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# Conference Report

International Conference on Religion, Culture and Governance in the Contemporary World (ICRCG2018) 3-4 October 2018 (Wednesday-Thursday) 23-24 Muharram 1440. Atiqur Rahman Mujahid

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# Muslim Jurists Debate on Non-Muslim Religious Festivals and Its effects on Minority Muslims in the United States of America

#### Ali Ahmed Zahir

**Abstract:** Muslims in the U.S. are increasingly looking to integrate into its society while trying not to lose their identity as Muslims. They find themselves in a dilemma when it comes to the issue of congratulating and even partaking in the festivals of non-Muslims in the U.S. This issue has gained prominence and momentum after the event of 9-11, in which the Muslims wanted to show and prove their tolerance and acceptance towards others while trying to hold onto and maintain the core principles of Islam. For this reason, this topic is a hotly debated issue in the U.S. and the West in general and a cause of division and confusion amongst Muslims. However, in order to justify their position and feel that they are following the teachings of Islam, they turned to the Islamic scholars, both in the West and the Muslim world, regarding the permissibility or prohibition of congratulating and partaking in non-Muslim festivals. This paper employs a qualitative methodology to analyse the *fatāwā* of permissibility and its effects on the Muslims living as minorities in the U.S. This qualitative method will give readers an insight, through a questionnaire that was conducted by the researchers, into how the Muslims in the U.S. perceive the issue of congratulating and/or partaking in the religious festivals of the non-Muslims.

**Key Words:** Muslim Jurists; Non-Muslims; Religious Festivals; Minority Muslims; United States.

**Abstrak:** Umat Islam di Amerika Syarikat (AS) di lihat semakin berusaha untuk menyatukan masyarakatnya taktala tidak mahu kehilangan identiti mereka sebagai umat Islam. Mereka mendapati diri mereka berada di dalam

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dilema apabila membincangkan isu mengucapkan tahniah dan juga mengambil bahagian dalam perayaan agama bukan Islam di Amerika Syarikat. Isu ini telah mendapat perhatian dan selalu dibincangkan selepas peristiwa 9-11, di mana umat Islam ingin menunjukkan dan membuktikan toleransi dan penerimaan mereka terhadap orang lain taktala masih memegang dan mengekalkan teras prinsip-prinsip Islam. Di atas sebab ini, topik ini menjadi satu isu yang hangat dibahaskan di AS dan Barat secara umumnya dan menyebabkan pembahagian pendapat dan kekeliruan di kalangan umat Islam. Walau bagaimanapun, untuk mengesahkan kedudukan mereka dan merasakan bahawa mereka mengikuti ajaran Islam, mereka berpaling kepada ulama Islam, baik di Barat dan dunia Islam, mengenai keizinan atau larangan mengucapkan tahniah dan mengambil bahagian dalam perayaan agama bukan Islam. Kajian ini menggunakan metodologi kualitatif untuk menganalisis fatwa terhadap kebolehpercayaan dan kesannya kepada umat Islam yang hidup sebagai minoriti di Amerika Syarikat. Kaedah kualitatif ini akan memberikan pembaca pengertian, melalui soal selidik yang dilakukan oleh para penyelidik, ke arah bagaimana umat Islam di AS melihat persoalan mengucapkan tahniah dan / atau mengambil bahagian dalam perayaan agama bukan Islam.

**Kata Kunci**: Ulama Islam; Bukan Islam; Perayaan Agama; Muslim Minoriti; Amerika Syarikat

#### 1. Introduction

One of the most controversial topics in the U.S. that is a source of division and confusion amongst the Muslims every year is the permissibility or prohibition of Muslims congratulating the non-Muslims with regards to their festivals and partaking in those celebrations. There is a significant amount of pressure upon Muslims living in the U.S. with regards to the lack of integration into the melting pot culture of the States. This pressure comes both from non-Muslims, namely the media, as well as Muslims, especially reverts and 2<sup>nd</sup> and 3<sup>rd</sup> generation Muslims with regards to the prohibition/permissibility of congratulating their fellow Americans in their religious festivals and/or partaking in the festivals itself

The scholars in America have taken two opposing stands on this issue. One is that of absolute permissibility for Muslims, to not only congratulate them in their festivals but also to partake in them if they so desire. In fact, some have gone as far as to say that it is an obligation

to partake in them if they are reverts and their families are still non-Muslims. On the other hand, there are a group of scholars who have issued a verdict of absolute prohibition. They go as far as saying that if a Muslim were to be approached by a non-Muslim congratulating them on one of their festivals that it is prohibited for them to return the greeting and in doing so may lead one to commit a sin and even an act of *Kufr* (disbelief). This causes the lay Muslims to have confusion and leads them to doubt the unity in Islam and its laws. It also, causes many of them to doubt the spirit of Islam and the message it came with. Last but not least, it leads many to have a crisis that affects their identity as Muslims.

The problem that the researchers find with this is what are the short-term and long-tem ramifications that these  $fat\bar{a}w\bar{a}$  have on the identity of Muslims living as minorities in the U.S. Additionally, the scholars did not differ on the prohibition of congratulating the non-Muslims on their religious festivals at all in their  $fat\bar{a}w\bar{a}$ , up until the end of the  $20^{th}$  Century. It was only after the events of 9-11 did the contemporary scholars started to give  $fat\bar{a}w\bar{a}$  on this issue and hence, the researcher would like to explore the reason(s) behind the change of heart.

