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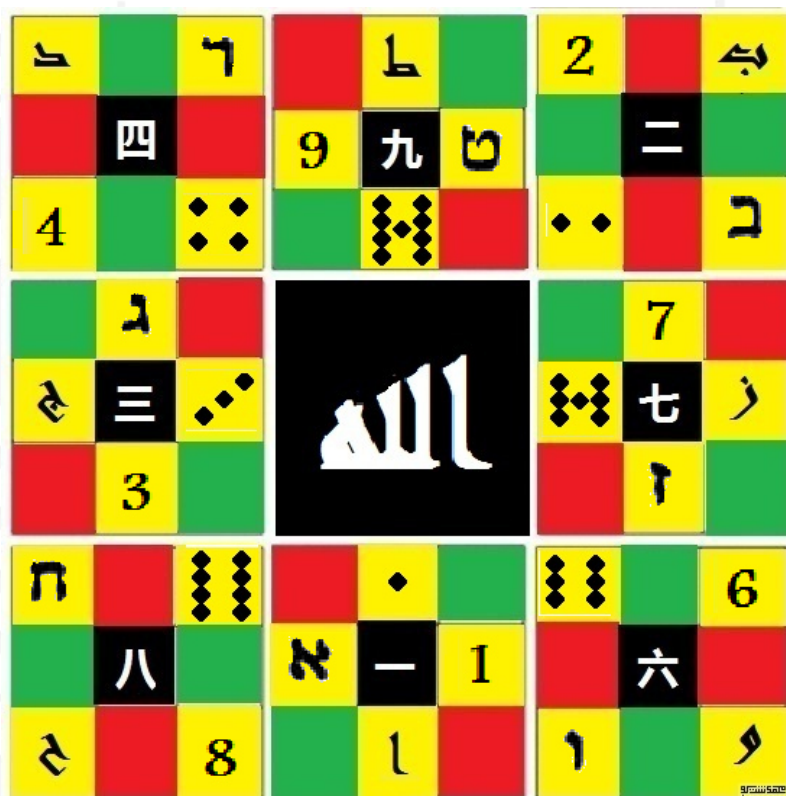


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THE DECISIVE SOLUTION



A Research Paper

Institute of Islamic-African Studies International

Submitted by:

***Shaykh* Muhammad Shareef bin Farid**

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This study is dedicated to...

***Al-Hajj* Malik El Shabazz**

...and his political disciple, my teacher and mentor

Dr. Yusef N. Kly

may Allah ta'ala be content with them and extend their *baraka* to the End of times

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Contents

1. Introduction
2. Resistance or Accommodation?
3. The Voice of Constructive Engagement
4. The Voice of Dissent and Resistance
5. Schizophrenia and the Lack of Historical Consciousness
6. The Political Status of Immigrant Muslims as Viewed Through the U.S. Constitution
7. The Political Status of Immigrant Muslims as Viewed Through the *Shari`a*
8. The Political Status of Immigrant Muslims and Muslim National Minorities Under International Law
9. The Legal Authority of the Living *Sunna* and Its Transformative Power
10. The Obligation to Command the Good and Forbid Evil
11. The *Sahifa* of Medina: the First Human Rights Resolution
12. International Law Concept of the Collective Rights of Minorities
 - a) U.S. View of Collective Rights During the Period of Slavery
US Constitution: A Slave Document?
 - b) U.S. View of Collective Rights During the Civil War & Reconstruction Period
 - c) U.S. View of Collective Rights During the Apartheid /Jim Crow Period
13. U.S. View of Collective Rights During the 20th Century
 - a) Martin and Malcolm in the Shadow of the Brown vs. Board of Education Decision
 - b) The Lion Cubs of Malcolm X
 - c) COINTELPRO and the Destruction of the New Left
 - d) The 'Revolution' to End All Revolutions
 - e) United States' Policy to Keep the African and the African American Divided
 - f) Ritual Sacrifice: L.A. Street Gangs and the Lucrative Prison Industry
 - g) Iran/Contra and the 'War on Drugs'
 - h) CIA's Muslim Assets & the Redirect of African American Muslim Leadership
 - i) Inside/Outside the California Department of Corrections
 - j) Indigenous American Muslim Confederations
14. The Terrorist Attack of 9-11 and Its Impact on the African America/Muslim National Minority
15. Conclusion

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THE DECISIVE SOLUTION

"An Assessment of the Government of the United States' Historical Violations of the Human Rights of the African American Muslim National Minority and the Subsequent Requirement for Their Internationally Recognized Right of Self Determination"

by

***Shaykh* Muhammad Shareef bin Farid**

Composed for:

the United Nations Human Rights Commission, the International Human Rights Association for American Minorities (IHRAAM), the *Majlis 's-Shura* of the Muslim Alliance of North America (MANA) & all Representatives of the Indigenous American Muslim Communities

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اللَّهُ الرَّحْمَنُ الرَّحِيمُ صَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ وَسَلَّمَ تَسْلِيمًا

“Whenever you are in a civil-rights struggle, whether you know it or not, you are confining yourself to the jurisdiction of Uncle Sam. No one from the outside world can speak out in your behalf as long as your struggle is a civil-rights struggle. Civil rights come within the domestic affairs of this country. All of our African brothers and our Asian brothers and our Latin-American brothers cannot open their mouths and interfere in the domestic affairs of the United States. And as long as it's civil rights, this comes under the jurisdiction of Uncle Sam. But the United Nations has what's known as the charter of human rights, it has a committee that deals in human rights. You may wonder why all of the atrocities that have been committed in Africa and in Hungary and in Asia and in Latin America are brought before the UN, and the Negro problem is never brought before the UN. This is part of the conspiracy....And you spend so much time barking up the civil-rights tree, you don't even know there's a human-rights tree on the same floor. When you expand the civil-rights struggle to the level of human rights, you can then take the case of the black man in this country before the nations in the UN. You can take it before the General Assembly. You can take Uncle Sam before a world court. But the only level you can do it on is the level of human rights. Civil rights keep you under his restrictions, under his jurisdiction. Civil rights keep you in his pocket. Civil rights means you're asking Uncle Sam to treat you right. Human rights are something you were born with. Human rights are your God given rights. Human rights are the rights that are recognized by all nations of this earth. And any time any one violates your human rights, you can take them to the world court....Expand the civil-rights struggle to the level of human rights, take it into the United Nations, where our African brothers can throw their weight on our side, where our Asian brothers can throw their weight on our side, where our Latin-American brothers can throw their weight on our side, and where 800 million Chinamen are sitting there waiting to throw their weight on our side.” Malcolm X¹

1. Introduction

The increasing frequency of newspaper headlines denoting minority/majority conflicts within nation-states as threats to international peace, national development, and healthy relations among nations, is a convincing sign that the problems of national minorities in small and large states demand urgent attention. Many of these conflicts were initially instigated by European nations and the United States in their race to colonize the people of the non-European world.² While many European nations and the United States were involved in the colonization of Asia, Africa, Central and South America; in addition, the United States, through the systematic use of racism and discrimination, created an almost impenetrable form of domestic colonialism based primarily on racial, rather than geographical boundary lines. The decades of the 1940s through the 1960s saw the successful overthrow of direct colonialism in Africa and Asia by charismatic liberation armies and movements. Nevertheless, after ‘independence’ the former colonialist of Europe and the United States developed a new type of colonialism in the Third World - called ‘the take away’.³ This entailed the denuding and theft of billions of dollars of Africa and Asia's natural resources, making Europe and America rich and the poor South even more destitute. Putting aside, for now, the horrors of the United States imperialism in the Pacific and the Caribbean islands; the domestic colonialism and internal imperialism practiced was more incipient than any form of oppression because it had successfully stripped its victims of their volition and the very ‘will’ for freedom. Far worse is when the victim helps in their own colonization, as it is for the African American national minorities, whose intelligentsia has been mobilized

¹ Al-Hajj Malik El Shabazz, *“The Ballot or the Bullets”*, public speech at the Cory Methodist Church, Cleveland, Ohio, April 3, 1964.

² Johanna Popjanevski, *Minorities and the State in the South Caucasus: Assessing the Protection of National Minorities in Georgia and Azerbaijan*, *Silk Road Paper*, (Central Asia-Caucasus Institute Silk Road Studies Program, Uppsala Sweden), 2006, pp. 14-17.

³ Shaykh Abdalqadir as-Sufi, *Letter to An African Muslim*, (Diwan Press, London), 1981, pp. 22-25.

against them.⁴ The consequences of this form of oppression persist presently. This system of neo-slavery whose method gives the illusion of freedom and liberty deserves our admiration, if nothing else.

The chronic shootings of young African American men by police and by others ‘daring to hold their grown’ in the United States, along with the endemic nationwide racial profiling recently admitted by the United States Attorney General, is proof that behind the veneer of United States’ freedom, exist the obnoxious reality of racism. The riots in Ferguson, Missouri, Oakland California and the mass demonstrations presently taking place in US major cities is proof that there exist major problems with the United States’ chief national minority. Even President Obama, had to publically acknowledged that racism is still a major dilemma facing the nation’s African, Hispanic and First Nation national minorities.⁵ In addition to racial discrimination in the U.S., those African American national minorities who happen to be Muslim have had to also endure increased religious discrimination and interdiction as a result of the ‘war on terror’.⁶

Therefore in this paper, I will not be discussing the problems of all national minorities in the US, but the African American national minority in general and the African American Muslim national minority in particular. However, the principles underlying this study can be applied to any of the U.S.’s linguistic, ethnic, religious and cultural national minorities, such as the Hispanic and First Nations.⁷ In fact, the present review of this study was invigorated and informed by the political step of the Lakota Nation in 2007 to become an independent sovereign state. This was contiguous with similar actions taken by significant numbers of African American Muslim to confederate as an internationally recognized national minority and to seek some form of minority protection from the United Nations.⁸

The 2008 premeditated assassination of our friend and leader, *Imam* Luqman Amin Abdullah, (*rahimahu Allah*) of *Masjid’l-Haqq* in Dearborn, Michigan by the FBI, is a clear indication that the United States government is intent on its historical policy of utilizing the state in keeping its chief national minorities permanently under the paralyzing grip of domestic colonization. The pervasive unconstitutional surveillance and unlawful religious profiling by the NYPD of *masjids*, Muslim organizations, businesses and

⁴ Carter G. Woodson, The Mis-Education of the Negro, (Khalifa Books, Drewryville, 2005).

⁵ When I utilize ‘First Nations’, I am appropriating the term as it is presently used in Canada to refer to those Indian nations that populated North America before the arrival of European settlers.

⁶ Many studies have been produced exploring the increased discrimination against Muslim national minorities throughout the United States, Europe, Asia and Africa as result of the September 11, 2001 attacks on the World Trade Center. The studies that I will be citing in this study will be the following: Choice and Prejudice: Discrimination Against Muslims in Europe, Amnesty International. (Amnesty International Ltd., London, 2012); Integration and Isolation: A Comparative Study of Immigrant Muslims in the United States and the United Kingdom, Farhan A. Syed, unpublished master thesis, the Lauder Institute, University of Pennsylvania, (April, 2006), Federal Civil Rights Engagement With Arab and Muslim American Communities, U.S. Commission on Civil Rights, (Washington D.C. 2014), Legislating Fear, Council on American-Islamic Relations, (CAIR, Washington D.C. 2013), Muslims in the European Union: Discrimination and Islamophobia, European Monitoring Centre on Racism and Xenophobia, (EUMC, Geneva, 2006), and World Directory of Human Rights Research and Training Institutions, UNESCO Social and Human Sciences Documentation Centre in cooperation with the Division of Human Rights, (Paris, 2003). When examining United States statistics I will be utilizing the precise data presented by my comrade, a founding member of MANA, Dr. Ihsan Bagby in several of his seminal studies of mosques and Muslim communities in the United States.

⁷ The principles studied in this work could apply to wherever there are linguistic, cultural, religious and ethnic national minorities in unitary states.

⁸ UN Commission on Human Rights, 58th Session, 19 March – 26 April 2002 Geneva Agenda Item (B): Minorities Intervention by Barrister Majid Traboo, IHRAAM’s Permanent Representative to the U.N. See Appendix B for a complete copy of this legal request by at least three African American Muslim organizations to the United Nations. It was within weeks of making this presentation to the commission that the SIIASI and the *Jama’at* of *Shehu* Uthman ibn Fuduye’ came under intense scrutiny, increased intrusive surveillance and blatant harassment from the FBI and the fascist Homeland Security.

individuals in the New York area is a shallow facsimile of the COINTELPRO tactics that the US Senate declared illegal in 1976. The systemic criminalization and defamation of the African American Muslim national minority leadership, the historic false arrests and or killings, exemplified in the cases of *Imam Jamil al-Amin* and *Imam Luqman Abdallah*, demands that the African American Muslim national minorities must develop a decisive solution to resolve, once and for all, the problem of domestic colonization in the United States. This *decisive solution* must be grounded within the Sacred Law of Islam (*shari`a*), reflect the fundamental character and values which inform the United States Constitution and finally, be consistent with international law on the rights to be accorded national minorities in nation states; in order to resolve once and for all the problem of domestic colonization in the United States - and in doing so, a precedence can be formed by which national minorities in other states can utilize to gain their rights and freedoms.

The major issue that has occupied the nations of the world on the international level has been the question of the rights and liberties of national minorities. In fact, we can justifiably say that most of the laws and resolutions passed in the United Nations during the past thirty years have been those concerned with those important issues revolving around the rights of national minorities.⁹ The rights that a nation state affords to its national minorities can measure its status on the scale of civilization. Thus, a nation state's status as an oppressive nation is determined by the repression of its national minorities and by its unwillingness to ratify those resolutions and laws guaranteed to protect the internationally recognized rights of these national minorities. In fact, the entire premise of today's 'humanitarian intervention' and 'the responsibility to protect', used by the United States and NATO to violate the sovereignty of nations they deem 'autocratic' and institute regime change, was constructed on the idea of protecting ethnic, cultural, religious and linguistic national minorities.

Be this as it may, there have still been many examples where the ratification of international resolutions addressing the rights of national minorities have proved extremely successful and have created the legal precedence where other less successful ethnic, linguistic and religious minorities can take refuge for their rights for self determination. I speak here of the First Nations (Native American Nations) of Canada, the French speaking national minorities of the same country, the French, Italian and German national minorities of Switzerland, as well as the emergence of many independent states in eastern Europe who were previously colonized national minorities under the former Soviet Union, and finally, the numerous semi-autonomous regions (many of whom are Muslim) in the People's Republic of China. In the U.S. there is the Indigenous Nation of the Lakota Republic who in 2007 due to the United States' violation of centuries old treaties the Indigenous Nation of the Lakota Republic, formally and unilaterally withdrew from all

⁹ Among the most important United Nations' resolutions addressing the rights of national minorities have been: the *OSCE 1975 Helsinki Final Act*; the 1992 *European Charter for Regional or Minority Languages*; the 1992 *UN Declaration on the Rights of Persons Belonging to National Minorities*; the *Framework Convention for the Protection of National Minorities* adopted 1998; and Article 27 on the *Covenant on Civil and Political Rights*. There have been many others, however, these, and particularly Article 27 are the most important UN resolutions addressing the rights to be accorded ethnic, religious, linguistic and cultural national minorities.

agreements and treaties imposed by the United States Government on the Lakota People. In their own words they declared:

"Lakota and the population therein, have waited for at least 155 years for the United States of America to adhere to the provisions of the above referenced treaties. The continuing violations of these treaties' terms have resulted in the near annihilation of our people physically, spiritually, and culturally. Lakota rejects United States Termination by Appropriation policy from 1871 to the present. In addition, the evidence of gross violations of the above referenced treaties is listed herein. Lakota encourages the United States of America, through its Government, to enter into dialogue with Lakota regarding the boundaries, the land and the resources therein."¹⁰

Imam Jamil al-Amin, had for years negotiated treaties with the Lakota Nation, as had the Republic of New Afrika. The history of the Lakota Nation and their long struggle for self determination deserves its own research. As I mentioned briefly, this paper will examine the larger implications of international resolutions upon America's chief national minority, the African American. However, our main concentration will be the African American Muslim national minority¹¹. When I speak of this segment of people as members of the larger African American national minority, I will utilize the term African American/Muslim, with emphasis on the /. The reason for this focused study is because the African American/Muslim national minority constitutes the persistence of an on-going exclusive ethnic, linguistic and religious civilization that existed prior to their enslavement and domestic colonization and persists today as a unique, homogeneous national minority distinct from the Anglo national majority. Their internationally recognize rights for self determination are valid even if there were no conflicts between them and the dominant majority, simply because they have the right to be different, to maintain their cultural, religious, linguistic and ethnic distinction and uniqueness from the dominant Anglo Americans. However, the history of the African American Muslim national minority in the United States has been a volatile one, having to survive and persist under hostile and adverse circumstances. One could argue that the US constitution guarantees the protection of its national minorities under the Bill of Rights and there is no need to resort to international bodies or international law to resolve problems which US domestic law has been designed to address. The fact is that prior to the 1787-9 ratification of the US Constitution and thereafter to the present, there have been protracted conflicts between the Anglo American dominant majority and all of its national minorities. In each case, the Anglo American majority would suspend the constitution or simply violate it, indicating that the constitution was never a law for them. It has always been a law for the 'other' to assimilate them under Anglo domination. Racism against the Hispanic nations under the guise of immigration control; land

¹⁰ The Lakota Nation are endeavoring to get sympathetic nations of the developed and developing world to officially recognize their just demand on the floor of the United Nations. They are also requesting nations to allow them to open embassies and diplomatic missions in their countries. My own conversations with Venezuelan officials stationed in Africa indicate that since Venezuela (where now the indigenous people who constitute a majority, and who thanks to the late Commandant Hugo Chavez are back in control) has a standing vote on the UN Security Council, they would definitely be in favor of presenting the question of their distant sister nation, the Lakota on the floor at Security Council meetings and the possibility of opening diplomatic relations, thanks to the present political trajectories of the country. Please contact the Republic of Lakota at (605) 867-1111 or info@republicoflakotah.com

¹¹ I define the "African American Muslim" as the descendents of the 5-6 million enslaved African Muslims who were kidnapped from diverse regions in western Africa and brought to the United States for the purpose of chattel slavery. The origin of these diverse groups of African Muslims varied. Some were Kanuri, Hausa, Mande', Jallonke', Walof, but a great deal were members of the most cohesive African Muslim ethnicity responsible for the spread of Islam in the African continent – the *Fulbe Turudbe'*, an ethnicity that has permanently imprinted itself in the internationally recognized Gullah Geechie Nation. The African American Muslims today are descendents of these diverse groups, thus constituting the persistence of an ethnic, religious and even linguistic group that would fall under the definition of 'a national minority'.

grabbing of indigenous Nations lands under the cover of national development; and the criminalization of the African American people behind the walls of the penal system – are all indicators that a prolonged social and political crisis has festered underneath the bandage that is the U.S. constitution. It is time to remove the bandage and allow the wound to heal under the open space of international opinion. Since 1776 to the present U.S. internal domestic laws and the courts have not worked to resolve the questions of its national minorities. Thus, it is time for these cases to be brought before the international community of nations.

Although the United Nations have given a working definition of what a national minority is, for my purpose, I have taken the definition proposed by Max van der Stoel in 1995 when he said: “It is a group with an identity of its own which clearly distinguishes it from that of a majority and in addition it has the clear wish to maintain or even to strengthen that identity.”¹² Today, this definition clearly applies to the fastest growing Muslim population in the world – the African American Muslim national minority.

This particular segment of the African American national minority took their origins from societies and kingdoms in West Africa (the western and central *Bilad as-Sudan*) which were highly developed civilizations whose trajectories of governmental and social development were equal if not better than those of Europe during the 12th to 16th centuries. The distinction of the African American Muslim national minority from the larger African American communities is Islam. However the challenges, rights and solutions that can be applied to the latter are also applicable to the former. Thus, any discussion of the problems of the larger national minority applies to the lesser and vice versa. The fact is that every African American family has a grandchild, child, niece, nephew, uncle or aunt who is Muslim and their demographics are increasing. Politically, economically, and socially the African American national minority and their Muslim members are the same. What joins them and distinguishes them from others is their ethnicity and race; and indeed it is due to their race and ethnicity that they have had to endure slavery, apartheid and domestic colonization. As *al-Hajj* Malik El Shabazz often stated that the dominant Anglo majority do not hate African Americans because they are Muslim, Episcopalian, Baptist or Mason. They hate the chief national minority because they are Black. Therefore the political, economic and social future of the African American who adheres to African traditional religions, the Muslim, the Christian, the socialist, the atheist, the Mason are all inseparable. Thus, they are obligated to organize themselves on that basis as a homogenous national minority and this community should demand international as well as national recognition. However, I argue that anthropologically the African American Christian who has adopted Anglo American culture, values, religion, family names, mores and customs; and is only distinguished from the Anglo American by color; he/she has an additional challenge. At what point does the struggle for freedom end for him? It is difficult for such a person to argue convincingly to the international community

¹² Max van der Stoel, “Minorities, Human Rights and the International Community”, unpublished paper from a public address, Strausberg, July 7, 1995, p. 1. I only chose Stoel’s definition because of its terseness. Other more precise definitions of a *national minority* have been given in United Nations authorized studies, such as: UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, GA Res. 47/135, 18 Dec. 1992. [Hereinafter the UN Declaration on Minorities]; and Daniel Smihula, “Definition of National Minorities in International Law”, Journal of US – China Public Administration, Vol. 6. No. 5, (U.S.A, October, 2009), pp. 45-51..

that he desires self determination when he has chosen of his own free will to assimilate and become a Black Anglo American. I argue that the African American Christian should join or be connected with the Ethiopian Coptic Church which was among the first kingdoms to embrace Jesus the son of Mary when he walked the earth. I argue that the African American Jew should be connected with the ancient *Bayt'l-Isra'il*, the Ethiopian remnant of the ancient *Banu* of Isra'il, true descendents of Abraham, Isaaq, Joseph, Benjamin, Musa, David and Solomon through their queen Makeda (or Bilqis in Arabic). I contend that the African American traditionalist (if they are to be taken seriously) should revitalize the ancient ways of the ancestors, reconnect them back to Kemit and began to exhibit the kind of high civilization, art, industry, technology, engineering and architecture which our African ancestors laid out along the banks of the Nile rivers, in Jenne-Jeno, the Akan, the Yoruba, the Dogon, the Benin and all those Mossi and Bambara traditions along the banks of the Niger.¹³ I maintain that African American Muslims should stand firm upon their 14 century old traditions which go back to the days when our beloved Prophet, upon him be peace and his poor followers were under siege, imprisonment and torture in Mecca. It was Abyssinia which stretched out her hand and took in God's refugees. Prophet Muhammad, upon him be peace openly acknowledged in writing the Divine Right of sovereignty and persistence of the African kingdom as an eternal place of refuge for the People of Allah. From that time until the Europeans (who were recent converts to Judaism and Christianity) sailed their ships to the shores of Africa for slaves - African Islamic civilization persisted, developed, networked and spread from Takrur, the Futas, Djia, Massina, Mali, Songhay, the 14 states of Hausaland, Kanem-Bornu, Barghima, Wodai, Dar Fur, the Funj, Harar, Mogadishu and the horn of Africa, Kilwa, Darussalam and Bantu Muslim kingdoms along the long Swahili coast. Even the horrible Middle Passage did nothing to stop the continuity of Islam among its enslaved African adherents. In Brazil, Cuba, Trinidad, Barbados, Jamaica, Panama, Suriname, Belize and every region of the thirteen British colonies persisted enslaved and free African adherents to the religion of Islam who participated in the development of western civilization. The unified and cohesive calligraphy style of enslaved African Muslims that I myself have examined throughout the Americas indicate the persistence of a sustained protectable custom and give anthropological evidence that at least a cultural genocide took place. These three surviving African nations have all the prerequisites of a genuine American national minority. The African American Muslim national minority recognizes its unity with the larger African American people, but they also acknowledge and preserve their social, cultural, religious and spiritual connections to African Islamic civilization; a high homogenous civilization that thrived and stretched from the Red Sea to the Atlantic. The demise of these high African Islamic civilizations was the exact result of European imperialism. And the fact that their

¹³ The problem that adherents to African traditional faiths encounter is the degeneration these traditions experienced over the more than three millennia of decline. Cheikh Anta Diop informs us in his axiomatic fashion that by the 16th century "African religions, more or less forgotten, were in the process of atrophying and being emptied of their spiritual content, their former deep metaphysics. The jumble of empty forms they had left behind could not compete with Islam on the moral and rational level. And it was on that latter level of rationality that the victory of Islam was most striking." Since the turn of the 18th century European imperialist expansion and the mandatory adoption of colonialist languages, customs and religion; African vitalist traditions have been in a comatose state unable to keep pace with the rationalism of the industrial age. The Afrocentrist can fill in the vacuum with new adoptions and takes on these ancient traditions, but like Karenga's *kwanza* and Dwight York's *naubawian*, it will amount to nothing more than substituting realities with cultural inventions nice sounding African names.

descendents among the African American Muslim national minorities in the western hemisphere are the fastest growing Muslim population in the world; is a clear indication of the persistence and vitality of this unique civilization.

It is my estimation that a focused study on the historical human rights violations of this segment of the United States national minorities will also have impact upon all segments of the American national minorities, if not the world's. Indeed, all Muslim minorities, and other ethnic, linguistic and or religious national minorities in the country, such as the First Nation (Native Americans), the Spanish speaking people, can also be subsumed under this study as well; particularly the Puerto Rican whose people are the oldest US foreign colony and occupied territory to date.

From 1511 until 1807 the dominant culture which later crystallized into what we know today as the United States of America brought into its borders more than 6 million African Muslims. These enslaved African Muslims, as the research will demonstrate, were members of the most spiritually evolved, intellectually vibrant and socially advanced communities in Africa at that time. They were brought into continental America and stripped of every vestige of their humanity and made into chattel slaves for the dominant Anglo American majority. Technically this can be defined as a form of genocide because when the essential element which distinguishes a group of people or nation is taken and deprived from them in order to subjugate them, then it eventually leads to the gradual eradication of that people on many levels.¹⁴ This paper will, Allah willing, look at this genocide from the perspective of Islamic law, international law and through the perspective of the ideas of African American freedom fighters whose ideas have persisted throughout the long struggle against slavery and domestic colonization for the past 4 centuries. My objective is to demonstrate that the African American Muslims in this country constitute a traditionally oppressed national minority within the United States, who have actively participated in the development of this country at its earliest formative period and have continued to contribute to the fundamental ideas that lay at the core of American values.

In fact, the struggle for freedom of the African American/Muslim national minorities predate that of the struggle of the Anglo American majority, and in fact was the key factor which informed the latter's concept of freedom, and liberty. However, the African American Muslim struggle for freedom and liberty has always been depicted as 'rebellion, insurgence, insurrection, and in some cases as a psychological sickness'; while the Anglo American struggle for freedom from its English overlords has been consistently depicted as the fundamental normative example of a people's quest for independence.¹⁵

¹⁴ Andreas Henriksson, "The Interpretation of the Genocide Convention's Protected Groups Definition", master thesis, Faculty of Law, University of Lund, Autumn, 2003, p.11.

¹⁵ In 1851 Dr. Cartwright described this psychological malady as '*drapetomania*', which caused enslaved Africans to 'run away', abscond and escape the slave plantation; see "Diseases and Peculiarities of the Negro Race", *De Bow's Review*, Vol. XI, (New Orleans, 1851; AMS Press, Inc. New York, 1967. I often wonder if scientists have defined a sickness which induces human beings to enslave a fellow being and then develop convoluted counterfeit terms to stigmatize his subsequent desire for freedom.

This paper will, Allah willing, demonstrate that the African American Muslim national minority have the moral right to demand some form of self-determination (whether internal, domestic or autonomous and complete), remuneration, restitution and some form of special measures as defined and universally accepted at the United Nations Organization. This demand is consistent with the demands of the *shari`a*, it falls squarely within the principles of international law, and mirror the core values that allegedly underpin the constitutional theories of the United States. And no amount of 9-11s with all the horrors they may entail, should pre-empt this historic national minority from attempting to realize these just rights. In fact, the achievement of the rights of Self Determination by the African American Muslim national minority in the United States will establish a legal precedence for the mobilization of those key barriers which will pre-empt another 9-11 from occurring. It constitutes an internal form of self determination which strengthens rather than weakens the state. More importantly it represents the most forward looking social principles as acknowledged in international law. A SOCIAL CONTRACT which by its nature demands an immediate armistice between the U.S. and all belligerent Muslim forces; be they Muslim nation states or assymetrical Muslim *muharibi* factions.

Thus, the focal point of this paper is:

"THE UNITED STATES HAS LAGGED BEHIND THE WORLD IN ITS TREATMENT OF ITS NATIONAL MINORITIES, PARTICULAR THE AFRICAN AMERICAN MUSLIM NATIONAL MINORITY, DUE TO THE UNITED STATES REFUSAL TO RATIFY MAJOR HUMAN RIGHTS RESOLUTIONS PASSED IN THE UNITED NATIONS"

I chose this method of research because it allows me to examine the events and history of minority rights resolutions passed in the United Nations by the nations of the world and compare that to the United States record of compliance or resistance to said resolutions. The source of this research method goes back primarily to the fundamental approach to the rights of national minorities as conceived in the interviews, lectures and writings of my mentor, the late Dr. Yusef Naim Kly (*rahmatullahi `alayhi*), the founding director of IHRAAM (International Human Rights Association of American Minorities), and former head of the Canadian Chapter of the OAAU.¹⁶ His consistent call for African Americans and other US national minorities to utilize the conduit of international law places the struggle for freedom firmly within the confines of what has been internationally accepted as the standard and acceptable approach within the world community of nations.

In addition, the rewriting of this research must also be accredited to the seminal and primary work put forward by my friend and colleague, Dr. Sherman Abd'l-Hakim Jackson in his: Islam and the Problem of Black Suffering. This excellent and exhaustive scholarly work has set a new standard and created a new

¹⁶ IHRAAM (the International Human Rights Association of American Minorities – www.ihraam.org) is the only United Nations NGO which represents the collective rights of American national minorities and has consultative status at the United Nations and the World Court. The OAAU (the Organization of African American Unity) was the first internationally recognized organization founded by al-Hajj Malik El Shabazz (Malcolm X) in 1964, established to introduce the problems of African Americans in the United States to the United Nations, and the World Court.

paradigm shift in the philosophy of resistance and struggle for self determination among the African American Muslim national minority. Although, this author, may disagree with some of the key points and intimation of the Jackson's work, yet, I believe, it is a text which should be studied scientifically, and critically, if the African American Muslim leadership hopes to reorient their struggle for liberty under the protective umbrella of the sacred law of Islam. One of the central ideas I perceived in Dr. Jackson's work is the concept of the African American/Muslim national minority not being poor copies of the Islamic ethos of Saudi Arabia, Pakistan or Iran; but if they must be a copy of something, bad or good, let it be of their own African Islamic discourses which go back to the earliest days of Islam.

Another vital reference which informs this research is the unshakable research of Prof. Paul Finkelman, particular in his groundbreaking 1996 work: Slavery and the Founders: Race and Liberty in the Age of Jefferson.¹⁷ It calls into question the origin of the U.S. constitution and its inherent relationship with the institution of slavery; and how this document was not an end of itself, but the means to other ends – which was the preservation of the dominance of the Anglo American over all other ethnicities. This text more than any other explains the legal reasons behind the historical pattern of the dominant ethnic majority in the United States to suspend and violate United States constitutional standards, when they perceive that their domination is being threatened. This does not mean that I believe that the US Constitution is inherently an illegal document, as other scholars have maintained. What I do believe is that the US Constitution which is the 'fruit' of the American Revolution, is fallible, contradictory, and, like the 'revolution' which lead to it, is in need of completion and finalization.

I originally composed this study in 1991 after several Pacifica Radio interviews I conducted with Dr. Yusef N. Kly. I revised it again in 1996 while working as a Muslim Chaplain in the CDC (the California Department of Corrections) and having first hand knowledge of the continued cultural, political and corporeal genocide practiced behind the walls of the United States penal system against African American, Spanish speaking and First Nation national minorities. It was then entitled: "The United States and the African American Minority: a Study in the Persistent Violations of Human Rights". It was the SIIASI's declaration of war against the systemic injustices in the California Department of Corrections (CDC).

With the horrible events of 9-11 and the subsequent re-emergence of what the US Supreme Court declared in 1976 as unconstitutional and illegal practices of CO-INTELPRO, under the cover of 'Homeland Security', the 'Patriot Acts', 'Senate Resolution S-1959', the FISA and other rapidly developing unconstitutional, illegal and fascist laws designed to terrorize and permanently check the US's chief national

¹⁷ Paul Finkelman, Slavery and the Founders: Race and Liberty in the Age of Jefferson, 2nd ed. (2001)

minorities – and with the illegal arrest of *Imam* Jamil al-Amin, the continued FBI harassment of the *Jama`at* of *Shehu* Uthman ibn Fuduye` in the U.S. (which was the cause of my 2005 forced exile to the People's Republic of China); followed by the 2006 unwarranted and unexplained FBI raid of our Pittsburgh mosque, institution and archive; and finally with the premeditated FBI assassination of *Imam* Luqman Amin Abdallah in Dearborn, Michigan (*rahimahu Allah*) – mandated a re-examination of this study. In several states in the U.S., legislation has recently been passed to pre-empt any courts from resorting to any form of Islamic domestic law or even recognizing the precepts of international law when it comes to the demands of national minorities. In one case in Atlanta, Georgia, a Muslim woman was charged with contempt of court because she refused to remove her Islamic headscarf. This blatant violation of the internationally recognized rights of Muslim national minorities has been increasing in the U.S. and Europe with no end in sight. The Secretary of State, John Kerry, boldly stated last year that the United States is not obligated to be bound by any precepts of the United Nations; while at the same time the U.S. utilized international resolutions under the guise of 'responsibility to protect' and 'humanitarian intervention' to invade and overthrow Saddam Hussein, the Taliban in Afghanistan, the People's Jamhuriyya of Libya and many other Muslim states. It is now using the ISIS as an excuse to destabilize and overthrow the Syrian government, with Saudi Arabia, Qatar and other Arab vassal states in the region fronting the bill.

Additionally, what induced me to re-evaluate this study was a direct request made in the beginning of 2010 by several of the *Imams* of the African American Muslim communities that I compose a paper addressing the vital issue of human rights and self-determination from the perspective of the *shari`a*. Moreover, a general call was given in 2012 by IHRAAM for all leaders and organizations of the African American national minority to participate in an important meeting to be held on April 20-21, 2012 in Chicago, Ill entitled: "*From Civil Rights to Human Rights and Self Determination*"; designed 'to introduce African Americans to the full range of their human rights protection under international law'. This meeting, which I believe, was the most important summit for determining the future collective direction of the African American national minority was the most significant reason for reassessment this work. Finally what induced me to sit down and complete this study was the unremitting shootings of young African American men throughout the states of California, New York, Florida, Texas, Michigan and Missouri; and the riots and protests which are daily news throughout the US.¹⁸

¹⁸ In the Ferguson, Missouri case, it was the fact that the parents of Michael Brown decided to take their son's assassination by a white police to the United Nations, is what urged me to re-edit and finalize this study.

Just as the United States federal government and local state governments developed inhumane racist laws to justify squelching African American and First Nation (Native American) revolts and armed resistance, with the aim of keeping them as slaves and subjects, similarly, today, the United States is using the horrible event of 9-11 to introduce laws designed to permanently deny the African American/Muslim national minority of their internationally recognized right for self determination. It is clear, that the 'war on terror' is the cover underneath which the United States is now implementing its historical war against the African American/Muslim national minority. The 'war on terror' has also been the conduit by which the United States has enlisted other nation states to increase and intensify the violation of the human rights of Muslim national minorities within their borders. In fact, the present crises that exist in states where there are significant Muslim national minorities or even autonomous Muslim regions can be traced directly to the United States declared 'war on terror', either through logistical and or para-military involvement. The increased tensions between China and its Uyghur national minorities is an exact result of the U.S.'s long term strategy to: [1] create social crisis in China; [2] induce a domino effect where other sensitive autonomous regions in China will secede, especially the Special Administrative region of Hong Kong; [3] preempt China from achieving its energy needs by heightening tensions between them and oil producing nations of the Middle East; and [4] pull the P.R.C. into the western securities/military camp in the so-called 'war on terror'. The means through which this U.S. strategy can possibly be achieved is through China's national minorities and autonomous regions. Thus, the question of national minorities is the most compelling geo-political issue facing humanity.

In this study, the United States will be shown as resisting constructive efforts to ratify resolutions concerning national minorities because it fears it will have to implement those laws on behalf of its Native American, Spanish speaking, and more importantly, African American/Muslim national minorities. The research will emphasize the analysis of each resolution passed in the U.N. concerning the collective rights of minorities and examine how the United States voted on it. In doing this, the research will be done **quantitatively** utilizing the legal precedence as **indicators** to prove my hypothesis.

