. No one can quantify the extent of damages caused by these religious crises in Nigeria. Many lives have been killed leaving behind them so many orphans and widows, many were maimed and wounded, private and public property worth billions of \$U.S dollars have been damaged. Nigerians, especially those living in a region other than their own are therefore, left in a terrible state of perpetual psychological insecurity and fear.

Other factors that contribute to religious intolerance, according to Ekwenife, are the lust for political power; greed economic control of power, leadership tussles within religious system, the hypocrisy of religious leaders and the prevalent moral laxity among the members of different religious groups.⁵ The irony of religious intolerance is that many times, the intolerant group claims the right to religious freedom but will be most unwilling to give it to others. Intolerant religionists are always blind and insensitive to the feelings of others who do not share their views. The consequence of religious intolerance is disastrous for nation – building when it is allowed to influence government policies.

Despite centuries of hostilities between various religious groups in different parts of the world, attempts have been made and are still been made to foster a friendly and cordial relationship between them. Religious groups have often been urged to forget the past and strive sincerely for mutual understanding. According to Daudu, quoting Joiner, dialogue between Christians and Muslims would help followers of the two religions to understand and appreciate the values contained in each other's religion.⁶

Mutual understanding and a sincere appreciation of other's religion would help folk groups avoid provocative arguments, which often lead to conflicts.⁷ Nigeria must join the modern world in seeking a lasting solution to its incessant inter-religious crises. The next section will, therefore, examine the strategies of conflicts management in Nigeria before discussing the Islamic conception of tolerance.

Management Strategy of Religious Conflicts in Nigeria

Our discussion in the earlier segment has shown that religious crises in Nigeria are numerous and continue to increase in number. The frequency of these crises and their impacts on the socio-economic life of the Nigerian people has always been a challenge to the government. The Nigerian governments have, therefore, tried to

respond to the challenges posed by these crises in the country. According to Salawu, two major strategies of conflict management are often employed by governments in Nigeria to tackle the conflicts each time they happen.⁸ The two strategies, according to Salawu, are the coercive and judicial methods.⁹

The coercive method is the deployment of troops to the affected areas to control the crises. In a light religious crisis, the conventional policemen are the first to be drafted to the crisis point and to be assisted by the mobile policemen in case the conventional corps cannot cope with the situation. The government may also be forced to make use of the combined military force made up of the army, navy and the air-force. The military intervention of this nature has, however, made the coercive method characterized with many vices such as beating, rape and shooting of innocent citizens. Consequently, this method has not been successful as a solution to religious crises.

Commenting on the problem associated with the deployment of troops to conflict areas to quell the crises, Oromareghake and Akpator observes that:

...the problem with the deployment of security forces that are backed by intensive mediation effort is that it unnecessarily prolongs the stay of such security forces deployed in different parts of Nigeria. This is because the units of mobile police or armies frequently deployed to quell disturbances in Nigeria have neither the mandate nor the training to act as conflict resolution facilitator.¹⁰

The above observation implies that the deployment of troops to crisis areas is not a good approach of dealing with religious conflicts.

The second management strategy been adopted by Nigerian government to curb the religious crisis in the country is the establishment of judicial panels. The method involves the selection of people to investigate into the causes of the crisis with the aim of finding solution to it, based on terms of reference given to the panel to work with.

Such commission often operates by calling for memoranda, organizing public hearing and paying visits to the area of crisis. The aim of such visits is to get first hand assessment of the extent of the crisis.

According to Oromareghake and Akpator, the judicial method of conflict management in Nigeria has also failed in resolving the crisis because it has created more enmity than bringing relief.¹¹ On the reasons for failure of the two methods in managing religious crisis in Nigeria, Omorogbe and Omohan reveal:

...the main reasons for the poor performance of the often used conflict management mechanisms are poor logistics ... lack of cooperation by parties to the conflicts, non-implementation of white paper or recommendations submitted to the government by the panel of inquiry etc.¹²

The above conflict management strategies which have been used in Nigeria have yielded no positive results due to the reasons given above. Hence, there is a need for more articulated, effective and integrated approach to conflict prevention and/or resolution. Such approach should be able to effectively prevent and resolve religious conflicts as the case may be. The paper, therefore, emphasizes the need for religious tolerance from Islamic perspective as a modest approach for religious conflicts in Nigeria. The next segment will analyze the meaning of tolerance and Islamic conception of religious tolerance.

Tolerance: Its Meaning

Tolerance which has been widely accepted as a virtue related to human conduct, deals with all aspects of human life: religious affairs, sexual practices, freedom of expression and ethnicity matters.¹³ Tolerance, according to Oxford Advanced Dictionary, is the capacity to tolerate something in which the verb 'to tolerate' means to allow the existence or occurrence of something without authoritative interference.¹⁴

It also means to sustain and endure. It might involve dislike or disapproval of the thing tolerated.