Therefore, the researchers will bring into light most, if not all, the  $fat\bar{a}w\bar{a}$  associated with this topic and will determine, through a critical, whether  $Ijm\bar{a}$  (consensus of scholars) was broken due to the sudden pouring of  $fat\bar{a}w\bar{a}$  after the events of 9-11. Additionally, throughout this paper, the researchers will make an effort to answer the following questions:

- 1. What are the different *fatāwā* being issued with regards to congratulating and partaking in the religious festivals of the non-Muslims in the U.S.?
- 2. What are the effects and ramifications of their *fatāwā* on the Muslims living in the U.S. and what is the solution?

In writing this paper, the researchers will be employing the qualitative method, which is well-suited for this type of paper since the researchers intend to achieve a deeper understanding of this issue and the ramification(s) it has on the Muslim minority living in the U.S.¹ By employing a qualitative method the researchers would like to give the readers a better understanding of some of the practices, think processes

and attitude of the Muslims in the U.S. Hence, a survey of 100 participants was conducted, asking them ten (10) questions in an online questionnaire and survey provided by SurveyMonkey.<sup>2</sup> Participants chosen were Muslims from across the U.S., that followed different schools of thought, reverts and Muslim born, native and foreign born and those that differed in their views on the permissibility or prohibition of congratulating the non-Muslims on their religious festivals. The researchers seek to attain the following from the survey:

- 1. Percentage of Muslims that participate in congratulating and/ or partaking in the religious festivals of the non-Muslims in the U.S.
- 2. The source(s) or the *muftīs* the Muslims in the U.S. refer to for their *fatāwā*.
- 3. The social effect(s) that the *fatāwā* of permissibility and/or prohibition has amongst Muslims, both as individuals and as a community.

# 2.0 Fatwā on Congratulating and Partaking in non-Muslims' Religious Festivals and their Effects on the Muslim Minority in the USA.

In this section the researchers would like to shed some light on the  $fat\bar{a}w\bar{a}$  that were issued on the permissibility and prohibition of congratulating and partaking in the religious festivals of the non-Muslims. In doing so, the researchers will analyse how those  $fat\bar{a}w\bar{a}$  has had a direct effect on the Muslims living in the U.S. through a questionnaire conducted by the researchers.

# 2.1 Fatāwā of Permissibility

There are several prominent scholars and Islamic personalities who have issued a *fatwā* that it is permissible for the Muslims living in the U.S., and the West in general, to congratulate and/or partake in the religious festivals of the inhabitants of the country even if they may be non-Muslims. Amongst them are Yūsuf al-Qaraḍāwī,<sup>3</sup> 'Abdullah ibn Bayyah/Hamza Yusuf <sup>4</sup> and Suhaib Webb.<sup>5</sup> For the purpose of this paper, the researchers will limit this paper to the opinions of these scholars and personalities for the following reasons; a) the scholars have a wide influence on the Muslims in the U.S., b) their opinions are sufficient for the reader to get an overall picture of the opinion of permissibility, and

c) to avoid redundancy since the opinions of other scholars fall under the general  $fatw\bar{a}$  of permissibility.

# 2.2 Yūsuf al-Qaraḍāwī<sup>6</sup>

Al-Qaraḍāwī was asked a question on whether or not it is permissible for him to congratulate the non-Muslims on their festivals, especially Christmas, and to exchange gifts with them because he feels that it is rude not to do so. In replying to the question, al-Qaraḍāwī states that it is permissible based on the following principles:<sup>7</sup>

- 1. Allah has ordered the Muslims to deal justly with the non-Muslims and to be kind to them based on the verse of the Qur'ān, "Allah does not forbid you to deal justly (*al-birr*) and kindly with those who fought not against you on account of religion and did not drive you out of your homes. Verily, Allah loves those who deal with equity." (Qur'ān, *al-Mumtaḥinah*: 8).
- 2. The Prophet (S.A.W) ordered Asmā' bint Abi Bakr, when her polytheist mother came and visited her, by saying: "Keep good relations with your mother." He states that if this is the (good) stance we must have with the polytheists then the stance towards the People of the Book is even more lenient.
- 3. Allah has allowed for Muslims to eat from the meat of the People of the Book and marry from their (Qur'ān, *al-Mā'idah*: 5). Furthermore, he states the verse of the Qur'ān in which Allah says that He has put affection and mercy between the spouses so we can live in peace (Qur'ān, *al-Rūm*: 21). He argues by asking, how is it possible for a man to live in harmony, peace and love with a woman from the people of the Book and not congratulate her or her family on their festivals and holidays?
- 4. The validity of congratulating the non-Muslims on their festivals is emphasized in the Qur'ān especially in the case when they also congratulate Muslims on Islamic holidays. He states the verse of the Qur'ān in which it states that we must return the greeting of those that greet us (Qur'ān, *al-Nisā*': 86). He argues that it is from the characteristics of a Muslim that he should not be rude and return good with good.
- 5. The Prophet (S.A.W) accepted gifts from non-Muslims including the Christian priest of Egypt, and based on that it is permissible for Muslims to exchange gifts with them on the

condition that they do not contain items which are forbidden for Muslims such as pork and alcohol.