To state it another way - I believe on examination of each resolution passed in the U.N. by the progressive nations of the world concerning the collective rights of national minorities reveals that the United States has failed to keep pace with the most progressive ideals of the world by refusing to ratify the said laws and by not implementing them on behalf of its captive as well as conquered national minorities. This is so, in spite of the camouflage of 'equality' and 'freedom' that pervades the media regarding the United States. In fact, it has been apart of the United States historical strategy to utilize members of its

national minorities and to make them representative examples of social ‘progress’, in order to maintain its ‘image’ as a just and humane society. Incidentally, it has always been during times of extreme crisis in international relations and foreign policy that the United States chose to put a ‘minority’ face on its international representation. I believe it was this deceptive policy which induced the people of the dominant culture to vote in large numbers for Barrack Hussein Obama, and brought to the U.S. presidency the first ‘black’ president.¹⁹ Our research will attempt to unveil this cloak of political deception, and perhaps a more realistic picture can emerge about the conditions of the United States chief national minority. The U.S. already uses the African American as an example to other nations as to how to successfully colonize an internal nation and to exploit their dysfunctions for the advantage of the state. This model was imported into South Africa, where the American ‘negro revolution’ was grafted on to the noble struggle of the Azanian people, and the result was continued inequalities and the emergence of a ‘black diamonds’ bourgeoisie as a buffer between poor Black South Africans and the other ethnicities of the country. In the recent Summit of the Americas, Cuba’s Raoul Castro and Venezuela’s Mandura were forced to temper their criticism of the U.S. because the faces representing the U.S. were the black faces of President Obama and Secretary Rice.

The reason that the U.S. can exploit its relationship with its African American minorities to advance its interest around the world is because it remains a nominative model state emulated by a great part of the world community. Realizing that the United States is still considered a leading nation among the developed world, the precedence created by ratifying all necessary internationally accepted human rights resolutions in the country can be replicated in peripheral nations where majority/minority conflicts persists. Indeed, in those states, in which there is conflict between dominant cultures and their national minorities, the

¹⁹ I place black inside of ‘’ not to demean or deny Obama’s ‘blackness’ because in the United States once you are classified by the Anglo Americans as ‘black’ then you are black, whether you like it or not. It was the Anglo majority who coined the ‘one drop of Negro blood’ racial theory that Dr. Sterling Stuckey deconstructed so well in his Slave Culture. My reason for placing the word in quotation is that the world has been made to forget the fact that Obama’s mother was a white Anglo American. When examining her biography she does not strike me as a bad uncaring mother. In fact, she was just the opposite, so why has she been pushed to the back grown and forgotten; and why has Obama been portrayed to the world as having experienced what the African American national minority has experienced for more than four centuries? I would like to see Obama as he is, the mixed blood son of a Kenyan of pure Kikuyu roots and an Anglo American mother of middle class America. This is a softer and more realistic picture of the man we have come to address as Commander and Chief. And it explains why he has made the choices that he has made. By defining Obama as ‘the first African American president’ it gives the impression that the ghosts of slavery and white supremacy have been excised from the American psyche. It also gives the impression that Obama was one of those young black boys regularly stopped, frisked, jostled and manhandled by police. But our president grew up in the far east among Asians who are still under U.S. colonization. After the Spanish-American War the United States transformed their Asian subjects into user friendly ‘black people’ and extracted from them everything they wanted to but couldn’t from African Americans. Obama was raised in a place where the whole society is geared to make you speak, dance and act like a ‘real’ American’ – of course this is for the entertainment of the many US military bases that dot the islands of the Pacific. And the Hawaii of Obama was not Cedar Terrace, Compton or the Southside of Chicago where bullets regularly tore through walls killing its inhabitants. We have learned over the years under the presidency of Obama that just because you’re ‘black’ does not mean that you’ve shared the Black Experience. All the Obama years showed was that white Anglo American authority can rule the US with a black man just as effectively as it can under white rule. Everyone is quietly asking themselves how would the world have viewed the US if it had done under a white male president what it has been doing in the Obama years?...yeah – time to *pause*.

precedence created by the successful political advancements of the African American Muslim national minority in the United States, can be the legal paradigm for the normalization and resolution of these same ongoing and increasing national crises around the world. I believe, it is this, which the dominant culture of the United States fears most, and why they are willing to violate their own constitutional standards and values, in order to assure that their continued domination is not threatened.

Today, the private securities and weapons industry is the only viable wealth producing factor on the ground in the U.S. If it were not for Orion, Lockheed and Its revenues, which are astounding, depend upon the persistence of war: '*war on drugs*' (while being the main consumer and purveyor of illegal drugs); '*war on terror*' (while being the sponsor of state and non-state terrorist- through the global security and weapons industry). Consequently, a perpetual heightened sense of insecurity guarantees international sales of advanced weaponry to all sides. This dependency upon perpetual war for economic survival forestalls any consideration of resolving conflicts with principles devoid of militarization. Now, the ruling elite of foreign nations loyal to U.S. interest, have partnered with the securities industry in lucrative (and in some cases controlling) investment portfolios. These vassal states to the U.S. have now a vested (invested) interest in 'revolutions', 'springs' and 'struggles for liberation' igniting all over the Middle East, the Arab and Muslim world. The more 'just' the uprisings 'look', the better, since it will lead to more research, development, manufacturing and sales of smart technology and weaponry. The profits are simply dumbfounding.

Thus, the most forward thinking values of the U.S. constitution have been rescinded, yet again, to assure Anglo American domination over all its linguistic, ethnic, and religious national minorities. This national phobia has morphed into a horror and dread of their own children, who are too often and for unexplained reasons turning these same weapons on themselves and their parents. These days the entire world openly acknowledges the demise of the 'American dream' and the persistence of an American nightmare due to the predominance of the weapons industry and its insatiable need for war. Every single conflict on the planet today can be directly traced to the United States private weapons and security industry. The House of Representative, the House of Senate, the Supreme Court and every single U.S. executive government since Eisenhower have been vassals to this industry. Since the United States infrastructure is deeply tied to this industry it could not survive more than a decade or more without global insecurity, conflict and war. A long period of global peace and security is not in the best interest of the United States and will lead to its early demise.

It is time for the African American/Muslim to wake up from this nightmare and complete the journey to freedom and independence which gave birth to the most progressive values and principles which inform the real American Dream. The African American/Muslim national minority played and still plays an integral role in the advancement of the American concepts of freedom, justice and fair play. African Muslims organized and led the liberation of enslaved Africans for two centuries before the honorable Thomas Paine

made his inspiring appeal to the Thirteen Colonies and his dire warning to the British monarch.²⁰ African Muslims subsequently fought on both sides of the American Revolutionary Wars from 1776 to 1812. African Muslims worked with and against the American Colonization Society in trying to resolve the problem of enslaved and freed Africans in the U.S. After independence African American Muslims continued military raids from Spanish, French and First Nations territories, against slave plantations, destroying the slave economy and liberating enslaved Africans. These 'Invisible Wars' persisted from before the independence of the thirteen colonies until the outbreak of the Civil War; where African Muslim and non Muslim freedom fighters, like Nicolas Said and H. Ford Douglas, joined the Africa Core of the Union Army to put an end to unjust government in the south. Subsequently, eighty-eight years after the founding of the union, the nation witnessed the first majority African American led government in the south. For thirteen years the African American national minority, (who constituted vast majorities in certain southern counties), governed and attempted to formulate a free and egalitarian society. However, after 1877, when President Hayes removed federal troops that protected the then African majority government of the Reconstruction south; African Muslims were forced through the social repression of Jim Crow to hide and subsume their African Islamic identity within the secretive sectors of the Prince Hall Masons, the Black Shiners, the Eastern Stars and other African American Masonic organizations.²¹ It was not until the turn of the century when these African American/Muslims openly manifested their cultural and religious distinction in the U.S. With the great forced migration of African Americans from an apartheid south to a 'separate but equal' north, the twentieth century witnessed the emergence of African American Muslim benevolent societies in the cities of Pittsburgh, Philadelphia, Akron, Cleveland, Cincinnati, St. Louis, Harlem, Chicago, Detroit and other northern cities of the U.S. Organizations with names like the African Muslim Benevolent Association and the Addeynu Allahe-Universal Arabic Association, Inc began to materialize. With these benevolent associations came successfully litigated class action lawsuits against segments of the United States media, municipal and state governments. During this period African American Muslims contributed uniquely to the emergence of the only genuine American cultural artifact – bebop/jazz. This music was the backdrop to the Harlem Renaissance and the Negritude Movement that gave birth to Pan-Africanism throughout the world. The fact that this same music was 'high jacked' by the Anglo American majority as a setting for the Rolling Twenties only emphasizes the exploitative nature of the dominant majority to the national minorities.²² During the Great Depression, African American Muslims organized themselves into distinctive organizations with defined ideological features that set them apart from the Anglo American majority. By the 1950s-60s, African American Muslims had branded themselves and created business franchises in most of the major American cities. They ran farms, fisheries, restaurants, clothing stores and not only contributed to the nationwide spread of African American news media, but developed the most widely read African

²⁰ Michael A. Gomez, "Muslims in Early America", *Journal of Southern History*, Vol. 60, Issue 4 (November 1994), p. 5.

²¹ Robert Dannin's superb *Black Pilgrimage To Islam*, (Oxford, Oxford University Press, 2002).

²² Actually this national American cultural heritage was hijacked by one of the white vassal immigrant nations from eastern Europe and has been the one of the most lucrative sources of their upward mobility in the United States since their 19th century arrival at Ellis Island.

American run newspaper in the world. Even under the shadow of COINTELPRO, African American Muslims conducted worldwide trade with Japan, South Korea, Peru and Morocco. They were sophisticated enough to convince nations such as Egypt and Libya to give loans and assistance to them in their cultural and economic development. By the mid 70s, African American Muslim organizations like the Dar’l-Islam Movement, the Islamic Party, and the Nation of Islam had branches in Canada, the Caribbean, Central and South America. Under the leadership of *Imam* W.D. Mohammed, the largest African American Muslim organization openly renounced the call for Black supremacist separatism from the U.S., advocated by his father Mr. Elijah Muhammad. Instead he promoted a strong pro-American, loyalist and patriotic dialogue with the government. This resulted in his followers presently maintaining the largest number of federal and district judges; the biggest number of Muslims in the armed forces who are commissioned officers, and the largest number of Muslim state and federal government officials in the U.S. African American Muslim entrepreneurs of the entertainment industry such as Kenneth Gamble, the Delfonics and Kool and the Gang continue in some fashion to enhance and advance African American Muslim interest.

Throughout the history of antebellum America and the United States, African American Muslims have distinguished themselves from the dominant majority by maintaining institutions designed to preserve their uniqueness as a people. These institutions are proof for the desire on the part of African American Muslims to acknowledge and undertake some form of self determination. These attempts were not always uniform and consistent. The forms which the struggle for freedom took among African American Muslims were as diverse as the roots of African Islamic culture. All of them were attempts to reflect its African Islamic civilizational trends – an authentic anthropological continuum. The survival of African Islamic traditions intelligently utilized the concept of dissimulation (*taqiyya*) and infiltrated the churches and benevolent Masonic societies of the African American subculture. For more than a century African Islam hid itself and incubated under the cover of main stream Negro Christianity and African Masonic benevolent associations.²³ It was not until 1901 that African Islam reemerged from this profound incubation period under church and un-church traditions and began to make its mark upon the social, economic, political and spiritual life of the United States.²⁴ It was at the turn of the century that African Americans and their Muslim minorities began to consciously demonstrate their distinction from the Anglo-American dominant majority through their art, music, literature, and social mores. There was an intentional attempt on the part of African American national minority at the turn of the 20th century to acknowledge their uniqueness as a people, to reconnect with and revive the best of their Africana traditions. This delineates a desire on their part for some form of self determination and autonomy. Of this desire on the part of the African American national minority to be distinct there was no discrepancy. Where they differed was on the methodology this

²³ See Michael Gomez’s seminal work Black Crescent: the Experience and Legacy of African Muslims in the Americas, (Cambridge University Press, Cambridge, 2005). Prof. Gomez gives detailed instances where African Islam infiltrated the early African Churches and the secretive Masonic benevolent societies of post Reconstruction/Jim Crow America; also Robert Dannin’s superb Black Pilgrimage To Islam.

²⁴ See Mehmet Sabeheddin, The Masons and the Moors, and Michael R. Scheiderer, The Craft and the Crescent: Freemasonry and the Black Muslim Movement in America.

was to be achieved. As Americans they were morally obligated to follow the trodden path established by the Anglo-American founding fathers in their break from England; and indeed many called for just that. Pragmatically, however, a great number of African Americans felt that the best way to attain their rights of self determination was to work within the American system and effect gradual change.

2. Resistance or Accommodation?

Historically, there have been two strains in the struggle for freedom and the will to BE among African American Muslims that find its origin, not only in their response to Anglo-American domination, but in the long history of the spread of Islam in the African continent. The first variety was that of accommodation and constructive engagement with the United States (which I define as ‘secondary resistance’)²⁵, and is largely exemplified in the persistent approach of Muslim leaders such as the late *Imam* W.D. Mohammed, (*rahimahu Allah*) and others who believed in the veracity of the United States constitution and the values which lay at the foundation of this nation.

Imam Mohammed’s approach to social transformation and inclusion for American Muslims within the United States has resulted in his followers having the largest number of representatives in the US military, the local and federal government, state and federal judges. In fact, his organization was the first Muslim community, to develop faith based contracts with the US military, as well as, established a recognized (albeit unconstitutional) policy of monopolizing Muslim Chaplaincy positions in state prisons throughout the U.S. These well known accomplishments by the community of *Imam* Mohammed were realized, in my opinion, because his policies posed no real threat to the majority interest of the United States. His achievements reflected the approval of the dominant culture, more so than any novel methodology of the *Imam*. In this context, the social assimilation achievements of *Imam* Mohammed (which have been by far the greatest achieved by any Muslim leader in the U.S.), are a repeat of the social achievements which were gained by Booker T. Washington under his ‘great compromise’, which I will discuss, Allah willing.

Imam Mohammed had been the point guard for this political approach to social transformation and engagement within the United States since 1975, when he took over the leadership of the largest indigenous Muslim organization in the country. He in fact, was the de-facto head of the African American/Muslim national minority in the eyes of many in the United States government as well as the international communities. He was introduced to the Pope, the Dai Lama, and the world religious bodies as the *Imam* of the Black American Muslims. In fact, even in Saudi Arabia where the *mutawaa* (religious police) were critical of him, he was America’s *Imam* in the eyes of the King and some of his princes such as Sultan Bandar. Any subsequent calls for “constructive engagement” of Muslim minorities with the United States by others have to be justifiably subsumed under his approach, because his call for loyalty to American values

²⁵ See my: The Islamic Slave Revolts of Bahia, Brazil: A Continuation of the 19th Century *Jihaad* Movements of Western Sudan, 1992, Sankore’ Institute, Houston; the Zamaan ‘n-Nasaara: ‘The Hour of the Christians’ African Muslim Resistance to European Colonialism 1996, Sankore’ Institute, Fairfield; and the Lost & Found Children of Abraham in Africa and the American Diaspora: the Saga of the *Turubde’ Fulbe’* & Their Historical Continuity Through Identity Construction in the Quest for Self-Determination, 2004, Sankore’ Institute, Yanqing.

was the most persistent and genuine; while many subsequent voices calling for accommodation or constructive engagement were simply reactions to the attacks of 9/11 and reflect a disingenuous attempt to avoid government harassment, rather than any genuine belief in the veracity of United State's constitutional values.

In fact, I will go as far to say, that some of these contemporary voices for constructive engagement of Muslim minorities with the United States, are merely the voices of collaboration and political quietism; which result either from those who identify with the dominant culture and have nothing to lose and everything to gain from the continuation of the status quo; or from those who, according to the Sacred Law of Islam, have lost a portion of their political and legal identity as Muslims by voluntarily immigrating from the lands of Islam into the lands of disbelief. It is not surprising that these two groups have partnered and are being used by the dominant culture in the US, Canada and the UK to undermine the emergence of a SOCIAL CONTRACT between U.S. Muslim national minorities and the states in which they reside; that is consistent with the Sacred Law, reflects the demands of international law, and strengthens rather than threaten the sovereignty of those states. The failure on the part of these 'voices of constructive engagement' to even acknowledge their indebtedness to *Imam* W.D. Mohammed, indicates a reality which is rarely openly discussed or admitted. Like the dominant Anglo majority – the continued dominance by 'white nationalism' and the persistent domination of 'blacks' is far more dear to the *muddajin* Muslim populations and their 'leaders', than is any true dedication to Islamic, American or international values. What is ironic, is that just as we witnessed a complete about face from this segment on 9-11, we are now witnessing them make another complete about face, as America's popularity, power, and prestige plummets; and like rats jumping off sinking ships, we will hear them blasting America's corruption and decline AGAIN. As much as I may have disagreed with many of the policies, ideas and doctrines of *Imam* Mohammed, yet he maintained a consistent voice from 1975 and he did not swerve from it until his death.

Some observers have defined the social and political approach of *Imam* W.D. Mohammed as being disconnected from the African Islamic ethos. However, this is not true. In fact, the discourse of peaceful coexistence between Muslim national minorities and non Muslim governments was a key factor in the spread of Islam throughout Africa as I will discuss, Allah willing. One of the key groups in Africa who utilized 'pacifism' as a proactive means of disseminating the religion were the Mande' Jakhanke under the leadership of the famous *al-Hajj* Salim Suware who systematized the concept of political neutrality and acquiescence, resulting in gaining for his community positions of government advisors, counselors and clerics to the prevailing African animists kingdoms.²⁶ From the Dahomey coast, through the Oyo regions, to the Akan capitals and the Bambara hills, the Mande Muslim cleric/merchants networked the entire western *bilad's-sudan* with the global trading systems that reached as far as China.

The second variety of the African American Muslim national minority approach to social change has been that of active resistance; and it finds its voice in that of *al-Hajj* Malik El Shabazz. He represents a

²⁶ Gerald O. West & Tahir Fuzile Sitoto: "Other Ways of Reading the Qur'an and the Bible in Africa: Isaiah Shembe and Shaykh Ahmadu Bamba", *Postscripts: The Journal of Sacred Texts & Contemporary Worlds*, Vol 1.1, April 2005, p. 58.

category among African American Muslims who have historically doubted the veracity of the core values of the United States and who see themselves as a unique and distinct nation or national minority with the rights to move forward with a more autonomous or independent relationship with/from the United States. Incidentally, this second 'voice' is closer to the 'voice' of the founding fathers of the original Thirteen Colonies who decided to break from under the yoke of British colonial rule. This indigenous Muslim voice, is the oldest and most consistent voice which has been apart of the American ethos since before the founding of the Republic. The African American/Muslim national minority who recognize that they have been and are a distinct ethnic, religious, cultural and linguistic minority in the United States, and have demanded some form of internal self-determination or autonomy, do so consistently within the framework of international law, for which the United States itself is a signatory. Finally, the demand for a SOCIAL CONTRACT for African American Muslim national minorities in the United States falls decisively within the legal context of the Islamic *shari`a* and constitutes the ONLY lawful means by which they can remain under non-Muslim political hegemony.²⁷ In fact, it is this ideation which informed the core beliefs of the late *Imam* Luqman Abdallah, who was recently assassinated by FBI agents, as well as, the views of the falsely arrested *Imam* Jamil al-Amin.

The historical response of the United States to this latter approach has been violent and relentless, and dates back to the 'Invisible Wars' by the U.S. against enslaved African Muslims, enslaved Africans, and Native Americans in their quest for freedom. It manifested with paralyzing effect by the White Christian terrorist groups, such as the Ku Klux Klan, the Red Shirts, the Bush Whackers and the Night Riders, against the dully elected African American led governments in the south in 1877; and the re-institution of de-facto slavery in the form of 'black codes', 'peonage' and the national apartheid Jim Crow laws. It manifested in the race riots unleashed by Anglo Americans against African American economic independence in Oklahoma, Florida, Texas and Kansas during the turn of the 20th century. This period of terror drove millions of African America refugees from their southern homeland into the industrial and mercantile centers of the north and the far west. In the north particularly they encountered harsh racism from new European immigrants with whom they competed for factory jobs at lower wages. From the mid 40s until the mid 70s under COINTELPRO, again 'political black codes' became visible in the unprecedented secret, systematic, and sometimes savage use of force and fraud, by all levels of government, to sabotage progressive African American political, social and cultural activity supposedly protected by the U.S. constitution. The Black Panther Party, the SNCC, the Republic of New Afrika, the All African Peoples Revolutionary Party, the Nation of Islam, the Black Liberation Army, to name just a few, were the direct recipients of unconstitutional and illegal interdiction from the United States government. During the late 70s until the present the United States National Security Agency has maintained a time-honored pattern of preempting, undermining, and disrupting any and all proactive relationships between African Americans seeking self determination and independent African nations. And now, the same unconstitutional and illegal

²⁷ See Jocelyn Hendrickson, The Islamic Obligation to Emigrate: Al-Wansharis's *Asna al Matajir* Reconsidered, Ph.D. dissert., Emory University, 2009.

interdictions are being unleashed against African American Muslims communities, in particular, under the cover of the 'war on terror'.²⁸

In 1978, some three years after the U.S. Supreme Court, the House of Senate and House of Representatives declared COINTELPRO unconstitutional and illegal, the United States National Security Agency advised President Carter to take the following steps with regard to deterring lasting relationships between African American organizations that demand some form of self determination and African States that desire to break the western hold on neo-colonialism in Africa:

"Specific steps should be taken with the help of appropriate agencies to inhibit coordinated activity of the Black Movement in the United States. Special clandestine operations should be launched by the CIA to generate mistrust and hostility in American and world opinion against joint activity of the two forces, and to cause division among Black African radical national groups and their leaders...The CIA should mount surveillance operations against Black African representatives and collect sensitive information on those, especially at the U.N., who oppose U.S. policy towards South Africa, the information should include facts on their links with the leaders of the Black movement in the United States, thus making possible at least partial neutralization of the adverse effects of their activity."²⁹

Thus, the NSA set about the reimplementing of the same illegal policies that the U.S. Supreme Court declared unconstitutional a few years earlier. The government was back to breaking the law and violating its own constitutional standards in order to maintain control over its chief national minority and their kinsmen in Africa. Technically nothing had changed except that the COINTELPRO program was publically denounced but secretly maintained under another name and operated by another government agency. What is clear is that the United States again covertly violated its own constitutional standards in order to maintain the status quo of white Anglo dominance over the aspirations of its chief national minority. Regardless if the African American nation acquiesced or resisted; the United States has shown that it is capable of violating the principles upon which it was constructed as well as the principles of internationally recognized treaties, to keep African Americans under permanent internal domestic colonization. Today, 'states of emergency' and 'terrorist alerts' are the key element used by the state to quash dissent and manage political participation.

International law asserts that all linguistic, ethnic, cultural and religious national minorities have the right in league with their members in their countries and their original homeland to maintain those factors which distinguish them from the dominant majority. This would be specifically true for the descendents of kidnapped and enslaved Africans who were brought to the hemisphere for the sole purpose of slavery, exploitation and discrimination. The United States' assimilation policy, whether coerced or psychologically enforced, is a clear reflection of its view regarding the treatment of its national minorities. It is mainly due to the perceived limited political options available, that many national minority leaders have opted to follow a discourse of constructive engagement in negotiating their place in the U.S. caste system.

²⁸ Zbigniew Brezinski, "National Security Council Memorandum-46", Presidential Review Memorandum NSCM/46, March 17, 1978. This policy was developed under President Carter, who many believed was one of the more progressive forward looking of the 44 presidents. It is not surprising that one of the leading American Muslim organizations at that time openly admitted that one of his regrets is that he did not develop closer ties for his community with Africa. I believe that some his advisors, whom he later admitted, were government informants whose job was to steer the *Imam* from having a proactive relationship with African Muslim countries.

²⁹ Ibid., p. 5.

3. The Voice of Constructive Engagement

With regard to African American Muslims, both voices of accommodation and resistance, find their historical models, not just in the United States, but in the long and continual history of state building in Islamic Africa. For example, the trend among certain African American Muslims to accommodate, assimilate and acquiesce to United States norms finds its origin in those African Muslims who yielded to the dominant animist/pagan African majorities around them. This group was represented in the Mande' speaking Muslims. The Malinke or Mande Muslims of Western Sudan established a formidable empire that lasted for centuries. According to John Willis, the Mande-speaking people made up the largest linguistic groupings in Western Sudan.³⁰ They consisted of animist as well as Muslims elements. The reason for this was that the Malinke Muslims, called Dyula (also known as the *Wangara*), were not as militant in spreading the religion as, for example, the *Fulbe' Turudbe'*. They tended to accommodate themselves to African animist traditions in the form of what the Islamic *shari'a* defines as *mu'ahida* ('social contract') or *sulhi* ('truce' or 'armistice'). The reason for this was due to their propensity for trade and long distance commerce. The Mande Dyula, were the ones solely responsible for the gold trade from the traditionalists Akan regions. Economic security and the lucrative commerce of the long distance trade that went from Western Sudan to as far as Europe, North Africa and the Middle East, encouraged the Mande' Dyula Muslims to accommodate themselves to the non-Muslim dominant cultures. The result of this policy was the slow but steady Islamization of many pagan ethnicities in Western Sudan. One example is the Ewes. The Ewes (Geges) were included among the people of Dahomey, (present day Benin). Islam had entered among them by means of Mande-speaking Dyula traders who settled there in the 17th century.³¹ These Dyula were extremely literate in Arabic whose primary occupation among the people of Dahomey was leather working. They were also employed by the king of Dahomey as advisors and were sought after for their knowledge of charms and talismans. These Mande' Muslims intermarried among the people of Dahomey and as a result a strong indigenous Muslim community emerged.³² Another example is the spread of Islam among the Yoruba. The Yoruba call the Muslims among them *Imale* which indicates that these early Muslim travelers in their land came from the lands of Mali or that they were Mande-speaking Dyula traders. Another factor that points to the above argument is the fact that the Yoruba call an Islamic scholar *alufa*. This is no doubt taken from the term for jurist prevalent among the people of Mali and Songhay, *alfa*; proving that Islam did enter into the Yoruba by way of Mande' Dyula scholar traders from Songhay.³³ Another example of this strain is in the spread of Islam among the above mentioned Akan peoples. Among the Asante' kingdom, there were many Mande' Dyula Muslims. The Akan firmly established their kingdom in the 17th century. Like Dahomey, the

³⁰ John R. Willis, "Reflection on the Diffusion of Islam in West Africa", in Studies in West African Islamic History, vol. 1, (ed.) John R. Willis, (London, Frank Cass, 1979), 14-15.

³¹ Mervyn Hiskett, The Development of Islam in West Africa, (London, Longman, 1984), 127-128. Benin, the epicenter of ancient Dahomey, is the land that I chose to repatriate to, due to the amalgamation and Africanization of what the late Dr. Ali Mazrui called – the Triple Abrahamic heritage. In this regard Benin resembles Eritrea and Ethiopia where traditional African culture, African Christianity and African Islam interact on innumerable levels.

³² Ibid., 128.

³³ Mervyn Hiskett, 113-114.

Asante' kings were highly impressed by the administrative abilities of Mande' Dyula Muslim scholars and employed them in a number of official positions. Between 1764 and 1777, the ruler of the Asante, Osei Kwadwo employed Dyula clerics and made Arabic the official language for correspondence. He employed the Mande' scholar Abu Bakr Kyeame as chief advisor and after him his son, *Imam* Sa'id Bamba. Islamic influence among the Asante', was so extensive, that Muslim scholars were retained by the kingdom to train their civil servants in administration.³⁴ Thus, the tendency to accommodate, assimilate and acquiesce to a dominant group by African Muslims had its rewards and benefits that were reflected in the gradual Islamization of many regions in the Western Sudan. In addition to the Mande communities, the Soninke' royal families fled south into the lands of the Benin and the Dahomey, seeking asylum from the Arab/Portuguese invasion of the Songhay empire in 1592. Many of these refugees were given land grants and integrated into the traditional kingdoms. Today, in Porto Novo and Cotonou and the northern regions the Soninke' are active participants in the modern development of Benin, Togo and Coite Verde .

Thus, the tendency to accommodate to the dominant culture, does not necessarily reflect a piety of humiliating quietism, as Dr. Jackson noted in his work,³⁵ but constitutes a lawful proactive means of promoting Islamic culture, maintaining a form of legally recognized autonomy while not threatening the sovereignty of the dominant culture. One of the best examples that we can cite of Muslim national minorities maintaining their political, economic and cultural distinction while remaining loyal patriots of the state are the Hui Chinese Muslim national minority (*Hui shaoshu minzu*) of the People's Republic of China. Professor Zvi Benite authenticates that Hui Muslim national minorities were among the strongest, most victorious units who mustered in the Ming Dynasty. Throughout the developmental highlights of the earliest periods of the Ming, the leaders of the Hui held prominent positions in the state and military.³⁶ The Hui like their ancestors, the Han place high emphasis on filial loyalty and loyalty to the state as a rule.³⁷ Dr. Haiyun Ma points out in his seminal research that from 1644 to the establishment of the People's Republic of China, Hui Chinese Muslims have successfully negotiated a social contract between themselves and the state where Islamic customs are recognized and protected, and the Hui people see no contradiction between loyalty to the state and loyalty to their religious beliefs and customs.³⁸ Dr. Ma cited one of the Hui Muslim ideologues of this period, *Imam* Ma Jian, who saw a natural alliance between Hui Muslim political aspirations and the objectives of the PCP. He said:

³⁴ Ibid., 133-135

³⁵ Sherman Jackson, *Islam and the Problem of Black Suffering*, (New York, Oxford University Press), 93.

³⁶ Professor Zvi Ben-Dor Benite, is arguably one of the most significant scholars on Hui Muslim or Chinese Islam in general, that I have read. His expertise at classical Mandarin, his intimacy with Arabic (being the descendent of old Iraqi Jews), and his obvious ability to express his ideas in Hebrew and English makes his research a must read. His familiarity with the role Muslims played in the early Ming Dynasty is engaging. It demonstrates that a Muslim national minority had not only earned and established for itself a political identity; it also proactively participated in the formation of the state.

³⁷ Zvi Ben-Dor Benite *The Dao of Muhammad: A Cultural History of Muslims in Late Imperial China*, (Harvard University Press, Cambridge, 2005), p. 101. Benite cites the following explanation of a Hui leader of the teachings of Islam: "The ethics of our teaching and those of the Confucian teaching are the same. Whoever follows our precepts and laws takes loyalty to rulers and obedience to parents as a duty."

³⁸ Haiyun Ma, "Patriotic and Pious Muslim Intellectuals in Modern China: the Case of Ma Jian", *The American Journal of Islamic Sciences*, 23:3, pp. 54-70.

“The most condemned act is that they [American imperialists] insult our Prophet Muhammad by propagandizing that he holds the Koran with his left hand and a sword in his right hand, implying that he converted people into Islam by force. This poisonous propaganda was even found in textbooks during nationalist rule to cheat the Chinese people. If we can cooperate with this great bloc [the Muslim world] through diplomatic means via the Hui people, we can beat and break the conspiracy of the imperialist war of America. Thus, we can gain a strong shield for the peace of the world.”³⁹

Here was a perfect example of a Muslim national minority negotiating a social contract with the Chinese non Muslim government which was of mutual benefit for both parties. The Hui Muslims openly declared their respect and esteem for Prophet Muhammad, may Allah bless him and grant him peace and defined America in the same politically derogatory terms used by the PRC at that time. They also requested to be the link between China and the rest of the Muslim world. This is significant for many reasons. The most important being that it was in accord with the spirit and objectives of Article 27 Declaration of Civil and Political Rights where it states that members of an ethnic, linguistic, cultural or religious minority have the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language. In other words the PRC permitted its Hui Muslim national minorities to freely associate with other Muslims around the world in order to strengthen their own culture, but also to advance Chinese interest. During this same period the U.S. was seeking to interdict any proactive relationship between its chief national minorities and their religious, ethnic, cultural and linguistic associations outside the U.S. It is interesting to note that one of the first countries besides Saudi Arabia that *Imam* W.D. Mohammed traveled to during his early years as leader of the then World Community of al-Islam was to China where he had the chance to meet with many Hui Muslim leaders of the 86 million strong national Chinese Islamic Association. While residing in China for seven years, I was able to see the profound relationship between the Hui Muslim national minority with the Chinese government. Wherever I traveled in China among the Huimen I was called a ‘*Bilalian*’, after the name W.D. Mohammed had coined for African American Muslims. The name was used by Huimen to refer to a collective ethnic/religious national minority; and I felt as if I were a part of a similar community as the Hui Muslim communities. It was then that I understood why *Imam* Mohammed made his trip to China. In addition to religious and business connections with the Muslims there, he also wanted to forge a similar relationship between his World Community of al-Islam and the U.S. government. And like Hui Muslims, *Imam* Mohammed attempted to forge for his community a loyalty to America without compromising his loyalty to Islam.

Many Muslims leaders I have met in the U.S. have always been critical of *Imam* W.D. Mohammed for this reason. However, he did no more than what Booker T. Washington did under the Great Compromise or what the Hui Muslim national minorities have successfully done in China. The one oversight that I noted in the direction of the *Imam* was his failure to internationalize his community and gain recognition of the African American Muslim national minority at the United Nations. This failure to connect the struggle of the African national minorities in the U.S. with the internationally accepted right of self determination is my main criticism of Washington as well. However, the Hui minorities in China have an internationally

³⁹ Ibid., p. 64.

recognized political and cultural identity, defined mainly by the several Muslim autonomous regions drawn on every map of the world.

In the United States, for instance, the tendency to assimilate and accommodate themselves to the dominant Anglo culture was personified in the personage of the escaped slave “Frederick Douglas, the great Negro Abolitionist, and there is almost a direct line of development from him to the NAACP and the modern civil rights movement.”⁴⁰ What is more significant is that Douglas, as William McFeely suggested, was a direct descendent of the famous *Fulbe’ Turudbe’* Muslim revolutionary, Muhammad Bilali.⁴¹ Muhammad Bilali was one of the loyalist enslaved African Muslims who led eighty-one Muslim families to take up arms to defend the sea islands from British invasion in 1812. Douglas’ original name was Bailey, which demonstrated his connection with this African Muslim patriarch. McFeely said:

“In the Sapelo Island, Georgia (where Baileys still reside), there was a Fulfulde-speaking slave from Timbo, Futa Jallon, in the Guinea highlands, who could write Arabic and who was the father of twelve sons. His name was Belali Mohomet.”⁴²

We will return to the story of this illustrious African Muslim and the role he played in the formative period of the United States of the Second War of the Revolution of 1812. What is important here, is that this strain among African Muslims to accommodate themselves to the dominant Anglo-American culture finds its archetype in Douglas, the descendent of an African Muslim who helped fight for America’s independence from England. This is significant as a powerful identity construct as we will demonstrate. The bottom line is that in Islam, the discourse of constructive engagement has always been a proactive response when Muslims constitute a numerical minority. Although there is a thin line between constructive engagement and collaboration, there is no need to malign those national minorities who collectively choose, (‘collective’ being the operative word), to acquiesce to the polity and compromise their values. The pejoratives such as ‘uncle Tom’, ‘sell-out’, ‘collaborator’ and ‘5th column’ (or *munaafiq* - hypocrite) are not applicable when a national minority *collectively* choose to participate in the state, compromise some of its mores and acquiesce to the dominant culture.⁴³

⁴⁰ Harold Cruse, *The Crisis of the Negro Intellectual: From Its Origins to the Present*, New York, William Morrow & Company, 1967) 5.

⁴¹ William S. Mcfeely, *Frederick Douglas*, (New York, W.W. Norton & Company, 1991), 5.

⁴² Ibid.

⁴³ The concept of ‘*munaafiq*’ (religious hypocrite) in Islam does not apply to a disobedient Muslim who fails to live up to the ethical and moral standards of the religion. The ‘*munaafiq*’ is the Muslim who overtly or covertly collaborates with non-Muslim polities in order to undermine the religious, social and political status which the Muslims have collectively chosen to follow. This is based upon the Islamic legal principle: ‘مَنْ بَنَصَرَ الْكُفَّارَ فِي كُفْرِهِمْ عَلَى الْمُسْلِمِينَ فَهُوَ كَافِرٌ’ (Whoever assists the non-Muslims in their disbelief against the Muslims, is in effect a non-Muslim.) This means that when a Muslim national minority collectively chose to seek their rights of self determination from a non-Muslim polity or to assimilate into it as a collective; the *munaafiq* in this case would be those individuals within the group who secretly conspire with the state to undermine the choice made by the national minority. These *munaafiq* can be justly called ‘uncle Toms’, ‘sell-outs’, ‘collaborators’ and 5th column since they are in violation of the prophetic principle: ‘لا يجتمع أمتي على ضلالة’ (My community cannot agree upon an error). When the Muslim national minority collectively decide to follow a course of action corroborated by the Book, the *Sunna* and consensus; and which comprises the best interest of that people; then any individual within that group that secretly work with the non-Muslim polity to undermine, discredit and rescind the political aspirations of that minority has by definition called into question their adherence to Islam and could be considered non-Muslim. African Muslim reformers such as *Shehu* Uthman ibn Fuduye’ declared that these collaborators were by their own actions apostate; while his brother Professor Abdullahi maintained that this constitutes an act of disobedience and not apostasy. But even in this case this act of collaborating with non Muslims against the Muslims is considered to be a major sin (*kabaa’ir*). In the case of the *muddajin* (the domestically colonized Muslim immigrant), which we will deal with at length in a forthcoming section; religious hypocrisy, in the sense described here, is a norm and has incurred universal condemnation from Muslim jurists prior to the age of European imperial expansion.

4. The Voice of Dissent or Resistance

The second strain typified by African American Muslims in their struggle for freedom was the defiant, radical, militant and uncompromising voice which was mainly responsible for the 18-19th century *Jihad* movements in the Western Sudan. This group did not accommodate itself to traditional African animism, mainly due to the severity with which the dominant traditional animist cultures interdicted against the lives of African Muslim communities. On the contrary, this group actively sought to delimit the influence of African paganism in the Western Sudan and to establish Islamic civilization. In western Africa, in particular, they were mostly of *Fulbe' Turudbe'* and Wolof origin who were in a violent struggle against the expansion of the newly formulated Bambara states.⁴⁴ By the 15th century all of these people had become Muslim and according to Hiskett, by the 16th century they had reached a high level of learning according to Islamic standards.