According to Fadzil, the word in Arabic, which is widely used to denote tolerance is ‘*tasāmuh*’.¹⁵ The root form of this word has two connotations: generosity (*jūd wa karam*) and ease (*tasāmuh*).¹⁶ Thus the term is quite different from the English use of the word ‘tolerance’. While tolerance indicates a powerful, grudgingly bearing or putting up with others who are different in English, the Arabic term denotes generosity and ease from both sides on a reciprocal basis.¹⁷ Fadzil quoting Siddiqi observes that there are also other words that have similar meanings such as *hilm* (forbearance) of ‘*afw* (pardon, forgiveness) or *ṣafh* (overlooking, forbearance).¹⁸ Tolerance is an attitude of someone towards others which involves two parties. It could be tolerance of someone towards his own self or towards others, which is more common than the first.

Tolerance happens in a situation in which conflicting disagreement occurs between two individuals or groups and when there is no way for each of them to abandon their own concept in order to accept the concept of the group. Ekwenife quoting Quaison-Sackey also observes that tolerance as a positive concept means understanding and respect for one another.¹⁹ Intolerance, therefore, is the inverse of tolerance. In other words, intolerance is a blind refusal to understand and respect views or positions that are opposed to one’s cherished views. Hence by religious intolerance, we mean blind and fixated mental and psychological negative attitude towards religious beliefs and practices that are contrary to one’s cherished belief and practices. The refusal to understand and accept contrary religious views and practices is often accompanied by series of violence.

Islamic Conception of Religious Tolerance

Tolerance is one of the most important themes of Islam which forbids forcing people to change their religion. Throughout Islamic history, tolerance was not only shown to Muslims who had different points of view, but also to non-Muslims. Unfortunately, many Muslims today have forgotten the true spirit of Islam. They are at times intolerant to Muslims who disagree with their view as well as showing intolerance to non-Muslims in their area.

Tolerance as a basic principle of Islam does not mean a lack of principles or lack of seriousness about one's own principles or that a Muslim should neglect his own obligations. According to Islam, tolerance does not mean that its members believe that all religions are the same. According to Fadzil, the Islamic conception of tolerance is similar to what United Nations Educational, Scientific and Cultural Organization (UNESCO) conceives of it:

Consistent with respect for human rights, the practice of tolerance does not mean toleration of social injustice or the abandonment or weakening of one's convictions. It means accepting the fact that human beings, naturally diverse in their appearance, situation, speech, behaviour and values, have the right to live in peace and to be as they are. It also means that one's views are not to be imposed on others.²⁰

The reason is that if Allah had wanted to equate all religions and had accepted their ways of devotion to him, He would not have mentioned them by name in the Qur'an and then says that He is going to judge between them on the Day of Judgment as it is clear in the following verse:

Those who believe (in the Qur'an), those who follow the Jewish (scriptures) and the Sabians, the Christians, the Magicians and the Polytheists, Allah will judge between them on the Day of Judgment: for Allah is witness of all things. (Qur'an 22: 17).

Although Islam, according to the Glorious Qur'an, remains only acceptable religion to Almighty Allah, it forbids coercing non-Muslims into accepting and believing in the prophethood of Muhammad and becoming Muslims. The Prophet is reported to have said in Hadith narrated by Abu Buraida: "...And if any man of the peoples of the Book believes in me too, he will get double reward..."²¹ In another Hadith narrated by Anas bn Malik, the Prophet is also reported to have said:

A disbeliever will be asked: Suppose you had as much gold as to fill the earth, would you offer it to ransom yourself (from hell-fire)? He will reply, yes! Then it will be said to him. "You were asked for something easier than that, to join none in worship with Allah (that is, to accept Islam) but you refused."²²

Despite this clear position, Islam preaches peaceful coexistence as everybody is free to tread the path he chooses for himself as "there is no compulsion in religion". Man has been given freewill and power to choose, he is, therefore, fully responsible for his choice. The whole *Ummah* should take the Glorious Qur'an and the Prophet as its guides and should not be seen as taking a position different from the one expressed by them. Allah confirms thus:

It is not for believer, man or woman, when Allah and His Messenger have decreed a matter that they should have any option in their decision. And whoever disobeys Allah and His Messenger, he has indeed strayed in a plain error. (Qur'an 33: 36).

When it comes to the practical guidance on this matter, it is well recorded in Islamic societies, beginning with the Madinan community under the guidance and leadership of the Messenger of Allah (Prophet Muhammad), how Muslims interacted with followers of other religions peacefully, especially the one established by the famous 'constitution of Madinah'. Tolerance is mostly developed as a result of mutual

respect. Man tolerates the one who respects him, even if he hates his religious beliefs and actions.