# 2.3 'Abdullah ibn Bayyah/Hamza Yusuf'

Ibn Bayyah in his book, Ṣinā 'at al-Fatwā wa Fiqh al-Aqalliyyāt, quotes the exact same proofs and principles as Yūsuf al-Qaraḍāwī, but adds the following commentary:

The Scholars have disagreed upon this issue of congratulating the non-Muslims (on their festivals). In the Madhhab of Imām Aḥmad there are three opinions: a) it is prohibited, b) it is disliked and c) it is permissible. It is this last opinion (of permissibility) that Sheikh Taqī al-Dīn Ibn Taymiyyah chose due to its *maṣlaḥah* (overall good) and this is the opinion that we choose as well. Therefore, it is permissible to congratulate them (non-Muslims), to console them on their grief and to visit their sick. Al-Mardāwī has quoted all of these narrations in his book, *al-Inṣāf*. And what is mentioned in some of the other books in regard to Ibn-Taymiyyah may not be in agreement with his confirmed opinions. <sup>10</sup>

#### 2.4 Suhaib Webb

Amongst those that also allowed congratulating the non-Muslims on their festivals is Suhaib Webb. On December 25, 2012 he posted on his personal Facebook page what can be considered a justification for greeting the non-Muslims on Christmas and New Year's. He states:

The European Fatwa Council; made up of 20 of the world's greatest Muslim Jurists, stated that it is permissible to greet people on these days (exchange gifts even) as long as it does not involve approving any creedal differences between us, or open evil (drinking and so on). In other words, a simple happy holiday is not a sin or going to take that person out of Islam. It is reported with authentic chains that Ali (ra) celebrated the Persian New Year, even eating ice cream with Imam Abu Hanifa's relative. Many of the fatwa quoted by sincere folks are rooted in an age of empire and war (the crusades) or a social reality that does not fit ours in the West. Most importantly, a person should ask those who use words like "Haram" "Kufur" "Halal" and "encouraged" about their religious training. Yelling and over blown emotionalism does not equal training and scholarship. Allah knows best. 11

# 2.5 Effects on the Muslim as an individual

When a Muslim individual hears and accepts these *fatāwā* that permits him to congratulate the non-Muslims in their festivals a sense of calm and ease overcomes him. He no longer has to think twice whether it is permissible for him to congratulate the non-Muslims on their holidays and does so with a huge smile and full confidence. He feels that Islam is a religion of peace and tolerance and 'accepts' the diversity that is present amongst humankind in terms of their religion and practices. He feels that it is perfectly acceptable in Islam to take and follow a 'second opinion' on this matter, especially if it brings him comfort and ease. When conducting a survey amongst Muslims in the U.S., the researcher found that 10% of respondents said that when seeking a 'second opinion' they follow it because: a) it is easy and comforting, and because b) they want to follow the 'easy' path in Islam no matter what.<sup>13</sup> Hence, he feels in himself a sense of satisfaction and contentment in that he is following the manners of Islam by being kind and respectful to other people, regardless of their faith. When asked whether congratulating the non-Muslims is a form of 'kindness' and 'respect' that they show, 34% of respondents said yes.<sup>14</sup>

# 2.6 Effects on the Muslim community

As soon as a Muslim hears and implements this *fatwā* he feels obliged to share this with his family, friends and Muslim community. He feels that he has found the 'true' message of Islam and the 'correct' opinion of the scholars that he is overwhelmed with joy and happiness. He thinks of others, who choose to abstain from any of this, as narrow minded and being intolerant towards other people. He views the Muslims, who choose not to follow this *fatwā*, as being harsh not only with themselves but also with their families, friends and co-workers. Though the overwhelming majority of Muslims, 70%, said they do *not* criticize other Muslims that do not congratulate the non-Muslims in their festivals, a good 10% of Muslims said they *do* criticize them for not doing so.<sup>15</sup>

# 2.7 Effects on the Muslims' interaction with non-Muslims

When a Muslim starts to feel the favors and tolerance of non-Muslims towards him, he feels that he must be as courteous and respectful to them as they are. After all, this is what the teachings of Islam is; to be

kind to those who are kind to you and be patient with those who are rude to you.<sup>16</sup> So he sees that to congratulate the non-Muslims on the days that they are being greeted on is the least sign of respect he can have towards them. When asked whether they feel that being 'kind' and 'respectful' means they should congratulate the non-Muslims on their religious festivals, 34% said yes.<sup>17</sup>

As for the Muslim who is suffering from mistreatment, discrimination and rudeness from the non-Muslims, he sees the holidays as a means to show them the true *akhlāq* (manners) of a Muslim in order to exhibit in himself the mannerism of the Prophet (S.A.W) when he was mistreated by the polytheists of Mecca. He also hopes for that their hearts will open up towards Islam and that they will become curious in knowing more about Islam, eventually leading them to accept Islam as their religion. When asked whether they use religious holidays as a form of *da'wah* (proselytizing), 16% replied saying, "yes, I congratulate and partake in the holidays with them to show the beauty and tolerance of Islam." <sup>18</sup>