“There were Senegambians studying Arabic grammar, Arabic poetry and Islamic astrology...during that century...These *'ulama* became, in due course, a powerful class in the Wolof kingdoms. Many of them had followings ...who were not only religious disciples but also, in a political and sometimes an economic sense, dependent on their masters.”⁴⁵

These scholars exerted substantial political power and were able to challenge the traditional Wolof authorities. Due to their learning, genuine religious interest and perhaps due in part, to economic interests, as well as, in response to the growing European slave trade, during the 16th to the 18th centuries, these *'ulama* raised the banner of *jihad* in Senegambia. Men like Nasir al-Din, Malik Sy, Karamoko Alfa Ba, *Almamy* Abd al-Qaadir, and *Cheirno* Sulayman Bal all helped to create the Islamic revolutions that were going on in Senegambia during that period. These dynamic social transformations and state formations happened in reaction to the 16th century sacking of the Songhay polity up until the same period of the American Revolution in 1776. This is very important to know, because it substantiates the political temperament that these African Muslims from Senegambia brought with them into the United States and were to exemplify in the many slave revolts that took place there. Thus, the propensity of these African Muslims to take up arms in defense of their religion, as well as to expand the political authority of Islam, was lawfully sanctioned within the religion of Islam; and, in their eyes, it was morally justified in response to the sustained repression from the dominant pagan authorities. When these two groups of African Muslims were captured and brought into the western hemisphere, these two strains were later typified in the struggles for freedom led by African leaders in the United States and elsewhere in the western hemisphere where large African communities reside.

The second tendency of African Muslims was to revolt and reject the animist dominance, which also had its prototype in the United States historical traditions. “This rejected strain, as Theodore Draper, described it”⁴⁶ was in my opinion the most prevalent and widespread tradition among African Americans. Herbert Aptheker demonstrates in his phenomenal work American Negro Slave Revolts that Africans

⁴⁴ Philip Curtin and others, eds., African History, (New York, Longman, 1991), 230-231.

⁴⁵ Mervyn Hiskett, The Development of Islam in West Africa, (London, Longman, 1984), 139.

⁴⁶ Harold Cruse, 5.

revolted, fought and struggled for their freedom and liberty from the time the first slave ships landed at the ports of what later became known as the United States. There was not a single year from 1511 to 1864 that in some place in the United States there was not an active and well planned insurrection and revolt sweeping across the land.⁴⁷ Africans refused to acquiesce and submit to Anglo-American domination in the same manner that the African Muslims refused to submit to African animist traditions and domination. The prototypes of this tradition were many, some that history has forgotten, or whose names have been marginalized by the dominant culture and their collaborators.

Thanks to the original research of Dr. Yusef N. Kly in his phenomenal work: The Invisible War: we can trace a clear line of pedigree from the Islamic *jihad* movements of 18th century western Sudan, to the explosive revolts of Bahia, Brazil, Santa Domingo, Jamaica, Cuba, Louisiana, Texas, Georgia, Virginia, South Carolina and the Florida Everglades. Revolutionaries such as Muhammad Sanbu, Uthman, Ibrahim, John Horse, Osceola, Billy Bowlegs, Denmark Vessey, and many others demonstrated a long and persistent trend among enslaved African Muslims to fight for their freedom and liberty, in the face of overwhelming odds.⁴⁸ To them can be joined the names of Henry Ford Douglas, David Walker, Martin R. Delany, Edward Blyden, Henry M. Turner and Alexander Crummell, to mention just a few.⁴⁹ Thus the militant and radical trend among the African Muslims traces itself back from al-Hajj Malik El Shabazz, to men like Paul Robeson, W.E.B. DuBois, Marcus Garvey all the way back to the above remarkable personages that led African people in their struggle for freedom and justice. Having demonstrated that both trends are innately apart of the struggle of African Muslims, let us now examine the Islamic legal foundations for both. I will not take sides, although, it is not hidden from anyone, that my view has been and will always be that of active struggle to establish international recognition and support for our rights for self determination, leading to the reformation of our ancient heritage and the strengthening of an important aspect of western civilization. In fact, this strand of struggle is the closest to the core fundamental principles which informed the American Revolution – which makes it patriotic and genuinely *American*.

In the present climate of racial tension which goes back some 400 years in the U.S., the African American national minorities have a moral obligation to fight against, dissent from and refuse to compromise and acquiesce to Anglo-American domination and white chauvinistic domineering culture. In fact the Anglo Americans only found “...these truths self evident...” in 1776 after witnessing the courageous struggles for freedom and liberty by African American freedom fighters in every year and every region of Antebellum America. This was the reality of the moral high ground which African Americans actually had over the Anglo Americans. However, awareness of this psychological advantage over the dominant culture has always thwarted the African American, who were depicted as being a second class

⁴⁷ Herbert Aptheker, American Negro Slave Revolts, (New York, International Publishers), 1993.

⁴⁸ Yusef N. Kly, The Invisible War: the African American Anti-Slavery Resistance From the Stono Rebellion Through the Seminole Wars (Atlanta, Clarity Press), 2006.

⁴⁹ See Earl Ofari, Let Your Motto Be Resistance: the Life and Thought of Henry Highland Garnet, (Boston: Beacon Press, 1972); Hollis R. Lynch, Edward Wilmot Blyden: Pan-Negro Patriot, 1831-1912, (London: Oxford University Press, 1967); Victor Ullman, Martin R. Delany: the Beginnings of Black Nationalism, (Boston: Beacon, 1971).

citizen when they acquiesced; and ‘un-American’ whenever they rebelled. In reality, the African American armed resistance has been the closest feat to the intent and actions of the American founding fathers. Every slave revolt, work stoppage, protest and acts of civil disobedience were essentially ‘American’ because it predated it and informed it. To ignore or deny this is to continue to view African Americans as 3/5th of a human. The fact that the Africans chose to revolt and to rebel in the face of overwhelming odds testifies to the vehemence with which they repudiated this imposed status. These actions were consistent with the core values of the principles of the US constitution, the *shari`a* and international law. It has been the failure upon the part of Muslim national minorities to see this which has induced in them a sense of political and social schizophrenia, or what Dr. W. E. B. DuBois described as ‘double consciousness’. Historical consciousness and an authentic identity construct are what help dispel this problem. A part of the dilemma of the African American/Muslim national minority is the lack of historical consciousness or an authentic identity construct which is backed by genuine anthropological records. This is in spite of the fact that African Muslim presence in antebellum and revolutionary era America is corroborated by new world Arabic manuscripts and other physical data scattered throughout the Americas.

5. Schizophrenia and the Lack of Historical Consciousness

The Muslim when approaching the question of international law and the rights of self-determination, must look for some referent in the *Qur'an* and the *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace in order to determine of their actions are: obligatory, lawful, highly recommended, reprehensible or forbidden. It is the religious traditions which should inform Muslim personal and social activity, be it mundane or spiritual. This is the strongest message put forward by Dr. Jackson in his Islam and the Problem of Black Suffering. It is Islam which distinguishes the American Muslim from the dominant culture; which makes Islamic traditions the well spring from which American Muslims should draw to define and negotiating their position in the society. In addition, it is the cohesive African descent from enslaved African Muslims which distinguish the African American Muslim from those Muslims who voluntarily emigrated to the U.S. This provides them with a unique identity from which to draw in further defining their role in the society. Without this historical consciousness to draw upon, the African American Muslim is left as Franz Fanon described: “...individuals without an anchor, without horizon, colorless, stateless, rootless...”⁵⁰ In a poem cited by *Waziri Junayd ibn Muhammad al-Bukhari*, he described a people lacking historical consciousness as crazy or schizophrenic:

مَنْ جَهَلَ أَصْلَهُ فَقَدْ ضَيَّعَ عَقْلَهُ

“Whoever does not know his origin, he has lost his reason.”⁵¹

⁵⁰ Frantz Fanon, *The Wretched of the Earth*, London 1963, 176.

⁵¹ Junayd ibn Muhammad al-Bukhari, *Nayl'l-Arab Fi Istisaa'i* 'n-Nasab (unpublished manuscript in possession of author), folio 4.

It is when the African American Muslim fails to draw from the two fountains of religious and historical traditions which their collective history has bequeathed to them that they are forced to assume definitions and modes of thinking developed by others; which places them at the mercy of either the dominant culture, or the *muddajin* Muslims who immigrated into the U.S. from abroad.⁵² This dichotomy leads to two forms of colonization: domestic political colonization and foreign psychic colonization, both which effectively disjoins the African American Muslim national minorities from their legitimate and historical cultural heritage, and preempts them from developing the political sophistications necessary for self determination. It is precisely this political and social quagmire which prevents the African American Muslim national minority from developing a legitimate paradigm which is connected to the primary sources of Islam. Thus, the policy of pacifism, acquiescence and assimilation is doomed to fail, unless it is coupled with a SOCIAL CONTRACT which does not threaten the sovereignty of the U.S., is consistent with the *shari`a* of Islam, and falls within the internationally accepted norms established by international law.

In the absence of an authentic identity construct, and a genuine pedagogy of Islamic knowledge, even those African American Muslim leaders who espouse a proactive and assimilating dialogue with the United States are forced to either become the means by which their people are domestically colonized; or they witness the hopes and aspirations for their people dissolve. It is significant in this context, that it was specifically the refusal to develop a means to the traditional sources of Islamic religious and cultural knowledge, which induced the late *Imam* W. D. Mohammed, in 2003, to dismantle the American Society of Muslims and step down from its leadership. In his own words:

“American Society of Muslim leaders (imams) don't support me, but the followers do. I have tried over the last 10 to 12 years to encourage them to get more religious education, but I have made no progress...They want their followers just to obey them, but not question them or right their wrong deeds.”⁵³

Thus, the leader of the largest indigenous Muslim organization was forced to disassociate himself from his own organization, simply because, the general leadership, refused to be informed from the very scholarly traditions which underpin the life of the community. It was this dearth in knowledge which further subjugated the African American Muslim to U.S. domestic colonization, and subsequently subsumed them under the extra-legal shadow of those immigrant Muslims who had voluntarily surrendered to the status of being domestically colonized (*muddajin*). Indeed, it was this dilemma which the African American Muslim leadership has faced which Dr. Sherman Jackson addressed in an axiomatic fashion:

Institute of Islamic-African Studies International

⁵² The concept of *muddajin* is an Arabic term which comes from the word '*dajjana*' (to domesticate). It is a latter term of jurisprudence which became prominent during the 12th A.H. century (14th C.E.) and was used to refer to the Muslims in Andalusia who refused to emigrate from Spain after it was re-conquered by the Christian Europeans. The concept of *dujjaana* or *muddajin* referred specifically to those Muslims who willfully and voluntarily resided in the lands of the disbelievers, or willfully emigrated thereto, and was content to accept the political jurisdiction of the Christian without any lawful social contract (*mu'ahida*) defined by the *shari`a*. According to the jurist, there was a clear distinction between those Muslims who were unable to emigrate, and those who willfully refused. The former were given the legal identity of *mustad'ifuun* (oppressed), while the latter were given the legal identity of *muddajin* (domestically colonized). The latter virtually loss his legal right to testify or act as witness in a Muslim court, be a witness to a binding legal agreement, or give legal decisions (*fataawi*); and if the land was successfully conquered by a Muslim army, the wealth of the *muddajin*, excluding his wife and children, would be confiscated as apart of the public treasury.

⁵³ Geneive Abdo and Aamer Madhani, "Turning Point for Islamic Blacks Course Unclear as Mohammed Exits" Washington Tribune September 2, 2003

“...in negotiating its future, Blackamerican Sunni Islam will look to Sunni Tradition not as the end but as the beginning of religious deliberation. The point, in other words, is not to go back in search of cut-and-dried solutions but to benefit from Tradition’s authority and intellectual capital, while heightening the likelihood that one’s own deliberations are not derailed by the allure of undisciplined compromise or crass, ‘religionized’ pragmatism. This latter interest can be most effectively realized by placing one’s views in dialogue with the accumulated wisdom of Islam’s ongoing conversation with itself. In this context, the move to position Black American Muslims as active agents, as opposed to passive recipients, recognizes a fundamental difference between bona fide Islamic thought on the one hand and ideas and propositions whose proponents simply happen to bear Muslim names on the other.”⁵⁴

For many years African American Muslim leaders have sidestepped the need to struggle for their internationally recognized rights, within the context of international law, because they lacked the ability to trace its legal precedence back to the *Sunna*.⁵⁵ Or they simply disregarded the *shari`a* and followed in the footsteps of those African American leaders who have struggled for their rights for years using the typical methods of those during the civil rights era.⁵⁶ The latter were accused of being ‘nationalist’ and deviants (*mubtad`een*), while the former were accused of being small minded and lacking the intellectual capacity to truly implement the *Sunna*, which they so fervently upheld. The bottom line is that both elements were made bereft of the very ingredient they needed for success. The African American Muslim activists have suffered from a sense of religious schizophrenia, not knowing whether the religion approved of their activism. While

⁵⁴ Sherman Jackson, 4.

⁵⁵ It must be noted that there were individual exceptions, but many individual leaders who ‘called to the *Sunna*’ were actual agents of Saudi official religious bureaus and were ordered not to enter into politics or political discussions (especially those that challenged U.S. vital interest). These same leaders were step by step led by the religious discourse of Riyadh to only discuss military and political rights for those Muslims which the U.S. defined as allies in the last decade of the ‘cold war’. The U.S. contracted *Qadiri* Sufi pirs and ominous looking *Salafist* sheikhs who basically used members of the African American Muslim for their own global political aims. African Americans from both the *salafi* and *sufi* camps were recruited to fight in the CIA funded war in Afghanistan against the Soviets. And like Noriega and Saddam, after these former staunch allies were no longer needed; they were demonized and then set up in a global sting operation – coined ‘the war on terror’. African Americans gained nothing from these relationships and alliances, if they can be called that. When Turkish *sufi shaykhs* had their African American disciples wearing the same red turbans that African eunuchs of the Ottoman courts wore, was an indication of how a domestically colonized national minority can continue to be used by the allies of that nation which oppresses them. This lack of political sophistication on the part of the African American Muslim leadership is what allows the immigrant Muslims to easily take advantage of their economic, social and spiritual potential. When I think of the thousands of suburban immigrant Muslim mosques constructed on finances raised by the spiritual energy of indigenous American speakers like *Imam Siraj Wahhaj* and *Imam Hamza Yusef*, I can imagine what could emerge if and when this same energy is directed into indigenous Islamic institutions. This point makes it almost an obligation for the *muddajin* Muslims to financially support the *Zaytuna College* in California and *Masjid Taqwa* in Brooklyn, New York. Without the tireless efforts of these two indigenous America Muslim Imams, I doubt that many *muddajin* communities could even boast of these fine religious structures which have in certain cases been forced on the suburban landscape and parochial psyche of America.

⁵⁶ An example of this predicament was in the year 2000 in Philadelphia during the nascent meetings of the formation of what became known today as MANA (the Muslim Alliance of North America), when the proposal was put on the floor that MANA should be registered as an NGO at the United Nations as a legitimate representative of indigenous American Muslims; it became one of the key causative factors for several Caucasian American Muslim leaders to leave the organization; and subsequently the idea of MANA being an NGO representing the indigenous American Muslim national minorities was obstructed and impeded by the leadership. This is in spite of the fact that the leadership of MANA and their rights which international law protects are being systematically violated by the United States government, to the extent where one of the key members of MANA, *Imam Luqman Abdallah*, was recently assassinated by the FBI. The *Amir* of MANA remains on a phony list of ‘unindicted co-conspirators’ in the first FBI bombing of the WTC. The debut *Amir* of MANA and his entire *masjid* of the MIB have been targeted by the NYPD for unwarranted surveillance and harassment. As a part of the founding board members of MANA, I was forced into exile in 2005 and our *masjid* (the Light of Age – *Nuur`z-Zamaan*) and institution (SIASI) in Pittsburgh were mysteriously raided by the FBI in 2006. One of the most industrious founding members of MANA, *Imam Luqman Abd`l-Haqq* (aka Kenneth Gamble), the legendary head of Philadelphia Sound, has been maligned and his character impugned by extremist far right bloggers attempting to halt the community development instituted by this musical genius and his organization. For this reason alone MANA has to organize and fight. The one legal weapon that MANA has that could put an end to these kinds of unconstitutional, extra judiciary criminal actions is international law. Until this is done each individual leader and every individual organization is going to be isolated, targeted, disrupted and eliminated. The son of one of our Brooklyn *Imams*, Mos Def said it best: “...as usual some cats won’t heed it. The hard headed always got to feel it to believe it...”

some of the leadership of the African American Muslim became hindered in personal religious rituals, the ‘piety of quietism’, and in certain cases, outright fatalism, too sanctimonious to provide real and lasting leadership for a struggling people. The so-called ‘activist’ leadership has failed to recognize the prominent role that religious life has played in the struggle for our freedom. And the so-called ‘religious’ leadership has forgotten the commitment that Allah ta’ala demands in the rebuilding of broken humanity, the down trodden and the oppressed. In this post modernist age of the ‘death of racism’ and an allegedly ‘black’ President of the United States, still African Americans and the Muslims among them exhibit what Dr. Jackson described as:

“...the elusive quest for autonomous authenticity, the oppressive weight and mustiness of ideological orphan-hood, the failure of others to recognize one as a producer rather than a mere consumer of the values and parameters that inform one’s life choices, the disquieting alienation and frustration born of a vagueness of one’s historical roots, the gnawing vexations laced with the inscrutable sweetness of a black cultural orthodoxy steeped in identity-in-difference...”⁵⁷

The schizophrenia which this entails is coupled with the continued COINTELPRO crusade against African American Muslim organizations under the cover of Homeland Security, Patriot Acts, Resolution S-1959, FISA, where leaders are criminalized, falsely arrested, forced to leave the country, their *masaajid* and institutions raided, organizations infiltrated and disrupted, and *Imams* are targeted and/or assassinated. The indigenous Muslim leadership is forced into either a dialogue of outdated 60s radicalism or the paralyzing quietism of religiosity – which amounts to a choice between mental ‘crack cocaine’ or mental ‘heroin’.

Finally, in examining the choices that the African American Muslim national minorities face in their on-going struggle, we have to scrutinize from an historical perspective, the tendency for those outside of us, who do not share our historical realities to attempt to direct, or waylay our momentum. I speak here of those voices today who claim that we should become more spiritual and/or mystical and accept the status of second class citizenship as apart of the Decree of Allah ta’ala.⁵⁸ If this approach had come from our own leadership, it could be considered as a genuine solution to gaining our rights, as Booker T. Washington demonstrated in his ‘Great Compromise’. This debate among African American leadership to assimilate or separate existed prior to Washington’s compromise and has been a recurring debate from the earliest times of the Union to the present.⁵⁹ However, when this approach is suggested from members of the dominant majority who have historically benefited from our continued domestic colonization; it can only be seen for

⁵⁷ Sherman Jackson, 72-3.

⁵⁸ I once heard *Imam* Abu Usama Khalifa say that he believed that the enslavement of Africans in the Americas was their own fault due to their paganism and their Muslims failing to revive the *Sunna*. I was amazed at the unadulterated ignorance the *Imam* had of his own Islamic African past. That’s the same argument Najdi Arabs made to their African slaves and their descendents until slavery in the Saudi kingdom was officially abolished in the 60s. The fact that a young and charismatic African American Muslim *Imam* had been reprogrammed to espouse the social and racial theories of Najdi slave culture was mind boggling. What was worse is that some of these young Saudi educated African American Muslim leaders had previously been members of the N.O.I. the Five Percent Nation, and the militant hip-hop cultural circles. How these brothers could grow intellectually and spiritually without having some connection with their own African Islamic past is difficult to fathom. Some of them were associated with Africans *Shaykhs* like them, who were deprogrammed in Saudi Islamic institutions and replanted back in northern Nigeria, Mali, Burkina, Togo and Benin to undermine the ancient African Islamic traditions of their fathers.

⁵⁹ Kwando M. Kinshasa, *Emigration vs. Assimilation: the Debate in the African American Press, 1827-1861*, (Jefferson, N.C., Macfarland, 1988), pp. 23-30.

what it is – the white once slave master giving a lecture in one of our churches and telling us how we must accept our lot, and that God has a greater plan for us in the ‘sweet bye-and-bye’.

Or yet another tendency from these same elements is to seek to control the momentum of this moral quest on our people’s part; and when this fails, to then ridicule and or marginalize our struggle by denying our existence, and denying the internationally recognized principles by which our continuity depend. Another, tendency comes from the direction of the ‘*muddajin*’ Muslim groups who voluntarily accepted *dhimmi* status under US sovereignty through immigration. After decades of basically ignoring the plight of the African American Muslim minorities and identifying themselves with the dominant majority ethnicity, today as a result of 9-11, and themselves being placed under de-facto ‘jim crow’ status; they are now attempting to ‘realign’ themselves with the one national minority in the US which has the historical, moral, legal and political right to move towards a more autonomous relationship with the US government. So, today, we see a plethora of conferences being held throughout the nation regarding ‘national unity’ of ‘all Muslims’, and the need to address ethnic and racial problems between ‘Muslim Americans’. Although we applaud the need to resolve the historical conflicts between the indigenous US Muslim populations and the immigrant Muslim populations. However, this does not alter the distinct legal status which the *shari`a*, international law and the US constitution have placed between the two communities. This existential legal divide demands that the young second generation immigrant Muslim communities in the US re-adjust themselves to their political and legal status with regard to the US government, the dominant majority and especially the indigenous US Muslim populations. The African American Muslim national minorities can no longer afford to submerge themselves under the legal ‘grey’ area which the immigrant Muslims have acquiesced themselves to as a result of their quest for upward mobility, affluence and ‘citizenship’, which voluntary immigration status has heaped upon them.

Allah willing, I will address how the *shari`a*, international law and the US constitution have placed an implacable barrier between the two communities, unless the immigrant *muddajin* Muslims redefine their status and do what any immigrant Muslim community would normally do with any nation where there exists an historical Muslim national minority. They must subsume themselves under the political status and social contract which exist between that national minority and the nation; or join the indigenous Muslim national minority in their struggle for a *shari`a* based, internationally accepted social contract which does not challenge the sovereignty of the state in which they reside.

In saying this I make no apologies, because I believe that the persistence and survival of the oldest and distinct Muslim national minority in the US is far more important in the eyes of Allah ta`ala than the few toes that may inevitably have to be stepped on during our great march forward. In fact, by accepting the status of a *muddajin*, the immigrant Muslim has placed himself squarely ‘in the way’ of the indigenous Muslims quest to establish a social contract between themselves and the US, which is consistent with the *shari`a*, international law and which is acceptable to the US constitution. Thus, having one’s toes ‘stepped on’ comes with the territory of being *muddajin*. In fact, the US government has actively utilized members of

this group to waylay, marginalize and in some well known cases, disrupt those indigenous Muslim organizations who attempted to realize their rights for self determination, resulting in the present political and social fraud which characterizes Muslim presence in the west.⁶⁰ Allah ta'ala says:

﴿إِلَّا تَفْعَلُوهُ تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ﴾

“If you do not do so, then there will be tribulation in the earth and immense corruption.”⁶¹ It is not surprising that the majority if not all of the so-called domestic terrorist plots by Muslims in the United States were either organized, led or started by FBI informants who were members of the *muddajin* immigrant Muslim communities. Therefore, the African American Muslim national minority in the United States must first recognize their unique history and position in the western hemisphere, which unites them with other Muslim and non Muslim national minorities in the US; such as the Spanish speaking Muslim communities, the Anglo-American Muslim communities; as well as the First Nations (native Americans) and ethnic, linguistic and religious national minorities. Secondly, they must define their inimitability and distinction from the dominant Anglo American majority, revive and preserve their linguistic, cultural and spiritual heritage. This requires the need for transformation of themselves and a social transformation of the society in which they live; and means that protracted struggle is demanded of them. Commanding the good and forbidding evil is demanded of them. Righting wrongs and fighting against all forms of injustice as delineated within their own traditions is obligatory upon them. This struggle is uniquely theirs and should never be subsumed to the interest of any group other than themselves.

⁶⁰ The *Dar'l-Islam* Movement is the best example of this phenomenon which was targeted by both foreign *sufic* and foreign *salafist* elements from countries that were staunch allies of the U.S. – Pakistan and Saudi Arabia. These *shaykhs* sort out and captured the sustained attention of the leadership of this movement, eventually splitting this national Muslim organization into two opposing camps. The only surviving legacy of the *Dar'l-Islam* Movement as it was before the sectarians from Pakistan and Saudi Arabia intervened is the UMMA, under the leadership of *Imam* Jamil al-Amin, now under the leadership of Amir Asim of Masjid Mujahideen in Philadelphia. As for the faction which followed the *sufi* pir from Pakistan called the *Fuqara*, they scattered themselves throughout rural regions of the U.S. establishing Muslim ‘towns’. When I met some of them at their ‘town’ east of Fresno, California, I saw drug addiction among some of the elders and their young teenagers roaming about aimlessly. There was no school that I could see and most of the living quarters lacked basic amenities. The last news I received regarding some of the California *Fuqara* is that they had been ordered by their spiritual or scholarly authorities in Pakistan to sell heroin on the streets of the U.S. as some kind of twisted take on *jihad*. The logic behind their arguments fell to pieces when it became clear that the local police confined their drug activity to the Black Belt, and their market was their own people – the very people who needed the invitation of Islam and to answer the call of Allah. The fact that these African American Muslim families could not see that those in Pakistan to whom they owed allegiance did not have their or their people’s best interest at heart, is astounding to me.

⁶¹ *Qur'an – al-Anfaal* – 73.

6. The Political Status of Immigrant Muslims as Viewed Through the U.S. Constitution

It is crucial at this point in our study to examine from the perspective of Islamic law, the U.S. constitution and the precepts of international law an area of legal controversy that few in this age will agree with - the legal status of Muslims who voluntarily immigrate to the U.S. Each time this topic is breeched people inevitably become subjective preventing them from looking at it dispassionately and objectively. I realize that I am not singing to the choir here because the one scholar/sage who vocally articulated this clearly and fearlessly was martyred while teaching in a *masjid* in Damascus, may Allah ta'ala reward him with the best that He gives to His close friends and wipe out the traces of those who killed him from His everlasting pardon and mercy. The reason that this topic is relevant is because the African American Muslim national minority has been 'conditioned' to look to the immigrant Muslims for spiritual inspiration and example. In fact, with the exception of nominal Muslim organizations such as the N.O.I., the Ansarullah Movement, the Moorish Science Temple and the Five Percent Nation or those predominantly Black *Sunni* Muslim organizations with national constituents such as the community under the leadership of the late *Imam* W.D. Mohammed, the Dar'l-Islam Movement, the Islamic Party, the Saabiquun Movement, the IRM, the MIB, the UMMA and the *Jama'at* of *Shehu* Uthman ibn Fuduye'; the majority of the African American Muslim national minorities have always looked and deferred to the immigrant Muslims in the U.S. for spiritual, political and economic support. This support mainly came from Pakistan, Saudi Arabia, the Arab Gulf states and Iran.⁶² Frequently asked questions regarding these international relationships which emerge are: have these relationships been in the best interest of the African American Muslim population; or have they served the interest of the Muslim immigrants and the U.S. government?

I am indebted to my late friend and comrade Att. Charles Haroon Freeman, who took the time to respond to several legal questions I put to him some years ago regarding the difference between the legal status of indigenous American Muslims and immigrant Muslims. What I mean by 'indigenous' are those Muslims or Muslim converts who are members of either the Anglo American majority, the African American, Hispanic or First Nation minorities who were a part of the formation of the United States from its inception. This is the working definition of a national minority and distinguishes them from immigrant minorities who came into the country after its formation.⁶³

⁶² The support from these nations usually took the form of religious scholarships, and always had strings attached. The African American was obligated to adopt a kind of Islam disconnected from their unique African history and culture. Support from Saudi Arabia meant adopting the atrophying, misogynistic and stasis Islam of the Saudi *Wahhabi* sect. Support from Pakistan meant taking on perplexing cultural values replete with the remnants of *hindi* caste system that Muslims of the subcontinent of India have yet to disengage themselves or their Islam from. In Africa, there has never been an ethnic issue with regard to the family of Muhammad, may Allah bless him and grant him peace on its soils. Africans have always recognized, protected and honored the descendents of the Prophet, may Allah bless him and grant him peace. The Adaarisa of North and West Africa, the Alawiyya of East Africa, the Salihiyya of West Africa, the Kunta, the Mirghaniyya, the Fudiawa, the Tayyibiyya of the *Bilad's-Sudan* precludes sectarian *shi'a* views from ever penetrating African Islamic psyche. There is no need for us to start lashing our backs out of guilt, because Africans have always recognized and conferred lawful rights upon the family of Muhammad from the time Jafa'r ibn Abi Talib led the early Muslim immigrants to Abyssinia until the present proliferation of the *Hasaniyya/Husayniyya* families and ethnicities across the whole of Africa. Similarly, in the U.S. the inter-tribal wars between the Banu Hashim and the Banu Umayyad which later crystallized under the religious umbrella of the *sunni/shi'a* conflict is irrelevant to the struggle of African American Muslim national minorities.

⁶³ UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, GA Res. 47/135, 18 Dec. 1992. [Hereinafter the UN Declaration on Minorities].

With regard to how the U.S. Constitution views the right of immigrant Muslims, Att. Charles Freeman noted that from a purely legal perspective the procedure of attaining a visa and the process of naturalization place immigrant Muslims at a disadvantage, with regard to the full practice of their religion and customs. They are obliged by the law to accept a compromise in the practice of their faith, if they desire to attain a visa to the U.S. or when they decide to become a naturalized citizen. Furthermore, he noted that the immigrant Muslim has been given a distinct and separate legal identity from that of the indigenous American Muslim. In his letter to me, Att. Charles Freeman cited the United States Supreme Court summary of a judicial review of immigration legislation which places any ethnic, linguistic, religious immigrant to the U.S. in a delimited legal position than that of the indigenous American citizen. Once a Muslim enters into the contractual agreement that a U.S. visa demands, he has by law entered into a social contract with the American government which restricts his/her right to practice their religion and culture in full. From the perspective of the *shari`a*, this is an acceptance of *dhimmi* status.

Disregarding the delimited legal *shari`a* status through the compromise that the visa forces the volunteer immigrant Muslim to accept; and looking at the visa itself as a binding legal contract; then one cannot help but arrive at the same conclusions which Dr. Tariq Ramadan and later *Shaykh* Abdallah bin Baya arrived at; which is that the visa itself constitutes a 'social contract' (*mu`ahida*). However, the late *Shaykh* Ramadan Bouti, *rahimahu Allah*, correctly noted that this conclusion precludes the legal precedence of the prohibition of making *hijra* to the lands of war which has been prohibited by the Book, the *Sunna* and the consensus of the *Sunni* scholars. The least complicated definition of the land of war, is one which is at war with Muslims. This definition has been applicable to the U.S. since its first military incursion into Muslim lands. Thus, the only way one could conclude that the visa process constitutes a binding legal contract is that the prohibition of residing in the lands of war and the prohibition of emigration to the lands of war have been repealed, abrogated or annulled. If it is prohibited for Muslims to reside in the lands of war and if it is prohibited for Muslims to make emigration to those lands; then any subsequent means to those ends (i.e. a visa) are also prohibited and cannot be deemed a binding contract. If that were the case then it would be valid to claim marriage to one's sister as being lawful simply because a contract of marriage was signed and witnessed. A visa can only be considered a binding social contract if and when it is determined by the *shari`a* to be lawful. This is where the jurists dispute, and the strongest proofs are with those who declare the visa unlawful because it is a means to something unlawful which is *hijra* to the lands of war.

Thus, any jurists, be he a *mujtahid*, a *mujaddid* or the *qutb* of the time is bound by the limitations which Allah ta`ala has placed upon her/him as a created being. It has been related by Ahmad ibn Hanbal on the authority of Umm Salama that the Messenger of Allah, may Allah bless him and grant him peace said: "Verily I am a human, so when you bring your disputes to me, and because one of you may be more eloquent with his proofs than others, and I as a result adjudicate on behalf of him based upon what I heard; then whoever I have adjudicated on behalf of against the rights of another Muslim, then it is a portion of the Fire. Either take it or avoid it." If it is conceivable that two litigants can come to the Seal of the Prophets,

may Allah bless him and grant him peace where the one in the wrong is more eloquent in presenting his case than the wronged, and the Messenger of Allah passes a judgment based upon the eloquence of the evidence given him; and then warns the person in the wrong that if and when he adjudicates on his behalf that he has actually knowingly taken a portion of the Fire; then it is also conceivable for a *wali*, *qutb*, *mujaddid* and *mujtahid mutlaq* to give a judgment based upon a defective but well phrased question.

All scholars and even those considered *mujtahid* can only address questions as they are put to them, especially when the issue the question it tackles is outside of the experience of the scholar being addressed. If the visa is a binding contract for the Muslim to adhere to and accept, then he is obliged then to surrender to all the precepts which that visa contract stipulates. *Shaykh* Abdallah bin Baya is not an American and does not know of the unique history of its people. The *Shaykh* can only answer a question based upon how it is presented to him. Perhaps those who posed the question to the *Shaykh* left out the diminished legal status that a visa affords a Muslim immigrant to the U.S.? Perhaps the existence of an indigenous American Muslim national minority which did not sign a visa contract or went through the normal processes of naturalization was obscured from the *Shaykh*? Perhaps, had *Shaykh* Abdallah bin Baya been informed that there were millions of enslaved African Muslims kidnapped and brought against their will to the U.S. and remained in illegal slavery, in defiance of well known legally binding treaties signed between colonial U.S. and the *Sultanate* of Morocco; he would have given us an entirely different *fatwa*? Who put the question to the *Shaykh* and how was the question phrased? If the question came from a *muddajin* would not he/she word the question in such a way to get the desired answer? If the question came from a white American who has enjoyed the privileges that whiteness gives in America; would not a different answer emerge? And if the *Shaykh* gave an answer which adversely affected the dispossessed African American Muslim minorities in the U.S., but benefited the privileged and domestically colonized; would not the latter have taken a portion of the Fire as well? No blame would be on the *Shaykh* because he simply answered a question based upon how the question was presented. The blame would fall on those who phrased the question and who intentionally obscured facts about the issue which if they were known would have elicited an entirely different answer; but, I get ahead of myself.

In his letter to me Att. Charles Freeman cited a 1977 U.S. Supreme Court ruling called *Fiallo v. Bell* where the Court concluded that the immigrant to the U.S. does not share the same legal status that indigenous citizens have with the courts:

“At the outset, it is important to underscore the limited scope of judicial inquiry into immigration legislation. This Court has repeatedly emphasized that over no conceivable subject is the legislative power of Congress more complete than it is over the admissions of aliens. Our cases have long recognized the power to expel or exclude aliens as a fundamental sovereign attribute exercised by the Government political departments largely immune from judicial control. Our recent decisions have not departed from this long established rule. Just last Term, for example, the Court had occasion to note that the power over aliens is of a political character and therefore subject only to narrow judicial review. And we observed recently that in the exercise of its broad power over immigration and naturalization Congress regularly makes rules that would be unacceptable if applied to citizens.”⁶⁴

⁶⁴ This was extracted from a letter of Att. Charles Haroon Freeman that he composed at my request about a year before his death. The source of this Supreme Court decision is *Fiallo v. Bell*, 430 U.S. 787, 792 (1977) (6-0-3 majority opinion).

In other words, when it comes to who is given a visa and who is naturalized as a citizen, the United States Congress can, has and does discriminate based upon ethnicity, class, religion, sexual orientation and country of origin. This cannot be done to a citizen of the U.S., but only to an alien seeking entry into the U.S.⁶⁵. This establishes that there is a clear and distinctive legal difference between an indigenous American citizen and an immigrant. Although, ethically, Muslims are obliged to see themselves as a single community; yet the United States Constitution makes a clear distinction between the political and legal status of Muslims who voluntarily immigrate to the U.S. and those Muslims or Muslim converts who are members of the linguistic, ethnic and cultural communities which were present at the formation of the United States of America. The above statement of the U.S. Supreme Court clearly distinguishes immigrant Muslims from indigenous American Muslims. The immigrant Muslim falls squarely under the control of the executive and legislative branches of the government and lack the full protections of the judicial sector of the government. This was made glaringly obvious with the events of September 11, 2001 and the subsequent fascist presidential decrees regarding the 'war on terror'. This legal distinction is what forces Muslim immigrants to compromise their religion at the onset of getting a visa to the U.S. This is also the drive behind the reason that the immigrant Muslim can be forced by the police or federal agents to inform upon their own family members, to spy upon indigenous Muslims, act as paid informants, turned to spy on their own countries and be used as agent provocateurs in FBI sting operations to undermine and disrupt indigenous American Muslim activities.⁶⁶

Regardless of how many national conferences are held to demonstrate the 'unity' and 'oneness' of indigenous and immigrant Muslims; yet the U.S. Supreme Court has established that there is a clear legal distinction between the two. It is a political mistake for indigenous American Muslim national minorities to subsume their interest under the interest of any organization run, organized or financed by immigrant Muslims in the U.S. The reason for this is because immigrants are limited as to their rights under the law and

⁶⁵ I came face to face with this reality in China, when I went to the U.S. Embassy in Beijing to get a social security number for my son, Musa Jokolli Shareef. I filled out the application, paid all the required fees and gave them my passport and my son's birth certificate. A woman with a strong eastern European accent took my passport in the back office for about forty minutes. When she returned, she was holding a three foot long print out; and asked me: "What problems did you have in 2003?" I told her I did not know what she was talking about. She responded that the State Department demanded to hold my passport and that they could not honor my application for my son's social security number. I was baffled and asked: Why? Did I commit a crime? Is there some warrant for my arrest? To all my questions she answered no. She only said that the State Department has a problem with my passport. When I pressed her for some kind of explanation, she made the mistake and said what she was not supposed to say. She said: "You are an undesirable!" Even the white American woman behind me was mystified by that answer and said: "Excuse me?! That sounds blatantly racist!" I then asked if they were not going to honor my son's application could I get my money back? She replied no because my money paid for services rendered. I replied: "What services! You just took my passport and called me – undesirable!" As I left, I felt the empathetic support of most of the ex-pats in that small office providing services for U.S. citizens and American passports holders. I vowed then to never make a request from a U.S. Embassy again. My point is that those in the State Department discriminate and do discriminate, even against its oldest national minority and have codes for discrimination such as 'undesirable'. This corroborates that the U.S. deals with African American dissidents by either denying them the right to travel (as in the case of Paul Robeson), or by quietly revoking their rights as citizens when they do travel.

