



RECOMMENDATIONS

Proceeding from the role of the Arab Republic of Egypt and *Al-Azhar Al-Sharif* and its historical responsibility towards Islam and Muslims, the Egyptian Ministry of Al-Awqaf called for convening in Cairo the 22nd General Conference of the Supreme Council for Islamic Affairs entitled:

The Objectives of Shari'ah (Islamic Law) And the Issues of the Contemporary Age

*8 – 11 Rabie Al-Awwal, 1431 H.
22 – 25 February, 2010*

Cairo

Under the auspices of His Excellency President **Muhammad Husni Mubarak**, President of the Arab Republic of Egypt, and the Honorary Presidency of His Eminence the Grand Imam, Prof. Dr. **Muhammad Sayyed Tantawi**, Sheikh of Al-Azhar.

Prof. Dr. **Mahmoud Hamdi Zakzouk**, Minister of Al-Awqaf and Head of the Supreme Council for Islamic Affairs, chaired the Conference.

Representatives of the following Muslim Countries and International Islamic Organizations participated:

First: Arab Countries

1- Hashemite Kingdom of Jordan

2- United Arab Emirates



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| 3- Bahrain | 4- Tunisia |
| 5- Comoros | 6- Sultanate of Oman |
| 7- Saudi Arabia | 8- Sudan |
| 9- Iraq | 10- Palestine |
| 11- Qatar | 12- Kuwait |
| 13- Lebanon | 14- Libya |
| 15- The Arab Republic of Egypt | 16- Mauritania |
| 17- Morocco | 18- Yemen |

Second: African Countries

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| 1- Ethiopia | 2- Eritrea |
| 3- Uganda | 4- Burkina Faso |
| 5- Chad | 6- Tanzania |
| 7- South Africa | 8- Gabon |
| 9- Rwanda | 10- Zimbabwe |
| 11- Sierra Leone | 12- Kenya |
| 13- Congo Brazzaville | 14- Mali |
| 15- Mozambique | 16- Nigeria |

Third: Asian Countries

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| 1- Afghanistan | 2- Indonesia |
| 3- Uzbekistan | 4- Pakistan |
| 5- Bangladesh | 6- Thailand |
| 7- Sri Lanka | 8- Sultanate of Brunei |
| 9- Singapore | 10- China |
| 11- Tajikistan | 12- Kyrgyzstan |
| 13- Kazakhstan | 14- Maldives |
| 15- Nepal | 16- India |
| 17 – Japan | |



Fourth: European Countries

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| 1- Albania | 2- Germany |
| 3- England | 4- Ireland |
| 5- Italy | 6- Belgium |
| 7- Bosnia & Herzegovina | 8- Turkey |
| 9- Montenegro | 10- Denmark |
| 11- Russia | 12- Slovenia |
| 13- Switzerland | 14- Serbia |
| 15- Holy See | 16- Kosovo |
| 17- Macedonia | 18- Austria |
| 19- Holland | 20- Greece |

Fifth: the Americas

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| 1- Ecuador | 2- Peru |
| 3- Brazil | 4- Canada |
| 5 – Mexico | 6- United States of America |

Sixth: Australia

Seventh: International Organizations and Associations:

- 1- World Islamic Council for *Da'wah* and Relief.
- 2- League of Islamic States in *Makkah Al-Mukkaramah*
- 3- Islamic Organization for Education, Sciences and Culture (*ISESCO*).
- 4- World Islamic Charity Organization in Kuwait.
- 5- League of Islamic Universities
- 6- The Islamic Bank for Development Corporate in Saudi Arabia

The Conference was inaugurated by the speech of **H.E. Muhammad Husni Mubarak, President of the Arab Republic of Egypt**, delivered on his behalf by **H.E. Dr. Ahmad Nazeef**, the Prime Minister.