#### 3.0 Fatāwā of Prohibition

There are several prominent contemporary scholars who issued a *fatwā* that it is absolutely prohibited for the Muslims, whether living in the U.S. or anywhere in the world, to congratulate and/or partake in the religious festivals of the non-Muslims. From amongst them is Ṣāliḥ al-Munajjid, Yasir Qadhi² and Muzammil Siddiqi. Again, for the purpose of this research, the researcher will limit the opinions to the above said scholars for a number of reasons; a) the scholars have a wide influence on the Muslims in the U.S., b) their opinions are sufficient for the reader to get an overall picture of the opinion of prohibition, and c) for the sake of brevity. However, for those that wish to consult the *fatāwā* of those scholars who are more in line with their school of thought and/or methodology, can visit their respected websites. 22

# 3.1 Sālih al-Munajjid<sup>23</sup>

When asked about whether a Muslim can celebrate the holidays of non-Muslims, al-Munajjid states that is prohibited for Muslims to do so. The following is a synopsis of how he based his conclusion:<sup>24</sup>

1. *Ijmā* "that is highlighted by Ibn al-Qayyim in his book, *Aḥkām Ahl al-Dhimmah*, in which he states: "Congratulating the non-

Muslims on their rituals that belongs only to them is harām by consensus, as is congratulating them on their festivals and fasting by saying 'A happy festival to you' or 'May you enjoy your festival,' and so on. If the one who says this has been saved from disbelief, it is still forbidden. It is like congratulating someone for prostrating to the cross, or even worse than that. It is as great a sin as congratulating someone for drinking alcohol, murder, or having illicit sexual relations, and so on. Many of those who have no respect for their religion fall into this error; they do not realize the offensiveness of their actions. Whoever congratulates a person for his disobedience or *bid'ah* or kufr exposes himself to the wrath and anger of Allah."<sup>25</sup>

- 2. Congratulating the non-Muslims on their religious festivals implies that a Muslim is accepting or approving, indirectly, of their disbelieving customs.
- 3. Their festivals are innovations in their religions, and even those which may have been prescribed formerly have been abrogated (*mansūkh*) by the religion of Islam. The Qur'ān states: "And whoever seeks a religion other than Islam, it will never be accepted of him, and in the Hereafter, he will be one of the losers." (Qur'ān, *Āl-'Imrān*: 85).
- 4. Muslims are forbidden to imitate the non-Muslims by having parties on such occasions, exchanging gifts, giving out sweets or food, etc., because the Prophet (S.A.W) said: "Whoever imitates a people, he is one of them."<sup>26</sup>
- 5. Commenting on the above Ḥadīth, Ibn Taymiyyah said: "Imitating them in some of their festivals implies that one is pleased with their false beliefs and practices, and gives them the hope that they may have the opportunity to humiliate and mislead the weak (in faith)."<sup>27</sup>

While quoting the above proofs and principles, al-Munajjid concludes that it is forbidden for Muslims to congratulate the non-Muslims in their religious festivals, to accept invitations to such occasions and to exchange gifts with them on these festivals. He goes as far as saying that if the non-Muslims were to greet the Muslims on their festivals then the Muslims should not return their greeting and remain silent. He argues that politeness and friendliness should not get in the way of compromising with the non-Muslims in their festivals and

whoever does congratulate or partake in their festivals with them is a sinner.<sup>28</sup>

#### 3.2 Yasir Qadhi<sup>29</sup>

In acknowledging the fact that the younger generation of Muslims ask on why Muslims can not celebrate Christmas or congratulate others on this festival Qadhi states that it is not permissible based on the following:<sup>30</sup>

- Every religion has their own celebrations and days of festivals.
   Buddhists and Christians do not celebrate the festivals of
   the Muslims and likewise Muslims should not celebrate the
   religious holidays of theirs.
- 2. By celebrating the holidays of other religions, it is as if one is celebrating the concept behind those holidays. Therefore, Christmas is celebrated on the 25<sup>th</sup> of December by the Christians to commemorate the 'birth' of Jesus (S.A.W) whom they consider to be the son of God, and this is not acceptable in Islam.
- 3. By wishing the non-Muslims 'Merry Christmas' it is problematic in that it is a form of 'blessing' their Christmas and Muslims believing in it.

He goes on to offer a solution for Muslims in dealing with the non-Muslims when such religious holidays occur. Instead of using a Christian phrase or terminology that can be problematic, he suggests that Muslims should use generic greetings such as: 'May God bless you', 'May God guide you' or 'Happy day today'. On his personal Facebook page, he also addresses this topic and states what should be intended when these generic statements are said:

It is my position (based on many classical scholars) that there is absolutely nothing wrong with saying a generic greeting, even on the occasion of a non-Muslim holiday. Examples of this are: 'May God bless you', and 'Best wishes' and other such neutral phrases (or even Islamically positive statements - for each of these can be a du'a for hidaayah as well.<sup>31</sup>

# 3.3 Muzammil Siddiqi<sup>32</sup>

In answering a question whether it is permissible to celebrate Christmas, he states the following:

Christians celebrate at Christmas what they believe to be the "day of the birth of God's Son" or what they call "God Incarnate". Thus, it is not only a celebration of another religion, it is also a celebration that is based on a belief that is totally against the teachings of Islam. From the Islamic point of view, the belief in the "Son of God" or "God in the flesh" is blasphemy and *kufr* (denial of God's Oneness). By participation in Christmas, it is possible that slowly one may lose his or her consciousness of this basic point of difference. Muslims must be very careful in this matter. The greatest danger is for our next generation, who may slowly lose their Islamic faith in *tawhid* and may start believing in Jesus (A.S) «more than a prophet and servant of Allah». The argument that "Christmas is, after all, Prophet Jesus birthday and so there is no harm in celebrating Christmas" is neither logical nor Islamic. Why should Muslims celebrate Jesus> birthday? Why not the birthdays of the other 24 prophets and messengers who are mentioned in the Quryan by name?33

By stating that the youth and the next generation of Muslims will slowly lose their Islamic identity, Siddiqi is confirming the fears the researchers have; that the Muslim youth are increasingly losing their Islamic identity through many avenues, one of which is through congratulating and partaking in the non-Muslim holidays. This is further supported by a survey the researchers conducted in which it was asked of them whether or not they believe that the future Muslim generation in the U.S. will lose their Islamic identity (eventually) by partaking in the non-Muslim religious holidays. Forty-three percent said *yes* while another 27% said *maybe*.<sup>34</sup>

# 3.4 Ramifications of these Fatāwā on the Muslims

It is without a doubt that the above *fatāwā* have certain consequences that are both positive and negative in results. This is due to the fact that, as mentioned above, Muslims living in the U.S. live side by side with the non-Muslims and have established links and ties with them as part of their life which warrants interaction and communication between them and the non-Muslims. Such interaction in return has certain ramifications that are evident in both the Muslims and non-Muslims behavior towards oneself, the Muslim's community and towards the non-Muslims. Therefore, the researchers would like to highlight the cause and effects of the *fatwā* of prohibition on the Muslim communities in the U.S.

# 3.4.1 Effects on the Muslim as an individual

When a Muslim hears and accepts these fatāwā that prohibits him from congratulating and partaking in the religious festivals of the non-Muslims, a sense of genuineness is felt. He feels that he is following the true teachings of the Qur'an and the Sunnah as explained by the early generation of Muslim scholars, known as the Salaf.<sup>35</sup> He feels that those were the scholars who were more deserving to be listened to and followed in their opinion because: a) they were free from distorting the Islamic legal texts in order that it may fit into their agendas or desires, b) they had the true understanding of the Islamic legal texts as they were the closest to the time of the Prophet (S.A.W) and the Sahābah, and most importantly c) they were not influenced by the destructive cultures of the Romans (West) nor were they ever colonized in a manner which made them adopt the ways and traditions of the Romans into their lifestyle. Thus, this Muslim feels within himself a sense of pride and honor that he is following those scholars that had a pure and orthodox interpretation of Islam, resulting in the protection of his religion.

# 3.4.2 Effects on the Muslim community

No sooner does a Muslim hear and implement this *fatwā* except that he feels obliged to share this with his family, friends and Muslim community. On every major and minor non-Muslim holiday, he makes and posts flyers that states the *fatāwā* of the scholars, both classical and contemporary, prohibiting the Muslims from congratulating them or partaking in them. Friday sermons are filled with rhetoric prohibiting the congregation in imitating the non-Muslims in matters pertaining to their religion and holidays. Overzealous youths criticize those that do congratulate and partake in the non-Muslims holidays. When asked whether they criticize those Muslims that congratulate and partake in the religious festivals of the non-Muslims, 24% of them said yes. One went as far as commenting, "I prefer Socratic method with those I disagree with so that they may admit the holes in their arguments." This clearly shows how polarizing this topic is every holiday season.

# 3.4.3. Effects on the Muslims' interaction with non-Muslims

When a Muslim sees the true nature of the disbelief in *tawhīd* (oneness of Allah) by non-Muslims, he wants to stay as far away from it as possible. This is especially true for revert Muslims, who have left their

kufr and accepted the teachings and ways of Islam. One of the ways is abstaining from congratulating the non-Muslims in their festivals which is, according to them, a form of accepting and acknowledging the kufr that is associated with it. He refuses to congratulate them or partake in their holidays because he is sending a message that, although they (the non-Muslims) are kind and courteous to him and may even be related through the bonds of kinship, he is different and unique in his lifestyle and religion. This brings about curiosity in the non-Muslim to ask more about his beliefs and religion, and the Muslim takes advantage of this opportunity to convey the message of Islamic tawhīd and the true origins of these festivals that are filled with worshipping and revering the pagan gods and even the devils.

Though this may bring about an initial negative backlash upon the (revert) Muslim by his family, nonetheless they will soon come to accept the fact to respect his decision to stay away from them during their holidays. It is because they come to realize that they (non-Muslims) too abstain from partaking in the festivals of their Muslim child(ren). Furthermore, when the Muslim abstains from congratulating any of his co-workers on their religious festivals, he does not put himself in a position of harassment or any threat of being terminated from his work, as the laws in the U.S. prohibit any employer from discriminating based on religion or religious beliefs.<sup>37</sup>

#### 4.0 CONCLUSION

It can safely be concluded that the reader has a holistic view on the two diametrically opposing  $fat\bar{a}w\bar{a}$  of the scholars; one which permits the Muslims in congratulating and partaking in the festivals of the Muslims while the other prohibits the Muslims from doing so. After analyzing the effects that the two  $fat\bar{a}w\bar{a}$  have on the Muslim minority living in the U.S. the researchers are concluding the following:

- 1. The negative effects that is brought about by the *fatāwā* of permissibility outweighs its supposed and potential positive effects
- 2. There has been no documented proof that the Muslim minorities faces a backlash or negative treatment brought about due to them abstaining from congratulating and/or participating in the festivals of the non-Muslims in the U.S.