⁶⁶ There is the well known case of a Moroccan green card holder, Yassine Ouassif, who in 2006 entered the U.S. from Canada. On entering the country Ouassif's green card was confiscated and he was told to report to the FBI in San Francisco, where he was told by agent Daniel Fliflet that his green card would be returned and he would be allowed to resume a normal life if he became an informant and regularly reported on what Muslims in San Francisco were saying and doing. This tactic only works on an American citizen if he/she has been arrested for a crime and then in order to stay out of jail, is blackmailed by the police and federal agents to become an informant.

have loss the right to establish a portion of their religion which the U.S. constitution may deem contradictory to its principles. This is not the case with indigenous American Muslim national minorities; especially the African American Muslims, who can trace their heritage, back to antebellum America and beyond. Since they descended from people who were kidnapped, stripped of their culture, language and religion; they have the right under the U.S. constitution to recover, reestablish and revive those cultural, linguistic and religious values taken from them during the 4 centuries of slavery and discrimination. There is little difference between the legal status of African American Muslim national minorities in the U.S. and the legal status that eastern European Jews had in Germany before and after WW2. The only difference is that the African American Muslims were a part of the earliest formation of the union of the United States, and thus constitute an indigenous national minority. The world community justly decided that the German nation and its chief national majority owed a great deal of moral, political and 25 years of fiscal compensation to the eastern European Jewish minorities and their descendents. Justice and morality demand that the African American Muslim national minority be given the same internationally recognized compensations that were given to the victims of the Holocaust in Europe; but again I get ahead of myself.

The bottom line is that the U.S. Constitution demarcates an inferior legal status for any immigrant who enters the country through the visa process. This means that the visa comprises a legal prerequisite which precludes it being declared a legally binding social contract. The fact that the visa process is arbitrary and has on many occasions been used to maintain majority white population predominance, delimit non white immigration; and today is used as a casino gambling tool (the U.S. visa lottery) to gain badly needed finances for the United States State Department, makes it virtually impossible to declare that a visa in and of itself constitutes a legally binding social contract in terms of the *shari`a*.

From another perspective rarely talked about is the United States state and federal agencies and agents violating Muslim national minorities' First Amendment rights by actively expending tax dollars to spy upon, infiltrate, influence, disrupt and/or destroy a particular religion or expression of that religion. Jefferson asserted that the First Amendment builds an interminable wall protecting all religion from state intrusion. In his letter to me Att. Charles Haroon Freeman also noted that the U.S. Constitution forbids the state from recognizing or giving preference to the kind of religious expression which is propitious to the state. The First Amendment clearly prohibits the state from endorsing one kind of religious expression over another. It states:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”⁶⁷

Freeman noted that what this amendment implies is that the state cannot give preference to a particular kind or brand of Islam which is acceptable to the state. Terms such as ‘political Islam’, ‘Islamist’, ‘*jihadi* Islam’, ‘Islamic fundamentalist’, ‘*salafist*’, ‘*Ikhwani*’, ‘moderate Muslim’, ‘democratic Islam’ etc have no legal reality in the constitution. Citing a 1947 Supreme Court case *Everson v. Board of Education*, he stated that the establishment of religion clause of the First Amendment means that no agent or agency of

⁶⁷ UNITED STATES CONSTITUTION; Amendment: I.

the state or federal government can formulate an 'acceptable Islam'. This means it is illegal and unconstitutional for the DIO, the NSC and the CIA to secretly invent religious insurgents of any sectarian persuasion. The state can neither pass laws which aid one sectarian group of Islam; aid all sects; nor give preference of one kind of Islam over another. Each legislation which stipulates that Islam or its *shari`a* precepts cannot be resorted to in a state or federal court dealing with family law, burials, inheritance, weddings, divorce or business transactions and contracts is overstepping the First Amendment. The state cannot force, influence or encourage a person to attend an acceptable Islamic community or to avoid one that the state considers unacceptable. The clause means that the U.S. through its state and federal agencies cannot force a Muslim to profess a belief or disbelief in any diverse creed of Islam; nor can they punish them for entertaining or professing a particular strain of Islamic belief, or for attending a particular Muslim place of worship. More importantly, the First Amendment expressly prohibits agents of the state and federal government from openly or secretly participating in the affairs of any Islamic religious organization. This means that any and all resolutions within the Patriot Acts, the FISA, Resolution S-1959, or presidential executive orders which advocate infiltration and the disruption of Islamic organizations and communities the government considers inimical; are all illegal and unconstitutional.

It is under this constitutional pillar that every American Muslim activists and leader of their people should take their firmest stance. The closer the Muslim national minorities position themselves to the pillar of the First Amendment, the more glaring the United States state and federal government will be seen as blatant violators of the law it claims to cherish and uphold. Every state and federal employee, whether elected, appointed or hired, makes their first oath a declaration to abide by and protect the constitution. In this era of neo McCarthyism the First Amendment of the U.S. constitution is the strongest weapon of every African American/Muslim. Throughout the history of the United States, those who man the gates have arrogated to themselves the right to violate and rescind the precepts and authority of the constitution whenever the white status quo was threatened. In doing so they whittled away at the foundations of the U.S. constitution.

In the Art of War the noblest and most masterful way to defeat an opponent is with their own sword. On the other hand, the most ignoble way to die is with one's own sword. The U.S. government has a history of stabbing itself with its own sword by violating its own law in order to maintain an ethnic status quo. In this regard the U.S. constitution is the greatest friend for the African American/Muslim. By taking a stance under the First Amendment, those human demons who man the gates for white western judeo-christian predominance will undoubtedly attack and assail the First Amendments rights until that pillar of the U.S. constitution is no more. They accuse Muslims of undermining and destroying their American values, while like a termite infestation, they have gnawed at the core values of the constitution from the very beginning. The principle ideologue of the American Revolution, Thomas Paine, warned the new republic that if it allowed slavery and racial injustice to prevail, then the constitution would be invalidated from its inception and the nation will be still born.

From a psychological perspective those African American Muslims who believe in and embrace the core values of the U.S. constitution, you have the moral high ground today. The majority of your fellow Americans who profess a love for the constitution, do not and never have shared the same love. What they love is the privilege of being white in America, and whenever *that* is threatened they see no problem in suspending their beloved constitution to maintain their dominance. Today, by standing underneath the First Amendment, that more perfect union promised by the Declaration of Independence, the Bill of Rights and the constitution can be finally achieved at the hands of America's Muslim national minorities.

For those of us African America/Muslims who question the veracity of the U.S. constitution and desire a more autonomous relationship with the U.S., the First Amendment is also our most effective weapon. Admittedly, I do not believe in its veracity. I do not believe in it, because neither did many of its framers or the subsequent majority of their descendants who inherited it. They did not believe in it when they framed it, nor do they believe in it now. If we look closely at President Obama's latest executive order regarding the 'war on terror', those edicts of Cheney during the Bush administration and every preceding U.S. regime going all the way back to the great compromise of the constitutional debates of 1787; the precepts of the U.S. constitution failed to be implemented on behalf of the countries chief national minorities or were blatantly suspended. Because the 'war on terror', as many far right pundits assert, is not about a fight against Islamic extremism. It is about a fight against Islam. In their view there is something endemically wrong with Islam. They believe the state and federal government should openly target the religion by name and expend as many taxpayer dollars on its containment and destruction. *This* is a violation of the First Amendment and this is where we should take our stand. The First Amendment means that you have the right to believe and profess whatever Islamic doctrine you like. It precludes state and federal government agencies and agents from impinging upon your religious beliefs. It means that the government may not compel you to affirm the belief in moderate, *sufic*, democratic Islam, nor can it punish you for expressing Islamic doctrines that the state believes to be dangerous or false. This means that tax dollars cannot be expended to target, interdict, infiltrate, contain or influence the direction of any aspect of Islam or its people. But more importantly, the First Amendment prevents the U.S. state and federal agencies from lending "...its power to one or the other side in controversies over religious authority or dogma."⁶⁸

When a *sufi* 'shaykh' a *muddajin* from Lebanon in 1991 decided to enlighten the NSA about which Muslims the State Department should or should not support; not only demonstrates the spiritual charlatan's patent ignorance of the principles of the U.S. constitution; but it indicates that his 'gnosis' of human nature and how it works is as counterfeit as a soothsayer with a crystal ball. The fact that the 'shaykh' was given an F-1 visa, meant that he should have known that the First Amendment protects Muslims who adhere to *salafist/ikhwani* beliefs just as it protects Muslims who believe that dancing and gyrating while shouting the Names of Allah will garner for them any solemn attention from the Absolute Being.

⁶⁸ *Employment Div., Dept of Human Resources of Oregon, v. Smith*, 494 U.S. 872, 877 (1990).

Each time the FBI advises the government to allow them to target a specific element of the Muslim population based upon their creed and beliefs, this is a violation of First Amendment rights. Whenever government agencies or contractors advise the government to fund and support those expressions of Islam which are agreeable to U.S. interest and to marginalize those which are inimical and dissident to these views; this is a violation of First Amendment Rights. Each time a governmental representative in the House of Representatives or Senate legislate for bills mentioning Islam as a religion to be targeted, profiled, studied, and altered; then this is a violation of First Amendment rights.

All this indicates that the U.S. constitutional laws, with all of its flaws, is a user friendly legal code which African America/Muslim national minorities can utilize to negotiate a more equitable and autonomous relationship with the state. It also demonstrates that the Muslim immigrant has allowed itself to fall victim to unconstitutional interdictions from the government in their lives as Muslims. Because of the nature of their visa they fall outside of the normal judicial protections afforded the indigenous American Muslim national minorities.



Institute of Islamic-African Studies International

7. The Political Status of Immigrant Muslims as Viewed Through the Shari'a

As for the view which the *shari'a* has of the Muslim who voluntarily emigrates to the U.S., it is identical in spirit to the legal status which the U.S. Constitution grants them. Many modern writers and researchers have written at length on this subject. My professor Fathi H. el-Misri,⁶⁹ Muhammad Khalid Masud,⁷⁰ Muhammad Hamidullah, Bernard Lewis,⁷¹ Khaled Abou El Fadl,⁷² Kathryn Miller⁷³ and the superb research of Jocelyn Hendrickson⁷⁴ all reexamined the existing literature on *hijra* (flight/emigration)

⁶⁹ F.H. el-Misri, ed., *Bayan Wujub'l-Hijra' Ala'l-'Ibaad of Shehu Uthman Dan Fodio*, (University of Khartoum Press, Khartoum), 1978. He was my professor in Arabic at Omdurman Ahliyya University and the dean of the College of Humanities. He was also the longtime friend and comrade of our *Imam* al-Hajj Malik El Shabazz. They were together in Nigeria in Ibadan, where Dr. el-Misri was conducting his seminal and classical research for the above work. So I was fortunate to get a clear picture of what *Imam* Shabazz was searching for in Islamic Africa. The *Imam* wanted the Islam of the Muslim Mosque Inc. to reflect the best and highest values of Islamic African civilization. Dr. el-Misri asserted that al-Hajj Malik El Shabazz's political view of culture informed his research and was reflected in his own assessment of the political theories of *Shehu* Uthman ibn Fuduye' as expressed in his *Bayan Wujub'l-Hijra*. This dissertation by my professor and mentor, Dr. Fathi el-Misri was the first of its kind to assess the political ideas of the *Shehu* from the perspective of African Islamic constitutional theory. I pray that the University of Khartoum Press will get the funding it needs to be able to keep this seminal research of Dr. el-Misri in print.

⁷⁰ Muhammad Khalid Masud, "Shehu Uthman Dan Fodio's Restatement of the Doctrine of *Hijrah*," *Islamic Studies*, 25:1 (1986), 56-77, as well as his "Obligation of *Hijra* in Islamic Law," *Muslim Travelers*, ed. Dale Eickelman and James Piscatori (University of California Press, Berkeley), 1990, 29-32.

⁷¹ Bernard Lewis, *Discovery of Europe*, (Norton and Co., New York), 1982.

⁷² Khaled Abou El Fadl, "Islamic Law and Muslim minorities: the Juristic Discourse on Muslim Minorities from the Second/Eight to the Eleventh/Seventeenth Centuries," *Islamic Law and Society*, (E.J. Brill, Leiden), 1994, 141-187. He said in his abstract: "This essay examines the juristic discourse on Muslim minorities from the second/eighth century to the eleventh/seventeenth century with regard to (1) whether or not Muslims may reside in non-Muslim territories and under what circumstances; (2) the relationship of these Muslims to *dar al-Islam*; and (3) the ethical and legal duties that these Muslims owe the Shari'a and to their host non-Muslim polity." Dr. Abou El Fadl goes on to claim that the decisions regarding *hijra* during the early period of Islam were 'cryptic and ambiguous' and not clearly defined. He questioned the veracity of jurists such as al-Wansharisi to declare *hijra* to be an obligation by consensus. No doubt the good doctor accepted the modernist view of challenging earlier Muslim jurists' interpolation of the distinction between Islamic lands and non Muslim lands.

⁷³ Kathryn A. Miller, "Muslim Minorities and the Obligation to Emigrate to Islamic Territory: Two *Fatwas* from Fifteenth-Century Granada," *Islamic Law and Society*, (E.J. Brill, Leiden), 2000, 256-288. In her abstract she said: "When Christian forces conquered the entire eastern regions (*sharq al-Andalus*) of the Iberian peninsula in the thirteenth century, a large population of Muslims became subject to Christian rule. Now known as *Mudejars*, these Muslims continued to practice their religion and regulate their communities according to Islamic law, but their residence in *dar al-Harb* (abode of war) became the subject of divided legal discourse among Maliki jurists. Some of the controversies which surrounded a Mudejar's obligation to emigrate to Islamic lands are preserved in *fatwas* issued by jurists in Granada, the Maghrib, and Ifriqiya. The aim of this essay is to present two previously unknown *fatwas*, issued by al-Haffar and al-Mawwaq, that address two particular aspects of Mudejar predicament": the validity of *sadaq* contracts authenticated by Mudejar judges and the obligations of Muslims to their Mudejar families and communities living under Christian rule." In this ground breaking research Dr. Miller uses Islamic rulings that called into question the right of Muslim jurist, merchants and judges to adjudicate on behalf of domestically colonized Muslims.

⁷⁴ Jocelyn N. Hendrickson, "The Islamic Obligation to Emigrate: Al-Wansharisi's *Anas al-Matajir* Reconsidered", Ph.D. dissertation, Faculty of the Graduate School of Emory University, 2009. This work is in my opinion the most thorough study in English on the question of *hijra* and the prohibition of residing in the lands of disbelief. She examines the controversial al-Wansharisi in his *Anas al-Matajir* and shows that modernists scholars, particularly those from the Arab world misjudged al-Wansharisi as being too strident, when he was actually moderate in his views. She demonstrates that the majority of the scholars were far more strident in condemning the domestic colonized Muslim (*muddajin*) than al-Wansharisi was. In her abstract to her dissertation, she said: "This dissertation re-examines a *fatwa* (formal response to a legal question) issued in 1491 C.E. by Ahmad al-Wansharisi (d. Fez, 914/1508) confirming the obligation of Iberian Muslims to emigrate from their conquered homelands, which had become non-Muslim territories (*dar al-harb*) as a result of the Christian 'Reconquista', and to settle in Muslim territory (*dar al-Islam*). Al-Wansharisi's primary *fatwa*, "Asna al-matajir" and a shorter text, "the Marbella *fatwa*", are among the most prominent pre-modern *fatwas* on Muslims living under non-Muslim rule, and have attracted considerable scholarly attention. While previous scholars have placed al-Wansharisi's rulings in exclusive conversation with other *fatwas* related to the status of Muslims under Christian rule in Iberia or Sicily, this dissertation argues that *Asna al-matajir* in particular must be understood in its North African context." Dr. Hendrickson arranges her study into four chapters followed with actual edited Arabic and English translation of the two *fatwas* of al-Wansharisi in question. After studying this superb work, and this is now my second time around, I had a greater grasp of the thirty-three years of social development of the Sokoto polity and how the concept of *hijra* (exodus) is an integral part of African Islamic civilization. After reading this dissertation I was able to review the ideas of *Shehu* Uthman, as

from the early periods of Islam, but particularly during the reconquest of the Iberian Peninsula by European Christians during the 15th century. I will, Allah willing, revisit the forthright and lucid assessments put forward by Dr. Hendrickson in the course of this segment of my research.

As for the prevailing Islamic literature by Islamic scholars on the subject of residing in the lands of war (*daar'l-harb*) and the prohibition of Muslims making *hijra* to those lands, we are indebted to jurists such as Muhammad ibn Ali al-Nasari al-Haffar, Muhammad al-Mawwaq and more importantly, Ahmad al-Wansharisi for their *fatwas* or collection of earlier *fatwas* regarding the circumstances of the *mudejar* Muslims of Andalusia. It was *Shehu* Uthman ibn Fuduye' and more precisely his brother Professor Abdullahi ibn Fuduye' who summed up these earlier legal decisions and condensed them into legal pragmatic rulings.⁷⁵ I will cite these scholars in detail in order to highlight this legal controversy and how modernist Muslim leaders intentionally altered the concepts around which the subject of *hijra* revolved, the definition of '*daar'l-islam*' and '*daar'l-harb*'.⁷⁶

When examining the writings of the modernist Muslims, it becomes clear that there was a kind of juristic schizophrenia informing their basic arguments. That is to say, that men like al-Afghani, Rida, Abduh and Khayr'd-Deen expressed both extreme adulation of western development along with abhorrence of what they defined as western decadence and corruption.⁷⁷ These above mentioned 'reformers' actually lived a great deal of their time in the cities of Europe, which meant they were quite familiar with its shortcomings. Some of them even joining secretive Parisian Masonic organizations which may explain the kind of vitriol associated with the European 'revolutions' prevalent during the late 17th century up until the failed 1848 revolutions.⁷⁸ With traditional Muslim jurists there was a clear demarcation between the lands of Islam and non Muslim lands, but there was also the forward looking view that the people of non Muslim lands could and should become Muslim by choice. This approach especially in Africa was the reason that Black Africa entered into Islam through the medium of trade and commerce, rather than *jihād*. As I cited earlier, men like Salim Suware and his Mande' Jakhanke disciples were responsible for the slow and gradual conversions of entire nations across the Sudanic Sahel belt and to its south in the lands of the Akan, the Yoruba, the Bambara, the Mossi and the lands of Dahomey.

well as the scholars of Timbuktu and the Upper Niger bend and see the reasons that African Muslim scholars made the choices that they made with more clarity. Hendrickson's work induced me to reread Dr. an-Naggar's exceptional work West African Pilgrimage Traditions, reexamining the role that *hijra* and *hajj* played in the formation of African Muslim polities..

⁷⁵ See F.H. el-Misri's translation of *Shehu* Uthman ibn Fuduye's Bayan Wujub'l-Hijra and *Shaykh* Abdallah ibn Fuduye' Diya'l-Hukaam, original manuscript in possession of author.

⁷⁶ It was at the hands of modernist reformers such Khayr'd-Deen at-Tunisi in his The Surest Path, Jamal'd-Din al-Afghani, Muhammad Abduh, Rashid Rida, Muhammad Iqbal and subsequent academics of the Ikhwan'l-Muslimeen, such as Hassan al-Banna, Sayyid Qutb and others who questioned the earlier legal demarcations of '*daar'l-islam*' (the abode of Islam) and '*daar'l-harb*' (the abode of war). There is a clear unbroken line of thought between these scholars and the writings of Tariq Ramadan in his seminal work To Be A European Muslim. Even modern traditional scholars such as *Shaykh* Abdallah bin Baya have been informed by the revisionists ideas of modernists Islamic reformers in the differentiation of '*daar'l-islam*' (the abode of Islam) and '*daar'l-harb*' (the abode of war). Prior to this the Islamic literature as I will demonstrate was quite categorical in delineating the legal distinction between the two lands. The demarcation by the earlier Islamic jurists, however, was devoid of the vitriol of today's *salafist*' who can trace their narrow interpretations back through the modernist to Ibn Taymiyya and his students.

⁷⁷ Ilona Gerbkher, "The Limits of Reason in Muhammad Abduh's *Risalat al-Tauhid*: 'It is useless to busy our minds with what they can scarcely attain',", p.4.

⁷⁸ Pierre Beaudry, "Al-Afghani and the British Subversion of Islam", Monday, Augsut 29, 2005, pp. 4-5.

Some scholars argue that the incursion of Muslim merchants into Black Africa was not informed by Islamic jurisprudence and politics; but by economic greed. They assert that Muslim merchants intentionally skirted the legal rulings of Islam in order to make a lot of money. The fact is that the African Muslim merchant and artisan class, as a result of long distance trade, were the wealthiest class during the age of the pre-Islamic west African kingdoms. I argue that a great deal of the literati of Islamic Africa viewed African kingdoms with the same judgment Prophet Muhammad, gave to the kingdom of Abyssinia. It is important to know that in the view of the *Hijazi* nations and Yemen, Abyssinia was a kingdom representative of all the African nations beyond it (*wa maa rawaa'ahaa*). This view of African kingdoms was held by the literate African Muslim merchant/artisan class as well as the leading African sages of the great *Sufi* Orders, who also led professional artisan guilds such as the leather industry of curing, tanning and dyeing; physicians and traditional medicine which was held by the barber guilds; the textile industry with its distinctive styles of embroidery; and the precious metals and the jewelry crafts associated with them. More importantly, as the kingdoms of Dahomey, Benin, Yoruba, the Akan and the Mossi began to develop into regional polities, extremely literate African Muslim merchants and *Sufi* sages introduced into these rapidly growing kingdoms the art of the chancellery, record keeping, bills of sale, and access to global trading networks connected to the Silk Road into the diverse kingdom of China. There was a proactive interaction between the African merchant/artisan class and the rapidly developing Africa kingdoms; where the polities granted the Muslims a distinct political identity, even giving land grants which developed into Muslim towns and regions. The existence of the African Muslim national minorities of the traditional African Kingdoms was consistent to the letter with the spirit of what would come to be known as Article 27 of the Declaration on Civil and Political Rights. I believe that the Muslim sages and merchants viewed all of Africa with the same SOCIAL CONTRACT first developed by the early Muslims with the kingdom of Abyssinia. This is an important distinction, because it allows a Muslim national minority to develop a proactive loyalty to the polity while enjoying loyalty to and protection of their Islamic cultural differences.

However, the modernist Muslim's interaction with Europe and the west at the turn of the 18th century was a mixture of adulation, covetousness, envy, mimicking and resentment. It is understandable how this trend was linked to the ambitious but off times destructive "jacobin" views prevalent in western civilization; where literate and wealthy classes barred from the reins of power and influence decided to destroy every vestige of European monarchy and religion.⁷⁹ This political approach can be traced back to the clandestine, volatile and sometimes illuminating ideologues of the 1848 'revolutions', the 'young Italians', the 'young serbs', up until the emergence of the 'young Turks', al-Afghani, Abduh, Rida, the Ikhwan of the Najd (and their modern day offshoots: *al-qaeda*; and ISIS).

⁷⁹ A. Albert Kurdsi-Zadeh, "Afghani and Freemasonry in Egypt", *Journal of the American Oriental Society*, Vol. 92, No. 1, (Jan.-Mar., 1972), pp. 26-28.

Ideally, the relationship between Muslim national minorities and non Muslim polities always began with a 'Hudaybiya' or SOCIAL CONTRACT.⁸⁰ In the case of *Shehu* Uthman ibn Fuduye', he worked out a nationwide treaty between the Gobir state and its Muslim national minorities. For twenty years the Muslim community enjoyed a recognized political identity, judicial autonomy, social distinction and growth. Like the treaty of Hudaybiya, the growth of Islam began to threaten certain entrenched interest until the treaty was violated and Muslims were pushed into a state of siege, sanction, segregation and enhanced control by the state. By the 1790s the Muslim people were facing surveillance, economic sanction, the freezing of assets and repression from not only Gobir, but from all of the other allied Hausa states. It was only in Zamfara, that the polity continued to uphold the treaties with its Muslim national minorities.

It was during this period that the Muslims began to first revive and redefine their distinction and uniqueness as Muslims. They began to openly differentiate themselves from the polity that was now oppressing them. Their clerical networks which stretched from the fourteen Hausa states outward to all the African kingdoms to the east, north, south and west coalesced and eventually established an internationally recognized liberation movement that unified the divided fourteen Hausa states. Remember this happened roughly around the same time of the American Revolution and some five decades prior to the unification of Italy and Germany.

In 1807, *Shaykh* Abdullahi ibn Fuduye' composed his Diya'l-Hukaam (The Brilliant Light of the Governors) in which he clearly defined the rulings of Muslim identity construct, the right to maintain this distinct identity, the rulings of *hijra* to protect Muslim identity and the principles of self government. The Diya included all of the political views of *Shehu* Uthman, as well as the views of the earlier scholars of north Africa and Andalusia such as Muhammad ibn Ali al-Nasari al-Haffar, Muhammad al-Mawwaq and Ahmad al-Wansharisi regarding how the *shari'a* defines those Muslims who willfully reside in the lands of war without a valid social contract. *Shaykh* Abdullahi said:

"Hijra is obligatory according the Book, the Sunna and Ijma' from every place where it is not possible for a Muslim to establish his deen and he comes under the jurisdiction of the disbelievers. This is in accordance with the words of Allah ta'ala: 'Verily those whom the Angels cause to die while they are being unjust to themselves, they (the Angels) will say to them; 'In what condition were you?' They will say, 'We were oppressed in the land.' The Angels will say, 'Was not Allah's earth wide enough, that you might have emigrated therein?' As for such there abode will be Hell, an evil ending." The Messenger of Allah, may Allah bless him and grant him peace, said, "Verily Allah is free of a Muslim who lives among the polytheist." He, may Allah bless him and grant him peace has also said, "Whoever associates with the polytheist or lives among them is one of them." This was related by Abu Dawud on the authority of Samura. It has been related by more than one scholar that there is unanimous agreement concerning the above. It is not permissible to neglect the hijra, using as an excuse fear for one's nafs, wealth, or family. This is because the preservation of the deen takes

⁸⁰ Al-Kali Modibo Abdullahi ibn Muhammad Bellel, Chief Justice of the Adamawa Fombina Province of the Sokoto Caliphate said in his Risaalat wa'n-Naseeha: "This class of term of truce was the essential motive for the treaty of Hudaybiya. Likewise, al-Ubbi' said in his commentary upon Sahih Muslim: 'Some of the benefits of the brilliant treaty that occurred at al-Hudaybiya was the conquering of Mecca and the making of its people Muslim. For the people entered into the religion in large numbers because of it. For when the treaty occurred, some of the people began to fraternize with one another. And some of the people of Mecca visited the Prophet, may Allah bless him and grant him peace, and entered Medina. The Muslims, in turn, went to Mecca and the people heard from them of the reputation of the Messenger of Allah, may Allah bless him and grant him peace. As a result, they came to know, in detail, about some of his apparent miracles, the signs of his prophethood, and the perfection of his character. They also witnessed some of that themselves and their hearts became full with faith (*al-Iman*) and they believed. So what can be greater than these benefits. Which are the growth of Islam by strength and in number and the subsiding of disbelief and its decline until, eventually, falsehood perishes."

precedence over the preservation of the self or anything else. This is in accordance with the words of Allah ta'ala: "Say: If your fathers, your sons, your brothers, your wives, your relatives and your property which you have acquired, and the slackness of trade which you fear and dwellings which you like; are more dear to you than Allah, His Messenger and striving in His way, then wait until Allah brings about His command, for Allah does not guide corrupt people." Al-Khazin said in his *Tafsir*, "The reason for the descent of the above verse was regarding those who accepted Islam but did not emigrate (*lam yuhaajiruu*) saying; 'If we were to emigrate we would lose our possessions, our commerce would dwindle, our homes would be destroyed and we would be cut off from our relatives'." He then said, "In this verse is proof that when there occurs conflict between religious affairs and worldly affairs, then it is obligatory upon a Muslim to give preference of the religious affairs over the worldly affairs." Some of the Companions were killed as a result of the emigration and it was the cause of their wealth being devoured. As for he who says that the obligation of emigration (*hijra*) has been abrogated by the tradition; "There is no emigration after the victory (of Mecca)."; he is ignorant of the legal grounds (*sabab*) of that tradition and he is ignorant of what the scholars have decided concerning it. The reason was that there were those who desired to make emigration from Mecca after it was conquered. He, may Allah bless him and grant him peace, explained that the obligation of emigration had ceased with the conquering of Mecca. The scholars mentioned that its meaning is that emigration being a condition of the soundness of *Iman* became abrogated after the conquering (of Mecca). Al-Qastallani said in his commentary on al-Bukhari; "As long as there remains in this world a land of disbelief, then emigration from it is obligatory. And this judgment is in effect as long as the reason is in effect." It has also been related by Abu Dawud on the authority of Mu'awiya; "Emigration will never cease until repentance ceases. Repentance will never cease until the sun rises from the West." There are those who say that whoever does not emigrate from the lands of disbelief is himself a disbeliever, even to the point of saying that if their children are captured, then they are to be enslaved. They are ignorant, because failing to emigrate only amounts to disobedience and disobedience does not make one a disbeliever".⁸¹

From the above it is clear that *hijra* is a pre-sovereign right and an obligation which will remain until the End of Time and cannot be abrogated except by the absence of the prerequisites which make *hijra* obligatory. Residing in the lands of war is an exceptional license (*rukhsa mashru'at*) and is only permissible when one is unable to emigrate or when there is a pre-existent social contract of protection and it is hoped that the polity will become Muslim. A social contract is a nationally and internationally recognized treaty between a polity and its collective national minorities. How a scholar can conclude that a visa which is simply a pass to enter the country of the disbeliever can be equated with a social contract, especially when the idea of entering the lands of disbelief is originally prohibited by the Book, the *Sunna* and the consensus, is beyond me. In order for a visa to be a social contract in Islamic terms, then the obligation of *hijra* and the prohibition of residing in the lands of disbelief would have had to be annulled or abrogated. The *Shehu* more than anyone maintained that that this obligation was corroborated by the Book, the *Sunna* and the consensus as collected and articulated by *Imam Ahmad al-Wansharisi*. Hendrickson points out that the only strong and sustained criticism to al-Wansharisi's opinions were those of *Shaykh Muhammad Abd Allah ibn Zaydan al-Busadi* (d. 1353/1934) who challenged al-Wansharisi's stipulation of the property of the *muddajin*. However, even al-Busadi maintained that the act of making *hijra* to the lands of the disbelievers, or residing there by choice without a social contract was an act of disobedience.⁸²

⁸¹ Abdullahi ibn Fuduye', *Diya'l-Hukaam*, original manuscript in possession of author, ff. 5-6.

⁸² Jocelyn N. Hendrickson, "The Islamic Obligation to Emigrate", pp. 306-326; today Muslim leaders in the west have taken the restricted ruling and have made it the norm. One prominent *Imam* in California, when questioned on the prohibition of residing in the lands of disbelief, actually cited the conditioned proviso of *Imam an-Nafrawi* that it was permissible to reside in the lands hoping that its people will convert to Islam as if it were the consensus view. He did this knowing full well that what he cited was a legal prerequisite (*shart*) for being allowed to reside in the land. In the absence of this legal prerequisite, then the lawfulness of residing in the lands of war disappear. *Imam an-Nafrawi* said: "If he hopes for the appearance of Islam by his remaining there, then in that case it is better that he stay. And if he is able to refrain from forbidden things and remain secluded in the lands of war, then he must stay there. This is because his place where he particularly lives then becomes an abode of Islam, from which it is

Shaykh Abdullahi ibn Fuduye' cited in his Diya'l-Hukaam that failing to make the *hijra* from non-Muslim lands constituted an act of disobedience, but only for those who do so when they have the ability to make *hijra*.⁸³ He held the view that the *Qur'anic* precedence: "except those oppressed or cannot find a way to make the *hijra*", makes a clear distinction in the general address of the *Qur'anic* verse. Thus, the judgment is divided into two rulings addressing two groups: [1] those who have the ability to make the *hijra*, but choose not to and are content to remain under non-Muslim hegemony without a social contract recognizing them and protecting their right to persist; those who make the *hijra* to the lands of non-Muslims and are content to remain under their jurisdiction without a social contract; and [2] the second group are the genuinely oppressed Muslims who have no way, ability, finances, support or means to remove themselves from under the jurisdiction of non-Muslims. They are those who played a significant role in the earliest formation of the nation. The *Qur'an* gives the latter group a preference and clear legal circumstances distinct from the first group. And even the *muddajin* is given a door through which they can alter their social circumstance. It entails, with state recognition and supervision, gradually subsuming their identity under the identity and social contract of the indigenous Muslim national minorities while maintaining their own distinct identity within that national minority. Ideally, the immigrant Muslim would be the conduit through which the indigenous Muslim national minorities could interact and network with the global Muslim world.

Shaykh Abdullahi introduces the idea that judgment is based upon what is apparent and that the original legal state of every person is that they be given the benefit of the doubt unless and until circumstances of their own making prove otherwise.⁸⁴ Thus, doubt or reservation about a person's intention is heavily preconditioned and demand unequivocal evidence. Arguably, the 'visa' can be legally interpreted to mean a 'choice' and this is how *Shaykh* Abdallah bin Baya correctly concludes that it constitutes a choice which is the basis of a social contract. No social contract can be valid without deliberate choice. The basic argument is that the mere act of seeking a U.S. visa, abiding by all the prerequisites of the visa and signing a visa application constitutes a social contract; which by the *shari'a* is binding upon that Muslim. However, the counter argument is that the *shari'a* demarcates the 'choice' (which the visa contract entails) and deters a Muslim from making that 'choice' except in accordance with the precepts of the *shari'a*. If the Muslim makes that 'choice' and accepts it as a binding social contract, then that Muslim has by *shari'a* consensus lost a measure of legal rights and privileges.

Institute of Islamic African Studies International

forbidden for him to emigrate." Even in this restricted view, there are several preconditions which make residing in the lands of war lawful: [1] the likely chance that its people will become Muslim through *da'wa*; [2] being able to protect themselves and their families from the forbidden influences of the non-Muslim society; and [3] having a secluded, autonomous region where Muslims can reside in that land. When these prerequisites are non-existent, then the consensus view is that it is forbidden for Muslims to reside in the lands of disbelief by choice and it is obligatory for them to make the *hijra* to the lands of Islam. The exception to this ruling is if, as *Imam* an-Nafrawi said, the Muslims hope that by residing in the land of disbelief that its people will become Muslim. This is an exception which may be valid for the genuinely oppressed among the Muslims; but it does not apply to the *muddajin*. The daily slandering of the Prophet, may Allah bless him and grant him peace, in their newspapers, news reels and movies makes this exception untenable. The increased harassment and interdiction into the lives of Muslims in the west makes this unlawful. The exception can only be applied to those Muslims who are genuinely oppressed and cannot find a way to make the *hijra*; and explains why Islam is growing so rapidly among their ranks.

⁸³ *Op cit.*, f. 6.

⁸⁴ *Ibid.*

The *muddajin* and the *Imams* who have unlawfully sanctioned their right to reside in the lands of war, resorted to a heretical invention which they called – ‘jurisprudence of the minority’ (*fiqh al-aqalliyat*). This previously unknown idea calls into question the veracity of the nature of the objectives of the law (*maqasid’s-shari’a*). Funding from western intelligence sources and the oil producing states of the Persian Gulf, enabled high profile conferences to be held in the U.K. and the U.S. in order to direct indigenous and immigrant Muslims to accept principles which when examined closely are a denial of fundamental obligations and prohibitions of the *shari’a*.⁸⁵ The reality is that the entire ‘minority *fiqh*’ question is the brainchild of intelligence agencies of both the U.S. and the U.K. in order to isolate what these governments consider to be fundamentalist elements in Islam and to co-opt those Muslim academics, clergy and leaders they consider moderate.⁸⁶ It was in 2004 that both the US and UK governments actively implemented this process of social control and containment. Muslim intellectuals and activists such as Dr. Mohammed Mestiri, Dr. Tariq Ramadan, Dr. Taha Jabir al-Awani, Dr. Tahir Mahdi and many others who unwittingly or knowingly attempted to alter consensus opinion regarding the prohibition of residing in the lands of war as articulated by earlier Muslim jurists, such as al-Wansharisi. This is what the late *Shaykh* al-Bouti, (*qaddasa Allah sirrahu wa yanawwir dareehahu*) argued against succinctly in at least two well known public lectures.