Addressing the inaugural session were His Eminence, the Grand Imam, **Prof. Dr. Muhammad Sayyed Tantawi**, Sheikh of Al-Azhar, His Eminence **Shenouda III**, Pope of Alexandria and Patriarch of Saint Mark Episcopate. Speaking on behalf of the participating delegations were **H.E. President Maumoon `Abdul Gayoom**, **Former President of the Republic of Maldives**, **Prof. Dr. Mahmoud Hamdi Zakzouk**, **Minister of Al-Awqaf and Head of the Supreme Council for Islamic Affairs "Conference Chairman"**, and **Prof. Dr. Muhammad Al-Shahat Al-Gendy**, **Secretary-General of the Supreme Council for Islamic Affairs "Conference General Rapporteur"**.

The Conference decided to consider the speech of **H.E. President Muhammad Husni Mubarak, President of the Arab Republic of Egypt**, as an official document of the Conference in view of the guidelines contained therein.

The Conference's morning and evening sessions lasted for four days running, during which (74) researches in Arabic and English were presented and discussed by the distinguished participants.

◆ **Discussions focused on the following main topics:**

- **1st Topic:**
Defining Concepts.
- **2nd Topic:**
Preserving Human Being and the Right to Life.
- **3rd Topic:**
Preserving Religion and Freedom of Creed.
- **4th Topic:**
Preserving Reason and the Right of Learning and Creativity.
- **5th Topic:**
Preserving Wealth and the Right of Ownership (Property).
- **6th Topic:**
Preserving Posterity, Lineage, and Family.
- **7th Topic:**
Prominent Scholars of objectives of *Shari'ah*



The Conference formed a committee to draft its recommendations and was chaired by Prof. Dr. Ja'afar 'Abdel Salam and two representatives from participating delegations to formulate draft recommendations drawn from the researches presented as well as the results of discussions and interventions by members of delegations be they high-ranking officials, scholars and thinkers from the participating countries.

◆ **The Committee elaborated the following draft recommendations:**

- 1- The Conference affirms that Islamic *Shari'ah* took the remarkable lead to illustrate all human rights acknowledged by international documents and different institutions through the objective of *Fiqh*, and calls upon scholars and researchers in the field of human rights to be guided by the values and principles sought by the *Fiqh* of objectives in their studies of human rights at present.
- 2- The Conference underscores all what Islam has established regarding the freedom of creed. This was emphasized by the international document on human rights which endorsed freedom of expression and creed, and the right of a person to profess his belief. The Holy *Qur'an* says **“There is no compulsion in religion”**¹. Almighty Allâh says: **“And say: The truth is from your Lord. Then whosoever wills, let him believe, and whosoever wills, let him disbelieve”**.²
- 3- The Conference calls upon the international community to guarantee the freedom of belief, including the respect of the symbols of each religion, and totally rejects insulting any religion or any religious symbol, and condemns the ban on building minarets all over the globe or insulting any of the Prophets in any way.
- 4- The Conference underlines the importance of adopting moderation which does not mean leniency or rigidity. The Conference recalls the *Hadith* of the Prophet (PBUH), *“He who moves day and night without halting will accomplish nothing”*. And *“Rigid persons will end up being defeated by religion”*.