In a Hadith narrated by Imam Bukhari, it was reported that Usama bn Zayd mentioned that he and the Prophet passed by an assembly of Madinans among whom were ‘Muslims, polytheists (worshippers of idols) and Jews’.²³ These were the only existing religious groups in Madinah at that time, but their members were sitting freely discussing the issues of mutual concern. The famous ‘constitution of Madinah’ outlined common principles of peaceful co-existence and security concern for the above three communities in the state. Will Durant observes:

At the time of the Umayyad caliphate, the people of the covenant, Christians, Zoroastrians, Jews and Sabians, all enjoyed degree of tolerance...They enjoyed autonomy in that they were subjected to the religious laws of the scholars and judges.²⁴

Islamic Tolerance of Non-Muslims and its Lessons for Nigeria

This section will discuss the Islamic tolerance of other religions. The classical term for non-Muslims living in an Islamic State is *ahl-dhimmah*, meaning ‘those who are under protection’. Since human freedom and equality are fundamental in any democracy, Islam, therefore, regards that human beings are of equal in status. The Qur’an reiterates that all men, though they are divided into nations and races, share certain characteristics. They are identity, origin, responsibility and utilization of the resources. Human beings are equal as they descend from the same father, that is, Adam and the only thing that differentiates one man from other is the fear of God and good deeds. Islam considers human dignity fundamental for its ideology. The Qur’an, according to verse 17: 71, shows that all the children of Adam have been granted

‘dignity’ by their Creator without any difference and should never be subjected to compulsion.

Another reason why Muslims should also be tolerant of non-Muslims is they are taught to realize that differences in religions happen because of the will of God who confers on man freedom to choose his own belief. The Qur’an 10: 99 and 18: 29 ask Muslims to be just and fight against injustice even if it is against non-Muslims. In other words, God has created people to be different not only in their appearance, but also in their beliefs and it is left to each person to become a believer or not. Islamic tolerance of non-Muslims in matters of religion is that non-Muslims are allowed to perform their beliefs and religious duties and live according to their customs, even if they are forbidden in Islam.

The toleration of non-Muslims is also seen in their right to bring up their children on their own faith. The right implies the right to educate, to assemble and to organize activities. The Qur’an insists that a son should respect his parents who are not Muslims. Asma’ bint Abi Bakr was ordered by the Prophet to maintain good relations with her mother who was a non-Muslim.²⁵ The Prophet used to visit the people of the Book, welcome their visits, visit the sick among them, receive presents from them and give assistance to them. The people of the Book on some occasions were allowed to perform their prayer in the Muslim mosque in Madinah.²⁶ The verse 31: 15 of the Qur’an praises those who feed the prisoners including the non-Muslim prisoners (76: 8) and allows Muslims to spend their money even on non-Muslims (2: 272).

The three Abrahamic communities – Christians, Jews and Muslims – lived in great harmony for long periods of time in Spain where Muslims ruled from 711 until the fall of Granada in 1492. Andalusia, as an Islamic State, was known ‘an exemplar of religious tolerance’. It was narrated that the Islamic States did not try to enforce Islamic religious identity unto other religions; rather they opted to be tolerant to the

extent that some Muslim Caliphs went to the festivals of the non-Muslims and non-Muslims were allowed to construct their places of worship.²⁷ The attitude of Muslim leaders towards non-Muslims who lived in their society was so outstanding that Muslim societies came to be regarded as outstanding models of inter-ethnic, inter-religious harmony and good relations within the historical surroundings in which they operated.

At this juncture, Muslim leaders, especially in Nigeria, should constantly remind their followers of the true meaning of Islam, which is peace. Lasting peace can only be achieved through religious tolerance and not through religious war. A Muslim scholar, Muhammad Zarfulla Khan notes that:

Islam seeks to bring about reconciliation between the followers of different faiths and to establish a basis of respect and honour among them...It holds out to them the hand of cooperation and friendship on a basis of righteousness...Islam stands emphatically for freedom of conscience. Everyone must make his choice and accept or reject in absolute freedom whatever he chooses to believe in or to deny...²⁸

Conclusion and Recommendation

We have discussed the religious tolerance from Islamic point of view in this paper. Factors responsible for these cancerous vices were exposed. After a brief critical examination of some cases of nature and causes of religious conflicts, the paper affirmed that the main objective of religious tolerance from Islamic stand is crisis prevention by following the rules and regulations laid down in the Qur'an as exemplified by Prophet Muhammad. It has been established that religious tolerance within the framework of Islam is a model approach to solving religious conflicts in Nigerian society after all other methods have failed to yield any positive results. The

paper, therefore, recommended that religious tolerance within the framework of Islam should be used in addressing the issue of religious conflicts in Nigeria.

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