

# The Peace Process

*Is the Peace Process with Israel Possible?*

**By Sheikh Omar Bakri Muhammad**

*Al-Muhajiroun publications*

*admin@almuhajiroun.com*

## **- CONTENTS -**

<b>Introduction</b>	<b>3</b>
<b>The Peace Process</b>	<b>4</b>
<b>The Islamic Rulings Pertaining to Israel</b>	<b>7</b>
<b>Fatwa of the Scholars</b>	<b>9</b>
<b>Fatwa against the Occupation of Israel</b>	<b>11</b>
<b>Conclusion</b>	<b>14</b>
<b>Declaration</b>	<b>15</b>
<b>Anti-Semitism</b>	<b>18</b>
<b>The Islamic Viewpoint</b>	<b>22</b>

## *Introduction*

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With the puppet rulers of the Muslim world falling over themselves to declare peace with Israel, and improve diplomatic relations, it has become incumbent upon the Muslims world wide to end the Israeli occupation of Muslim land and the Israeli oppression of Muslim men, women and children. Since the illegitimate inception of the Zionist State, there has been continual killing and bloodshed, whereas under the rule of Islam, the area was one of peace and prosperity.

The International community has undoubtedly shown its true colours by remaining silent while Muslims are systematically persecuted in Palestine, and while the 'sovereignty' of Lebanon is invaded, yet Muslims in Iraq are still dying after the Iraqi invasion of Kuwait, and the ensuing sanctions.

As Israel braces itself to receive £18 Billion to ease the relocation of its illegitimate occupation of Muslim land the Muslim rulers are once again selling out the Muslim Ummah. In this short treatise we hope to uncover the Islamic Verdict on the current peace process and the solution to the problems in the Middle-east.

## *The Peace Process*

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A principle in `Ilm al-Usul states that "there is no ijihad on clear cut text". Therefore, there is no place whatsoever for interpretation or having an opinion about any text in the Qur'an which has a clear cut meaning. Regarding the Islamic verdict about unbelievers who occupy Muslim land, specified by conclusive and clear cut text, Allah(swt) ordered us in the Qur'an,

***"O you who believe, fight in the way of Allah those who fight you, and do not transgress. Allah does not like transgressors" [EMQ 2:190]***

And Prophet Mohammad (saw) said, "*Whosoever dies defending his land dies a shahid (martyr)*" and Allah says,

***"Whoever commits aggression against you, attack him back in a like manner, and fear Allah." [EMQ 2.194]***

Furthermore, Islam forbids us to befriend them or show them any favour so as long they are occupying Muslim land. Allah (swt) says,

***"Allah does not forbid you with regard to those who do not fight you over (your) deen, nor drive you out of your home land, from dealing kindly and being righteous to them for Allah loves those who are righteous. Do not ally and be good to those who fight, you for your belief and throw you from your home land and those who assist them. Allah forbids you from doing that. [EMQ 60:8-9]***

As for cease-fire treaties with the enemies (non-Muslims) who occupy Muslim land, it is known from Islam by necessity that we must fight them and there is no dispute about this. However, regarding a cease-fire treaty with enemies who occupy Muslim land, these are not allowed except if four conditions, which are agreed upon by the four main schools of thought, are met and these conditions are as follows:

1. The contractor on behalf of the Muslims is the Khaleefah or his representative, because of the saying of the Prophet (saw), "*Each one of*

*you is a guardian, and each one will be questioned about those he is responsible for...".*

Also, if we look to the time of the Prophet (saw), we find that he was the only one who contracted treaties. Therefore, the treaties which are contracted by the current illegitimate leaders, or the leaders of any group, be they nationalist or Islamic, or anybody else, have no right to be part of any treaty with unbeliever's who occupy Muslim land.

2. The subject of the contract must be based on Islam and nothing else, because Allah (swt) says,

***"But no, by your Lord, they will not believe (in truth) until they make you judge of what is in dispute between them and find within themselves no dislike of what you decide, and submit with full submission." [EMQ 4:65]***

And the Prophet (saw) said, *"Any shart (condition or stipulation of a contract) not in the Book of Allah is batil (invalid and worthless)." (aI-Tabarani in al-Mu'jam al-Kabir and al-Suyouti authenticated it in his book al Jami' al-Saghir Vol. 2 pg. 77).*

Further, RasoulAllah (saw) rebuked people who laid down conditions that contradicted the Shari'ah, and he(saw) said, *"What is the matter with those people who lay down conditions that are not from the Book of Allah? Any condition not in the Book of Allah is batil, even if there are a hundred of them. The judgement of Allah is the Truth, and the condition from Allah is Fire."* (al-San'ani, in Subul al-Salam, Vol. 3 pg. 10, with the wording of Bukhari).