1 Sûrat Al-Baqarah (The Cow) : (V:256)

2 Sûrat Al-Kahf (The Cave) : (V:29)



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- 5- The Conference condemns the Israeli hostile measures and procedures that violate the inviolability of the Islamic and Christian sanctities in the Holy city of Jerusalem, and affirms the condemnation of the Israeli's annexation of the *Ibrahimi* Mosque and *Bilal* Mosque to the Jewish historic heritage sites.
 - 6- The Conference recommends all Muslims, the ordinary and elites, to distance themselves from subversive ideas that commenced to spread in the Islamic societies which encourage abandoning religious obligations and advocating heresy, atheism and contempt of religions.
 - 7- The Conference condemns the crimes of terrorism and piracy as crimes against humanity that destroy life, create panic and corrupt life. It demands the international community to cooperate to suppress these crimes and eradicate them, in that it is considered as corruption on earth.
 - 8- The Conference decides banning abortion being a crime against the soul, except in cases of medical necessity, such as preserving the life of the mother or the baby. The Conference rejects the claims made to permit abortion in order to prevent vice in Islamic societies.
 - 9- The Conference supports the presence of banks for organs that fail in the human body, such as blood, eyes and body parts. The Conference points out the necessity to provide legitimate and ethical rules derived from the principles of Islamic *Shari'ah*.
 - 10- The Conference rejects claims propagated at present for so-called euthanasia on the basis that man is created by Allâh. Hence, it is not permissible to dispossess this right except for a legitimate reason accepted by Islamic *Fiqh*. [In this context, the Conference calls for criminalizing suicide for being an act against Divine commands.]
 - 11- The Conference calls upon '*Ulammas* and jurists to pay utmost attention given by Islamic *Shari'ah* for the objective of self-preservation in Islam, corresponding right to life in international documents, whether in terms of the immunity of the human self or enacting the most rigid penalties for anyone who commits aggression or a crime that affects this self in any way. Allâh Almighty says, **"if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land - it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved**



the life of all mankind.”³, and " And do not kill anyone whose killing Allâh has forbidden, except for a just cause. "⁴

- 12- The Conference strongly supports the imposition of *Qasaas* (Retaliation) in murder crimes with a view to protecting the society and achieving its security. The Conference rejects contemporary allegations that attempt to discredit Islam and Muslim countries for their adherence to *Qasaas* stipulated in the Holy *Qur'an*.
- 13- The Conference affirms the importance of the Islamic principle regarding the inviolability of shedding blood in Islam and to return to Islamic penalties inflicted for premeditated or unintentional murder in order to protect Islamic societies and to preserve the self that Allâh had forbidden except for murder.
- 14- The Conference supports the new trends that forbid crimes of genocide, and underlines the necessity to cooperate with the international community in investigating the perpetrators of such crimes and to bring them before the International Criminal Court without any discrimination between one country or another or a criminal or another regarding the application of the penalties prescribed for these crimes.
- 15- The Conference recalls that reason is the vector of divine discourse in man and should be developed, enriched and preserved for being a religious obligation *Fard `Ain* that must be fulfilled by all Muslims. Its fields of activity cover the land and the heavens and the space between them. For these reasons, Islam forbids the delusion and stupor of reason, obstruction of its activity and its destruction. For it is the light of Allâh in man. Hence, we appeal to Islamic societies to respect the teachings of Islamic religion that forbid alcohol, intoxicants and all that affect the mind.
- 16- The Conference ascertains that the eradication of illiteracy is one of the obligations that should be tackled by Muslim countries and that charity institutions and civil associations should cooperate with them. It also calls on Islamic Organizations such as the Organization of Islamic Conference (*OIC*), and The Islamic Organization for Education, Sciences and Culture (*ISESCO*), to cooperate in the elimination of this scourge.

³ **Sûrat Al-Mâ'idah (The Table spread with food) : (V:32)**

⁴ **Sûrat Al-Isrâ' (The Journey by Night) : (V:33)**



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- 17- The Conference appeals to the Muslim nation to endeavour for upgrading education and modernizing its curricula in all stages, so that it may participate in the activities of modern civilization in order to keep up with the age. This could be achieved through cooperating with the international community and its organizations and by adopting up-to-date methods that will ensure excellence in education and its compatibility with life.
- 18-The Conference affirms the importance of the role of reason in deriving legal regulations from its core sources, namely the Holy Qur'an and the Sunnah through Ijtihad instruments in deduction, Fiqh of interests and observing objectives.
- 19-The Conference asserts that the right of property is a human right and indicates that Islamic Shari'ah has the precedence in endorsing this right and its inviolability as manifested in the verses of the Holy Book and declared by the Prophet (PBUH) in the farewell Hajj when the Messenger (PBUH) in this large Conference spoke of the inviolability of blood, money and honour, saying : *(O people, your blood, wealth and honour are as inviolable to you as this day, in this month, in this year is inviolable by Allâh I have delivered, may Allâh be my Witness).*
- 20- The Conference draws attention to the importance of restriction on property in the interest of society. Allâh says, “**And spend of that whereof He has made you trustees.**”⁵ These restrictions require that man should gain money by legitimate means and spend it in legitimate ways, far from corruption and inciting corruption, and on possession to give Allâh's due.
- 21-The Conference confirms that money should be protected and safeguarded in the interest of all society in the present and for forthcoming generations. The wealth of peoples should not be squandered without taking into consideration the right of the next generations to such money.
- 22- The Conference calls upon the officials in the Islamic world to exert utmost efforts in investing the money of Muslims while bearing in mind the needs of development in money generating countries and the other countries in the Islamic world. It is also necessary to undertake studies for establishing common projects in which money generating countries integrate with



