

# **Jihad – The Australian Context**

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## **1. Introduction**

In thanking God Almighty, I acknowledge the Indigenous people of Dharruq upon whose blessed land we find ourselves in.

Australia as a nation of diverse peoples share a varied range of values and matters at heart. From the way we dress, the food we eat, to how we greet each other- the diversity is eye-opening. Some have to travel the world to experience the diversity of cultures we share daily. Some have to take special classes to know "the language of the other culture" before they arrive there. A person, for example, in Japan does not shake hands but bows. A New Zealander may rub noses, and an Arab male may kiss another male on the cheek. This diversity exists in Australia, and to date, in the most flourishing manner.

We as Australians have strived hard and a long, long way from the intolerance of the indigenous peoples and from the dark times of the White Australia policy.

Two particular natural forces inherent in the human family have been the primary factors in the positive changes in Australia to be the Multicultural Capital of the world:

- i) The ethical conscience of people in authority;
- ii) The leadership of a few despite the prejudices of the others

It is in these two contexts, that I would like to discuss *Jihad* in the Islamic Tradition, that is directly applicable to any person involved in providing service to the Australian community.

## **2. Definitions**

The values held in Islam are very compatible to those valued by the wider Australian society. The essential difference is that the average Muslim Australian is very much aware of their values, which includes rights and responsibilities, whilst the wider Australian community may not have simply articulated them consciously. It is not so

much as values that differ in this regard, but our diverse lifestyles. And, this lifestyle includes what we choose to consciously uphold as precious, or sacred.

Upholding and maintaining these values is the foundation of *Jihad*. *Jihad* is about a personal struggle, striving to attain the best outcomes possible. This Paper considers this utmost striving, *Jihad*, in the context of what the priorities and realities are in Australia.

In the Islamic Tradition, there is what is termed, “The Five Sanctified Rights”. These five elements define, not only values internally for a person, but also societal interaction and acceptance- which are cornerstones of a multicultural existence. The view is that for every right that exists, there could be a resulting violated right if one does not fulfil one’s responsibilities, and so societal protection by civil means becomes necessary. These Five Sanctified Rights are:

**i) The Right To Life**

Every person has the right to life on equal terms to the rest of the society one exists in. Islam considers life as amongst the most sacred. Every person must strive to maintain harmony that protects life. Self defence, to the extent approved by law, is a form of *Jihad*.

**ii) The Right To Religion**

Contrary to popular belief, Islam requires its adherents to respect other religions. Islam also expects that Islam will not be placed under attack or condemned. A Muslim upholds this right vigorously and also aids others if their rights are stripped in relation to their right to practise their religion. From wearing the *Hijab* to gender relations, these values are a sanctified right of a Muslim. The utmost *Jihad* for a Muslim exists in this Sanctified Right. Through the Guidance of Religion, a Muslims strives to excel as a human being.

**iii) The Right To Familial Cohesion**

Islam considers the family unit the foundation of the society. Islam not only encourages, but exhorts humanity to maintain family stability, and to protect families from being split, either via political conflicts, or social degradation. It is

for the sanctified right of family that Muslims have a highly driven compassion for refugees, for example. Divorce, whilst a right within Islamic Tradition, is a remedy for irreconcilable differences as a last resort. Arbitration under family law, is strongly advocated. Family involvement in victim as well as the one offending is highly encouraged. These methods have often proven to be successful alternatives to punitive means to resolve conflict. The *Jihad*, to struggle to maintain cohesion and stability in family, through balance, care, love and support, is not only foundational in Islam, but amongst the highest ranks bestowed upon women over and above men.

**iv) The Right To Knowledge**

Seeking knowledge is amongst the highest forms of human development within the Islamic Tradition. Islam considers education an equal right for all citizens. Islam also considers that the lack of knowledge as the fundamental reason for prejudice of the other, that breeds racism, fear and hatred. The *Jihad* in attaining knowledge is encapsulated in another derivative term, *Ijtihad*. It means to exert the utmost effort to comprehend, in order to understand God and bring about collective benefit from the knowledge gained.

**v) The Right To Material Possession**

Every human being has the right to earn livelihood and have access to ownership of material items, e.g., property, house, personal belongings, etc. The taking away of property and livelihood is considered to be a gross violation of human rights, and is equated to tyranny and oppression. Whilst Islamic Tradition gives rights to individuals to rightfully own material items, it is from this sanctified right that Islam ordains charity, in order to allow the less fortunate the same or equitable ability. Charity is *Jihad* against oneself, to strive to be selfless; to have consideration for the human family.

It is in this aspect of Sanctified Right, as well as in the Right to one's Religion, that conditional permissibility for the physical form of *Jihad*, to use force is given. This form of *Jihad* must fulfil specific conditions, the fundamental being that it cannot be exercised by a person by taking the law in his or her own hands. It requires a legitimate authority to use force, when all else fails. It considers the

fact that people may be forcibly removed from their homes and their property damaged or stolen, forced to separate from their families as a result and where their right to practise their religion without coercion have been removed.

These five fundamental rights formulate a diverse range of means to uphold them. From legal differences to limitations of personal abilities, they all affect how these fundamental rights are protected and maintained for the collective benefit of the society it exists in.