Thus, the visa is a binding contract for the immigrant sector of the Muslim population. It is also clear evidence of the diminished legal and political status of the ‘*muddajin*’ (the domestically colonized). Looked at another way, if there were no significant or insignificant amount of Muslims migrating into the U.S., there would be no need to evoke the concept of visa as a criterion for a social contract for Muslims in the U.S. The 6-7 million African American Muslim in the U.S.; (whose ancestors were kidnapped without warrant, forced migrated into the Americas without visas, imprisoned and enslaved without cause, and freed without compensation or due rights) - would be left without a defined social contract, even though the first treaties developed with the U.S. were those ratified with the Muslim Sultanate of Morocco and emphasized that no Muslim would be held as a slave and no Muslim should be imprisoned. The same ruling applied to the citizens of the 13 thirteen colonies of the United States of America. It is here that I would petition the keen insight of *Shaykh* Bin Baya, may Allah preserve him. Would not the violation of such momentous treatise by capturing, enslaving and forcibly converting African Muslims call into question the nature of the relationship between the U.S. and all genuine Muslim polities? Would not the first order of business of the United States be to correct, amend and rectify the first treaties it agreed to at the dawn of the Republic? As it stands this is what Dr. Yusef N. Kly defined as an ‘anti-social contract’ which binds the indigenous African American Muslim national minorities to the nation. The introduction of the *muddajin* problem complicates

⁸⁵ I speak particularly of conferences such as those held by the Association of Muslim Social Scientists (UK), the International Institute of Islamic thought (US), the Muslim College (UK) etc., which are now claiming to reexamine the *maqasid’s-shari’a* to restrict and delimit the general prohibition of residing in the lands of disbelief and war and the obligation of emigrating to the lands of Islam.

⁸⁶ Harvey Thompson, “Blair Government’s Strategy to Police Britain’s Muslims Leaked”, 3, June, 2004. [FIND]

the issue and allows the U.S. to redirect the indigenous Muslims issues under the legally fragile status of the *dhimmi* Muslim.

The Muslim immigrant is placed in a predicament where they are obligated to either do something or desists from doing something else in order to maintain their favorable visa status and eventual naturalization in the U.S. It is no mistake that most if not all of the FBI sting operations concocted by the federal agency to create and entrap Muslim criminal activity has come from the *muddajin*. If the visa is a social contract made by choice then it constitutes clear evidence of '*dujaana*' (the choice to be colonized – domestic colonization). This is not a choice which the indigenous Muslims face. The mere designation of 'disobedience' in Islamic societies can mean exclusion from being a witness in a court case, or in some cases exclusion from witnessing a social or business transaction. This clearly establishes that the *shari`a* delimits the legal status of the *muddajin*. *Shaykh* Abdullahi carefully differentiates between nuances of domestic colonization and gives a legal way out for *muddajin* to take. Nevertheless, the legal status which the *shari`a* provides the *muddajin* is diminished. The Professor said:

"Further, disobedience cannot be substantiated against anyone except against the one whom it is certain that he is residing among the disbelievers out of his own choice, and that there be clear evidence which corroborates that. As for him who resides among them out of necessity, then he is not disobedient. This is the same for the one who resides among them out of assumed conviction, if his assumption is sound. Like for example, his hope that by residing among them, they will be guided aright. As for the one about whom there is some doubt concerning his reasons for residing among them, then he should be given the benefit of the doubt as long as there is no evidence to prove otherwise. And Allah knows best."⁸⁷

In the United States, the immigrant Muslim falls squarely under an interdicted legal definition when Allah ta`ala says: "*Verily those whom the Angels cause to die while they are being unjust to themselves, they (the Angels) will say to them; 'In what condition were you?' They will say, 'We were oppressed in the land.' The Angels will say, 'Was not Allah's earth wide enough, that you might have emigrated therein?' As for such there abode will be Hell, an evil ending.*"⁸⁸ He first defines them as: "*being unjust to themselves*", which means that they are in a state of disobedience and sin. Allah ta`ala then nullifies their claim of oppression, when He says: "*They will say, 'We were oppressed in the land'*", as an indication that their claim of victimization and repression is a sham simply because they are in the lands of non-Muslims by choice (as the visa social contract proves), or actually left their own Muslim lands and settled in the lands of disbelief by choice, are content with their rule and support them fiscally and militarily in their wars against Muslims. Allah ta`ala then gives them a way out of their legal dilemma with His words: "*Was not Allah's earth wide enough, that you might have emigrated therein?*" This verse indicates that Allah ta`ala is aware of their inner state, their social status and their financial ability. He knows that these Muslims have the ability to either make *hijra* to another Muslim land or to return back to their country of origin. The problem in the U.S. is when this spurious group actually takes over and define what Islamic identity is in the U.S., then the just rights of those Muslims indigenous to the land, who have no way of making the *hijra*, are irrevocably denied. This then becomes an additional act of injustice against the indigenous American Muslim community. As

⁸⁷ Abdullahi ibn Fuduye', *Diya'l-Hukaam*, original manuscript in possession of author, ff. 5-6.

⁸⁸ Qur'an- 4:97.

for those among the *muddajin* Muslims who actively work with the U.S. government to undermine the constitutionally protected, internationally recognized and religiously lawful rights of indigenous American Muslim national minorities; then they become *munaafiq* by the *shari`a*, agent provocateurs by U.S. constitutional law and 5th column collaborators by international law. They are obliged by their visa status to openly inform on other Muslims. Whenever there have been cases where the FBI entrapped some unfortunate young man into committing a terrorist act; the point guard was usually a foreign born Muslim. This becomes a form of injustice which further exasperates the repression of the genuinely oppressed. It is for this reason that Allah ta`ala ends the verse with His words: “*As for such, their Abode will be Hell, an evil ending.*”

Fortunately, the oppressed indigenous Muslim national minorities, have been given a distinct political identity, legal exemptions, and social status by the *shari`a*. Their social position and political rights are far more substantial and legitimate than those of the ‘*muddajin*’. The *shari`a* unequivocally delimits the social and legal status of the latter, while providing a unique legal and social identity to those Muslims indigenous to the nation who have been systemically oppressed. The ‘visa’ does not apply to them because they were a part of the social fabric of America before the first diplomatic missions or consulates were ever opened. To make the ‘visa’ THE symbol defining a legitimate social contract between the U.S. and its Muslim national minorities denigrates those Muslim nations who have always been a part of the union of the United States. How can a symbol for entry of a foreigner into a land become the basic symbol of the social contract between a nation and all of its indigenous national minorities? If the ‘visa’ is taken as the criterion upon which the *shari`a* grants a legitimate social contract to Muslim minorities of that nation; then automatically the legal identity of the millions of African America Muslims is rescinded and invalidated; simply because neither they or their ancestors (going back a century and a half before the American Revolution was founded) ever attained a ‘visa’ into the Americas. Anglo American Muslims, Hispanic Muslims the Muslims of the First Nations become legally invisible because the visa can not apply to them as well.

Thus, what is the legal distinction that the *shari`a* grants those Muslim national minorities who are genuinely repressed and lack the ability to make the *hijra*? How does the *shari`a* define their legal identity as Muslims? Why does the law make a distinction between those Muslims who are genuinely oppressed (*mustadi`fuun*) and the domestically colonized (*muddajin*)? These questions become more pertinent in this age when western states are growing increasingly hostile to their Muslim national and immigrant minorities.

More than any other jurists, *Imam* Abu`l-Abbas Ahmad al-Wansharisi in his famous *Mi`yar* elaborates on the nature of those Muslims who are truly oppressed who have been exempted from the *hijra*.

“Therefore, this obligatory *hijra* cannot be legally annulled for those who desire to be under the political authority of disbelievers,...except if there occurs inability to make the *hijra* from any perspective and circumstance (*bi kulli wajhin wa haalin*). For in that case the *hijra* is abrogated (*mulgaa*) in the view of the *shari`a* based upon the words of Allah ta`ala:

إِلَّا الْمُسْتَظْعِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوُلْدَانِ لَا يَسْتَظْعِمُونَ حِيَلًا وَلَا يَهْتَدُونَ سَبِيلًا فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَغْفُرَ عَنْهُمْ وَكَانَ اللَّهُ غَفُورًا

“Except the oppressed from among the men, women and children who are unable to find a means nor are they guided to a way. These are those who perhaps Allah will pardon them, for Allah is Pardoning and Forgiving.” Thus, this state of oppression (*al-istid`aaf*) is pardoned over and above those who claim being oppressed as an excuse as it is mentioned in the beginning of the verse by His hostility towards them when He said: *“They are unjust to their own souls.”* They claimed: *“We were oppressed in the earth.”* Thus, Allah ta`ala did not accept their words and the excuse they made. This is evidence that they really had the ability to make the *hijra* from some perspective. But Allah pardoned those who were really oppressed who did not have the ability to a means or guidance to a way by His words: *“These are those who perhaps Allah will pardon them.”* The word ‘perhaps’ with regard to Allah means something that is obvious and indispensable. Thus, ‘the oppressed’ that were threatened with punishment in the beginning of the verse are those who actually have the ability to make the *hijra*. While the oppressed who were given pardon are those who are unable do so in any way or perspective”.⁸⁹

In her groundbreaking research, Dr. Jocelyn Hendrickson argued that scholars such as al-Wansharisi: “repeatedly stresses that it is Islam which must have the upper hand and that it is only permissible to live among non-Muslims when they have accepted an inferior, *dhimmi* status. Second, ‘harmonious coexistence’ bears absolutely no resemblance to the state of affairs which al-Wansharisi and others describe as prohibited in the legal literature, or that which unfolded as the Mudejar period came to a close and Iberian Muslims were first forcibly converted to Christianity and then expelled.”⁹⁰ In other words, Muslims cannot by law accept *dhimmi* status under non-Muslim rule. The least that is demanded of the Muslim national minorities is some form of political, judicial and social autonomy.

In the context of the United States, forgiveness and pardon from Allah can only be described as a strengthening of Islam and its increase among its people. Today, there are no people on earth who are entering into Islam faster than the African American national minority. This trend has been moving in this trajectory since the beginning of the 20th century to the present. The African American Muslim national minority have been acknowledged by all as being one of the positive contributing factors in the reformation of the social, economic and spiritual conditions of African American people as a whole. Thus, the *shari`a* sets a clear legal distinction between indigenous African American Muslim national minorities and the immigrant Muslim communities in the U.S.

The *shari`a* further demands that the indigenous population of Muslims in the U.S. befriend one another, give mutual assistance to one another, aid and confederate with one another in all social, economic, political and spiritual endeavors. This demands a national confederation on the part of African American Muslims, Hispanic American Muslims, First Nation Muslims and Anglo American Muslims and would entail unity across *salafist/sufic* and other sectarian lines. There is something common with all classes of the indigenous American Muslim national minorities which make them distinct from the non Muslim majority; and which joins them together as an associated confederation with regard to the U.S. *Shaykh* Abdullahi ibn Fuduye` said in his Diya`l-Hukaam:

“I say and success is from Allah, that befriending the believers is an obligation upon every Muslim according to the Book, the *Sunna* and the *Ijma`*. As for the Book there is the words of Allah ta`ala; *“The believing men and women are brothers one of another.”* As for the *Sunna*, there has been numerous traditions related concerning that. In the Risalat it says, “It is obligatory upon the believer to seek forgiveness for his parents who are believers. And it is obligatory upon him to

⁸⁹ Abu'l-Abbas Ahmad ibn Yahya al-Wansharisi, al-Mi`yaar al-Mu`rib wa'l-Jaami` al-Mughrib `An Fataawi Ahl Ifriqiyya wa'l-Andalus wa'l-Maghrib, Vol. 2, (Wuzarat al-Awqaaf Press, Rabat, 1981), p. 121

⁹⁰ Jocelyn Hendrickson, p. 88

befriend the believers and to give them sincere advice. And no one will attain the reality of *Iman* until he loves for his brother believer what he loves for himself." This is what has been narrated from the Messenger of Allah, may Allah bless him and grant him peace. It has been mentioned in the al-Fawaakih ad-Diwaani, "What is meant by befriending them is socializing with them (*al-ijtima`a bihim*), manifesting one's love for them, avoiding what necessitates aversion among them; like hatred and envy (we seek refuge with Allah). It is not meant by this that you socialize with them with your bodies while being devoid of love for them in your hearts." The Messenger of Allah, may Allah bless him and grant him peace, said, "Do not envy one another. Do not annoy one another. Do not hate one another. And do not conspire against one another."⁹¹

Clearly, the *shari`a* demands that Muslims in the U.S. organize themselves into collective groups distinct from the dominant majority. Consequently, simultaneous with the Great Migration of African Americans to the industrialized northern cities escaping increased white Christian terrorism in the south, they reorganized themselves into mutual aid and benevolent societies in Philadelphia, Pittsburgh, Cleveland, Akron, Baltimore, Chicago, Detroit, New York City and upper state New York. National organizations with names like the African Muslim Benevolent Society began to surface around 1912, just at the turn of the century. The UNIA of Marcus Garvey boasted of a large contingent of African American Muslims particularly out of Chicago led by the Sudanese, Duse Muhammad Ali, the founding editor of the *African and Orient Express*, which Garvey wrote for when he was a young man. The Moorish Science Temple, the Lost Found Nation of Islam, and the Ahmadiyya Movement were attempts by African American Muslim national minorities to organize themselves into a distinct ethnic, religious and cultural group. The objectives of these organizations were to take care of the needs of the African American people because the U.S. government since 1865 had simply freed them and left them to fend for themselves as best they could. The development of African American and African American Muslim organizations had both push and pull factors driving the progress of community life. The pull factors were that whenever and wherever African Americans settled together into efficient, self sufficient communities in Florida, Oklahoma, Louisiana, Missouri, Philadelphia, Baltimore, Pittsburgh and Harlem, they prospered. African American Muslims who had now embraced a culture and way of life which they genuinely recognized as their own, and which persisted prior to their encounter with white American chauvinism; it urged them to develop their own independent institutions. In a sense African Americans used the less constricted social space of the north to develop newspapers, schools, colleges, clinics and social centers, such as churches, lodges and mosques; distinguishing their unique contribution to the development of American culture. This entails the organization of the people under acceptable and responsible leaders. The *shari`a* gives the right of all Muslim national minorities to choose their own leadership that represents their interests with the state; to formulate themselves into self governing autonomous regions and to eventually establish their own governments run by their own leadership. *Shaykh* Abdullahi ibn Fuduye` said in his Diya'l-Hukaam:

"Realize that appointing the *Imam* is obligatory upon the Muslims according to the consensus of the *shari`a*. Al-Laqaani said, "This is addressed to the entire *Umma* from the moment he, may Allah bless him and grant him peace, died until the establishment of the Hour. For when the people who loose and bind establish it, then the responsibility is removed from the rest. And there is no difference of opinion concerning that, regardless if it is a time of tribulation or not." In the Fawaakih ad-Diwaani of an-Nafrawi; "The *imamate* is in four divisions: [1] the *Imam* which receives revelation - this is prophecy (*an-nubuwwa*); [2] the *Imam* of inheritance - this is knowledge; [3] the *Imam* of worship - this is the

⁹¹ Abdullahi ibn Fuduye`, Diya'l-Hukaam, original manuscript in possession of author, ff. 7.

imam of *salaat*; and [4] the *Imam* of authority - this is the great vicegerency (*khilaafa*) in order to enact the overall welfare of the entire *Umma*. All of the above meanings were appropriate to the Prophet, may Allah bless him and grant him peace. But whenever it is applied absolutely, it changes to another meaning, which is the general leadership (*riyaasat `aamat*) regarding religious and worldly matters as a representative (*niyaaba*) of the Prophet, may Allah bless him and grant him peace. It is for this reason the *Imams* of the Muslims are called *Khulafa*." As for the special *khilafa* it is meant the four *Khalifs* by the Prophet's, may Allah bless him and grant him peace, words, "The *khilafa* after me will be thirty years." It is the representative of the Prophet, may Allah bless him and grant him peace, concerning the general welfare of the Muslims from establishing the *deen* on their behalf and advising them to adhere to his *Sunna* without neglecting anything from it. As for those who changed and altered his way, they are merely monarchs. This is what an-Nafrawi said. I say: "It is for this reason that Umar ibn al-Khataab, always asked his advisors, "Am I a *khalif* or a king?" They would reply, "A *khalif* is one who takes the wealth from its proper place which Allah has made obligatory and he expends it in the proper place which Allah has ordered it to be expended. And you, with praises to Allah, are like that. The king is one who makes the people happy by what belongs to the people. He takes wealth from whom he wishes and gives it to whom he wishes." It is also mentioned in the al-Fawaakih, "The difference between the *khilafa* and monarchy is that the attention of *khilafa* is towards seeking the pleasure of the One who established him in his place (meaning Allah ta'ala). The attention of monarchy is absolutely towards other than that, whether he be disliked or hated, and he does it with force and by subduing the subjects. It is for this reason that monarchy is described as shrewd".⁹²

Like the American thirteen colonies, for any sovereignty to be realized it must be one which is innate with the people; something already in existence; a provisional government. The free associations of the African American Muslims and the rules they establish in order to make this happen are the precursors to self government. By '*qiyas*' (legal analogy) the same right to appoint an ultimate Muslim leader is a legal license to elect, appoint and employ local, regional leadership. Sovereignty must be an existential desire of the people exemplified in their confederations, organizations, religious, professional and artistic guilds; and educational institutions. The above indicates that like Hobbs, Locke, Smith, Rousseau and Mazzini, government as envisioned by the *shari`a* must look after the welfare of all its people with the consent of the people. In those states where there exist Muslim national minorities it is incumbent upon them to elect leaders to represent them, speak on their behalf and formulate a lasting social contract between them and the states in which they live. Dr. Kly described this political condition as a dialectical moment where cultural, artistic, social and financial energies are released in the society leading to growth and development for both the national minority and the majority. The challenge of the Muslim national minority is to create a perpetual motion which promptly pulls the society into a vibrant and engaged social transformation similar to what we are witnessing in China, India, Venezuela, and the nations of the Persian Gulf.

As for push factors: kidnap, slavery, genocide, lynching, imprisonment, peonage, Jim Crow, segregation, apartheid and so many other causes forced the African Americans to make *hijra* as refugees northward and westward in order to reorganize themselves into an urban nation. In fact, the push factors for African American/Muslim national minorities were the same push factors which drove the original thirteen colonies to organize themselves and break from the crown of England. When Jefferson wrote the following statements, there were no people to whom these words applied to more than to the enslaved African American Muslims:

"...governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when

⁹² Abdullahi ibn Fuduye', Diya'l-Hukaam, original manuscript in possession of author, ff. 8-11.

a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government.”⁹³

These push factors were the same elements which drove the African American national minority into the northern cities as refugees. The daily occurrences of racism and white supremacy induced the African American to accurately conclude that there was no need or advantage in seeking the love and friendship of a people who had consistently shown them no love, friendship or humanity. It became incumbent upon the African American minorities to place little value in friendship with a society bent on keeping them as second class citizens. In order for the African American to move forward they had to do so with their eyes wide open without delusions. It was for this reason that *love for self* became a rallying call for several national organizations. It took the form of the explosive cultural renaissance which spread from New Orleans, Chicago, Pittsburgh, Philadelphia, Baltimore, but especially in Harlem. The Harlem Renaissance was the strongest statement to the world that the African American national minority knew themselves, loved themselves and knew their unique contribution to the rich fabric of American life.

This love of the African self was pragmatic because it implied having enmity against those who did not share a love for the African self. This necessitated the demonization of the enemy. From as early as the days of Jefferson, our leader David Walker in his Appeals began the process of demonizing Anglo America by calling them ‘devils’; and at that time they were; or at least greater numbers of them were. Only devils could do to African Americans what white American chauvinism had done. Again during the Roaring Twenties Marcus Garvey defined them as collective devils against the freedom of Africans. Who would use planes to bomb African American communities in Chicago and Harlem except human devils? Finally, Mr. Elijah Muhammad took it to an entirely new level and with the help of Fard Muhammad developed the most elaborate mythology on the demonization of Anglo Americans, calling them ‘the blue eyed grafted devil’. My point being that as people naturally develop and organize themselves into nations, they naturally demarcate the limits of who they are and who they are not. They define themselves and they define an anti-self. This polarization may or may not be based upon historical fact; it may or may not necessarily induce a state of enmity between the two opposing ethnicities. Pragmatically, however, for the national minorities who have endured centuries of oppression, then their enemies are made clear and unambiguous. These elements will remain their enemies until they attain victory over them, and the beaten and demoralized enemy sues for an armistice. No one denies that today the U.S. and the U.K. are amiable friends when before during the revolutionary wars, they were implacable enemies locked in a bloody war. When they were enemies, their ideologues on both sides of the Atlantic defined each other as devilish enemies, and they behaved as if they were such. They circled their wagons and clearly defined who was friend or foe.

It is not hard for Muslim national minorities to identify that in the U.S. there are enemies who constitute a real and present danger to their existence. Daily, TV commentators in the U.S. show no lack of

⁹³ Carl Lotus Becker, The Declaration of Independence: A Study on the History of Political Ideas, (Harcourt, Brace & Co., New York, 1922) p. 57.

gumption about speaking of the eradication of Islam and its People from the earth. More than any people, the Jewish people should be the first to recognize that kind of vitriol national discourse. They, more than any nation, know that this was a manufactured discourse, in that the German government was responsible for creating it, and then it was mass marketed to the German people. The survivors of the Jewish Holocaust announced to the world through international bodies: "NEVER AGAIN!" Not that it must never happen again to the Jewish people alone, but it should never happen again in the world. The Jewish communities around the world should be the strongest advocates against the growing vitriolic islamophobia which is spreading throughout Europe and the U.S. The daily news and statistics show that there is an enemy and the Muslim is obligated to recognize that he has an enemy. This recognition is incumbent and in order for U.S. Muslim minorities to survive, they must disassociate themselves from that enemy in some fashion; if only to distinguish themselves culturally, religiously, economically, and socially. It was this theme that *Shaykh Abdullahi ibn Fuduye`* addressed in his Diya'l-Hukaam when he said:

"I say and success is with Allah, that befriending the disbelievers is forbidden according to the Book, the *Sunna* and the *Ijma`*. As for the Book there is the words of Allah ta`ala; *"The believers should not take the disbelievers for friends over the believers. Whoever does so has nothing with Allah."* And by His words; *"O you who believe! Do not take the disbelievers for friends over and above the believers. Do you desire to give Allah a clear proof against you."* And by His words; *"Whoever befriends them from among you, then he is from among them."* And by His words; *"O you who believe! Do not take for protecting friends those who take your deen for mockery and a sport from among those who were given the Book before you and from among the disbelievers. And fear Allah if indeed you are believers."* And also by his words; *"You will not find a people who believe in Allah and the Last day loving those who turn away from Allah and His Messenger; even if they be their fathers, sons, brothers or relatives. Those are they in whose hearts are written Iman."* And by His words, *"O you who believe, do not take My enemy and your enemy for protecting friends: would you offer them love while they deny what has come to you of the truth, driving out the Messenger and yourselves - only because you believe in Allah, your Lord? If you go forth struggling hard in My path and seeking My pleasure, would you manifest love to them? I know what you conceal and what you reveal; and whoever of you does this, indeed he has gone astray from the straight path. If they find you, they will be your enemies and will stretch forth their hands and their tongues against you with evil; and they already desire that you may disbelieve. Your relationship will not profit you or your children on the Day of Resurrection. He will decide between you and Allah sees what you do. Indeed there is a good example for you in Abraham and those with him when they said to their people: 'Surely we are free of you and of what you worship besides Allah. We declare ourselves to be clear of you, and enmity and hatred have appeared between us and you forever until you believe in Allah alone'."* As for the *Sunna* there is the words of the Messenger of Allah, may Allah bless him and grant him peace, *"The fires of a Muslim and a disbeliever should not be in sight of one another."* And there are other traditions like this which have been related. As for the *Ijma`*, the scholars of the *Sunna* have unanimously agreed upon the prohibition of befriending the disbelievers except solely during times of fear. You should then manifest friendship to them with your tongue but not with your heart. As-Suyuti said, *"This was before the glory of Islam and it spreading throughout the lands where it was not strong."* Al-Khazin said, *"Fear is only a license. However, if he is patient until he is killed, there will be for him a tremendous reward on account of that. But befriending the disbelievers in order to obtain honor from them, leads only to humiliation in which there is no honor and a lowering from which there is no rising. Allah ta`ala says; 'They seek from them honor, while all true honor belongs to Allah alone.'"*⁹⁴

How did the Sokoto Caliphate interpret this judgment and how did they apply it throughout the different stages of its development. In the beginning of their affair the above cited evidence became the proof from the *shari`a* for separating at least culturally from the Gobir authorities. They established small towns and villages expressing their own cultural norms. They became responsible for creating their own clothing style which they manufactured. The Muslims followers of the *Shehu* began to draw a clear line of

⁹⁴ Abdullahi ibn Fuduye`, Diya'l-Hukaam, original manuscript in possession of author, ff. 7-8.

cultural distinction in terms of attire, mores, and values, creating a demarcation as a national minority separate from the dominant culture. Then the same *Qur'anic* and prophetic proofs became the basis when the *Shehu* demanded and received a governmentally decreed social contract providing the Muslims with a recognized political identity with special measures; and immunities from the government. This was the beginning of the recognition of the Muslims as a national minority and an integral part of the Gobir social fabric. So even though the above legal judgment addresses a sovereign state; this same judgment would apply to a provisional or pre sovereign state; or the autonomous nations within states.

According to the *Shehu*, the consensus of the Muslim scholars upheld the view that a Muslim who voluntarily immigrated to the lands of war, and is content to be under their political sovereignty, has lost some of his legal rights as a Muslim. For example, he cannot testify in a Muslim court. He cannot act as a witness in a binding legal contract. Some of the jurists held the view that the *fatwas* and legal decisions of the Muslim jurists who accept *muddajin* status are not to be given consideration. The harshest judgment against them was that if open hostilities were to break out between that non Muslim land and the Muslims, and the Muslims conquered that land, then the wealth of the *muddajin* Muslim and all of his possessions beside his wife and children would belong to the *Bayt'l-Maal*.⁹⁵ This latter view was successfully challenged by scholars such as *Shaykh* Muhammad Abd Allah ibn Zaydan al-Busadi, but even with him, the general status of the *muddajin* ends up being significantly delegitimized.⁹⁶

The *shari`a* makes it obligatory for African American Muslims to disassociate themselves from those who are their avowed enemies. At least at the onset, the national minorities must recognize their internal and external enemies and treat them as such. Those enemies within should be altered, transformed or eliminated from their inner life. Those external enemies should be disassociated from and cultural demarcations should be placed between them. This is important at the beginning of their struggle for self determination. Like a child which clings to its own family and runs away from any stranger as if it were an enemy; a newly emergent national minority must differentiate itself and seek to protect the survival of their uniqueness. On the eve of the founding of the O.A.A.U. al-Hajj Malik El Shabazz announced that the first step for the African American national minority was to unite among themselves first, and then unite with all their African brothers of the western hemisphere, Europe and Africa. He taught that when there was genuine functional unity between African Americans, then they would be politically sophisticated to unite with others. Or the result would be a Black organization, like the NAACP being run by whites; or a national Muslim organization whose majority members are African American Muslims having to depoliticize themselves in order to allay the fears of its few Anglo American Muslim members. Or worse, networks of *masajid* of African American Muslims who are forced to adhere to the legal decisions of Muslim jurists raised in Saudi Arabia, a country that did not abolish slavery until 1969. How is it possible for a jurists raised to believe that Africans are inferior; to give legal decisions in the best interest of a people once enslaved? What is clear is that the *shari`a* clearly demarcates a legal distinction between those oppressed

⁹⁵ Uthman ibn Fuduye', *Bayaan Wujuub'l-Hijra `ala 'l-'Ibaad*, digitized copy of manuscript in possession of author, ff: 23-25.

⁹⁶ Jocelyn Hendrickson, pp. 23-30.

Muslim national minorities who are unable to make the *hijra* and those immigrant Muslims who were prohibited from making the *hijra* to the U.S. and who are now content to be under its political hegemony. Just as the U.S. Constitution grants a delimited status to Muslim immigrants through the process of attaining a visa, similarly, the *shari`a* gives a delimited legal status to the *muddajin* who emigrates to the U.S.

8. The Political Status of Immigrant Muslims and Muslim National Minorities Under International Law

Acknowledging that both the U.S. constitution and the *shari`a* are in accord in restricting and delimiting the legal status of the *muddajin*; what then does international law say about the status of an individual Muslim, Muslim family or collective group who freely choose to immigrate to the U.S.? What is the legal status view in international law regarding those Muslim national minorities who were a part of the state from its very inception? The precepts of international law are constructed on the recognition of the sovereign right of all nations.⁹⁷ Its resolutions expressly avoid challenging the sovereignty of any nation and recognize the authority of nations to regulate the status of aliens entering their country and to establish legislation regarding domestic immigration law. This is a right and duty for every sovereign state to regulate and administrate all foreign immigrants. This is solely an executive and legislative function and lacks full judicial control. Therefore, international law accepts the diminished legal status of aliens who voluntarily enter a nation and that they fall under the jurisdiction and laws of that country. However, the emigration of aliens of a particular linguistic, ethnic or religious minority does not in any way alter the legal status of those same minorities who were a part of the formation of that nation from the beginning. The social contract which held the national minority and nation state together is what international law gives preference to; while the status of the alien who voluntarily enters a nation falls under the control and sovereignty of that nation.⁹⁸ Even though the two groups may share the same religion, culture, language or ethnicity; they do not share the same legal status in international law.

The indigenous national minority has full recognition under international law, and has the right to demarcate their distinction from the dominant majority.⁹⁹ It is precisely because of this that new internationally recognized initiatives designed to protect national minorities have emerged, such as the 'responsibility to protect' and 'humanitarian intervention', which effectively gives international protection for national minorities. This is distinct from the legal position of volunteer immigrants. In the U.S., the volunteer immigrant falls squarely under the executive sovereignty of the state and fall under a sector of the federal government – the Immigration and Naturalization Service. The indigenous national minority has a much more pronounced legal status and political identity than the immigrant minority, because the former

⁹⁷ Solomon A. Dersso, *Minority Rights in International Law: From Liberal Individualism to Multiculturalism and Beyond*, unpublished draft paper presented at the Law and Society Association Annual Conference, Berlin, July 25-28, 2007, p. 20.

⁹⁸ UN Resolution, "International Covenant on Civil and Political Rights", General Assembly Resolution 2200A (XXI), December, 16, 1966.

⁹⁹ *Opcit.*, p. 27.

was a part of the early formation of the nation from its inception.¹⁰⁰ Thus, international law demands that both legal and political recognition be given to national minorities and special measures/affirmative action be granted in order to guarantee that all technological, social and fiscal measures be made to assure equal status of the national minority with the dominant majority. The immigrant Muslim can only enjoy the rights of Muslim national minorities by subsuming themselves under their national identity. This however, would not be a legal right or privilege for the immigrant, as it would be for the Muslim national minority.¹⁰¹

International law also protects the rights of the national minority against their own kind who collaborate with colonizers in the repression of their people. The 5th column loses its identity in international law, because it is the instrument by which the colonizers continue the colonization. It is a tool of the oppression, thus international law places the collaborator under the status of colonizer. When the national minority petitions the United Nations for its rights of self determination, the 5th column is precluded from consideration. The Muslim immigrant minority cannot be used to define the social or political status of Muslim national minorities. More importantly, if the Muslim immigrant minority side with the nation in exploiting and repressing the Muslim national minority, then international law delineates those immigrant Muslims as tools of the oppressor and deny them the right of consideration in the future of the national minority. Thus, the U.S. constitution, the *shari`a* and international law are in accord in delimiting the legal status and political identity of the immigrant Muslim minority. Thus it is a mistake for the Muslim national minorities of the U.S. to subsume themselves under the regional or national organizations founded and run by immigrant Muslims. It is not a mistake, however for Muslim immigrant minorities to subsume themselves under the identity and legal status of the indigenous Muslim national minority; if the state and the national minority agree to this.

The right of self determination establishes that American Muslim national minorities must first negotiate their existence within pluralistic societies from the perspective of the mores, customs and laws of the *shari`a*. Once this has been determined, then the next step is to negotiate their existence within states where the sovereignty of those states is not challenged or threatened. Finally, the subsequent social contract that emerges between sovereign states and their national minorities should be settled under the umbrella of international law, where the right of self determination with all of its prerequisites and consequences are recognized by all parties and cannot be altered due to a change in government. The first order of business for indigenous American Muslim minorities is to place themselves firmly under the three umbrellas: [1] the *shari`a*, [2] the U.S. Constitution and [3] international law. Under these three legal umbrellas a Muslim national minority will transform into the nation's most proactive and patriotic force and the clearest proof of that country's status among civilized nations. Due to the legal power which the *shari`a* gives to the *sulhi* social contract, the concept of *amaan* (asylum/protection) and *mu`ahida* (truce/armistice); any and all legitimate Muslim polities would be obligated to abide by and respect the social contract between the U.S. and its Muslim national minorities. This would by definition mean a redefining of the concept of 'U.S.

¹⁰⁰ Daniel Smihula, "Definition of National Minorities in International Law", p. 47.

¹⁰¹ Ibid., p. 48.

interest' and a general rule acknowledging the protection of legitimate U.S. interest. This legally disarms the asymmetrical Muslim combatant and places him/her under the well known status of *muharibi*. Any Muslim nation that fails to acknowledge the social contract between the U.S. and its Muslim national minorities is defined as a rogue nation, by *shari`a* standards. Thus, the precepts of the *shari`a* protect U.S. interest from belligerent Muslim nations and belligerent asymmetrical Muslim combatants.

The presence of immigrant Muslims in the United States has obscured this legal reality. In fact, it has been this segment of the U.S. Muslim population which has been the cause for the increased tensions between western and Islamic societies. The 'visa', fear of 'deportation', the desire and subsequent failure at 'naturalization', is at the source of every so-called home grown terrorist act allegedly committed by Muslims in the U.S. '*Nothing emerges from disobedience except more disobedience*', is an axiom in the *shari`a* which can be applied in this circumstance. The increase of Muslim immigration in the U.S. has not improved the political options for American Muslim national minorities, because immigrants have been utilized by the United States to determine its view of the collective rights of those national minorities who have been a part of the U.S. from its inception. The national minorities incorrectly identify their rights with those of the immigrant minorities unaware that their rights have been curtailed by the precepts of the *shari`a*, constitutional law and international law. They have grown accustomed to the heretical innovation (*bid`a*) of residing as *dhimmi* under hostile non Muslims; and have abandoned the *Sunna* of independence, autonomy or internal self determination. The African American Muslim leadership has been derailed and the people have been redirected away from their Way as it was transmitted to them through the Living *Sunna* of their African Muslim ancestors.

9. The Legal Authority of the Living Sunna and Its Transformative Power

It is clear to every conscientious African American Muslim that their collective identity as Muslims and as Africans is under attack. Therefore, what is the source from which both the African American Muslim activists and the African American Muslim committed to his religion can draw the rationalization for social transformative action? Is there a justification in the *shari`a* from the *Quran*, the *Sunna* and *ijma`* (the Consensus of the *Sunni* scholars) regarding the right of national minorities to actively seek redress for acts of injustice? Or are the Muslims required by the Sacred Law to acquiesce to their subjugation? Allah ta`ala says in His Infallible *Qur'an*:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ إِسْوَةٌ حَسَنَةٌ﴾

“There is for you in the Messenger of Allah an excellent example.”¹⁰² The erudite ruler of the Islamic state of Gwandu, *Shaykh* Abdullahi Dan Fuduye’ said in his commentary named *Diya’t-Ta’weel* about the meaning of the above verse: “The wording ‘*excellent example*’ in this verse means that the Messenger of Allah, may Allah bless him and grant him peace possesses excellent exemplary virtues for the one who desires the Divine reward from Allah ta`ala and who desires to eventually meet with Him. He upon him be peace constitutes the model for the one who desires the Eternal blessings of the Hereafter and who fears the Eternal punishment and fears being veiled from Him. The word *uswatun* (example) is a something to be followed and emulated. Thus, it means to follow his *Sunna* and to avoid everything that is contrary to it by words and deeds.”¹⁰³ This verse is a curative for those individuals, peoples or nations who have been disconnected from the paths of the Prophets either through self denial or the trauma of war and or social upheaval. The Living *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace, thus becomes for them a Divinely ordained reconnect with the primal pattern of a true human being, when that connection was severed as a result of being unjust to the self through denial, or as a result of the injustice and oppression of others. Allah ta`ala has placed a being whose *Sunna* (personal way) constitutes the spiritual path for the individual and the primal social pattern for the human collective.

Therefore, the individual Muslim, when he is sincere in his desire to please Allah ta`ala, he annihilates his will and disciplines it under the pattern and direction of the Beloved Messenger of Allah, may Allah bless him and grant him peace. He stops in affairs until he knows the judgment of the *Sunna* regarding it. And his attitude in surrendering to the judgment of the *shari`a* is resolute and joyous submission. Allah ta`ala says:

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

“No, by your Lord, they will not be true believers until they take you as a criterion of judgment for what occurs between them, then they do not find in their souls any problem with what you have decided and they

¹⁰² *Qur'an – Alzaab*: 21.