- 3. The *fatāwā* of permissibility is one that goes against the consensus of the classical scholars which is not allowed according to Islamic jurisprudence.
- 4. The effectiveness of Islamic *da'wah* that is preached and advocated by those who permit the congratulating of non-Muslims in their religious festivals is actually obtained by those that abstain from congratulating and/or partaking in their festivals in the sense that it arises curiosity and an opportunity for a (religious) dialogue.
- 5. The positive ramification that results from those that prohibit the congratulating of the non-Muslims in their festivals is one that is directed at the Muslim identification and to safeguard their creed and belief from being diluted and/or mixed with external alien beliefs

Point number five is especially true given the fact that some Muslim families are raised in a household environment which condones the practice of congratulating and eventually celebrating the festival of the non-Muslims. To them, celebrating Christmas by receiving and giving gifts to their non-Muslims friends and family, and even amongst themselves, is innocent and full of fun. When asked whether 'Eīd was *more* or *less* fun than Christmas, about 10% of respondents said Christmas was *more* fun than 'Eīd with another 10% saying it was the same.<sup>38</sup> Some of the respondents commented saying "Children think Christmas is *more* fun", while another respondent saying, "We failed to make 'Eīd *more* fun."<sup>39</sup> It is statements such as these that confirms what the researchers have personally overheard children telling their parents that: "We love celebrating Christmas because it is more fun than 'Eīd."

Additionally, when such holidays arrive, schools hold a celebration and gift-giving ceremonies of their own that tend to glamorize such festivals and make them appear more attractive to the children. <sup>40</sup> By following these *fatāwā*, the Muslim community struggle with what to do and how to react when it comes to their children going to school and being corrupted by being forced in partaking in the ceremonies. Some choose not to send their children to school for that day and sacrifice the education that their children would have gotten. Fortunately, their sacrifice brings about several *maṣlaḥah* for their children: a) there is no real education or learning taking place during these days, b) they instill in their children the importance of having a Muslim identity, c)

they save their children from partaking in the ceremonies that clearly involves immoral and despicable acts, d) they spend quality time with their children since they rarely see each other except on the weekends, and most importantly d) they will be fulfilling his responsibility as a shepherd who protects and guards his flock (family) from any adulteration and contamination in regard to their Islamic upbringing.<sup>41</sup>

Lastly, since the majority of the holidays are days off work and school, Muslims can use such holidays to their advantage by having a community potluck, a youth educational camp or any other event that will involve giving the Muslim community, the youth in particular, an alternative to having fun. The message that is relayed to the families and Muslim community will be: we are Muslims with our set of values and holidays, but can still have fun and take advantage of these days off with the above extra-curricular activities and without compromising our religion by partaking in the religious festivals of other.

#### **Endnotes**

- <sup>1</sup> Neil Murray and David Beglar, *Writing Dissertations and Theses*, (England: Pearson Education Limited, 2009), 47.
- <sup>2</sup> Ali Ahmed Zahir, "Effects of Congratulating non-Muslims on their festivals on the Muslim think process," SurveyMonkey, 7 September, 2015, <a href="https://www.surveymonkey.com/r/2DR96YD">https://www.surveymonkey.com/r/2DR96YD</a>, (accessed 20 September 2015).
- <sup>3</sup> Yūsuf al-Qaraḍāwī, *fi Fiqh al-Aqalliyyāt al-Muslimah*, (Cairo: Dār al-Shurūq, 2<sup>nd</sup> Edn., 2005), 145-150.
- <sup>4</sup> 'Abdullah al-Maḥfūẓ ibn Bayyah, *Ṣinā't al-Fatwā wa Fiqh al-Aqalliyyāt*, (Jeddah: Dār al-Minhāj, 1<sup>st</sup> edn., 2007), 342.
- <sup>5</sup> Suhaib Webb, Facebook post, 25 December, 2012, <a href="https://www.facebook.com/suhaib.webb/posts/10151299865648080">https://www.facebook.com/suhaib.webb/posts/10151299865648080</a>, (accessed 3 August, 2015).
- <sup>6</sup> Even though al-Qaraḍāwī does not live in the U.S. or the Western world, he is considered to be a *mufiī* for the Muslims living there. In fact he is the current presiding Chairman of the European Council for Fatwā and Research (ECFR) based in Ireland. See European Council for Fatwā and Research, <a href="http://e-cfr.org/new/members/">http://e-cfr.org/new/members/</a>, (accessed 3 August, 2015).