Therefore, any treaty that contains any condition not valid in Islam, such as giving non-Muslims rights over Muslim land, is clearly batil.

3. The treaty must have a limited time period, because the treaty of Hudaibiyah was limited to ten years, and Allah (swt) said, after telling the Muslims to have a treaty with the unbeliever's for four months,

***"So fulfil your treaty with them till the end of their term, for Allah loves those who fear him. But when the forbidden months are past, then fight and slay the pagans wherever you find them." [EMQ 9:45]***

After RasoulAllah (saw) conquered Makkah, he gave the various

unbeliever's four months, but in the treaty of Hdaybiyah he gave them ten years (refer to the Seerah of Ibn Hisham). The scholars say that this means that Muslims in a strong position can have a truce with the unbeliever's for a maximum of four months and in a weak position a maximum of ten years.

4. The treaty must secure the interests of Islam and the Islamic Ummah, which are defined by the Shari'ah. If any of these conditions are not met, the treaty is Batil. It is well known that peace with Israel is haram, and the following Fatawa of the scholars mention this.

## *The Islamic Rulings Pertaining to Israel*

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The following Fatwa was signed in the period December 1988 to November 1989, by 63 prominent scholars and men involved in Islamic Da'wah:

All Praise be to Allah (swt), the One Who took His servant by night from Masjid al-Haram (the Sacred Mosque) to Masjid al-Aqsa (the Farthest Mosque), and peace and blessings of Allah be upon he whom was transported to the land that was blessed for mankind, the land of the first Qiblah (direction of prayer), the land of the Prophets and the place to which Divine Messages were sent down, the land of Jihad and steadfastness until Judgement Day. And peace be upon his good Family and Companions, who shed their pure blood on that blessed land until they established Islam on it, raised its banner flying high, and expelled from it the enemies of Islam who had defiled Al-Quds (Jerusalem) with shirk and Kufr. And peace be upon those Muslims who were handed down this land, for they took care of the inheritance of the Muslims, and defended it with their wealth and their lives.

Furthermore, the function of the scholars and People of opinion among Muslims is no more than to be a safeguard for the Muslims to enlighten them if they are uncertain about their way, and to address the troubles that befall them.

We, the undersigned, declare to the Muslims in these difficult times, that the Jews are nothing but sworn enemies of those who believe. They have usurped Palestine, committed brutal aggression against the forsaken Muslims there, evicted the people of the land and defiled the holy places. They will not rest until they annihilate the Deen of the Muslims, terminate their presence and subjugate them everywhere.

We, in accordance with the obligation and covenant that Allah (swt) has dictated to us to proclaim the Truth, declare that Jihad is the only way to liberate Palestine, and that it is not permissible in any situation to give recognition to the Jews over even an inch of the soil of Palestine, or

for any person or entity to even acknowledge the authority of the Jews over the land of Palestine, or to surrender to them any part of it or, to recognise any right for them in it. Such recognition would be a betrayal of Allah (swt), the Prophet (saw) and the trust which is for every Muslim safeguarded. Allah Says,

*"O You who believe! Do not betray Allah and His Prophet and betray your trusts knowingly." [EMQ 8:27].*

What betrayal is greater than selling the holy places of the Muslims and surrendering Muslim land to the enemies of Allah (SWT, His Prophet (SAW) and the believers. We are sure that Palestine is Islamic land and will continue to be Islamic land. It will be liberated by brave Islamic heroes from the Jewish filth, just as the determined victor Salahuddeen did from Crusader filth. And surely this news will be announced soon. Peace and blessings of Allah be upon His slave and messenger Mohammad, and upon his Family and Companions.