¹⁰³ Abdullahi ibn Fuduye’, *Diya’t-Ta’weel Fee Ma’ana ‘t-Tanzeel*, (Kano, 1967) vol. 3, pp. 236-237.

surrender completely.”¹⁰⁴ Shaykh Abdullahi Dan Fuduye’, may Allah be merciful to him, explained in his *Diya’t-Ta’weel* about the meaning of the above mentioned verse: “No, by your Lord”, the affair is not as they think that they will attain Allah without following His Messenger. “They will not be true believers”, in Me nor in you, “until they take you as a criterion of judgment”, that is to say, make you the judge and the criterion of judgment, “for what occurs between them” that is, in what they differ about regarding their affairs and they be content with your judgment regarding their rights. “Then they do not find in their souls any problem with what you have decided”, that is to say, they do not find any constriction in their souls in what you have decided or in your judgments, “and they surrender completely”, that is to say, they should restrict themselves unconditionally and completely to all of your legal pronouncements and be responsive to them in their outward and inward.”¹⁰⁵

This verse establishes the principle that belief itself is predicated upon the willful surrender to the *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace. This is an unequivocal refutation against those in the African American Muslim community who seek to deny the legal authority of the *Sunna* of the Messenger, based upon an unfounded interpolation of the oft-repeated phrase in the *Qur’an* of the *Sunna* of Allah ta’ala; where Allah says:

﴿سُنَّةَ اللَّهِ فِي الَّذِينَ خَلَوْا مِنْ قَبْلُ وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا﴾

“This is the *Sunna* of Allah with those who have passed before, and you will not find the *Sunna* of Allah altering.”¹⁰⁶ They imply that the Living *Sunna* established by the Messenger of Allah, may Allah bless him and grant him peace, and the Early Community has been tainted and suffers alteration, and that the *Sunna* of Allah as established in the *Qur’an* never changes. Again Allah ta’ala clearly preempts this erroneous conviction when He says:

﴿فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا﴾

“When you dispute about a matter then refer it back to Allah and His messenger if indeed you believe in Allah and the Hereafter. This is best and the most excellent refuge.”¹⁰⁷

Shaykh Abdullahi explained in his *Diya’t-Ta’weel* about the meaning of the above mentioned verse: “When you dispute”, that is disagree “about a matter then refer it to Allah”, that is to His Book “and His messenger”, during his lifetime and after him to his *Sunna*; that is to say, examine the disputing differences in the light of these two Infallible Sources. “If indeed you believe in Allah and the Hereafter. This”, that is referring it to the judgments of Allah and His messenger, which “is best”, for you than disputation and speaking from one’s own opinion; “and the most excellent refuge” that is to say, it is the most excellent as a place of legal, ethical and spiritual refuge.”¹⁰⁸ This verse establishes the principle that inevitably individuals, or groups will differ and dispute, however when disagreements occur that Allah has established Two

¹⁰⁴ *Qur’an – an-Nisaa’*: 65.

¹⁰⁵ *Opcit.*, vol. 1, p. 191.

¹⁰⁶ *Qur’an – al-Ahzaab*: 62.

¹⁰⁷ *Qur’an – an-Nisaa’*: 59.

¹⁰⁸ Abdullahi ibn Fuduye’, vol. 1, p.189.

Infalible recourses to which the Muslims must refer back to in order to resolve their problems: they are Allah and His Messenger. These Two should be considered One because the Messenger of Allah, may Allah bless him and grant him peace is the living example or the human exemplar of the *Sunna* of Allah. Thus, whoever emulates the Living *Sunna* of the Messenger of Allah, has in fact adhered to the *Sunna* of Allah because there is no other model (*uswat*) or example of Allah's *Sunna* except that of the Messenger of Allah, may Allah bless him and grant him peace. Allah ta'ala says:

﴿مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّى فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا﴾

“Whoever obeys the Messenger has, in fact, obeyed Allah, and whoever turns away, for We have not sent you as their guardian.”¹⁰⁹ Allah further establishes the veracity of the Living *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace as a means to Allah, but also as a principle for individual and social harmony by His words:

﴿النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ وَأَزْوَاجُهُ أُمَّهَاتُهُمْ﴾

“The Prophet is foremost with the believers even more than themselves, and his wives are their Mothers.”¹¹⁰ Again *Shaykh* Abdullahi ibn Fuduye` unravels for us the profound meanings concealed in this verse in his *Diya't-Ta'weel* where he said: “The Prophet is foremost with the believers even more than themselves”, this preference is in what he calls them to over and above what their own souls invite them to which conflicts with his call. It is thus obligatory for the believers to safeguard the priority of the Messenger of Allah in their inner spirits, to prefer what pleases him over what pleases them, and to love him more than they love themselves. It has been related in the *Saheeh* narration:

((لا يؤمن أحدكم حتى أكون أحب إليه من والده وولده والناس أجمعين))

‘None of you will truly believe until I am more beloved to him than his parents, children and people all together.’ Or the *Qur’anic* verse means that the Messenger of Allah, may Allah bless him and grant him peace is more compassionate (*ar’aaf*) to them than they are to themselves based upon what the *Imams* have transmitted. In the expression narrated by al-Bukhari on the authority of Abu Hurayra that the Prophet, may Allah bless him and grant him peace said:

((ما من مؤمن إلا وأنا أولى به في الدنيا والآخرة، اقروا إن شئتم: ﴿النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ﴾، فأني مؤمن ترك مالا، فليرثه عصبته من كانوا، فإن ترك دينًا أو ضياعًا، فيأنتني فأنا مولاه))

‘There is no believer except that I am foremost to him in this world’s life and the Hereafter. Recite if you like: ‘The Prophet is foremost with the believers even more than themselves.’ For whichever believer leaves behind wealth, then his blood relations should inherit from him if they exist. He has left behind a debt or wealth which has been forfeited, then give it to me, for I am its guardian.’ Here he, upon him be peace mentions what is obligatory upon himself as the guardian of the wealth of the believers since it should be

¹⁰⁹ *Qur’an – an-Nisaa’*: 80.

¹¹⁰ *Qur’an – al-Ahzab*: 5.

left with him as a trust, as the verse clarifies. Ibn'l-'Arabi said in his al-Ahkaam: 'This prophetic tradition is an explanation of the priority of guardianship (*wilaaya*) mentioned in the above verse.' The meaning of His words: '*and his wives*' refers to those wives which he actually consummated marriage with, and it is said that it refers to all the women that he married in general. The meaning of His words: '*are their Mothers*', is that they are the Mothers of the men among the believers as a form of enduring respect, esteem, and in the prohibition of marrying them. This referent is an authorized legal impediment excluding the women of the believers because once a woman said to A'isha may Allah be pleased with her: 'O Mother!' She responded: 'I am not your mother. I am only the Mother of your men.' Ibn'l-'Arabi said in his al-Ahkaam: 'It is said that the Messenger is the ontological father of the believing men, and it is said that this is not so based upon the words of Allah ta'ala:

﴿مَا كَانَ مُحَمَّدٌ أَبَا أَحَدٍ مِّن رِّجَالِكُمْ﴾

'*Muhammad is not the father of any of your men.*' However, the most correct interpolation is that he is the ontological father of the believing men, as it was cited in the Ghaayat'l-Amaani."¹¹¹

From the above, it is clear that all Muslim personal, religious, social, and political actions must fall under the paradigm of the *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace; either through his direct sanction or prohibition, demonstrated through his words, actions or silence regarding the words and actions of others. It also gives evidence that the Prophet, may Allah bless him and grant him peace constitutes the primary lineage and ontological ancestor for every believer, especially those who have been cut off from their people and disconnected from their inheritance. It is for this reason that the Messenger of Allah, may Allah bless him and grant him peace included Salman al-Farsi, Bilaal ibn Rabaah and 'Amaar ibn Yaasir among the 'family of Muhammad'. This is even more so for a Muslim people completely disconnected from their Islamic religion and way of life through the trauma of slavery. Muhammad, and his Living *Sunna* becomes their primary inheritance which reconnects them to the lost heritage of their fathers, and joins them in an unambiguous historical consciousness to that of the Messenger of Allah, may Allah bless him and grant him peace.

This is especially true with regard to oppressed minorities whose lost historical ancestry was constructed upon a forward moving African Islamic civilization driven by the Living *Sunna*. Although adherence to the Living *Sunna* is important in establishing the legitimacy of opinions and actions and is the primary recourse that all Muslim national minorities in the United States must refer back to; there is another element to the transmitted (*manquul*) Living *Sunna* for the African American Muslim national minority which provides them with genuine spiritual heritage, true historical continuity, autonomous authenticity, and a precise identity construct especially when the Living *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace reaches them from an unbroken chain of authority (*sanad*) through their Muslim forefathers back to the Messenger of Allah, may Allah bless him and grant him peace. This reconnection

¹¹¹ Abdullahi ibn Fuduye', vol. 3. pp. 232-233.

thus becomes what *al-Hajj Malik El Shabazz, rahimahu Allah*, called: ‘a fulfillment of Divine prophecy’, which transcends ‘history’ because it is apart of the narrative of Allah regarding His people.

Shehu Uthman ibn Fuduye` more than any other highlighted the necessity of adhering to the Living *Sunna* of the Messenger of Allah, may Allah bless him and grant peace as bequeathed through one’s righteous ancestors when he said in his last scholarly work and bequest to his community, the *al-Wassiya*:

"إِتِّبَاعًا لِسَبِيلِ آبَائِي وَاقْتِفَاءً لِأَثَارِ أَجْدَادِي الَّذِينَ سَلَفُوا مِنْ كُونِهِمْ ذَوِي الرُّشْدِ وَالْإِشْرَادِ وَالتَّدْرِيسِ وَالْجِهَادِ فِي سَبِيلِ اللَّهِ لِإِعْلَاءِ الدِّينِ وَاتِّسَاعِهِ وَابِلَاغِهِ، إِمْتِثَالًا لِأَمْرِ النَّبِيِّ وَاجَابَةً لِسُؤَالِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي قَوْلِهِ: ((بَلِّغُوا عَنِّي وَلَوْ آيَةً))، وَهَذَا وَرَاثَتَا وَوَرَاثَةُ آبَائِنَا وَأَجْدَادِنَا، وَنَحْنُ عَلَيْهَا دُونَ الْمَلِكِ وَالسُّلْطَانَةِ مَعَ الْبَغْيِ وَالظُّلْمِ، فَمَنْ اقْتَدَى بِنَا فَهُوَ مَتًّا، وَمَنْ لَا فَلَا، وَلِيَكُنْ عَلَيْهِ كُلُّ مُحِبِّنا مِنْ الْإِخْوَانِ وَالْأَوْلَادِ وَالْأَحْبَابِ، بَلْ كُلُّ مِمْتَلٍّ بِأَمْرِنَا، وَرَاضٍ بِقَوْلِنَا، وَمُجِيبٌ لِسُؤَالِنَا...يَنْبَغِي أَوْ الْوَاجِبُ عَلَى كُلِّ مُؤْمِنٍ عَاقِلٍ اقْتِفَاءً أَثَارِ آبَائِهِ الْمُؤْمِنِينَ وَإِتِّبَاعًا سَبِيلِ أَجْدَادِهِ الصَّالِحِينَ وَالْإِقْتِدَاءَ بِهِمْ، وَلِذَلِكَ اقْتَدَيْتُ بِأَجْدَادِي فِي أَخْذِ السَّنَةِ جَدًّا لِأَكُونَ دَلِيلًا عَلَى الْخَيْرِ مِثْلَهُمْ، لِأَنَّ الدَّالَّ عَلَى الْخَيْرِ كِفَاعِلُهُ بَعْدَ ثَوَابِ اسْتِعْمَالِهِ ذَلِكَ الْخَيْرِ".

“...following the ways of my fathers and imitating the traces of my grandfathers who have passed. This is because our ancestors were the people of uprightness, guidance, learning, and struggle in the Way of Allah against the enemies of the religion; in order to make it wide and to deliver it. I am doing this following the command of the Prophet and answering his call when he said, may Allah bless him and grant him peace: “Deliver the message from me even if it is just a single verse...This is our inheritance and the inheritance of our grandfathers. We are upon that mission without being kings and rulers who practice oppression and injustice. And those who follow me in that then they are from me, and if not, then not! So that all those who love me from the brothers, the descendents and loved ones, rather all those who follow my commands and are content with my teachings and have answered my call – may know that ...it is necessary and obligatory for every reasonable believer to follow the traces of their believing ancestors, to follow the Way of their righteous grandfathers and imitate them. For this reason, I have chosen to imitate my grandfathers in adhering to the *Sunna* strongly so that I can be a guide to what is good like they were; for the one who guides to what is good is like the one who does that same good and will attain the reward of those who act on it.”¹¹²

The fundamental principle established by the *Shehu*, constitutes a cure for what W.E.B. DuBois and later, Dr. Sherman Jackson rightfully called ‘the threat of double consciousness’, which many African American Muslims have fallen victim to as a result of the lack of historical consciousness and an authentic identity construct.¹¹³ The apparent ‘*Sunna*’ has been available to this community, but it has not had the effect which it should have in reviving them and bringing them out of the darkness of spiritual ignorance, domestic colonization and social dysfunction; into the light of spiritual illumination, political and economic independence and social stability. I postulate that the reason this is so is because the primary sickness of the African Americans resulted from a ‘disconnect’ from the Living *Sunna* as bequeathed to them from their own African Muslim ancestors, thus the cure resides in ‘reconnecting’ them to the Living *Sunna* as it was expressed in all its fullness for 14 centuries in the African continent. Just as al-Hajj Malik El Shabazz redefined the concept of ‘black nationalism’, today the concept of *Sunna* with regard to the African American Muslim people must be redefined. The *Sunna* to us constitutes every prophetic belief, virtue and action transmitted to us through our African Muslim ancestors. These *asaaneed* and *silaasil* commiserate

¹¹² Abu Muhammad Sa’d Uthman ibn Fuduye ibn Uthman, *Wasiyya Shaykh Uthman ibn Fuduye`*, (Gaskiyya Press, 1967). pp. 5-6.

¹¹³ Sherman Jackson.

with the intergenerational *`amal* (transmitted social behavior) of African Muslim civilization constitutes the *Sunna* with us.

Both the Republic of New Afrika as well as some of the followers of the late *Imam* W.D. Mohammed, (*rahimahu Allah*), prefer to name the African American Muslim communities as ‘New African’ or ‘New Afrikan’. If by the cognomen ‘new’, they mean a pragmatic existential continuity, like when Europeans named provinces, states and cities in the US with names such as: ‘New’ York, ‘New’ Haven, ‘New’ Orleans, ‘New’ Hampshire, or ‘New’ England; then I would be inclined to agree. The fact that the Europeans utilized the cognomen ‘new’ was an indication that they held a deep historical connection with the homeland and sought to create a renewed, revitalized and rejuvenated European society free of the mistakes, injustices and destructive qualities of ‘Old’ Europe. This idea is one of the key drivers behind the claim of American ‘exceptional-ism’, and is one of the main triggers which allow most European and western nations to see the United States of America as one of, if not *the* most important point guard for western culture. In certain circles, the idea of America as the ‘New’ Europe; or deeper still, the ‘New’ Jerusalem; that ‘shinning city on a hill’ has taken on a sacred hue. This historical consciousness, as skewed and flawed as it has been over the two centuries of the republic, naturally becomes remedial in the hearts and minds of those dedicated to the ‘idea’ of America. When an Anglo or any of the multitudes of immigrants declare: “I’m an American”; they are identifying with a manufactured ideal.

This is the same with any nation, or ethnic, linguistic, cultural or religious national minority within nations. The desire for historical continuity and relevance in the modern world is the natural objective of all. The preservation of this historical consciousness is not only an archeological, linguistic, cultural and spiritual endeavor, it is of a necessity a political endeavor. It is therefore, remedial in every aspect. *Sultan* Muhammad Bello stated in his concise work on medicine the *‘Ujaalat’r-Raakib*: “It is related in the two *Saheeh* collections from a tradition of ‘Ataa’ on the authority of Abu Hurayra that the Messenger of Allah, may Allah bless him and grant him peace said:

((مَا أَنْزَلَ اللَّهُ مِنْ دَاءٍ إِلَّا أَنْزَلَ لَهُ شِفَاءً فَنَدَاؤُوا))

“Allah has not sent down an illness except that He sends down the cure so seek the remedy.” With Ahmad ibn Hanbal is a tradition from Anas ibn Malik that the Messenger of Allah, may Allah bless him and grant him peace said:

((إِنَّ اللَّهَ حَيْثُ خَلَقَ الدَّاءَ خَلَقَ الدَّوَاءَ فَنَدَاؤُوا))

“Indeed Allah wherever He creates the sickness He also creates the cure, so seek the cure.” *Imam* al-Bukhari related in his *al-Adab’l-Mufrad*, as well as Ahmad, the authors of the *Sunnan* collections and was verified by at-Tirmidhi, Ibn Hazim and al-Hakim on the authority of Usama ibn Shareek that the Messenger of Allah, may Allah bless him and grant him peace said:

((تَدَاوُوا يَا عِبَادُ اللَّهِ فَإِنَّ اللَّهَ تَعَالَى لَمْ يَضَعْ دَاءً إِلَّا وَضَعَ لَهُ شِفَاءً إِلَّا وَاحِدًا وَهُوَ الْهَرَمُ))

“Seek medicinal cures O servants of Allah, for Allah ta’ala does not produce an illness except that He produces the cure along with it, except for one sickness and it is old age.” In another narration he said:

((إِلَّا السَّامُ))

“...except poison.” It has been related by al-Hakim on the authority of Abu Sa`id al-Khudri that the Messenger of Allah, may Allah bless him and grant him peace said:

((إِنَّ اللَّهَ لَمْ يَنْزِلِ الدَّاءَ إِلَّا أَنْزَلَ لَهُ دَوَاءً عَلَّمَهُ مَنْ عَلَّمَهُ وَجَهَلَهُ مَنْ جَهَلَهُ إِلَّا السَّامُ وَهُوَ الْمَوْتُ))

“Verily Allah does not send down a sickness except that He sends down its cure with the exception of poison for it is death. He who knows it knows it and he who is ignorant of it is ignorant of it.”¹¹⁴ Like Chinese Traditional Medicine, *Islam* places emphasis on curing by opposites. When something is sick due to something being taken away; then the cure is in supplying the patient with doses of what was taken away. It is a simple concept derived from harmony (和血 - *he` xie*) and balance (平衡 - *ping heng*). The rediscovery, authentication and revival of African Islamic civilization by the African American Muslim national minority are the first medication. I believe that the impact this will have on our African brothers all over the world will be predictable as articulated by Edward Blyden, Marcus Garvey, W.E.B. DuBois and Cheikh Anta Diop.

This prophetic concept of cures being near sicknesses is the foundation for the idea that the cures to the political, social, cultural, and economic dysfunction of any nation or national minority is right next to the sickness itself. Similarly, the cures for all the personal and social dysfunction of the African American Muslim community is placed inexorably in proximity to the sickness. The cure is not outside of them, and it is NOT in the Saudi peninsular, Pakistan, Turkey, Cyprus or Iran, (and definitely NOT Mauritania!) regardless of how these cultural replications of the ‘*Sunna*’ have morphed and reformed in the western hemisphere. It was not with W. Fard Muhammad, Ghulam Ahmad, or with Pakistani ‘*sufi*’ *Shaykhs* recruiting African Americans on behalf of the CIA to fight in Afghanistan or to sell heroin in the US, (as some kind of perverted twist on the obligation of *jihad*). It is NOT with the former CIA asset, Bin Laden, or any of his lieutenants, regardless of how well they may cite *al-Hajj* Malik El Shabazz. After 400 years of being criminalized we should know the difference between criminal behavior and legitimate armed struggle. The cure is not in gatherings where we jump up and down, and shout Allah’s Names until we faint. If that were the case, 400 years of singing, dancing and shouting in the church would have gained us our independence by now! No, the cure is not in the east or the west, nor is it in the skies.

The cure to our problem is right next to us, and is unique to us. Just as the cure for one people is not the same cure for another. Some sicknesses are genetically specific to culture and the spiritual earth from which the sickness first originated. It is for this reason that apart of the cure also constitutes an intimate reshaping of the relationship between African American Muslims who have rediscovered their cultural heritage, and the other indigenous ethnicities of the United States, especially the Anglo American Muslim population. The cure for both lay in a joint revival of the Living *Sunna* among them joining them as brothers, when before Islam, as all the social statistics affirm, they were avowed enemies. In implementing this cure, the *muddajin* Muslim will have to get out of the way and allow this healing to take place; or they will be squeezed and crushed in the process. Allah is a witness for what I say. The African American Muslims

¹¹⁴ Muhammad Bello ibn *Shehu* Uthman ibn Fuduye`, ‘*Ujaalat*’r-Raakib (manuscript) ff. 23-24.

should first define who they are as a collective, unite with the other indigenous American Muslims, such as the Hispanic, First Nation and Caucasians; and finally establish a social contract between themselves and with the nation state, which gives them domestic/international recognition and affirmative actions designed to assure their continuity and integrity. This will entail a fundamental alteration of the status quo of the United States and, in my view, a fulfillment of the American Revolution. This cannot be done without the American Muslim national minorities commanding all that is good and forbidding all that is evil, social transformation and some political participation.

10. The Obligation to Command the Good and Forbid Evil

Therefore, what is the legal precedence in the *shari`a*, that would allow African American Muslims to call for the rights of self-determination and restitution for acts of injustice? Is there evidence in the *Quran*, and the *Sunna* that would justify African Muslims taking up the banner of struggle? The answer is a resounding YES! Are struggle and the duty to help transform society a right, a duty, a privilege or a discretionary act? One of Black Africa's foremost scholarly authorities and social reformers, *Shehu* Uthman ibn Fuduye`, gathered all three opinions in his famous *Amr bi'l-Ma'ruuf* where he said:

"إن الأمر بالمعروف والنهي عن المنكر واجبان كتابا وسنة وإجماعا، أما الكتاب فبقوله تعالى: ﴿وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾ الآية، وأما السنة فبقوله عليه الصلاة والسلام: ((وَالَّذِي نَفْسِي بِيَدِهِ لَتَأْمُرَنَّ بِالْمَعْرُوفِ وَلَتَنْهَوْنَ عَنِ الْمُنْكَرِ أَوْ لَيُوشِكَنَّ اللَّهُ أَنْ يَبْعَثَ عَلَيْكُمْ عِقَابًا مِنْهُ ثُمَّ تَدْعُوهُ فَلَا يَسْتَجِيبُ لَكُمْ))، رواه الترمذي وحسنه، وأما الإجماع فهو إن المسلمين في الصدر الأول وبعده كانوا يتواصلون بذلك ويوبخون تاركه نص على هذا غير واحد من علماء السنة، ولا يتوقف وجوبهما على ظهور الإمام كما تزعم الروافض، ولا يختص ذلك بالولاية، قال الشيخ السنوسي في شرح الوسطي: "والمراد بالمعروف الواجب والمنكر الحرام"، ولا شك إن الأمر بالمعروف والنهي عن المنكر بالمعنى السابق فيهما واجبان."

"Indeed, commanding the good and forbidding evil are two distinct obligations, based upon the Book, the *Sunna* and the consensus (*ijmaa`*). As for the Book there are the words of Allah ta'ala: 'And let there arise from among you a community who invites to excellence, commands the good and forbid evil...' As for the *Sunna*, there are his words, upon him be blessings and peace: 'By the One in whose Hand is my soul, you should command the good and forbid evil or Allah will soon send upon you a punishment from Him, then you will try and supplicate to Him and He will not answer you.' This was narrated by at-Tirmidhi who also verified its integrity. As for the consensus, it is that the Muslims from the first era and after it were thoroughly associated with it and more than one of the scholars of the *Sunna* censured those who neglected it, based upon the above textual evidence. Further, the obligation of both commanding good and forbidding evil is not preconditioned by the appearance of the *Imam* as many sects among the *Rawaafid* claim. Nor are they are specific duty of the government. *Shaykh* as-Sanusi said in his commentary upon the *al-Wusta*: 'What is meant by the good is what is obligatory, and what is meant by the evil is what is prohibited.' There is no doubt that commanding the good and forbidding evil, based upon the foregoing meaning, are two distinct obligations."¹¹⁵

Thus, the struggle for social transformation, justice and equity in society and the fight against injustice and inequality are individual religious obligations that distinguish the Muslim *Umma* from all other ethnic, linguistic, or religious communities. It is the primary function of the Muslim community, and is not a duty which is delegated to a specific class of society, or to governmental authority. In fact, the obligation to command the good and forbid evil constitutes a pre-sovereign or provisional responsibility prior to and

¹¹⁵ Uthman ibn Fuduye`, *Amr bi'l-Ma'ruuf*, original manuscript in the possession of author, ff: 2-3.

leading up to autonomy and self determination. It cannot be relegated to academia, manipulated by a clerical class or regulated by the government, simply because the obligation of justice and equity and the prohibition of injustice and inequality are known and recognized by all members of society. Even a child knows the difference between justice and injustice. Hence, the obligation to establish the former and eradicate the latter is a duty for every member of the Muslim community. It is a pre-sovereign right and duty for people to transform their societies by eradicating injustice and inequity.

When the *Qur'an* distinguishes the Muslim *Umma* with this quality, it is not excluding non Muslims from their obligation to do the same. Because this quality is inherent with the Muslim *Umma*, she acts as a reminder to the earlier religious communities about their responsibility to command all that is good and forbid all that is evil as well. It is in this arena that dialogue between the diverse religious communities in a society should occur. This is corroborated by the *Quran* in the words of Allah ta'ala:

﴿وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا﴾

“And what reason have you that you should not fight in the Way of Allah while the oppressed among men, women and children who say: Our Lord! Cause us to be brought out from this place whose people are oppressors and give us from You a guardian and give us from You a helper.”¹¹⁶

To this call all civic minded human beings react the same; everyone, regardless of his ethnicity, creed or standing attempts to rise and protect those who cannot be protected. This is the fundamental purpose of the Muslim *Umma* and it links them with their brothers and sisters among the People of the Book and the traditionalist. This idea underpins the self image of the American, as portrayed in its films, of the heroic cowboy of the world rising up to fight for liberty, freedom and democracy in every land – American Exceptional-ism. It was placed in the mouth of President Theodore Roosevelt: “We Americans or both loved and hated because of our *audacity*.” So this idea to stand up for and protect those who cannot protect themselves is a noble and ennobling trait which is universal. Social transformation is an individual obligation because it is an existential reality. Every individual is doing something either to transform his/her society for the better or the worst; thus the Muslim is obligated to command everything which is good for society and forbid everything which is harmful to it.

As for the *Sunna*, there are the words of the Messenger of Allah, may Allah bless him and grant him peace on the authority of Anas:

((أَنْصُرْ أَخَاكَ ظَالِمًا أَوْ مَظْلُومًا))

“Assist your brother whether he be unjust or the victim of injustice.” It was said: “O Messenger of Allah, we can assist him if he is the victim of injustice, but how do we assist him when he is unjust?” He responded:

¹¹⁶ *Qur'an – an-Nisa: 75.*

((تَأْخُذُ فَوْقَ يَدِهِ))

“By seizing his hand (and stopping him).” Shehu Uthman Dan Fuduye’ said in his Bayaan Wujub’l-Hijra: “Bilal ibn Sa’id said: ‘Fear Allah with regard to a person who has none to help him except Allah. The Prophet, may Allah bless him and grant him peace once said:

((يَقُولُ اللَّهُ عَزَّ وَجَلَّ: أَشَدُّ غَضَبِي عَلَى مَنْ ظَلَمَ مَنْ لَمْ يَجِدْ لَهُ نَاصِرًا غَيْرِي))

“Allah exalted and majestic be He said: My anger is severest against the one who acts unjustly to one who has no helper except Me.” Thus, clearly the *shari’a* gives precedence for the right and obligation to struggle against injustice and oppression. The right and duty to fight against injustice prevails even when the oppressed group do not have the physical or material means to maintain their struggle because they still have their reliance upon Allah and their supplications to Him. This is the meaning behind that most famous of traditions:

((الدُّعَاءُ سِلَاحُ الْمُؤْمِنِ وَعِمَادُ الدِّينِ وَنُورُ السَّمَوَاتِ وَالْأَرْضِ))

“Supplication is the weapon of the believer, the support of the religion and the light of the heavens and the earth.” What else can the Muslim rely upon when all else has been deprived from him through tyranny and injustice except a resolute heart that is reliant upon the Living God who will never die? When tyranny deprives the Muslim or any oppressed group of the material means to struggle and when continued oppression dispossesses them of the very tongue to cry out to their fellow humans, then they are left with a heart full of faith, which cries out in the depths of the night, in intimate exchange with their Lord and Creator, to remove the hand of the oppressor and break their resolve in the same manner that the Prophets prayed against the oppressors in ancient days. For if the Muslims were to forsake supplication against their enemy and oppressor they would relinquish the last vestige of their belief and faith. It has been related by at-Tirmidhi on the authority of Abu Hurayra that the Messenger of Allah, may Allah bless him and grant him peace said:

((إِنَّهُ مَنْ لَمْ يَسْأَلِ اللَّهَ يَغْضَبْ عَلَيْهِ))

“Whoever does not ask Allah, then He is angry with him.” This is because the failure to supplicate Allah in the face of injustice and inequity when there is no other alternative is a form of surrendering to that evil inwardly within the soul; which in effect constitutes a relinquishing of faith. This is the state that the devils among mankind want, that you except that you have lost and you yield to evil - broken; while the devils among the *jinn* desire your despairing of the help of Allah. Although the reverberations of the heart are the weakest forms of protest, they can also be the strongest because it is the last place of refuge. The heart is the foundation of the tongue and hand; and constitutes the last refuge for virtuous words and actions. Have we forgotten the lasting words of the Messenger of Allah, may Allah bless him and grant him peace:

((مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فِقَلْبِهِ، وَذَلِكَ أَضْعَفُ الْإِيمَانِ))

“Whoever among you that sees evil should alter it with his hand. When he is not able, then he should alter it with his tongue. When he is not able to do this, then he should alter it with his heart. This however, is the

weakest of faith.” Thus, to relinquish struggle in all of its forms against oppressions and tyranny is to abandon belief and faith; and with respect to the oppressed constitute a form of ‘oppression of themselves’ (*dhaalim `ala anfusihim*), because it validates and legitimizes the oppression of the oppressor.¹¹⁷

Corroborating this view is what *Shaykh* Abdullahi ibn Fuduye` said in his *Diya al-Ihtisaab* citing a well known prophetic tradition :

((لَتَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ أَوْ لَيَسْلُطَنَّ اللَّهُ عَلَيْكُمْ شِرَارَكُمْ، ثُمَّ يَدْعُو خِيَارَكُمْ فَلَا يُسْتَجَابُ لَهُمْ))

“You should command the good and forbid evil, or Allah will subjugate you under the most evil of you; and then the best of you will make supplication but they will not be answered.” This prophetic tradition is an axiom for civic responsibility and establishes the obligation for Muslim citizens to have a civic sense and a social duty to uphold what is universally good and to forbid and prevent what is universally evil and harmful. The tradition explicitly implies that Allah normally answers the supplication of the best of the Muslims as long as the Muslims continue to command what is good and forbid what is evil.

Thus, the struggle for self determination, the right to be different, the need for some form of political, economic, and judicial autonomy is a struggle which is incumbent by the *shari`a*. It is a collective obligation for all, but an individual obligation upon the leaders, scholars, freedom fighters and artists of that people to actively work for and disseminate to the people they represent. It is here that the need for confederation and unity between ethnic, linguistic, cultural and religious national minorities become incumbent as well. The scholars of Islam have established a fundamental principle, in the absence of sacred textual evidence, which makes a matter incumbent. They have said:

ما لا يتوصل إلى الواجب إلا به فهو واجب وترك الواجب حرام

“That by which an obligation cannot be realized except by means of it, then that matter is also an obligation and abandoning any obligation is forbidden.”¹¹⁸ Thus, commanding the good and forbidding evil is a collective obligation which cannot be achieved except through a collective organization or organizations. Organization cannot be achieved except through a confederation of all the analogous Muslim national minorities. This confederation is a collective obligation which finds its source in the earliest periods of Islam.

Institute of Islamic-African Studies International

¹¹⁷ Although the Messenger of Allah, may Allah bless him and grant him peace defined the act of altering evil that one sees in the heart as the weakest of faith, this need not be taken to mean that a person's faith is weakest when he can only change the evil that he sees with his heart. This 'weakest' level of faith could be defined as that dialectical moment when the believing soul cries out: "Where is the help of Allah!?" This negative state of weakness, inability, impotence and abject need is the realm or mode of the manifestation of miracle (*karamaat*). With the Prophets this breaking of the normative laws of creation was an obligation. The weakness and incapacity of the Prophets had to be so existential that only Divine intervention could overturn it, increasing all in faith, belief, and repentance. For those who are not Prophets, the process is the same, except that its manifestation is not incumbent. It involves realization of one's incapacity and mortality in the face of intense trial and tribulation and becoming empty and in dire need of the Actions of Allah required to be saved from those hardships. This creates a state of negative energy or a vacuum in which the hidden Actions of Allah become manifest and a miracle occurs.

¹¹⁸ Abd'r-Rahman as-Suyuti, *al-Haawi li'l-Fataawi*.

11. The Sahifa of Medina: the First Human Rights Resolution

Since the *Sunna* encourages and demands the believer to assist the oppressed against oppression and injustice, it is incumbent for them to establish a system that assures that the weak are not overcome by the strong. This system which assures justice and equity must of a necessity give legal recognition to the inherent rights of individuals and groups who are weak and unable to defend themselves against those who are strong and affluent in the society. One of the first ever international agreements or SOCIAL CONTRACTS of coexistence between ethnic and religious minorities in human history was the *Kitaab* or *Sahifah* of Prophet Muhammad, may Allah bless him and grant him peace, which united under a single international resolution the *Muhaajirun*, the *Ansaar*, the Jews and Christians of the city of al-Medina and its environs.¹¹⁹ This prophetic document gave the right of recognition of diverse ethnic and religious minorities and invested them with a collective personality distinct from the Muslims. They were accorded the right of worship and culture under the sovereignty of Islam. Excerpts from this famous international document will demonstrate the need for the rights of self-determination for national minorities and the obligation for states to give national minorities protection from forced assimilation and domestic colonization. It is this document which was the predecessor of what we know today as a SOCIAL CONTRACT, it gives evidence for the legitimacy of utilizing all subsequent international agreements regarding the recognition of the rights of self-determination for ethnic, religious, and linguistic national minorities.

The *Sahifah* opens by stating that it is a social contract between the diverse ethnic and religious communities in Medina:

بسم الله الرحمن الرحيم، هذا كتاب من محمد النبي رسول الله بين المؤمنين والمسلمين من قريش وأهل يثرب ومن تبعهم، فلحق بهم وجاهد معهم، أنهم أمة واحدة من دون الناس.

“In the name of Allah, the Beneficent the Merciful, this is a prescript from Muhammad, the Prophet Messenger of Allah to operate among the believers and those who have surrendered from among the *Quraysh* and the people of Yathrib and those who follow them and join them to take part in the wars with them. Verily they constitute a community distinct from all people.”

The *Sahifah* declares to uphold justice between all the elements of the treaty:

وأن المؤمنين المتقين أيديهم على كل من بغى منهم أو ابتغى دسيعة ظلم، أو اثماً أو عداواناً أو فساد بين المؤمنين، وأن أيديهم عليه جميعاً ولو كان ولد أحدهم.

“Verily the hands of fearfully aware believers shall be against everyone who rebels from among them, attempts to acquire anything by force, or is guilty of sin, or incites enmity, or spreads mischief among the

¹¹⁹ I am indebted to *Imam* Jamil al-Amin (aka H. ‘Rap’ Brown) who in August of 1999, just months before he was framed and arrested, first brought to my attention the legal ramifications of this document. It was the textual evidence which this primary SOCIAL CONTRACT created which was the basis for the *Imam*, as the leader of National *Shura* Council of the U.S.A., calling for a meeting in August of 1999 of all the *Imams* and leaders of the indigenous American Muslims in Atlanta, Ga in order to develop a national dialogue of Muslim concerns. It was out of this meeting that the first internationally recognized confederation between two African American Muslim communities emerged and indeed, this initial call was the precursor to the formulation of the organization which came to be known as the Muslim Alliance of North America (MANA).

believers. Verily their hands shall be all together unified against such a person, even if he be the son of anyone of them.”

The *Sahifah* declares the right of ethnic minorities and individuals and it provides protection and treaty agreements that must be upheld by the majority. Even when a treaty is established by a common Muslim citizen, then that treaty must be recognized and respected by the Muslim polity:

وَأَنَّ ذِمَّةَ اللَّهِ وَاحِدَةٌ يَجِيرُ عَلَيْهِمْ أَدْنَاهُمْ، وَإِنَّ الْمُؤْمِنِينَ بَعْضُهُمْ مَوَالِي بَعْضٍ دُونَ النَّاسِ.

“And verily the protection of Allah is one. The least of them can by extension provide protection for anyone and the obligations be binding upon all of them. And verily the believers are the authority one of another excluding all people.” This final statement establishes that Muslims are obligated to be self governing and/or enjoy some form of autonomy if they are an indigenous minority.

The *Sahifah* gives recognition to the collective personalities and the rights of equality and assistance to ethnic and religious minorities:

وَأَنَّهُ مَنْ تَبِعَنَا مِنْ يَهُودٍ فَإِنَّهُ لَهُ النَّصْرُ وَالْمَعْرُوفُ وَالْإِسْوَةُ غَيْرَ مَظْلُومِينَ وَلَا مُتَنَاصِرٍ عَلَيْهِمْ.

“And verily those who follow us from among the Jews will have help, recognized goodness and equal opportunity. They shall neither be oppressed nor shall assistance be given against them.” The mere mentioning of the collective Jewish minority is investing them with a legal and political identity, distinct from the dominant Muslim majority. This citation is what international law defines today as ‘recognition’. The clause: ‘They shall neither be oppressed nor shall assistance be given against them’ is what international law today defines as ‘special measures’ or ‘affirmative actions’ designed to protect the uniqueness of the national minority and establish those cultural and fiscal conduits essential to guarantee their persistence and not be politically forced or psychologically coerced into assimilation.