Furthermore, he is one of the most influential scholars of our time whose influence is not confined to the Muslims in the Islamic world but plays a key role, through his *fatāwā*, in shaping the identity of the Muslims in the West. See, Sagi Polka, "Constructing Muslims Identity in Western Society: The Rulings (Fatawa) of Shaykh Yusuf Al-Qaradawi for Muslims in the West," in *Arabs in Israel*, edited by Elie Rekhess and Arik Rudnitzky, (Israel: Tel Aviv

University, 2013), 49.

- <sup>7</sup> Al-Qaraḍāwī, fi Fiqh al-Aqalliyyāt al-Muslimah,145-150.
- <sup>8</sup> Al-Bukhārī, MuÍammad ibn IsmÉ'Êl, SaÍÊÍ al-Bukhārī, (Riyādh: Dār-us-Salām, 1997), Ḥadīth no. 2620, vol. 3, 164.
- <sup>9</sup> The researchers have exhausted their efforts in finding any literature pertaining to congratulating and partaking in the religious festivals of the non-Muslims in the U.S. that can be authentically associated to Hamza Yusuf. However, given the fact that Hamza Yusuf have studied under Ibn Bayyah it can safely be concluded that the views and *fatāwā* given by 'Abdullah ibn Bayyah are also the views and opinions of Hamza Yusuf. See, Hamza Yusuf, "Who is Shaykh Abdullah bin Bayyah", YouTube, 22 April, 2012, <a href="https://www.youtube.com/watch?v=fhi-6BEItpE">https://www.youtube.com/watch?v=fhi-6BEItpE</a>, (accessed 15 June, 2015).
- <sup>10</sup> Ibn Bayyah, Şinā 'at al-Fatwā wa Figh al-Agalliyyāt, 342.
- <sup>11</sup> Suhaib Webb, Facebook post, 25 December, 2012, <a href="https://www.facebook.com/suhaib.webb/posts/10151299865648080">https://www.facebook.com/suhaib.webb/posts/10151299865648080</a>>, (accessed 3 August, 2015).
- <sup>12</sup> The researchers uses quotation marks on the word *accept* because in reality Islam does not accept other religions and their disbelief in the *Tawhīd* of Allah. It is clearly stated in the Qur'ān: "Indeed, the religion in the sight of Allah is Islam." (Surat Āl 'Imrān, 3:19). Therefore, *acceptance* should not be confused with *tolerance* of other religions.
- <sup>13</sup> Appendix, Question 4.
- <sup>14</sup> Appendix, Question 6.
- <sup>15</sup> Appendix, Question 10.
- <sup>16</sup> See Surat al-Baqarah, 2:109; Surah Āl 'Imrān, 3:186; Surah Ṭāhā, 20:130; Surah al-Ahzāb, 33:48; and Surah Qāf, 50:39.
- <sup>17</sup> Appendix, Question 5.
- <sup>18</sup> Appendix, Question 7.
- <sup>19</sup> Muḥammad Ṣāliḥ al-Munajjid, "Ruling on celebrating non-Muslim holidays and congratulating them", Islam Question and Answer, <a href="http://islamqa.info/en/947">http://islamqa.info/en/947</a>, (accessed 4 August, 2015).
- Yasir Qadhi, "Muslims Celebrating Christmas-Love for Jesus and Mary," YouTube, 27 December, 2013, <a href="https://www.youtube.com/watch?v=\_cJvbI7BzY8">https://www.youtube.com/watch?v=\_cJvbI7BzY8</a>, (accessed 4 August, 2015).
- <sup>21</sup> Muzammil Siddiqi, "Can Muslims Celebrate Christmas?", OnIslam, 26 December, 2014, <a href="http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/">https://www.onislam.net/english/ask-t
- <sup>22</sup> Main Khalid Al-Qudah, "Celebrating Non-Muslim Holidays," Assembly of Muslim Jurists of America, 8 February, 2006, <a href="http://www.amjaonline.org/">http://www.amjaonline.org/</a>

fatwa-22994/info> (accessed 4 August 2015); Ikram Ul Haq, "Christmas," Fatwa Center of America, 18 January, 2015, <a href="http://askamufti.com/question-details.aspx?qstID=6085">http://askamufti.com/question-details.aspx?qstID=6085</a>, (accessed 4 August 2015).

- <sup>23</sup> Like al-Qaraḍāwī, al-Munajjid does not live in the U.S. or the Western world, the researcher is including him and his *fatwā* on this issue because he plays a key role, through his famous website, *islamqa.info*, in relaying the opinions of contemporary scholars such as Muḥammad ibn Ṣāliḥ al-'Uthaymīn, 'Abdul 'Azīz ibn Bāz and others to the Muslims across the globe, including the U.S. According to the survey the researcher conducted, 61% of Muslims in the U.S. rely on al-Munajjid and his online *fatwā* website. This, while only 11% of the Muslims relied on al-Qaraḍāwī and Bin Bayyah's books and/or website. Because of this, the researcher deems him to be the *de facto muftī* for the Muslims living in the U.S. See Appendix, Question 8.
- <sup>24</sup> Muḥammad Ṣāliḥ al-Munajjid, "Ruling on celebrating non-Muslim holidays and congratulating them", Islam Question and Answer, <a href="http://islamqa.info/en/947">http://islamqa.info/en/947</a>, (accessed 4 August, 2015).