As Service Providers, the striving to maintain these Rights is a fundamental responsibility, inherent in the nature of the services, e.g., social services, police, education, health and welfare.

### **3. The *Jihad* of Ethics**

Despite the diversity on how any culture or system chooses to maintain such personal rights, there is a universally common thread that unites the end results we all seek.

That universal thread is the conscious and sincere acceptance of the **value of Ethics**. This is the struggle, the striving for that is often observed as a sense of frustration amongst the Muslim youth. Islam as an education system, consciously combines conscience as human trait that strives for justice, equality, liberty, harmony and the like. Unfortunately, sometimes the striving, the *Jihad* for universal good, turns to frustration where a minority would take things in their own hands despite its condemnation in the very value system they aspire for such noble goals for collective good.

It is a common misconception, that the law is above ethics. This is untrue. Law IS ethics. Without ethics, law becomes oppressive and selective. The intent of law is not to be punitive, but to nurture a flourishing society. This is the *Jihad*, the ongoing struggle we all have, to maintain ethics. Our source of information must be accurate, and not based on propaganda or biased agenda. Our service to the community must be equal and not selective. Our relationships in a diverse society must transcend tolerance and embrace acceptance.

#### 4. The *Jihad* of Leadership

The key failure in the positive forms of striving for collective good at societal level, is poor leadership. Leadership is influenced and affected in many ways, such as:

- family member as role model
- teacher and mentor
- community stability
- credible information
- social equity
- just governance

Deficiencies in any one or more of these crucial parts of one's life can cause failure in leadership. A lack of credible leadership leads to dysfunctional societies at the bottom end of the spectrum of societal anarchy.

Consider the period of Australia that accepted the White Australia Policy. If status quo, based on selective information, was maintained, Australia would have been a very different place today.<sup>1</sup> On the surface, ingredients such as majority acceptance, relative peace and progress deemed it acceptable to have had such policies. Yet it took a few people with ethics, and those with responsibility for governance to show leadership, to turn the draconian policy around. Such ethical leadership brought true prosperity and liberty to Australia.

The *Jihad*, to strive with a conscience for ethics with leadership, is the key to maintaining harmony, diversity and prosperity. Without ethics in leadership, Australia's fabric of peaceful diversity will weaken at its seams, giving way to much more complex forms of anarchy than just being dysfunctional as a society.

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<sup>1</sup> Father Frank Brennan; *Punished not Protected (A documentary about Mandatory Detention)*

## 5. The *Jihad* of the Service Provider

There is a seed of a dysfunctional society being given ground to germinate in Australia.<sup>2</sup> At the core of this is the Muslim Australian community. It has for decades, contributed in the most positive of ways to the overall society. However, with misinformation, social inequity and frequent knee-jerk governance, an undeserved claim that the Muslim community is the source of such a seed, is being levelled.

This is untrue.

The claim against the Belief system of the Muslim Australian is untrue.

The claim against the Muslim Australian of prospective violence is untrue.

The claim against the Muslim Australian of incompatible values is untrue.

In total contrast, the very *Jihad* of the Service Provider in a diverse range of needs, is equally the same as that of the Muslim:

- Striving, the *Jihad* of parents as nurturer of their off-springs<sup>3</sup> [31:14-15]
- Striving, the *Jihad* of collective benefit of society, including refugees<sup>4</sup> [8:72]
- Striving, the *Jihad* against selfish desires<sup>5</sup> [9:24]
- Striving, the *Jihad* to learn and spread beneficial knowledge<sup>6</sup> [9:122]

These are not novel ideas, but exactly what you and I expect in our daily lives as part of good governance of any nation. Australia, our lucky country, has these Departments of *Jihad*- the government Department of Social Security, Department of Family and Department of Education. Most of you, as service Providers, are part of such Departments, seeking to nurture collective benefit.

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<sup>2</sup> Julian Burnside QC, *ibid.*

<sup>3</sup> Qur'an [31:14-15]

<sup>4</sup> Qur'an [8:72]

<sup>5</sup> Qur'an [9:24]

<sup>6</sup> Qur'an [9:122]

Our aspiration for a better society is indeed the same. It is the same, because we as human beings all have the intrinsic nature to undertake *Jihad*... to make utmost effort towards collective benefit. *Jihad* IS ethics. It is about making sure that our services and interaction are undertaken ethically, that no one person is discriminated or treated unequally in our endeavours to serve people.

We all want to strive for a better life.... A better society.... A better self. This instinct to strive for the better is in all of us. It is intrinsically human, to aim for such goals of a higher and selfless betterment. It is that struggle in all humans- for liberty, justice, prosperity and sustainable peace, which are the utmost *Jihad* referred to in Islam. Islam recognises that individuals make a society, but a corrupt society destroys individuals. We all have a safety valve in ourselves to ethically and consciously strive to protect humanity from the corrupt few that walk this sanctified earth. We must make Jihad to find the root causes of the ills and dangers of the modern phenomenon.

It is in all of us as human family, regardless of race, religion or gender, the safety valve of *Jihad* to get it right, by eliminating root causes of injustices, oppression and inequality, in order for collective benefit to be realised. Australia has such foundations, and we must strive ethically, without prejudice, to safeguard our sanctified rights.