This is a small fraction of the treaties which Prophet Muhammad, may Allah bless him and grant him peace developed to confederate the diverse elements of Medina. The principles of tolerance and mutual aid, which they engender, laid the foundation and legal origin for all subsequent international agreements. As I stated above, never before had any nation given recognition of the legal, political and human rights to its national minorities. The *Sahifah* of Medina created by the Best of Creation, may Allah bless him and grant him peace was the first treaties ever written on the rights of national minorities within states or polities. Thus, the *Sahifah* sets the legal precedence regarding the obligation of Muslims to implement the same in their nations as well as struggle for the same where the protection of national minorities is absent. Thus, wherever Muslim states or *emirates* exist, and there subsist within its boundaries ethnic, linguistic, or religious national minorities, the polity is obligated to protect and provide some form of autonomy or agreement of recognition in order to assure that justice prevails for all members of its society. This alone would resolve

the problems facing nation states such as U.S., France, Sudan, the Congo, Rwanda, Spain, Bosnia, Nigeria, Iraq and Mauritania where conflicts prevail between the states and its national minorities.¹²⁰

The SOCIAL CONTRACT established by Prophet Muhammad, may Allah bless him and grant him peace for the Muslim, Jewish, Christian and Magian citizens of Yathrib establishes that laws developed to bring diverse nations together while acknowledging their distinct differences is historical precedence and the *shari`a* foundation of the concept of international law.

12. International Law Concept of the Collective Rights of Minorities

Having demonstrated the legal duty of Muslims to first recognize the right to protect ethnic, linguistic and religious minorities within its jurisdiction, it becomes clear that most, if not all, international resolutions on this pertinent subject should be supported by Muslim nations as well as Muslims who constitute national minorities within non-Muslim states.

Dr. Yusef N. Kly, more than any other defined this principle consistent with international law. He delineated that in order to define a general legal principle which outlines the international human rights for national minorities, jurists of international law have established that it must exhibit the two following characteristics: [1] it must be a general and fundamental legal principle addressing the collective rights of minorities, providing them with an international legal personality and /or a political existence; and [2] it should be universally accepted as a legal principle of international human rights law.¹²¹ To this end no other law /resolution fits these two above mentioned characteristics like that of Article 27 of the Covenant on Civil and Political Rights. The article reads:

“In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their culture, to profess and practice their own religion, or to use their own language.”¹²²

Dr. Yusef N. Kly stipulated that in order to implement Article 27 nations would be obligated to adhere to two basic requirements: [1] the obligation to officially recognize the legal and political existence of the national minorities living within their borders; and [2] the implementation of special measures or affirmative action designed to make those financial, technological, cultural and political circumstances which are required to enable the minority to reach equality status with the majority, to maintain its ethnic identity, while sharing a political, economic and social equal status relationship with the majority.¹²³

¹²⁰ More than any other writers Prof. Ahmed Abou-El-Wafa and Dr. Khaled Abou El Fadl both have dealt with the question of Muslim national minorities and the rights they have of asylum and protection from the perspective the *shari`a* and international law. See: Khaled Abou El Fadl, *Islamic Law and Muslim Minorities: Minorities From the Second/Eight to the Eleventh/Seventeenth Centuries*, *Islamic Law and Society*, Vol. 1 ed 2, (E.J. Brill, Leiden), 1994; *The Right of Asylum Between Islamic Shari`ah and International Refugee Law: A Comparative Study*, (Riyadh), 2009.

¹²¹ J.A. Laponce, *The Protection of Minorities*, (1960), pp. 30-40.

¹²² United Nations Publication. *Protection of Minorities*, Sales No. 67, XIV 4, p.41.

¹²³ Yusef N. Kly, *International Law and the Black Minority in the U.S.*, (Clarity Press, Atlanta), 1990, p.23.

When Article 27 is compared to the historical relationship that the United States has held with its national minorities some interesting patterns become noticeable. Although, the evidence that will be cited deals directly with the African American national minority in general, the inference, however, will be placed on the African American/Muslim minorities in the United States. This approach is more direct and is easily quantifiable because the priority and depth of African Islamic civilization survived the kidnapping, the Middle Passage, the monstrous process of ‘making’ humans into slaves, the enslavement, the apartheid, Jim Crow, lynching, police brutality, criminalization and economic exploitation. It survived and is now trying to recover itself, find and discover the missing pieces and revive what many thought (hoped) had died. “Accept your own and be yourself”; is an adage which our Muslim elders adopted to describe this process of ‘becoming’.

Article 27 of the Declaration on Civil and Political Rights ensures that national minorities have the means to maintain their uniqueness as a people. It gives them the recognition, protections and agencies to advance their distinctiveness and obligates nation states to respect and honor these differences. In 1992, Tadeusz Jasudowicz maintained that this obligates nation states to [1] *recognize* the political existence of their national minorities by investing them with a political identity and acknowledging their contributions to the formation of the state; [2] *protection* of their physical and psychological existence from persecution, from political, social and economic exclusion, from forced assimilation and the loss of all or part of what makes them distinct from the majority; and [3] *promotion* of special measures and affirmative actions which allow national minorities to enjoy technological, fiscal, political, linguistic and cultural autonomy within the state.¹²⁴

When we utilize these criteria to reexamine the historical relationship of the United States to its chief national minorities; a clear outline emerges of the extent that the U.S. has failed to keep pace with international standards. Following the precedent established by Dr Kly, I will divide the following historical review into four distinct periods: [a] the slavery period from 1555 to 1865 in which we will examine the veracity of the U.S. constitution; [b] the reconstruction period from 1868 to 1895; [c] the apartheid/Jim crow period from 1895 to 1965; and [d] the contemporary period from 1965 to the present (2015). From each historical period, we shall draw out generalizations to be presented as key **indicators** of the United States view of collective rights for minorities. We will cite pertinent examples to show that African American Muslims have consistently acted as a collective; and how the U.S. responded as a collective to these

¹²⁴ Tadeusz Jasudowicz, “Some Legal Rights of Protection of Minority Rights in Europe” in Arie Bloed & Wilco de Jonge (eds.), Legal aspects of New European Infrastructure, 1992, pp. 109-110.

demands. We shall survey the above views in relationship to the international legal principles presented in Article 27 of the Covenant on Civil and Political Rights. In doing so the United States' discrepancies to the legal principles of international law shall be commented upon and its contradictory features shall be isolated. In our opinion, this will prove to be the best method to demonstrate our **hypothesis**.

a) **U.S. View of Collective Rights during the Period of Slavery:**

In 1562, John Hawkins (a knighted English kidnapper and pirate), one of the first Englishmen known to engage in the slave trade, made his first voyage to Africa upon ships, one of which was named the *Jesus*. On the Guinea Coast, he captured and enslaved some 300 Africans and soon afterwards took possession of a Portuguese ship laden with 910 African slaves to sell them in the West Indies and Brazil. It is no doubt that at least 30%, if not more, of these enslaved Africans were Muslim.¹²⁵ Now, the question of the ratio of captured African Muslims to that of captured African animist is a source of heated debate among academics, but more importantly within the intelligence community of the United States.¹²⁶

¹²⁵ I would suggest reading Nathan Nuun's concise but excellent study: "Data Appendix for: The Long-term Effects of Africa's Slave Trades"; July, 2007, pp. 2-3; Philip D. Curtin, *The Atlantic Slave Trade: A Census*, Madison, 1969; J.E. Inikori, "Measuring the Atlantic Slave Trade: An Assessment of Curtin and Andsey", *Journey of African History*, XVII, 2, 1976, pp. 197-223; and Inikori's: "Measuring the Atlantic Slave trade: A Rejoinder", *Journal of African History*, XVII, 4, 1976, pp. 607-627; Michael A. Gomez, "Muslims in Early America", p. 677 and Muhammad Shareef, *The Islamic Slave Revolts of Bahia*, Sankore' Institute of Islamic-African Studies, 1998, pp.14-20.

¹²⁶ I say this because recently one of our *Amirs* of the *Jama'at of Shehu Uthman ibn Fuduye'* in California informed me about a visit he received from two FBI agents, (a white agent and a black agent) questioning him about our national community. The domestically colonized Negro agent by the name of Greg Jenkins was the one who asked all the questions. The reader must remember that one of the key illegal tactics of COINTELPRO was 'the interview', which entailed "interviewing group members or supporters as an overt "investigative" technique used for the covert purpose of disruption"; and "include interviews of members wherein jealousy among the members was stimulated and led to a number of persons to fall under suspicion and be purged from the" organization. The following is the gist of the dialogue, which gives clear insight into what the intelligence community is interested in with regard to its chief national minorities: "AGENT JENKINS: How do you know Muhammad Shareef? THE *AMIR*: I heard him teaching on cassette back in the day. AGENT JENKINS: What type of personal relationship do you have with him? THE *AMIR*: I don't have a personal relationship with him. AGENT JENKINS: I really doubt that considering you moved your family to Pittsburgh to be with him. THE *AMIR*: In Islam we do things for a higher power not for the sake of human beings. AGENT JENKINS: So are you fluent in Arabic? THE *AMIR*: No. I know a little bit. AGENT JENKINS: You were the *Imam* there weren't you? THE *AMIR*: Something like that. AGENT JENKINS: Well you have to be pretty knowledgeable to be an *Imam*. THE *AMIR*: They were just making due with what they had. AGENT JENKINS: So are you trying to start your own thing here? THE *AMIR*: No. Nobody follows me. AGENT JENKINS: What brought you back to California? THE *AMIR*: The weather. AGENT JENKINS: What would cause a man from here to move to China? THE *AMIR*: I don't know. I have no idea. AGENT JENKINS: Is he learning the language there? THE *AMIR*: I have no idea. AGENT JENKINS: So what's the solution to what's going in Palestine? THE *AMIR*: I don't know. AGENT JENKINS: You don't know?! THE *AMIR*: I don't know. That's an old conflict. I have never been on the ground there. AGENT JENKINS: What is the Sankore Institute? THE *AMIR*: We translate books from Arabic to English from the scholars of West Africa. It's not a political entity or anything like that. AGENT JENKINS: Why West Africa? THE *AMIR*: Understanding Islam from an Arab or Pakistani perspective is irrelevant. ***Plus many of the slaves that came here were Muslims. From anywhere up to 30%.*** AGENT JENKINS: ***No. There weren't that many Muslims among them!*** THE *AMIR*: ***Yes it was!*** AGENT JENKINS: So are you guys like Wahabis? THE *AMIR*: Ha! No, nothing like that." Now, the point in citing this lengthy dialogue, other than the obvious intelligence it offers, is why the F.B.I. agent blinked and broke his protocol and insisted that the *Amir* was incorrect in his assessment of the percentage of enslaved Africans that were Muslim. Agent Jenkins could have easily ignored the alleged mistake, kept his resolve and continued with his questions. The *Amir* being wrong or right regarding the numbers posed no quantifiable threat to the agent or his objective. Why was or is the 30% ratio of African Muslims to African animist such a problem? It is only a number. Why was it important to the FBI agent for the numbers to be less? And was the objection to the number a problem to the agent as an FBI or as a domestically colonized Negro? All these questions will be examined in this research, Allah willing, with the certainty, fortitude and hopefully the conciseness with which our *Amir* answered.

Thus by the time of the African's introduction into the United States they had already been reduced by barbarous conditions to the category of sub-humans. Slavery for the African meant utter decay and being transplanted to a 'civilization', which robbed them effectively of their language, culture, religion and social status.¹²⁷ Their self respect and dignity were broken and assuming one animal could not own another - they were not allowed in Maryland and N. Carolina to own animals. The enslaved *Turudbe'* Muslim, Abu Bakr as-Sidiq of Timbuktu recounts in Arabic this terrible ordeal: "As soon as I was made prisoner, they stripped me, and tied me with a cord, and gave me a heavy load to carry".¹²⁸ In Mississippi, Africans were not to sell like freemen, destroying their ability to develop constructive human transactions. Cases where even well educated Africans were enslaved were frequent. In one incident around 1730, an Anglo-American boy saw an enslaved African legally owned by Michael Dento Kneel bowing in the direction of Mecca. Knowing nothing about Islamic tradition, the boy threw sand in his eyes, impairing his vision. The enslaved African's habits were investigated. Only then was it established that the enslaved African was a literate Islamic scholar cleric. Hearing this, a British army general, James Oglethorpe, paid for the African to be freed, took him to England, and arranged to have him admitted to Cambridge University where he translated Islamic manuscripts.¹²⁹ I sight these few examples to demonstrate the fear and hatred that U.S. slavery placed upon the conscious and subconscious minds of the people involved, which in turn affected their view of what collective rights were due to minorities. During this period the United States held the view that Africans should be at the total disposal of the majority interest. Such a relationship over a period of one hundred years sociologically and psychologically conditioned the after-slavery and modern U.S. view.

Because of the brutal reality of enslavement and the subsequent tyranny to maintain it, many insurrections by enslaved Africans were staged in the pre and post United States, demonstrating that the people whom the Anglo- Americans considered as animals or '3/5th of a human', saw themselves as human beings with the complete rights of all humans for freedom. The following citations will demonstrate that there was a consistent pattern of African freedom fighters, particularly Muslim, attempting to gain their rights as human beings in antebellum America, a self image which predated the Anglo American 'discovery' of liberty.

In 1688 a *Turudbe'* Muslim called Sambo, owned by Richard Metcalf in Maryland, was convicted of having several times endeavored to promote an insurrection. He was severely beaten and made to wear a

¹²⁷ W. E. B. DuBois, *The World And Africa*, pp.64-5.

¹²⁸ Dr. Charles H. Wesley, "The Life and History of Abou Bekir Sadiki, Alias Edward Doulan", *Journal of Negro History*, Vol. 21, Issue 1 (January 1936), p. 54; and Sylviane A. Diouf, *Servants of Allah: African Muslims Enslaved in the Americas*, (New York: New York University Press, 1998), p. 42.

¹²⁹ Austin, A.D. *African Muslims in Antebellum America: A Source Book*, pp.370-72.

large iron collar around his neck for life.¹³⁰ In 1691, another *Turudbe*' Muslim named Manga, from Middlesex County, Virginia, ravaged plantations in Rappahannock County and with some companions appropriated /liberated cattle, guns, and other valuables needed for human freedom and liberty. In 1711, an enslaved Muslim, who too was doubtlessly *Turudbe*' named Sebastian led groups of slaves and freedmen to raid Charleston and the Sea Islands. In 1712 Africans plotted to overcome the Anglo-Americans of New York. They were subsequently captured and eighteen African freedom fighters were hung and others were deported or broken on the wheel.¹³¹ In 1720 three Africans were executed for their involvement with the slave uprising in South Carolina, which was a key destination for enslaved African Muslims from Futa Toro, Futa Bundu and Futa Jalon. In 1722, some 200 Africans in Virginia assembled in a church near the Rappahannock River to kill their oppressors but the plot was discovered and disbanded.

In 1723, Africans and Indians were involved with a plot to burn down Boston. In 1730, Gullah Jack and Posey led an insurrection in Charleston, South Carolina. They were eventually captured and executed. In the same year, an African in Malden Massachusetts burned his owner's home. In 1732, a cargo of Africans killed Captain John Major of Portsmouth, New Hampshire, and all his crew. In 1739, Africans and Spaniards plotted to start an insurrection against their English colonists. As a result some were shot for their trouble or hanged. That same year, more Africans under their leader called Cato, near Stono, South Carolina, seized firearms and burned buildings. Later they were overpowered by the militia and their leaders were put to death - but not until after more than twenty Anglo- Americans were killed. This famous war became known as the Stono Rebellion. Again in 1741 African freedom fighters attempted to burn New York. Their aim was to kill colonial overlords and get possession of their property. More than 100 Africans were arrested; 17 were deported, 18 hung and 13 were burned alive; but several of those indicted were never captured. In 1754, two African female freedom fighters set fire to the home of their master, C. Croft of Charleston, and were in turn burned alive.

In 1800, Gabriel Prosser, a skilled blacksmith, organized over one thousand slaves with the objective of seizing the city of Richmond, Virginia. Due to flash floods, the revolution was postponed and most of the planners and leaders were arrested and executed. Prosser was not captured until a month later. All of the

¹³⁰ Yusef N. Kly, *International Law*, p. 88; for an in depth discussion of the prevalence of enslaved African Muslims with the name Sambo, Sambu, Samba and Sanbu (meaning the second son in Fulfulde` and accompanied the name Muhammad) see Michael Gomez's seminal and monumental work *Black Crescent: the Experience and Legacy of African Muslims in the Americas*, (Cambridge University Press, Cambridge, 2005), pp. 135-136. This work by Dr. Michael Gomez is the most important account of African Muslim experience in the Americas in recent years, and has become a model and resource text for Muslim culture in the Americas from slavery to age of Malcolm X and 'his spiritual children'. This seminal work belongs on the shelf up there with Vincent Harding's *There is A River* and Sterling Stucky's *Slave Culture*.

¹³¹ Joseph Czerniak, "Black Slave Revolt Depiction and Minority Representation in U.S. History Textbooks from 1950-2005," *UW-L Journal of Undergraduate Research*, Vol. IX, (2006), p. 6.

Africans refused to talk even under torture. At least four of the Africans actually escaped prison and it was said that they fled south into the Spanish territories of Florida. We only need mention the attempted revolutions of Nat Turner and Denmark Vessey (who I will discuss later) to illustrate that the struggle for freedom and liberty was an accepted feature of African existence in the Americas, before and after the founding the U.S. republic. The result was the establishment of the virtually religious requirement for the right of Anglo-Americans to bear arms in order to protect themselves from the threat of African insurrections. This national paranoia and phobia on the part of the United States is what continues to inform its defense expenditure policies to this day.

The most significant revolutionary wars of resistance by enslaved African Muslims and non Muslims were what Dr. Kly, referred to as the ‘Invisible Wars’, the Gullah Wars and Seminole Wars, which have been purposely obscured and distorted by western academicians for psychological ends, and for what we know now to be, reasons of ‘national security’. This revolution was well organized from its ‘capital’, Fort Musa, deep in the Florida everglades, where liberated Africans, some who were Muslims, in confederation with the First Nations and Spanish waged raids and attacks upon slave plantations in northern Florida and southern Georgia. It was not until the racist general Andrew Jackson led a huge army into the everglades to crush African/Indian confederation that Anglo Americans in the region were able to sleep at night.¹³² When we connect these wars with the earlier slave revolts, then the ‘invisible wars’ predated the formulation of the United States and continued until the Civil War in 1864, when many of the African freedom fighters joined the African Core of the Union Army, in order to bring slavery to an end.

The cases cited above demonstrate that Africans and African Muslims in particular, had a complete view of themselves as human beings with the rights of human beings to rebel against oppression and injustice as human beings. In August 27, 1854 in Cleveland, Ohio, exactly 200 years ago, African Americans from all over the country came together and coined what became known as the Cleveland Declaration, where it stated:

“That no oppressed people have ever obtained their rights by voluntary acts of generosity on the part of their oppressors. That it is futile hope on our part to expect such results through the agency of moral goodness on the part of our white American oppressors; that if we desire liberty, it can only be obtained at the price which others have paid for it.”¹³³

Albeit, as we will demonstrate, the U.S. Constitution did not recognize Africans as human beings and subsequent Supreme Court rulings corroborated this view – yet, the valiant wars of resistance demonstrated that the Africans did not acquiesce to this legal identity bequeathed to them by law. These above mentioned insurrections (or more accurately WARS) occurred before the Anglo - American revolt or insurrection against colonial England. In fact, we can say that the African’s fight for freedom superseded the

¹³² Yusef N. Kly, *The Invisible War*, pp. 50-100

¹³³ Esther C. Jackson, ed. *Freedomways Reader: Prophets in Their Own Country*, (Westview Press, Boulder, 2000), p. 240.

so-called American Revolution. These cases show that the African's desire for freedom and human rights were way ahead of the Anglo-Americans who did not see the need to fight for their independence from “the tyranny and oppression” of England until 1776.¹³⁴

We cite these instances of civil disobedience and wars of resistance to demonstrate that Africans in the United States did not fit the picture, which Anglo-Americans painted of them as being docile animals. This period has left an indelible mark upon the Anglo-American mentality, which today manifests itself with the obsession with weapons and self induced paranoia. It is important to note that the American government accepted the notion that its central national minority (Africans) could demand only what the majority (Anglo-American) wanted for them. As enslaved Africans, they existed exclusively to serve the economic interest of the Anglo-American majority. It is also significant that, although the enslaved Africans played a major role in the development of the United States, officially, the U.S. had separated its national identity from that of the Africans, who were formally neither citizens nor human beings. The effect of this earlier separation may explain the contradictions seen in the writings of many scholars today who, when speaking of American history and traditions of human rights, find no problem in ignoring the historical treatment of her national minorities. One of the national diseases of an oppressive people is that they tend to suffer from collective historical amnesia. They are forced by their tyranny to be selective in the transmission of their historical narrative. This falsified cultural phenomenon then solidifies over time as a cancer which eats away at the historical consciousness leaving the oppressive people thoroughly disconnected from their own vital heritage contained in their constitutional standards. A sort of collective senility or amnesia emerges, where the transformative elements of their past are no longer recognized and fail to speak to them. Names like the ‘Tea Party’, and concepts such as American heritage and American exceptional-ism are overused, but they have no transformative impact on America’s collective soul.

Has America forgotten the core values which underpin and inform the U.S. constitution; or is the constitution which continues to inspire them flawed from its inception? How is it possible for people who evoke the sacredness of the U.S. constitution, consistently violate its most vital and underlying principles? Is it the People or the constitution at fault? Were slavery, Jim Crow, segregation and apartheid unconstitutional? If so, was not every president, senator, representative, governor, mayor, social worker and law enforcement agent guilty of a criminal felony by enforcing slave, Jim Crow, segregation and apartheid laws? If not, and if

¹³⁴ Howard H. Bell, “The Negro Emigration Movement, 1848-1854: A Phase of Negro Nationalism,” *Phylon*, Vol. 20 (Summer 1959).

the U.S. constitution protected and sanctioned these evils, under what circumstances are the victims of these crimes obligated to accept the supremacy, authority and legitimacy of its precepts?

a-2) US Constitution: A Slave Document?

The Africans in Antebellum America (many of whom were African Muslims) were the forerunners, so to speak, of the fight for independence, liberty and justice in America. However, when the Declaration of Independence, the Bill of Rights, and the Constitution were put together, the African's contribution to the United States' fight for independence was completely ignored and they were relegated to the level of being sub-human by the very documents which spoke of human freedom and rights. Less than three years after the finalization of the US Constitution in 1787, and a quarter of a century after the initial American Declaration of Independence of 1776, an African freedom fighter named Gabriel Prosser in 1790, led more than 1,000 slaves to revolt outside Richmond, Virginia.¹³⁵ The Africans did not see the 'law of the land', that is, the Constitution of America, as lawful. The wars of liberation which the Africans ignited in the pre-constitutional era of the thirteen colonies were the same kind being ignited after the ratification of the 1787 constitution. For the Africans nothing had changed.

It is for this reason that one of OUR Founding Fathers, the Hon. David Walker said in 1829 in his famous Appeals:

See your Declaration Americans!!! Do you understand your won language? Hear your languages, proclaimed to the world, July 4th, 1776. "We hold these truths to be self evident - that ALL MEN ARE CREATED EQUAL!! that they *are endowed by their Creator with certain unalienable rights*; that among these are life, *liberty*, and the pursuit of happiness!!" Compare your own language above, extracted from your Declaration of Independence, with your cruelties and murders inflicted by your cruel and unmerciful fathers and yourselves on our fathers and on us -- men who have never given your fathers or you the least provocation!!!!!!¹³⁶

Within a week of the publishing of the Appeals, it was well distributed among the enslaved Africans of the southern states. It became illegal for African American ideologues for freedom to inspire their people to revolt; even though Anglo American ideologues such as Thomas Paine were venerated for inspiring Anglo Americans to revolt against England. When the Appeals became known to the whites in the state of Georgia, the state legislature met in secret session passing a bill making it a capital offense to circulate materials that might incite enslaved Africans to riot. In addition the state assembly put out a secret bounty on David Walker of \$10,000 if kidnapped and 'renditioned' alive, and \$1000 dead. This clandestine order of kidnap or assassination by the Georgia State legislature was the beginning of what would come to be known

¹³⁵ The cases cited here were drawn from Blassingame, J. W. The Slave Community, Oxford University Press, New York, 1972, pp. 104-131.

¹³⁶ David Walker, Appeal to the Coloured Citizens of the World, but in Particular and Very Expressly, to Those of the United States of America, ed., Charles M. Wiltse (1829; reprint ed., New York; Hill and Wang, 1965), pp. 50-51.

today as ‘black ops’ and ‘renditioning’.¹³⁷ The Appeal had major affect upon the minds and hearts of the freed and enslaved Africans alike. Portions of the text were published by the Anglo-American abolitionist William Garrison in his paper, the *Liberator*. Moderates such as Frederick Douglass, and militants such as Henry Highland Garnet, both known descendents of African Muslims, were moved by the message of the Appeals to more direct action to end slavery in the United States. On June 26, 1830, less than a year after the publishing of the Appeals its author, the freedman, David Walker, was found murdered on the steps of his home.

The Constitution was a document that justified and maintained the tyranny and oppression of slavery and continues to uphold the right of Anglo American dominance over its national minorities. In South Carolina, General Charles Cotesworth Pinkney addressing an audience said:

“We have a security that the general government can never emancipate them, for no such authority is granted and admitted, on all hands, that the general government has no powers but what are expressly granted by the Constitution, and that all rights not expressed were reserved by the several states.”¹³⁸

General Pinkney stated a general fact about the early U.S. constitution and the extent of its powers to protect states rights to the institution of slavery. Those who argued for states’ rights then are the same element that thrived from the commerce of slavery. The nature of the U.S. constitution guaranteed the protection and expansion of the institution of slavery. Professor Paul Finkelman, argued persuasively in his Slavery and the Founders: Race and Liberty in the Age of Jefferson that the Anglo American leaders of the ‘revolution’ were bigoted, hypocritical and dishonest politicians who used the ‘constitution’ to twist legal arguments, stretch morality and shape a cover-up to hide the fact that the ‘constitution’ was and is a Slave Document.¹³⁹ For example in the First Article of the Constitution, America’s chief national minority was relegated to being subhuman when it came to the question of taxation. This is significant because the right to be taxed was the causative factor behind the revolt and insurrection of the thirteen colonies from England, yet this rule was not applied to Africans. The US Constitution Article 1, Section 2 reads:

“Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of **free persons**, including those bound to service for a term of years, and excluding Indians not taxed, **three fifths of all other Persons**.”

The Anglo Americans tried to disguise their contempt for Africans in the Constitution by employing such pallid euphemisms as ‘other persons’ and ‘such persons’. By mentioning the enslaved Africans by their name in the U.S, constitution would in effect give them recognition and a political identity. To mention them in a negative connotation in the written document would also give them the right to challenge the veracity of

¹³⁷ A cursory look at the pattern of United States’ secret extrajudicial kidnappings, renditioning, torture, and detainment of ‘terror’ suspects today, demonstrates that these tactics came to life during the period of slavery when state terrorism was not only lawful but mandatory in order to control enslaved Africans.

¹³⁸ Paul Finkelman, Slavery and the Founders, p. 9.

¹³⁹ Ibid, pp. 55-67.

the writ. Thus, the denial of recognition and the relegating of this 'existence' to a mere three-fifths of a human being was the first constitutional crime committed against the African American national minority. What is ironic is that the thirteen colonies went to war with England under the rallying call of: "No taxation without representation!" These same people turned around and levied a tax upon the head of every enslaved African while denying them not only the right to be represented, but also denied them the right to be considered human by the constitutional standards.

There were no clauses in the Constitution which delimited slavery over time. On the contrary, the Constitution was written in such a many to guarantee the persistence of slavery. For example, Article 1 of the US Constitution gave powers to the Federal government to maintain slavery in three separate clauses. In Section 8 it states:

"The Congress shall have power to...establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;"

Professor Finkelman points out how the above naturalization clause allowed Congress to prohibit the naturalization of nonwhites, even though it is likely that some of the new states, especially those which granted equality to Africans, would have allowed foreign-born Africans to become citizens. This is significant because the constitution allowed foreign born Africans to be given a distinct legal identity superior to the enslaved Africans. In addition the U.S. Constitution endorsed the establishment of a capital city where slavery would be allowed and protected. Again in the same Section 8, it states:

"The Congress shall have power... to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;..."

The federal district clause allowed Congress to regulate institutions, including slavery, in what became the national capital. Under this clause Congress allowed slavery in Washington, D.C. During the Constitutional Convention southerners feared that the national capital would be in the North, thus, the need to establish slavery at the center of government backed by constitutional law. To strengthen the protection for slavery in the nation's capital, the Fugitive Slave Law was enacted and ratified in 1850. However, one year prior to that on January 4th, 1849, none other than Abraham Lincoln who was in the House of Representatives then, passed a law more strident than the Fugitive Slave Law, which afforded protection for slavery in the capital and assured the recapture and enslavement of Africans who escaped and sought refuge in the nation's capital. Thus, the myth of Lincoln, as a lover of freedom for ALL Americans is easily deconstructed by simply examining his prior legislative record when he was a congressional representative

and senator. Henry Ford Douglas, in his famous speech on July 4th 1860, recalled the infamous handiwork of Lincoln:

“...he (Lincoln) went through the District of Columbia and consulted the prominent proslavery men and slaveholders of the District, and then went into the House of Representatives and introduced, on his own responsibility, a fugitive-slave law for the District of Columbia. It is well known that the law of 1793 did not apply to the District, and it was necessary, in order that slaveholders might catch their slaves who sought safety under the shadow of the Capitol, that a special law should be passed for the District of Columbia; and so Mr. Lincoln went down deeper into the proslavery pool than ever Mr. Mason of Virginia did in the Fugitive Slave Law of 1850.”¹⁴⁰

What in the U.S. Constitution enabled Lincoln and others racists to concoct anti-African legislations? It was something which was *implied* and *insinuated* strong enough to allow members of the Anglo American community and non Black immigrants to accept as a given that the built-in freedoms of the U.S. Constitution did not apply to enslaved Africans or their descendents.

Finally, in Article 1 of the Constitution in Section 8 the Congress is given the power to prohibit the states from taxing ‘Imports or Exports’, thus preventing an indirect tax on the products of slave labor by a non-slaveholding state. It states:

“No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing it's inspection laws: and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.”

This meant that those northern states or non-slavery states which may have received ships of imported African slaves into their ports could not impose taxes upon them. This also meant that southerners who owned slaves who traveled with them into non-slavery states or the north could not be taxed for their slaves, nor be taxed for the products the slaves generated. Thus, the clause provided sanction and protection for slavery even in those states that were openly opposed to it. In Article 2 Section 1 of the US Constitution provided for the indirect election of the president through an electoral college based on congressional representation. This provision incorporated the three-fifths clause into the Electoral College and gave Anglo Americans in slave states a disproportionate influence in the election of the president. The concept of ‘no taxation without representation’ did not apply to Africans on the constitutional level. It states:

“Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.”

This clause afforded the slave owners a disproportionate political advantage due to the number of enslaved Africans they owned, but it failed to afford the African themselves with a legal identity. The identity afforded the African was that between a human and an animal. This view persisted throughout the

¹⁴⁰ H. Ford Douglas, “I Do Not Believe in That Antislavery of Abraham Lincoln”, public address, 1860,p. 2..

history of the post Revolutionary period into the era of the Civil War. Speaking to the U.S. Senate on March 4, 1858, James H. Hammond spelled out plainly what the U.S. Constitution camouflaged:

"In all social systems there must be a class to do the menial duties, to perform the drudgery of life. That is, a class requiring but a low order of intellect and but little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class which leads to progress, civilization, and refinement. It constitutes the very mud-sill of society and of political government; and you might as well attempt to build a house in the air, as to build either the one or the other, except on this mud-sill. Fortunately for the South, she found a race adapted to that purpose to her hand. A race inferior to her own, but eminently qualified in temper, in vigor, in docility, in capacity to stand the climate, to answer all her purposes. We use them for our purpose, and call them slaves. We found them slaves by the common "consent of mankind," which, according to Cicero, "*lex naturae est.*" The highest proof of what is Nature's law."¹⁴¹

In the light of the U.S. Constitution, Hammond, was simply being honest. He merely articulated in plain English what the Constitution capitulated to, disguised and twisted in convoluted legal language regarding its pro-slavery character and origin. One of the 'Founding Fathers' John Quincy Adams said: "...the preservation, propagation and perpetuation of slavery is the vital animating spirit of the national government."¹⁴² He stated aloud what the US Constitution sanctioned. On August 27, 1854 H. Ford Douglas, addressing a gathering of African Americans and Anglo American abolitionists said:

"You must remember that slavery is not a foreign element in this government nor is it really antagonistic to the feelings of the American people. On the contrary, it is an element commencing with our medieval existence, receiving the sanction of the early Fathers of the Republic, sustained by their descendents through a period of nearly three centuries, deep and firmly laid in our organization; completely interwoven into the passions and prejudices of the American people. It does not constitute a local or sectional institution as the generous promptings of the great and good Charles Sumner would have it, but is just as national as the Constitution which gives it an existence."¹⁴³

It is in this manner that the criticism of the veracity of the U.S. constitution emerged. During the Slavery Period the United States view of the collective rights of its chief national minority is clear. Africans collectively were at the total disposal of the majority interest and this relationship or anti-social contract was sanctioned and protected by the U.S. constitution. The view of collective rights for minorities held by the United States was sociologically and psychologically conditioned by the treatment of Africans during this period. This conditioning defined the United States view from after-slavery to the present, as we shall demonstrate, Allah willing.

Because many Anglo American Abolitionist considered the U.S. constitution an illegal document they saw no moral problem in violating its precepts as exemplified in the support they gave to the Underground Railroad. What is ironic and revealing is that the Abolitionist Movement made Benjamin Franklin its first president. In fact the key supporters of the Underground Railroad were white religious minorities who had fought for and maintained their rights for some form of autonomy: the Quakers, German

¹⁴¹ James Henry Hammond, "*The Mudsill Theory of Slavery*", James Hammond's Speech to the U.S. Senate, March 4, 1858, p. 1.

¹⁴² *Opcit.*, p. 3.

¹⁴³ Philip S. Foner, "Black Emigration, 1850-1861 I: Issues and Personalities." History of Black Americans: From the Compromise of 1850 to the End of the Civil War, (Westport, CT: Greenwood Press, 1983), p. 13.

Dunkers and Mennonites. This system of liberation of enslaved Africans was developed by both Blacks and Whites and had support from some of the Indian First Nations as well. Because African women could move more freely than could their men, women took the lead in this courageous endeavor; transporting thousands of Africans to their freedom. The Underground Railroad linked safe houses deep in the southern slave states with city governments in the northern states and Canada. One of the Underground Railroads greatest heroines was Harriet Tubman, a warrior who is acknowledged as having taken more than three hundred trips into the south personally leading liberated Africans from the slave plantations of the south to freedom in the north. The problem was not just belligerent chauvinistic white racism, but what enabled this violation of the human rights of African Americans was the U.S. constitution or how its principles were interpolated. Prof. Finkelman tells us:

“The Constitution of 1787 was a proslavery document, designed to prevent any national assault on slavery, while at the same time structured to protect the interests of slave-owners at the expense of African Americans and their antislavery white allies.”¹⁴⁴

It is based upon the above that many people from the time of the coining of the US Constitution, until our time now, have openly questioned its legality and have demanded that the ‘revolution’ which gave it birth is not complete. It was for this reason that al-Hajj Malik El Shabazz, (*rahmatullahi `alayhi*) used to always remind us that if the US Constitution were a binding legal document, then there would never have been a need for the Civil War, Reconstruction or Civil Rights legislation. If there was any efficacy in the US Constitution it could not be set aside and abandoned by the dominant Anglo American majority whenever they felt their dominance threatened. He once said: “Why, if birth made you American, you wouldn't need any legislation; you wouldn't need any amendments to the Constitution; you wouldn't be faced with civil-rights filibustering in Washington, D.C., right now.”¹⁴⁵

From the very beginning of the union Anglo Americans have shown that loyalty to the constitution has always been subsumed to what was in their best interest. Constitutional allegiance has always been used by the dominant majority to control none white minorities. It was used to maintain slavery, uphold and preserve white supremacy and apartheid; and today it is being set aside in order to control and deter the growth of Islam. Thus, in order for oppressed national minorities to guarantee their protections under the U.S. constitution, they are obligated to measure the veracity of the constitution to international norms and resolutions. They are duty-bound to revive and maintain their historical consciousness in the process of becoming and realizing self determination. Their struggle thus leads to a refining of the constitution.

¹⁴⁴ Paul Finkelman, “Affirmative Action for the Master Class: the Creation of the Proslavery Constitution”, Akron Law Review, Vol. 32:2, p. 2.

¹⁴⁵ Al-Hajj Malik El Shabazz, “*The Ballet or the Bullet*”; public speech made at the Cory Methodist Church, Cleveland Ohio, April 3, 1964. The ‘red scare’, ‘McCarthyism’, COINTELPRO, *National Security Council Memorandum-46*, the ‘war on drugs’, ‘weed and seed’, ‘Homeland Security’, the ‘Patriot Acts’, ‘Senate Resolution S-1959’, the FISA and thousands of presidential executive orders have been the means by which Anglo Americans have suspended and violated their own constitutional standards. They, through their own governmental institutions, customarily render the constitution invalid whenever Anglo American interests are at stake.