**Note**: There are several *fatāwā* on the website relating to this topic that covers the issue from various angles. The researcher chose to pick this particular one was it was the most comprehensive amongst the rest.

- <sup>25</sup> Ibn Qayyim al-Jawziyyah, Muḥammad ibn Abu Bakr, *Aḥkām Ahl al-Dhimmah*, (Bayrūt: Dār al-Kutub al-'Ilmiyyah, 2<sup>nd</sup> Edn., 2002), vol. 1, 162.
- <sup>26</sup> Abū Dāwūd, Sulaymān bin Ash'ath, *Sunan Abī Dāwūd*, (Riyadh: Dār al-Salām, 1<sup>st</sup> ed., 2008), ḥadīth no. 4031, vol. 4, 388, *ḥasan*.
- <sup>27</sup> Ibn Taymiyyah, Aḥmad ibn 'Abdul Halīm ibn 'Abd al-Salām ibn 'Abdullāh, *Iqtiḍā' al-Ṣirāṭ al-Mustaqīm fi Mukhālafat Aṣḥāb al-Jaḥīm*, (Kuwait: Al-Maktabat Al-Sādisah, 4<sup>th</sup> ed., 2011), 252.
- <sup>28</sup> Al-Munajjid, "Ruling on celebrating non-Muslim holidays and congratulating them," Islam Question and Answer, <a href="http://islamqa.info/en/947">http://islamqa.info/en/947</a>, (accessed 4 August, 2015).
- <sup>29</sup> Yasir Qadhi is a well-respected scholar in the U.S., who is the Dean of Academic Affairs at Al-Maghrib Institute based in the U.S. He has studied extensively in the Islamic world and in the U.S. and because of this he combines the traditional Eastern Islamic seminary education with the Western academic training of the study of Islam. See Al-Maghrib Institute, "Shaykh Yasir Qadhi: Dean of Academic Affairs, Instructor," Instructor Profile, <a href="http://almaghrib.org/instructors/yasir-qadhi#profile">http://almaghrib.org/instructors/yasir-qadhi#profile</a>, (accessed 4 August 2015).
- <sup>30</sup> Yasir Qadhi, "Muslims Celebrating Christmas-Love for Jesus and Mary," YouTube, 27 December, 2013, <a href="https://www.youtube.com/watch?v=\_cJvbI7BzY8">https://www.youtube.com/watch?v=\_cJvbI7BzY8</a>, (accessed 4 August, 2015).
- <sup>31</sup> Yasir Qadhi, Facebook post, 21 December, 2013, <a href="https://www.facebook">https://www.facebook</a>.

com/yasir.qadhi/posts/10151917993123300>, (accessed 4 August, 2015).

- <sup>32</sup> Muzammil Siddiqi is a well-respected scholar who is recognized as a highly influential community leader, both by the local government and the Muslim community that he serves, in Southern California. He was the former President of ISNA and is the current vice-chair of Fiqh Council of North America. He issues *fatwā* on various contemporary topics affecting the Muslims in the U.S. See, Islamic Society of Orange County, *Religious Director*, 2015, <a href="http://isocmasjid.weebly.com/dr-muzammil-siddiqi.html">http://isocmasjid.weebly.com/dr-muzammil-siddiqi.html</a>, (accessed 17 June, 2015).
- Muzammil Siddiqi, "Can Muslims Celebrate Christmas?", OnIslam, 26 December, 2014, <a href="http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions=">http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions=">http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions=">http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions=">http://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.html">https://www.onislam.net/english/ask-the-scholar/morals-and-manners/customs-and-traditions/174414-can-muslims-celebrate-christmas.html?Traditions="https://www.onislam.html">https://www.onislam.html</hd>
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- <sup>34</sup> Ouestion 9.
- 35 See Appendix, Question 4.
- <sup>36</sup> Appendix, Question 10.
- U.S. Equal Employment Opportunity Commission, "Religious Discrimination", <a href="http://www.eeoc.gov/laws/types/religion.cfm">http://www.eeoc.gov/laws/types/religion.cfm</a>, (accessed 12 August, 2015).
- <sup>38</sup> Appendix, Question 3.
- 39 Ibid.
- <sup>40</sup> John M. Hartenstein, "A Christmas Issue: Christian Holiday Celebration in the Public Elementary Schools is an Establishment of Religion", *California Law Review*, Vol. 80, Issue 4, Article 6 (1992): 982.
- <sup>41</sup> This idea of being a shepherd is taken from a hadīth of the Prophet (S.A.W) that states: "All of you are shepherds and each of you is responsible for his flock. An Imam is a shepherd and he is responsible for those in his care. A man is a shepherd in respect of his family and is responsible for those in his care. The woman is a shepherd in respect of her husband's house and is responsible for those in her care. The servant is a shepherd in respect of his master's property and is responsible for what is in his care. All of you are shepherds and each of you is responsible for his flock." See al-Bukhārī, Ṣaḥīḥ al-Bukhārī..., ḥadīth no. 893, vol. 5, 2; Muslim ibn al-Ḥajjāj ibn Muslim al-Naysābūrī, Ṣaḥīḥ Muslim, (Bayrūt: Dār al-Ihyā' al-Turāth al-'Arabī, n.d.), hadīth no 1829, vol. 3, 1459.

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