

Submission to the Inquiry for the Review of the National Security Legislation Amendment  
(Espionage and Foreign Interference) Bill 2017

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**My Qualifications and Expertise.**

I am an academic, human rights activist, Anglican pastor, a Shillman-Ginsburg Writing Fellow at the Middle East Forum, and Adjunct Research Fellow of the Arthur Jeffery Centre for the Study of Islam at Melbourne School of Theology. I have published many articles and books on the language and culture of the Acehnese, Christian-Muslim relations, the Islamic sharia, and religious freedom. I hold a PhD in Linguistics from the National University and a ThD in Qur'ānic Theology from the Australian College of Theology. I have held visiting appointments at the University of Leiden, MIT, UCLA and Stanford, and was elected a Fellow of the Australian Academy of the Humanities in 1992.

**The Submission**

Several sovereign states in the world today are committed to the international propagation of radical forms of Islam. During the reign of King Fahd (1982-2005) it is estimated that more than USD \$75 billion was spent on propagating Salafist Wahhabi Islam to the world. These funds have been spent on establishing and maintaining Islamic colleges, mosques, schools, and Islamic Studies centres in higher education institutions. This included the distribution of more than one hundred million Qur'āns. In their embassies the Saudis appoint attachés whose responsibility is to promote the spread of the Wahhabist version of Islam through building and staffing mosques, distributing literature, and influencing existing mosques to promote the Saudi religious ideology. No other religion attracts anything like this level of global official government support from sovereign nations. The extent and diversity of the ways in which the Saudis and others use money to advance their religious agenda is considerable, including, for example, funding Islamic Studies centres in public universities, and providing all-expenses paid trips to conferences in Saudi Arabia to academics, through linking up with the various Academies.

A number of Islamic governments invest heavily in promoting Islam to the world because pure Islam does not recognize the distinction between the secular and religious domains. The basic purpose of government, according to Islam itself, is to establish Islam. Islam does not see religion as a private matter distinct from 'secular' politics. Indeed the whole distinction between religion and politics is alien to the Islamic worldview. It is therefore not surprising that governments of nations which reject the separation of religion and politics are directing their resources to promote their vision of Islam.

This becomes problematic because, from this perspective, to establish Islam in a nation properly requires a state to enforce sharia law: it requires a profound political change. Just

how radical the results of such a change could be becomes clear from the footnotes and commentary supplied in the *Noble Qur'ān*, an English translation published by the Saudis in vast numbers of copies, which are given away free to inquirers through Saudi embassies. Some of the values and principles promoted by the *Noble Qur'ān* edition are:

- Non-Muslims are impure: “Their impurity is spiritual and physical: spiritual because they don’t believe in Allāh’s Oneness and in his Prophet Muhammad ... and physical, because they lack personal hygiene (filthy as regards urine, stools and blood).” (*Noble Qur'ān* p.248, fn 2)
- Verses in the Qur'ān that command Muslims to fight against non-Muslims (such as Christian and Jews) ‘abrogate’ or over-ride more peaceful verses (p.21, fn 1)
- *jiḥād*, which the *Noble Qur'an* defines as ‘fighting’ against non-Muslims, is an obligatory duty on every Muslim: “*Jihād* is an obligatory duty in Islām on every Muslim, and he who tries to escape from this duty, or does not in his innermost heart wish to fulfil this duty, dies with one of the qualities of a hypocrite.” (*The Noble Qur'ān* p.39, fn 1). The *Noble Qur'ān* explains that a ‘hypocrite’ will end up in the lowest, worst place in the fires of hell.
- Muhammad’s example of becoming ‘victorious through terror’ is commended to all Muslims to follow (*The Noble Qur'ān* p. 55 fn 2): this teaches readers that using terror to establish and advance Islam is a right and good.
- Notes in the *Noble Qur'ān* glorify the taking of slaves in jihad (p.89, fn 1). In this the *Noble Qur'ān* relies on the same texts from the teachings of Muhammad which were used by the Islamic state justify its practice of enslaving captives, including buying and selling non-Muslim women as sex slaves (concubines).