## *Fatwa of the Scholars*

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### **The Fatwa of the Scholars Participating in the Islamic International Conference in Pakistan**

In 1968 We have looked at the request that was presented to us about the Islamic Shari'ah ruling regarding the issue of signing a peace accord with those who have seized the land of Palestine and some of the Egyptian and Syrian lands, caused its Muslim people to flee, plundered their property, committed the gravest sins of killing, plundering and torturing Muslims, occupied Jerusalem and what it contains of sacred Islamic places, notably the farthest mosque, the first niche and the place of the Prophet's night journey and ascension to the heavens, destroyed some Islamic places like mosques, schools and houses which are all Islamic endowment, declared their dangerous desire in the Farthest Mosque and started to dig under it in preparation to take it over, and also declared their desire for other sacred places.

In answer to the above request we state that peace with those aggressor fighters is prohibited by Shari'ah because it allows the usurper to keep what he has taken, and is considered a recognition of his right to what he has taken, so it is not allowed for the Muslims to make peace with those aggressor Jews because that would allow them to remain as a state in this sacred Islamic land. In fact the Muslims have a duty to exert themselves to liberate this land from the hands of usurpers, all the Muslims have to participate in the duty of jihad until they regain that land from the aggressors, and we call upon all Muslims to cling firmly to the rope of Allah (swt) and to do what will achieve pride and dignity to Islam and Muslims.

### **The Fatwa Issued by Al-Azhar**

The Al-Azhar Fatwa committee gathered in the Al-Azhar Mosque on Sunday 18 Jumada `Ula 1375H (1 January 1956). The committee stated that peace with Israel is not allowed according to Shari'ah because of that means acknowledging the usurper on his usurpation, the recognition of his right to what he has illegally seized, and the allowance of the aggressor to remain free in his aggression. All the

heavenly revealed laws and the man-made ones have unanimously agreed on the prohibition of illegal seizure and the obligation of returning the seized property to its rightful owners and it urged the rightful owner to defend and call for his right. The Prophet (saw) said "*Whoever dies defending his possessions is a Shahid, and whoever dies defending his honour is a Shahid*". In another tradition he said "*The hand has (the sin) on it until it returns what has been taken*".

Therefore, it is prohibited for the Muslims to make peace with those Jews who have illegally seized the land of Palestine and transgressed against its people and their possessions in any way that would allow them to remain as a state on this Islamic sacred land. In fact, the Muslims have to co-operate together despite their differences in colour, tongues or nation to return this land to its rightful owners, to protect and safeguard the Islamic historic places from the hands of those aggressors, and to help and aid the Mujahids who use weapons and other forceful means to do jihad and to spend in it all that they can until the land becomes pure from these aggressor tyrants.

#### **The Fatwa of The Scholars of Najd**

The scholars of Najd in June 1937 issued a Fatwa that stated that becoming friendly with the Jews in the lands of Islam is prohibited.

#### **The Fatwa of The Scholars of Iraq**

The scholars of Iraq issued a Fatwa in June 1937 stating that it is a Fard on every Muslim to resist the establishment of a Jewish state in Palestine.

#### **The Fatwa of the President of the Central Scholars Association in India**

The Muslims who sell the sacred land of Palestine to the Jews in our days or those who act as intermediaries to this appalling act despite the fact that they know that the Jews do not buy it except for evicting the Muslims of this sacred land, to replace the Farthest Mosque with the temple and to establish a Jewish state. These people are considered by Allah (swt) as those who are fighting Islam and made peace with Kufr and helped the enemies of Islam:

*"These are they who have bartered guidance for error, but their traffic is profitless and they have lost true direction" [EMQ 2:16].*

## ***Fatwa against the Occupation of Israel***

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O' Muslims, the naked aggression and atrocities committed against the people of Palestine, such as killing them, desecrating the Mosque of Al-Aqsa and throwing them out of their land and homes is a violation of the sanctity of Human Beings and their honour which requires an immediate and comprehensive solution including putting the perpetrators of these crimes on trial. The Islamic Decree regarding the occupation of Palestine by the Jews is Jihad for the sake of Allah (swt) and the divine evidence for this from the Qur'an is that Allah (swt) says:

***"If anyone commits aggression against you retaliate against them in equal manner." [EMQ 2:194]***

And this is compulsory upon the nearest Muslims to them and a burden upon Muslims worldwide to support and help.