population countries. Therefore both parties will benefit as well as the Islamic world in general.

- 23-The Conference calls on ‘*Ulammas* of Muslims and the officials in charge of Islamic action everywhere to make use of *Zakah* and alms of money to carry out projects for the development of Islamic communities everywhere in a way that do not clash with the conditions of the owners of endowments.
- 24- Members of the Conference felt the economic backwardness in some Islamic countries despite the existence of wealth resources therein. The Conference urges ‘*Ulammas* and economists to do their utmost for the investment of the resources of the Islamic world, achievement of justice in the distribution of wealth. Allâh Almighty says, "...*in order that it may not become a fortune used by the rich among you.*"⁶.
- 25- The Conference recommends the preservation and maintenance of the Muslim family, and its protection against the internal and external challenges.
- 26- The Conference highly appreciates the principles and religious values recognized by Islamic *Sahri'ah*. The Conference recalls to the mind the necessity of building the Islamic family on the Islamic foundations, in the sense that a family should be made up of a man, a woman, and children through correct wedding contracts. The Conference rejects the same sex marriage and woman – man relationships outside wedlock. It also rejects homosexuality in all its forms.
- 27- The Conference appeals to the Islamic countries and peoples to cooperate for containing the problem of spinsterhood, encouraging and facilitating marriage. The Conference recommends not to exaggerate in the dowries and spendthrift in the wedding parties, irrational expenditures which waste money with no reason.
- 28- The Conference appeals to the Muslim families to protect its members against all manifestations of deviation and breaking the teachings of religion, and to respect the values of family life.



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- 29- The Conference observes with great concern the leniency and looseness fostered by the media away from the values and principles of Islam. It appeals to the Islamic countries that they should be firm in handling such looseness. They should work for the transcendence of values and good manners, and reverence of public behavior in the media, the forums and different meetings in the Islamic countries provided that freedom of expression is maintained.
- 30- The Conference commends the important *Fiqh* heritage left by the jurists and ‘*Ulammas* of Islam in the field of the objectives of *Shariah* such as Ash Shaatiby, Ibn Khaldun, Muhammed Abdou, and Al Tahir Bin ‘Ashur. The Conference urges *Fiqh* and research academics to pay attention to the objectives thought and to lay down the controls that guarantee good performance and ensure proper application.
- 31- The Conference hails the respect established by Islam to the lineage and honour of women, and illustrates that they are held in high esteem and are in harmony with good manners and sound nature. Islam took care of these values for the protection of society and combat of corruption.
- 32- The Conference appeals to the Islamic countries and the Islamic international organizations to study the causes of family disintegration and the ailments of the social life in the Islamic societies such as the phenomenon of spinsterhood and marriage rejection. The Conference calls for earmarking part of *Zakah* and alms funds to solve this problem.
- 33- Islamic heritage is rich in the objectives' thought. Prominent scholars of Islam have a great impact in enriching this kind of knowledge. It is essential to build on the past knowledge, not to stop at a certain point in order to link between Islamic *Shari'ah* and the contemporary updates. It is also essential to strike a balance between the *Fiqh objectives* and innovations of the age in order to prove that Islam is valid for all times and places.