Ahmed Farouk Musa, a graduate of Monash University medical school, in Melbourne, told a forum on Muslim extremism in Kuala Lumpur on 7 December 2014 that the *Noble Qur'ān* incites violence against Christians and other non-Muslims: ‘I believe that propaganda such as the Hilali-Khan translation [i.e. *The Noble Qur'ān*] and other materials coming out of Saudi Arabia are one of the major root causes that feed extremist ideas among Muslims, violence against Christians and other minorities’. Despite this warning, a copy of the *Noble Qur'ān* was sitting in the Canberra airport *musallah* ‘prayer room’ for three years until late last year, as the only English-language Qur'ān available in the prayer space for passing travellers to read. Its presence, unremarked and unchallenged in the Canberra airport during this time (as I personally observed), promoting a message of extreme intolerance, is a symptom of the potential for foreign embassies to sow discord and ideologies which are lead to radicalisation and incitement to hatred and even to terrorism. The enduring presence of the *Noble Qur'ān* in such a prominent public place, past which our Federal politicians were walking day in and day out, promoting what was in essence the ideology of the Islamic State, shows that the exporting of divisive religious ideologies is a deeply serious issue which is all too easily overlooked.

Unfortunately policy makers can be innocent of understanding of the depth of differences between religions. This goes along with the widespread religious illiteracy of our age. It is widely assumed by graduates in the social sciences that religion is not a genuine motivation for human behaviour. (This was Marx’s position: that religion is merely an instrument, not a cause of behaviour). It is assumed that all religions are primarily concerned with private

faith and religious observance. These assumptions are not true. For governments which promote Islam to the world, the distinction between religious and politics does not exist, and indeed since many devout Muslims would hold that the God-given purpose of government is to promote (Islamic) faith, it follows that a key function of their foreign policy is to promote their version of Islam. When an overseas government uses its diplomatic staff and financial resources to infiltrate a society and promote its political ideology we find this offensive and suspect. We should be equally wary about governments which seek to establish a form of religion which would usher in a competing political system that glorifies violence and terror.

Let me give an example. In the western tradition ‘charity’ (the Latin source of which means ‘love’) is a benevolent gift to help the needy. However in Islamic tradition the *zakat* or 2.5% compulsory religious tax paid by believers, has a number of functions, only some of which are ‘charitable’ in the Christian sense. Two particular lawful uses of *zakat* are noteworthy (see Sura 5:60): a) to ‘draw hearts closer’, i.e. to attract people to Islam through financial inducements, and b) ‘in the cause of Allāh’, which refers to jihad fighting. Ibn Kathir, a renowned commentator, has [said](#) about this verse that spending *zakat* ‘in the cause of Allah is exclusive for the benefit of the fighters in Jihad’. The idea that charitable donations can be legitimately used to support warfare has brought some Islamic ‘charities’ into trouble with Western governments. Another example is the application of *zakat* funds to induce conversions by payments made into the bank accounts of criminals who turn to Islam in the Goulburn Supermax jail. See [this report](#), which refers to funds being paid into the bank accounts of prisoner converts to Islam. The NSW Corrective Services commissioner has had to introduce policies to try to limit and monitor the payments, to help contain radicalisation.

In the past I have had conversations about such matters with Australian officials working in the area of intelligence. On one occasion I expressed concern to a security official about the teaching, which has been at times openly advocated by Islamic groups in Australia (e.g. on websites and in books for sale), that the life of anyone who does not rule by Islamic law can be taken (their blood is ‘halal’). (A similar view is promoted in the Saudis’ *Noble Qur’ān*, (p.242, fn 1). Is promoting such teachings illegal, and a matter considered actionable, I asked? The answer I received was that as long as a religious believer is not promoting specific terrorist acts, for example by teaching others how to make a bomb, or making plans to actually kill someone or commit some other crime, such theological teachings are not legally proscribed, and the authorities will not intervene. This seems to be entirely unsatisfactory, and far too high a threshold for intervention. It allows an unacceptable level of incitement to violence which inevitably prepares the ground for acts of terror.

In order to limit the promotion of damaging political ideologies in a religious form by foreign governments, I recommend that Parliament consider taking steps to:

- a) update and reactivate sedition laws, which make it illegal for individuals and groups to incite people to take up arms or act violently against the state. This would apply, for example, to proscribe preaching a message that the blood of anyone who does not rule by sharia is ‘halal’;
- b) review, monitor and greatly restrict the funding of religious institutions and buildings in Australia by overseas governments or their agents;

- c) prohibit the appointment of attachés in embassies whose role includes the propagation of any religion: all embassy appointments should be secular;
- d) ban the distribution of particular editions (in translation) of the Qur'ān (not the Qur'ān itself, but particular edited translations ), including the *Noble Qur'ān*, and also books that promote violent jihad;
- e) ensure that donations by foreign governments and their agents to educational institutions are closely monitored, not tied to any religious interests, and do not come with 'strings attached'

I believe appropriate laws can for formulated in a way which is neutral as to religion, yet drafted to ensure they address specific issues associated with Islam that have been highlighted here.

I would be more than willing to assist the review further in whatever way I can.

Yours sincerely,

Mark Durie

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