O' Muslims, this Fatwa is a call to fight against Israeli forces, their government, Israeli Embassies, military airports and jets etc... as they are legitimate targets for Muslims wherever they may be. The divine evidence for this from the Qur'an is that Allah (swt) says:

***"And kill them wherever you meet them and turn them out from where they have turned you out." [EMQ 2: 191]***

However, It is prohibited to target any non-military or innocent Jews because this would be considered to be murder and therefore aggression against the sanctity of Human life. The divine evidence for this from the Qur'an is that Allah (swt) says:

***"Fight for the sake of God those who fight you and do not do transgression for Allah loves not the transgressors." [EMQ 2:190]***

The Muslims in Palestine have appealed for help therefore it is an obligation upon Muslims worldwide to respond and help verbally, physically, financially or militarily. The divine evidence for this from the Qur'an is that Allah (swt) says:

***"If they seek your support you must support them." [EMQ 8:72]***

And for Allah (swt) saying:

***"And spend for the cause of Allah (i.e. Jihad) and do not contribute to your destruction by your miserliness" [EMQ 2:195]***

And

***"Why must you not fight for the sake of Allah and of those who, being weak, are ill treated and oppressed, men, women and children whose cry is: our Lord rescue us from those people who are oppressors and raise for us from thee one who will protect, and raise for us from thee one who will help." [EMQ 4:75]***

There is no prohibition to be kind to those who do not fight against you rather it is prohibited to be kind to those who fight you. The divine evidence for this from the Qur'an is that Allah (swt) says:

***"God only forbids you with regard to those who fight you for your faith and drive you out of your homes and support others in driving you out from turning to them for friendship and protection or to be kind to them and whoever does so indeed they are the oppressors (i.e. Sinners)." [EMQ 60:9]***

The above divine evidences are a clear and a decisive verdict for the atrocities, which have been taking place in Palestine over the last fifty-three years. Therefore Muslims are obliged to fight against their enemies and to help each other. In addition the Islamic verdict regarding Prime Minister Barak and his commanders is for them to be put on trial in any independent Islamic court for their crimes and for capital punishment to be applied. Allah (SWT) says:

***"This is a declaration to the people so that they may be warned"***

All praise is for Allah (swt) who alone we obey, worship, follow and to whom we submit, ask forgiveness and depend upon.

And Allah (swt) says:

*"Indeed Allah has traded with the believers their lives and wealth in return for paradise if they fight for the cause of Allah whether they are martyred or victorious and this is a promise from Allah which he has made a duty upon himself clearly recorded in the Torah, the Bible and the Qur'an. And who is more faithful in his promise than Allah; so enjoy this good news for your allegiance and loyalty to your Lord for this is the greatest achievement..." [EMQ 9:111]*

## *Conclusion*

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The Jihad against the Jews occupying Palestine will continue until they withdraw completely from the whole of Palestine including the Golan Heights and the Gaza Strip because any aggression against any Muslim property or land by any Kuffar or non-Muslim forces whether American, British or the Jews of Israeli makes Jihad (i.e. fighting) against them an obligation upon all Muslims.

To ally or to seek assistance of non-Muslim states is prohibited, a sin and a grave crime not to mention a betrayal of Allah (swt), His Messenger and all the believers. Hence whosoever among you allows his country to become a base for American, Jewish or other kufr forces or conspires and makes Muslim land a passage for any non-Muslim forces whether it be via sea, land or air, assisting directly or indirectly, an attack against Muslims in any part of the world will be at war with Allah (swt) and His Messenger. He will be humiliating himself before Allah (swt) and before the whole Ummah who will never forgive this ugly crime even if the perpetrator erects barriers to hide behind.

Any agreements and summits between the enemies of Islam whether G7, G8, the UN or with so-called Muslim representatives such as the PLO or Arabs of the Middle East in order to give away even a hand-span of Muslim land or to oppress and fight the Islamic movements or to arrest their members or to hand them over to the enemy in response to the Jews of Israel is considered to be war against Allah and his Messenger Muhammad (saw).

The Israeli cancer in Palestine must be uprooted. Islam obliges us to liberate all Muslim land from occupiers whoever they may be whether American, Jewish Israeli or other forces.

The Fatwa is therefore JIHAD against the Jewish occupiers, their government, army, interests, airports and institutions and it has been given by the most prominent scholars of Islam today because of the occupation of Muslim land and aggression against the Muslims of

Palestine. The only Islamic Fatwa against this explicit aggression is Jihad.

Therefore the message for the Jews occupying Palestine is to leave and return to where they came from or face a full scale war of Jihad which will be the responsibly and the duty of every Muslim around the world to participate in.

## *Declaration*

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O Mujahideen, O Muslim Armies and Activists wherever you are. Hold firm to the book of Allah and depend on none but him, fight the enemy of Islam and Muslims for the sake of none but Him and aim your weapons at the occupiers forces.

Let us salute Muslims in Palestine for their brave and generous stand. May Allah support you with patience, victory, dignity and the power to liberate the WHOLE of Palestine and to establish the Khilafah.

O Muslim Armies, We Muslims must not be attached to life nor run from death. Life's pleasures will come to us inevitably because God has granted us all the treasures of the world; we have oil, gold, water, resources, land, people, history and more importantly we have the Qur'an and we are the grand-children of an Ummah (Islamic Nation) which was the superpower for over a thousand years.

We must return back to our roots, support Muslims wherever they are, verbally, financially and militarily before the enemy enslave us and humiliate us more. This matter a very dangerous one for it requires us to sacrifice life, wealth and blood for its sake. Remember that the dignity of a Nation cannot be measured with land or wealth because the dignity of a Nation is not goods to trade with, therefore we must stand and engage in Jihad and support the Mujahideen, for death is better than humiliation before the disbelievers.

O Muslims, the opportunity is here and we must not pass it by. The battle is tense and our Muslim brothers are firm in their Jihad so we must not lose time aimlessly. We must act now and rise against the presence of Israelis in Muslim countries and close down their illegitimate embassies and companies. Verily, the Ummah is our Ummah, their war is our war, their enemy is our enemy, the Mujahideen are our brothers, their victory or defeat is our victory or defeat and the Khilafah is our Khilafah.

O Muslim Armies, Mujahideen, Scholars and activists, the Book of our Lord calls us, The Ummah cries for us and Paradise awaits us, Let us fight the Jewish occupiers, for a new dawn is near at hand.

## *Anti-Semitism*

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Ever since the establishment of Israel in 1948, Israeli Zionists have made a relentless effort to conceal the dark and real side of Israeli aggression against Muslims in Palestine, and through its manipulative techniques of propaganda, have tried to make Israeli Zionism immune from political scrutiny. Islam, and therefore Muslims, unequivocally declares that not only is Israel an illegitimate state, but that Muslims have a divine obligation to honour and protect their own property, life and livelihood (that is continuously being violated by the Zionists) by physically removing the oppressive state of Israel. Yet Muslims are branded racists for raising the voice against Israeli racist oppression. On closer inspection however, it is evident that those individuals who label Muslims for being racist are themselves guardians of a heinous racist ideology.

The Israeli issue has been deliberately misconstrued as a question of preserving the racial integrity of Jews; political judgement and racial identity have been fused to produce a politically expedient tool to silence the Muslims. First and foremost it must be made patently clear that Muslims are not condemning Jews as a race, or indeed Jews per se but the Israeli Zionists that are upholding the state of Israel.

Secondly, this condemnation is not because of their racial origin but because of their active involvement in sustaining brutal savagery against Muslims. Hence Muslims would still have condemned Israel had it been the racist and political design of 'black' Africans, or 'yellow' Chinese or 'white' Christians etc. This proves the point that Muslims are therefore making a political judgement about the question of political legitimacy on the basis of Islamic political philosophy. It is not a judgement on the status of any race; it is a judgement on the legitimacy of the Israeli state machinery. Muslims are not taking an anti-Semitic stance, but an anti-oppression stance as defined by the justice of Islam.

## Chronology of Oppression

Pre-1850 – Jews as well as other religious people live safely and securely in Palestine under the fair and just Islamic rule.

1898 – Hertzl offers to buy the land of Palestine. The Muslim ruler, Sultan Abdul Hamed II, rejects the offer.

1920 – The Balfour Declaration devises a plan to give the land of the Palestinians to the Jewish people

1939 – The Jews are among the groups of people, targeted by Hitler for amassing the wealth of Germany and leaving Germans poor.

1945 – World War Two is over and many people, including Jews, have lost their lives.

1946 – The Jews form two terrorist organisations in Palestine, one called the Stern gang and the other Irgun. They terrorise the local people to drive them out of the land so they can occupy it.

1948 – Britain agrees to hand Palestine over to the Jews. The UN endorses this. The land Created for Peace is a perpetual war zone

1948 – Muslims world-wide reject this and local people take up arms to defend themselves from this internationally accepted theft of their homeland

November 9th 1953 – Israel kills 53 civilians in a Jordanian village

Feburary 28th 1955 – 43 killed in Gaza by Israeli raid

September 18th 1982 – Under the auspices of the Israeli Government, tens of thousands of civilians, especially women, children and elderly men were massacred. No action is taken against Israel.

It is interesting to note that when western politicians and intellectuals condemn other states for being illegitimate and oppressive, they are heralded as vanguards of humanity, but when Muslims condemn political oppression, according to Islam, they are labelled as racist, fundamentalist and extremists. When western politicians voiced their resentment against apartheid laws were they declared as being anti-

white? When American and British politicians recently condemned Saddam Hussein, were they being anti-Muslim or anti-Arab? The answer is a resounding No! because the focus of their condemnation was not a race or a religion, but a perceived abuse of political instruments for purposes of political and racial domination. Why is it that when Muslims condemn the political illegitimacy of Israel they are labelled as racist? Surely this is double standards and hypocrisy of the highest order?! The deceptive terms of Israeli political propaganda have produced the tragic irony that those who fight against Israeli racism are themselves labelled as racists.

### The Rhetoric of Peace

'Peace' is an emotive and elusive word and it is precisely for this reason that the Israeli and western governments have employed the rhetoric of 'peace'. All current and historical attempts at devising a 'peace deal' are, and have been, nothing other than means of creating political arrangements that are tailored to suit the strategic, economic and political interests of western nations. If America had ever been interested in peace then why did it take such an instrumental role creating a state of oppression in the first place? The Islamic opposition to the conniving political manoeuvring of successive Israeli and American administrations, wrapped up in the rhetoric of 'peace', is in fact a stand against war and political aggression. It is only Islam that recognises the imperative of Jihad in ejecting oppression from Muslim land. So called peace with Israel is tantamount to saying peace with aggression - a contradiction in terms. The dismantling of an oppressive and racist state apparatus will signify the conditions necessary for real peace. The question is not simply a matter of peace, but peace on whose terms? The ineptitude of western governments in dealing with the Israeli issue is evident in the fact that political instability in the region has been compounded by ostensible measures to create 'peace'. It is highly instructive to note the following Qur'anic verse in this context: Allah says;

*" And when it is said to them , 'make not mischief on the earth ' , they but say , ' we are the peace makers ' , but indeed they are the mischief makers , but they realise it not " . [EMQ 2:11-12]*

### The Ambiguity of Secular Politics

Prominent western political theorists are gradually moving to a position of political and moral nihilism, especially with respect to their

image of world politics. An increasing number of western academics now argue that there is no objective and external point of reference from which a judgement about political legitimacy can be passed (False Dawn, John Gray). The post-modern idea of the cultural relativity of political systems has evaporated the ideological substance of the western world in decisively identifying political oppression and illegitimacy. This has plagued the terms of political debate in global politics, not least in relation to the Israeli issue. In terms of this perspective , secular political philosophy is to be blamed for creating mass ambiguity about fundamental concepts such as 'peace' , 'justice ' and 'political legitimacy', which translates into a Hobbsean (anarchical) state of nature , where the only law is the instinct of self-preservation. Little wonder the Israeli violation of Muslim life is euphemistically rationalised as the ' volatility of international politics '.

#### Islam - Unique and Universal

Islam, the unique and universal message of the creator, repudiates racial, nationalistic and tribal chauvinism, as a display of shallow minded arrogance and ignorance, even though some political regimes have erected a whole ideology out of it. It is only Islam that rises above such artificial identities and the brutal politics of power that can possibly deliver Muslims from the shackles of Israeli domination.

Indeed it is only Islam that can deliver the whole of the human race from in justice, racism, nationalistic wars and the ugly arm of political oppression.

## *The Islamic Viewpoint*

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No Muslim is for the killing of innocent people be they Christian, Jew, Muslim or any other belief. However, those who have occupied and continuously oppress the Muslims in their land, are at war with all Muslims. Israel is a war zone and the occupiers are the enemies and Muslims will call for their annihilation until they remove themselves from the land or return the land back to Muslims who will guarantee to grant them protection and security.