Oppressive groups, on the other hand, are doomed to lose their historical perspective and become completely alienated from their own past. White Christian chauvinism leads to a denuding and eroding of the U.S. constitution. Historical consciousness provides those who were oppressed with an accurate or positive impression of who they are with regard to the constitution. It allows them to adjust their present spiritual, social and political realities in accordance with such impressions, and finally it gives them an accurate mapping of the role that they played in the formation of the polity under which they were oppressed. In other words, they recognize their worth and contribution they made to the nation. The dominant culture on the other hand is left with a limited understanding of the people, and events that shaped their own polity, and when it is known, it is overly simplified, erroneous and marginalizes the importance of those national minorities they oppressed. They then sink into a state of collective historical amnesia, a kind of social senility, where they can no longer recognize the kith and kin of the core values which gave them their genesis. They end up devouring their own constitutional values in their attempt to devour their national minorities. The period of slavery was a period of social vampirism and social cannibalism where an entire sector of the American society were bled and consumed for the growth of the greatest polity of the modern era.

b) U.S. View of Collective Rights during the Civil War & Reconstruction Period:

Similar to the slavery period, it would be difficult to deny the importance of this period of American history in relation to its influence on the formation of ideas concerning the rights of the chief national minority. Contrary to many western historians, the Civil War was fought largely because of a sectional disagreement over the role the chief national minority was to play and the methods and techniques of its exploitation. It was not fought in order to provide the Africans with equality and justice. There were two significant factors which were the drivers of the Civil War: [1] the courageous Harper's Ferry raid led by the most honorable reverend Captain John Brown; and [2] the publishing of Harriet Beecher Stowe's Uncle Tom's Cabin which had major impact in setting the psychological tone necessary for the states to go to war.

The first was the valiant campaign of the righteous Pastor Captain John Brown and his comrades of close relatives and free Africans in the Harpers Ferry raid. On October 16, 1859, Captain Brown and his comrades made an attack on a federal arsenal at Harpers Ferry, in what is now called West Virginia. This courageous endeavor raised the possibility in the minds of the Anglo Americans in the north and south of a general revolution cutting across racial lines, to abolish all forms of discrimination and injustice. The dread of a real revolution that cut across race and class is what induced the Anglo Americans north and south to go to war against one another to keep that from happening. The possibility of free Africans, liberated Africans, native American First nations, and Anglo Americans completing the revolution which the 'founding fathers' promised, terrified them to the extent of killing one another needlessly.

Prior to the Civil War, African American freedom fighters had been waging a two hundred year old war against Anglo American imperialism. The Civil War simply legitimized an ongoing conflict and allowed an underground guerilla war to put on a uniform. What made the Harpers Ferry rebellion so unique was it joined Anglo American and African American in a strike for liberty and freedom together. It was this action which caused much alarm for the federal and state government. Thus, the Civil War was partly ignited by militant freedom loving Africans and their white American comrades taking up arms against tyranny and injustice. Dr. Herbert Aptheker said:

“For two hundred years the American Negro people waged a persistent struggle against the diabolical system of chattel slavery, which was devised and continued for their super-exploitation. For sheer courage and ingenuity this conflict has never been surpassed in all the vast history of man’s revolutionary struggles. In this desperate battle the Negroes carried on agitational and propagandistic work; they committed sabotage, they mutilated and killed themselves and their children rather than submit; they fled wherever there was promise of freedom; they poisoned their masters, set fire to plantations, assassinated their oppressors; they conspired and rebelled, they waged guerilla warfare, they gave up their lives fighting for the freedom of their people. And they eagerly grasped the opportunity offered by the Civil War to accentuate their struggle.”¹⁴⁶

The second major factor which was the driver of the Civil War was what we would call today a ‘blockbuster’ novel, Uncle Tom’s Cabin by Harriet Beecher Stowe. Her insightful and arousing manner of writing induced the ‘northerner’, the ‘yanks’ to see their southern enemies as inhuman, cruel; so cruel that they would be willing to fight and drive them from the earth. Mrs. Stowe depicts the Africans in the novel as the ideal Christian martyrs along the lines of Stephen, Peter and Simon. She invested the oppressed with the ideal traits of humanity, and the slave system and the owners of that system with the most vile and evil dysfunctions imaginable. Uncle Tom’s Cabin was the first English language novel composed in America which became a world’s best seller and ignited a Civil War. It was one of the best examples of psychological warfare, where the enemy was demoralized in popular print and the fighters instilled with a sense of righteous duty. The novel revolves around the saintly enslaved African, Uncle Remus, who embodies genuine Christian virtue even to his untimely death. Mrs. Stowe admitted that the character of Uncle Remus was a depiction of an actual enslaved African ‘prince, named ‘Moro’, living in South Carolina. He was seen by Anglo Americans as a ‘devout’ Christian, and this was due to the calmness and astuteness that he conveyed in all his mannerisms. He was even made by them, one of the ‘officials’ of the Presbyterian Church responsible for instructing the Gospel to the other enslaved Africans. The real ‘Moro’ was named Umar ibn Sayyid. He was an ‘*alfa*’ (jurist - lawyer) and scribe in his homeland of Futa Toro.

During his initial years of enslavement, he escaped and later became one of the councils to Denmark Vessey; who allegedly converted to Islam at his hands before his strike for freedom. It’s ironic how some Anglo Americans today espouse the LIE of America’s ‘Judeo-Christian’ origins, while African Muslims

¹⁴⁶ Herbert Aptheker, The Negro in the Civil War, (International Publishers, New York), 1938, p. 4.

were at the very heart of events which formulated and inspired the fights for the freedom which the whole world grew to love about America. Many would have us believe that old Abraham Lincoln was the martyr hero and star of those tumultuous years of the Civil War. But he was upstaged by a fictional depiction of a Fulbe` Muslim cleric who at one time advised Denmark Vessey, the organizer of the most methodical African military uprising ever conceived in the U.S. Yet, *Alfa* Umar ibn Sayyid died peacefully in his sleep, practicing the skilled art of *taqiyya* (dissimulation), composing texts in Arabic and indirectly inciting his enslavers to go to war against one another over a fictional depiction of himself as ‘christ’. He died in the year 1864 just months before Abraham Lincoln tried to steal the stage again by signing the Emancipation Proclamation.

Added to these two significant drivers of the Civil War is the fact that the African American national minority were active in every one of the southern states using violent resistance to fight against the system of slavery. In this regard, the Civil War was nothing unique to the African American freedom fighters, except that it offered them the chance to continue their long struggle in the open. In fact, the Civil War was seen as a compromise on the part of the federal government to thwart the emergence of a genuine revolution that would offer real freedom to all citizens regardless of race or ethnicity. The ideologues of the African American struggle for freedom were quite candid regarding the hypocrisy and double standards of President Lincoln and his supporters. Some four years prior to the beginning of the Civil War on July 4th, 1860, the great African freedom fighter, orator and later member of the African Core of the Union Army, Henry Ford Douglas said this in analyzing the person who was to ‘free the slaves’ – Abraham Lincoln:

“I want to know if any man can tell me the difference between the antislavery of Abraham Lincoln and the antislavery of the old Whig party or the antislavery of Henry Clay. Why, there is no difference between them. Abraham Lincoln is simply a Henry Clay Whig, and he believes just as Henry Clay believed in regard to this question. And Henry Clay was just as odious to the antislavery cause and antislavery men as ever was John C. Calhoun. In fact, he did as much to perpetuate Negro slavery in this country as any other man who has ever lived. Henry Clay once said "That is property which the law declares to be property," and that "two hundred years of legislation have sanctioned and sanctified property in slaves." ...I know Abraham Lincoln, and I know something about his antislavery... I do not believe in the antislavery of Abraham Lincoln, because he is on the side of this slave power of which I am speaking, that has possession of the federal government.”¹⁴⁷

This period marks the beginning of the process of legally institutionalizing the humanity and rights as individuals of the African minority in the United States. The slave abolitionists, who were also assimilationists, felt that the Africans, once free from slavery, would automatically assimilate into or imitate the larger ethnicity. However, this so-called assimilation or imitation lasted about 35 years, from 1865 to 1866 and 1868 to 1895. After each period, the South's economic need for a non-official form of minority slave labor was permitted. This was made lawful by the passing of statewide vagrancy laws, which

¹⁴⁷ H. Ford Douglas, *Liberator*, July 13, 1860.

stipulated that any emancipated Africans caught loitering around without legitimate work would be arrested as a vagrant and put back to work on the same plantations on which they were formerly enslaved. This was a new form of slavery called 'peonage' and was the genesis of the United States penal system. Prior to the so-called emancipation proclamation, ninety-percent of all inmates were white, because the enslaved Africans were already imprisoned on the slave plantations. However, after emancipation this changed completely and since that time the Africans have been a disproportionate majority population in the penal colonies of the U.S. Lincoln was right, as the Emancipation Proclamation declared: "Slavery will no longer be lawful in these Unions accept as punitive punishment." The U.S. government permitted the continuity of a form of slavery which it defined as punitive punishment and 'peonage'. This new form of slavery has been applied most effectively in keeping a huge portion of African American men and their families under penal control. This nationwide penal code was the first of what was to become the Black Codes. Thus, the first period from 1865 to 1866 ended with the advent of the Post-Civil War Black Codes.

These codes served to regulate the status and conduct of newly freed Africans in America.¹⁴⁸ The second period ended with the appearance of **apartheid** in the South, supported by voluntary de facto social and economic segregation in the North.¹⁴⁹ The United States had no intention of giving the Africans equal status relationship with the Anglo majority. Corroborating the accusation that H. Ford Douglas made against him in 1860, the then President Abraham Lincoln reiterated:

"I will say, then, that I am not, nor ever have been in favor of bringing about in any way, the social and political equality of the White and Black races; that I am not nor ever have been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and the black races which I believe will forever forbid the two races living together on terms of social and political equality, and inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race."¹⁵⁰

This being the avowed view of the leader of the United States reflected the views of the dominant culture with regard to its chief national minority; and subsequently was the local and federal government's view as well. Clearly this view became the motive and the intent in according 'freedom' to the African enslaved populations in the United States. They were not freed to enjoy equal status as full citizens of this country, but in order to serve the economic and political interest of the Anglo-American population. The above demonstrates that the majority of the Anglo-American sentiment was ambivalent about the real meaning of African freedom. Thus, the South was permitted to enact so-called Black Codes aimed at reestablishing Anglo-American domination over the African minority. These Black Codes were drawn up by

¹⁴⁸ Blaustein, A., Civil Rights and the Black Americans, Washington Square Press, New York, 1968, pp. 217-225.

¹⁴⁹ Du Bois, W. E. B., Black Reconstruction in America, pp. 630-33, 694-95 and 705.

¹⁵⁰ Ruchames, L., Racial Thought in America, the University of Massachusetts Press, Boston, 1969, Vol. 1, pp. 380-80.

hastily organized state legislatures made up of ex-rebel whites who probably traded acceptance of the Union for President Johnson's acquiescence to the apartheid codes.

On March 23, 1867, Congress passed the Reconstruction Act, which gave the right to vote to male Africans in America, of whom millions resided in the South. The ramification of this was that freedom for Africans in America had almost been won. Faced with the spectra of African predominance and political control of the South, ex-rebel Anglo-Americans re-avowed their allegiance to the Union, the northern flag, etc., and their resistance emerged in the form of Christian extremist paramilitary organizations whose purpose was to terrorize the African population in order to nullify the voting rights they gained under the Reconstruction Act. In 1870, the Ku Klux Klan was formed and by 1875, the Red Shirts, Bush Whackers and the Night Riders, and other similar military/religious organizations designed to restore Anglo-American rule by force and violence, had emerged. Even when African Congressional Representatives demanded the help of federal troops, their efforts failed. In 1877, President Hayes ordered that all federal troops and military assistance to the duly elected African majority governments in the South be moved out; leaving the Africans there to protect themselves as best they could.¹⁵¹ By 1895, a new constitution had been drawn up which repealed most of the African rights established in 1868, and new types of Black Codes were produced, the end product which was segregation, apartheid and continued 'slavery' under a new name. Millions of African American men in the south were subject to arrest and detention under the new 'vagrancy' laws and these inmates were put to work on the same plantations, mining companies and factories that they were forced to work as slaves. Dominic Capeci Jr described this period in the following manner:

"...racial violence erupted during Reconstruction and continued relentlessly until the beginning of World War I in 1914, reaching its regional apogee along a timeline from the turn of the century to the onset of the Great Migration of African Americans from the rural South to the urban North. The violence began in the South as a crusade to preserve white supremacy politically, economically, and socially. Given legalization of black freedom, citizenship, and suffrage by the Thirteenth (1865), Fourteenth (1869), and Fifteenth (1870) Amendments, black-white conflict heightened over class, status, and power—greatly intensified by race hatred due to slave emancipation and defeat in war. Rioting became, in the words of a major scholar, the "most violent and nastiest" in national history, punctuated by initial black assertiveness, followed by a barrage of white retaliation in cities, small towns, and rural areas. Nor was it coincidental that much of this "race feud" spanned the amendment ratification period and included pogroms (New Orleans, Louisiana, 1866) and communal riots (Memphis, Tennessee, 1866), as well as lynching, murder, and whipping that extended into 1876. The bloodletting was undertaken by whites acting through formal organizations or informal alliances—prominent officials and ordinary laborers united in white skins."¹⁵²

More than 4,700 African American men were lynched between the years of 1890 to 1960. Some were lynched for defying the Jim Crow laws. Some were lynched for looking at or speaking to white women. In 1892, in Memphis, Tennessee, an African American entrepreneur, Tom Moss, was lynched by a white

¹⁵¹ Du Bois, W.E.B., Black Reconstruction in America, op. cit., p.33.

¹⁵² Walter Rucker and James N. Upton, ed., Encyclopedia of American Race Riots, Vol. 1, (Greenwood Press, Westport, 2007). pp. 24-25

mob simply because they were envious of the success of his grocery store.¹⁵³ The horror and terror of this period in United States history is still etched in the souls of African Americans, and is continuously repeated in the routine brutality, profiling, and harassments which law enforcement agencies in the U.S. target them with. During this period Black life was worthless, and it meant nothing to beat, maim, rape, lynch or kill an African American. This culture of disdain for the life of African American men is still reflected in the relentless shooting of young Black men with impunity. The essential meaning of this period with relation to the United States view of collective rights for its chief national minority can be summed up in the words of the then President Theodore Roosevelt on December 3, 1907:

“Nothing is more certainly written in the Book of Fate than that these people are to be free; and that it is no less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion have drawn an indelible line of distinction between them... (i.e. if we must keep them in the same government, they cannot be equally free).”¹⁵⁴

Again, we can see that the collective rights of Africans in the United States were defined in an inferior light by the leaders of this country. The views of Roosevelt were only a reflection of views held by the majority of the Anglo-American population. The fact that this was the declared view of the president of the unitary state, there can be no doubt that this was the view of the government itself. Roosevelt was known for his Anglo-Saxon ethno-centralism. He often expressed the opinion that the Anglo-Saxon race was superior to all other races in Europe, Asia, and Africa; thus, the Anglo-Saxonization of the United States was viewed as practically a holy mission.

This ‘state racism’ and the ‘apartheid’ it created prevailed in every quarter of the government, whether it was the executive, legislative or judicial branches of government. A Judge Advocate-General of Virginia stated much the same as Roosevelt, stating that “the whole problem of the south was whether the Negro or the White man should occupy the seat of power; whether the inferior should dominate the superior, and whether ignorance should rule intelligence.”¹⁵⁵ It was such racist notions and directions that determined the content of the United States views on collective rights for its chief national minority until around 1965, which marked the legal end of American apartheid.

Writing in the early 50s Dr. Herbert Aptheker said in his American Imperialism and White Chauvinism:

“...when American monopoly capitalism turned its attention seriously to overseas investments and to the appropriation of Hawaii, Puerto Rico, Cuba and the Philippines, it simultaneously turned its attention seriously to investments in the South and to the establishment of terrorist domination of the Southern masses and especially of the Negro people. Just as the former activity produced the most rabid type of jingoism, so the latter, basing itself on the racism derived from slavery, produced the

¹⁵³ W. Rucker and James N. Upton, p.633.

¹⁵⁴ Beale, H. K., Theodore Roosevelt and the Rise of America to World Power, Collier MacMillan limited, London, 1967, Third Printing, p.77.

¹⁵⁵ Rayford Logan, Dr. W., The Betrayal of the Negro: From Rutherford B. Hayes to Woodrow Wilson, Collier - MacMillan Limited, London, 1969, p. 270.

most virulent form of white chauvinism. Just as the former resulted in the imposition, by law of second-class citizenship upon the people of the new colonies; the latter had the same result for the masses of the so-called New South and especially the Negro people.”⁸⁰

These words describe the birth of official apartheid/Jim Crow law in the United States and opened the door to the beginning of the domestic colonization of the United States’ indigenous African / Indian national minorities, foreign colonization of former Spanish colonies and the imposition of U.S. military bases throughout the Pacific, Atlantic and Indian Oceans. In many Southeast Asian nations, they were reduced to a ‘service industry’ economy where the entire population was socially renovated to support U.S. military bases and its unique social proclivities.¹⁵⁶

The Reconstruction period began with the empowerment of African American national minorities; who due to their numerical predominance became the recipients of the new Reconstruction government. This period lasted a short time and was followed by a revival of white supremacy and Christian terrorism which repressed the African American people to just short of slavery; and in the area of the crime of ‘peonage’ slavery actually continued in the south until 1949 when the crime of ‘peonage’ was outlawed as un-constitutional and a felony offense. This American form of Nazism did not stop with the repression of African American; it persisted in the wars which decimated the First Nations in the Anglo American ravenous push across the western territories. These same U.S. military units who were organized and trained by white supremacist fascist in the officer core of the U.S. military blew up one of their own ships in one of the ports of Cuba, and with the support of embedded yellow journalism instigated the Spanish American War which made the U.S. the most powerful imperial power in the world. The age of American global imperialism is the age of Jim Crow/apartheid in which the controlling majorities of the U.S. government committed all three acts of genocide as defined in UN international law and acknowledged by the U.S. constitution.

Institute of Islamic-African Studies International

¹⁵⁶ Today, the Philippine nation remains a vassal state to the U.S. which uses it to advance its interest in the Asian Pacific region in order to contain the People’s Republic of China. In 2010, the American ambassador to the Philippines accurately described the nation as no more than a brothel for the U.S. Navy, where recently a young 12 year old girl wept in the arms of the Pope asking how God could allow child prostitution in her country to thrive’ whose main patrons are the U.S., Australian, New Zealand military and geriatric sex tourist from the west and the Middle East..

c) **U.S. View of Collective Rights during the Apartheid /Jim Crow Period:**

During this period there was no basic change in the government's official attitude toward minority collective rights regarding its national minorities. The earlier part of this period is often referred to as the period of Jim Crow. The period from 1888 until 1910 was the time of the enactment of Jim Crow laws in the south designed to pre-empt African American social and economic development. The United States was enjoying major industrial growth during this time which meant that African Americans began to enjoy upward mobility in the many predominant Black belts in the south. Jim Crow laws were designed to stop this growth. In 1888 the state of Mississippi passed the first segregation and apartheid laws. This was followed by South Carolina in 1895, Louisiana in 1898, North Carolina in 1901, Virginia in 1902, Georgia in 1908 and Oklahoma in 1910. Jim Crow laws increased with the economic growth in industrial America.¹⁵⁷

The only perceivable change that was noted at the turn of the 20th century was increased lynching and racial violence against African American national minorities. Dr. W.E.B. DuBois accurately described the crucial racial dilemma of this era when he said: "...the problem of the Twentieth Century is the problem of the color line."¹⁵⁸ His prognosis was spot on because although there were no significant constitutional - legal changes made in this period; yet racial violence increased. The institution of segregation/apartheid as well as a new form of slavery called 'peonage' which were enacted during the period following the breakdown of Reconstruction and the creation of new Black Codes, persisted legally until 1956 and politically and socially until the late 60's. In 1956, the Supreme Court ruled indirectly that minority treatment under the institution of segregation was illegal.¹⁵⁹ This court victory was one of the many court victories that the NAACP would win.

This period is of specific interest because it is a period wherein Africans in America made certain clearly defined and well-publicized demands regarding the type of collective future they wanted. An examination and **survey** of these demands and the government response to such demands will provide us with more data about which type of minority demands were ignored by the majority, and which type received some support from liberal Anglo-Americans. This will provide us with an idea of what the United States view on collective rights does and does not accept as legitimate possibilities. We will survey only those central popular demands organized and supported by large segments of the African population in America.

¹⁵⁷ Herbert Aptheker, American Imperialism and White Chauvinism, 1951, p. 2

¹⁵⁸ W.E.B. DuBois, The Souls of Black Folks, (1905), p.13.

¹⁵⁹ Brown v. Board of Education, 347 U.S. 483, 1954.

The first of these popular demands was the organized demand for population transfer as a solution to the African minority problem. This demand was not dissimilar to the solution contemplated by President Lincoln and the American Colonization Society. However, this time it was galvanized by a member of the African minority themselves, Marcus Garvey. Although his rhetoric was often prejudiced, the essence of his actual program for the African minority was simply one of population transfer to Africa. Garvey founded the Universal Negro Improvement Association (UNIA) in New York in 1920. He declared himself the Provisional President of the Provisional Government of Africa, and convened his first parliament. The delegates to this convention endorsed the goal to establish a central nation for all Africans. This meant the necessity of Africans in the U.S., Central and South America returning to Africa. These ideas captured the imagination of many Africans in America, and became the basis for the first popular mass political, economic and social movement of the African minority in the U.S. Garvey held conventions, organized factories, cooperatives, a small army, and even a merchant steamship line named 'The Black Star Line'. Even today our great aunts and uncles in Baton Rouge, Louisiana still sing the UNIA anthem: "Advance with the might of the Red the Black and the Green"

At the same time, white Christian terrorist organizations, such as the Ku Klux Klan, were growing at a rapid rate in many urban cities of the U.S. Anglo American membership cut across class and united poor whites, new white immigrants and white upper classes. Politically, the KKK had control of the Democratic Party in the U.S. and had many members among Republican senators and congressional leaders. Lynchings were common and race riots tore across all regions where significant African American populations existed. A recently published encyclopedia on race riots in the U.S. described the situation in the following light:

"Many Klan members were content to march in parades, vote for Klan endorsed political candidates, and attend cross-burning rallies. However, Klan violence was common, and it was directed toward an increasing number of Americans. The Klan might, for example, tar and feather a white women for looking at a black man, or flog a black dentist who was associating with a white woman, or punish a white justice of the peace for being lenient on blacks, or kill a black man for organizing a civil rights meeting, or riot in a black community to demonstrate white power."¹⁶⁰

The UNIA made these recurrent acts of violence and terror the core example of what was in store for African people if they did not strike for their own independence. Garvey organized more than a million Africans from the U.S., the Caribbean, Canada, the U.K. and Liberia in order to undertake African independence. He established news papers, journals, small businesses, a nursing unit, a para military and an international shipping line in order to bring his vision of African independence to life. The sole known United States government response to the demands of the UNIA, the first popularly-voiced demands presented by the African minority, was to arrest Garvey in 1923 on a charge of using the mail to defraud. He

¹⁶⁰ W. Rucker and James N. Upton, p. 354.

was later found guilty, and two years later was imprisoned in Atlanta to serve a five-year sentence. In 1927, President Coolidge pardoned him and ordered his deportation to London, England where he died in 1940. Thus, the U.S. chose to completely ignore the possibility of African population transfer to Africa as a solution. We suggest that the existing social separation and economic/political domination of African labor served the interest of American political-economic development. Consequently, this cheap labor reservoir would have been threatened by any population transfer scheme. Thus the unyielding wall of Anglo-American interest thwarted the efforts of the Africans in the U.S.; and they were viewed only inasmuch as they could serve the interest of the dominant group. The act of preventing a national minority from fleeing repression while at the same time deploying laws and statutes to delimit their political, economic and social status; is the classic definition of genocide. The only option the dominant majority gave the African American was to become 'Black Anglos'.

Accordingly, when an African named Booker T. Washington emerged with policies which posed no threat to majority interest, he gained nation-wide recognition among Anglo-Americans, even though there was no evidence that he represented any sizable following in the African minority. He was the founder and rector of the first institution of higher learning for Africans, named Tuskegee Institute, where research and learning were revived. He advocated the concepts of social separation and political - economic subordination, due to his belief that bending to the will of a powerful majority might eventually arouse such sympathy and sense of injustice in the majority that, in the long run, the best interests of the African minority would be served. These sentiments were for obvious reasons given symbolic official recognition in Washington's posthumous election to the American Hall of Fame in 1945 for his contributions to the education of 'young people'. He even gained the privilege of being able to visit President Theodore Roosevelt at any time in the White House.

The views set forth by Washington were opposed by another African named Dr. W.E.B. DuBois (1868-1964). He was the first scholar ever to utilize the new discipline of sociology, which he mastered in the Frankfurt School in Germany and applied in his prolific writings, such as The Philadelphia Negro. He was also one of the seven founding fathers of the first African American collegiate fraternity. Ironically, while being essentially opposed to the compromising ideas of Washington, he being African American could only find a permanent professorship under him at the Tuskegee Institute. Similarly, while DuBois opposed Garvey's African zionism and on one occasions referred to him as a 'demigog'; nevertheless, in the end, he came around to the ideas of 'Africa for the Africans' which Garvey first popularized.

Through his rich historical and anthropological writings DuBois fathered the idea of Pan Africanism, which was to serve as a political philosophy and guide to action for Africans in Africa who were laying the foundations of national liberation.¹⁶¹ While Garvey firmly believed in capitalism, DuBois was a staunch advocate of socialism and cooperative economics. At the same time DuBois attacked Washington's creed on the basis that until the dominant group sees its best interest as being bound with the best interest of the African minority, the latter's situation was hopeless. He thus, became a rallying point for the so-called middle class African militant intellectuals of this period. In 1905, he and William M. Trotter, a well-known African American journalist, held a conference of the so-called African intelligentsia, later dubbed 'the talented tenth', in Niagara Falls, Canada. Out of this conference was borne the Niagara Movement which opposed U.S. apartheid. Some liberal Anglo-American and many Jewish Americans threw in their lot with the new movement to form the National Association for the Advancement of Colored People (NAACP). This organization was by definition never a popularly-based African minority movement; thus, found increasing acceptance among Anglo-American liberals who, by cooperating with its objectives and in return receiving compromises turning the organization against the evolving progressive and socialist ideas of its founder.¹⁶² The NAACP opposed all other popularly based movement in the African community that did not share its assimilationistss ideals. This organization became the most acceptable to liberal Anglo-American interests because it did not call for the limiting in any way of the supply of cheap African minority labor to the Anglo-American business community.¹⁶³ Consequently, the NAACP created some of the moral and legal conditions, which permitted Dr. Martin Luther King, Jr. to mobilize the traditional Negro leadership establishment in favor of non-violent action.

In the 1930's a new form of African resistance to the traditional 'Negro' leadership emerged, this time in the form of religion. This is so because religious rights had gained a firm foothold in the U.S. constitution and in the U.S. society in general. The history of the Mormon Church is an interesting testimony to this fact.¹⁶⁴ Robert Danning tells us that African Muslims hid themselves among the growing number of Prince Hall Masons and other similar secretive benevolent organization which developed at the end of the 19th century.¹⁶⁵ This new nationalist movement drew on the knowledge of this survival, and on the existence of Islam in West Africa, to justify its claim that all African Americans were, or should be, Muslim. The

¹⁶¹ W.E.B. DuBois, *The World and Africa*, International Publishers, New York, 1965, pp.45-9.

¹⁶² Davis, G.A., and Donaldson, O.F., *Blacks in the United States: A Geographic Perspective*, Houghton Mifflin Co., Boston, 1975, pp 81-91.

¹⁶³ Cruse, H., *The Crisis of the Negro Intellectual*, William Marrow and Company, Inc., New York, 1967, pp.112-23.

¹⁶⁴ Nevins, A., and Commanger, H. S., *The Pocket History of the United States*, Pocket Books, New York, 1951, pp. 215-16.

¹⁶⁵ Robert Danning, *Black Pilgrimage To Islam*, (Oxford, Oxford University Press, 2002), pp. 20-31; see also: Harry E. Davis, *A History of Freemasonry Among Negroes in America*, (United Supreme Council, Cleveland, 1946); and Dennis N. Mihelich, "From the Depths: Prince Hall Masonry in Nebraska, 1930-190," *Nebraska History News*, 89 (2008), pp. 14-25.

advent of an Islamic movement was new to the American scene. It was difficult for Anglo-Americans to understand because it was assumed that the Islamic religion of many of the enslaved Africans had been destroyed during the slave period. While this assumption was partly true, there were significant exceptions relating to the importation of enslaved Africans after the official end of slavery.¹⁶⁶ This newly emerging movement represented the more radical resistance against the traditional Negro leadership establishment and assimilation with the Anglo-American people and values. They had a total disbelief in the King James Version of the Bible, and thus the slave-based values of their historical orientation.

The first emergence of post slavery Islamic movement in the United States was that of the work of a Sudanese immigrant named Muhammad Sati Majid, who in 1904 disembarked upon the shores of the U.S. and revived the nascent African Islamic values lost during the periods of slavery and post Civil War. *Imam* Sati Majid was from the Nubian ethnicity of northern Sudan and had come to the U.S. for the sake of calling African Americans back to their Islamic heritage. He was the first to attempt “to legitimize and institutionalize Islam as a part of the American religious configuration”.¹⁶⁷ During his brief stay in the U.S. before he was deported, he established at least five African and Islamic benevolent societies designed to improve the spiritual and social conditions of African Americans and his fellow Muslim immigrants.

Sati Majid founded the Muslim Unity Society, the Islamic Missionary Society, the Red Crescent Society, the Islamic Benevolent Society and the African Moslem Welfare Society. The last one was founded in Pittsburgh Pennsylvania.¹⁶⁸ He organized chapters in cities such as Philadelphia, Akron, Cincinnati, Cleveland and Baltimore and was responsible for the early spread of Islam among African Americans at the turn of the century. In his own words *Imam* Sati Majid outlined the aims and objectives of his activities:

“I have lived in the *land of freedom and justice* over twenty-five years, during which I witnessed unjustified animosity towards Islam. I responded to these damaging views constantly. At first I started responding to these views by writing articles on Islam, but I came to realize that writing articles in defense of Islam is not enough. I started my work by preaching about the tolerance and loving nature of Islam. I encountered stubborn and fierce resistance. But by the virtue and grace of Allah, and the acceptance of Uncle Sam, no one could change my mind from pursuing my dream. I felt that my soul would not rest until I showed people the true Islam. At that point no one could stop me or could hinder my efforts. The number of people whom I was able to convert to Islam grew considerably.”¹⁶⁹

Sati Majid also traveled to Egypt and back to his homeland in Sudan to obtain a *fatwa* (legal ruling) regarding Noble Drew Ali, the founder of the Moorish Science Temple and his brand of Islam. Many of the

¹⁶⁶ Allan, A.D., *African Muslims in Antebellum America: A Sourcebook*, Garland Publishing, Inc., New York, 1984, pp. 3-36.

¹⁶⁷ ..., “The First to Arrive: Sati Majid, 1904-29”, p. 21

¹⁶⁸ Articles of Incorporation and Name Registration for the *African Moslem Welfare Society of America*, May 1, 1928, with the Department of State, Corporation Bureau, Harrisburg, PA, microfilm no. 95171. I am grateful to fellow researcher, Akil Fahd, for sharing this document with me.

¹⁶⁹ *Opcit.*, pp. 21-22.

followers of the Sati Majid became active members of the UNIA led by Garvey.¹⁷⁰ While, in the United States Sati Majid was responsible for more than two successful legal litigations against news papers that vilified Islam and its people. Thus, establishing a tactical norm in the use of the Anglo American legal system in order to protect, maintain and advance African Islamic values. Sati Majid was also responsible for overseeing the welfare of many immigrant Muslims in New York City, as well as their safe return to their countries. Because Sati Majid's influence stretched from the United States, to Europe and back to Africa, he was the first real global leader of the African American/Muslim population and transmitted to his followers a sense of love for Africa and Pan-Africanism. *Shaykh 'l-Islam* Sati Majid, was the first to direct the vision of the international community to the violation of the civil and human rights of African Americans in the U.S. On December 17, 1928 an African American Muslim disciple of *Imam* Sati Majid, named Elijah Muhammad wrote the following to the *Shaykh*:

“Respectable Father, Sheikh of Islam of America
Reverend Sati Majid
Honorable Sir

It's your children of the Muslim faith writing you these few lines to inform you that we are doing very well at the time present. Our membership is still increasing. Also you will find enclosed the letter which we supposed to send you and tonight we are mailing your twelve letters which we were to make out and send to you thanking you for the many kind words that you spoke to us when you were in our presence. We also pray for your success in your long journey. I will close by saying God be with you.

Yours truly,
Elijah Muhammad”¹⁷¹

There is some speculation that this ‘Elijah Muhammad’ of Pittsburgh was the same who later emerged as the chief minister of Fard Muhammad in Detroit in 1932. What is significant is that the claim by the N.O.I. that Fard Muhammad was the first to come from the east to bring Islam back to the African Americans is historical fallacy. Just one year after the disappearance of Fard and Elijah Muhammad's proclamation that he was the ‘messenger’; another African American Muslim disciple of Sati Majid by the name of Elias Mohamed wrote the *Imam* a letter indicating the global and international perspective which he had instilled in his followers:

“Dear Father

I write to you about my health and about the black American community. We wrote to you several months ago in response to your letter. In our letter we requested the translated books from Arabic to English. We have the feeling that you are extremely busy. Here we are very concerned with the Italian-Ethiopian conflict. We hope Ethiopia will not suffer at the hands of the Italians. God-willing *one day we will be able to go back to Africa*. We have been overcome with joy to hear the defeat of the colonialists in many parts of Africa. I want you to rest assured that we are hard working trying to promote the word of Islam.

¹⁷⁰ Ahmed I. Abu Shouk, J.O. Hunwick & R.S. O'Fahey, “A Sudanese Missionary to the United States: Satti Majid, ‘*Shaykh al-Islam* in North America’, and His Encounter with Noble Drew Ali, the Prophet of the Moorish Science Temple Movement”, *Sudanic Africa*, Vol. 8, 1997, pp. 150-157.

¹⁷¹ *Opcit.*, p. 24.

Father, please send us your picture. Also do not forget to change all the English names of people who converted to Islam. I sent you a long list with the names. I beg God to enable us to hear from you again.
Your son, Elias Mohamed”¹⁷²

Shaykh 'l-Islam of America, *Imam* Sati Majid, answered this letter informing his disciple that he would soon return to the U.S. to complete the work of returning African Americans back to their true religious and cultural heritage. However, the U.S. State Department refused to grant him another visa. Thus, the response of the United States government to *Imam* Sati Majid was to refuse him a visa, where they hoped his influence on the African American/Muslim minorities would falter. The result, was that the mainly ‘masonic’ like organization led by his antagonist, Noble Drew Ali, was able to gain prominence in the minds of African American/Muslims, and the *Sunni* influence of Sati Majid was soon forgotten. In spite of the lack of knowledge of the achievement of *Imam* Sati Majid, the State Street Mosque lead by *Imam* Dawood Faisel in New York, the First Mosque of Cleveland and the *Masjid al-Awwal* of Pittsburgh the links to African Islamic traditions persisted. During this crucial period of the development and resurgence of Islam among the African American national minorities, another organization born out of the sub-continent of India began to also compete for the minds of America’s chief national minority. This organization or millenarian movement was the Qadiani Ahmadiyya movement, led by Gulam Ahmad.

During this same period, the proto-Islamic movement which was an off-shoot of the Qadiani Ahmadiyya movement, led by an immigrant named W. Fard Muhammad (1877-?). His ideas were popularized by Elijah Muhammad (1897-1975) who by 1959 led the movement, the Lost Found Nation of Islam, to become the largest proto-Muslim community in the United States.¹⁷³ Through the organizing and oratory skills of his chief spokesman, Malcolm X (Little), Mr. Muhammad began reaching for the leadership of the total African minority in the U.S. His general philosophy was, since Anglo-Americans were historically the political, economic and cultural adversaries of the African American minority, their opposition to Muslim policies were expected. The Nation of Islam (NOI) called for the unity of all Africans; the eventual fall of Anglo-American cultural and economic domination over the African community; complete separation of the two races; and the acquisition of representative political power in the government of the United States (expressed as the Muslim control over a few states in the south).

The official United States, thus Anglo-American, reaction to this movement was to ignore these demands for a separate African Muslim state, a separate culture and political identity, and eventual independence from the United States. When Elijah Muhammad set up parochial schools for Muslims and

¹⁷² Ibid., pp. 30-31.

¹⁷³ C. Eric Lincoln, *Black Muslims in America*, (Beacon Press, Boston, 1961), p. 98.

placed his children in it, he was charged with contributing to the delinquency of a minor.¹⁷⁴ In 1942, Elijah was arrested in Washington, D.C., this time for sedition and inciting Muslims to resist the draft.¹⁷⁵ The charge of sedition was eventually dropped, but he was sentenced to five years in prison for resisting the draft. However, by the late sixties through the mid seventies major cities around the country were offering commendations and awards to Mr. Muhammad due to his empowering of African American economics and self help. Nevertheless, we see that the Anglo-American response to Elijah Muhammad and the NOI was the same if not identical to the response it made to Marcus Garvey of the UNIA and Sati Majid of the African Islamic Benevolent Association.

Mention should be made of both the Council of African Affairs (CAA) founded in 1939 by Paul Robeson and Max Yergan and the African American Foreign Affairs Community (AAFAC), founded by W.E.B. DuBois in 1944. These two organizations worked tirelessly to assure that from the beginning of the establishment of the United Nations Charter, that it would institute decolonization in Africa and Asia and guarantee that all member states practice racial equality within their territories. This was a direct challenge to apartheid and segregation in the United States, and demonstrated that African Americans were not isolationists who were uninterested in geopolitical affairs. On the contrary, CAA and AAFAC proved to be extremely well informed organized and on certain occasions were able to advise those Africans who were involved in the struggle for independence such as Nkrumah, Kenyatta and others. The CAA and AAFAC were the first instances of Pan-African networks, where Africans of the diaspora and Africans leading the independence movements worked hand in hand. The United States' response to these internationalists efforts were to use the excuse of the 'cold war' to crack down on African American individuals and organizations that sought to influence international affairs.¹⁷⁶ It was through United States pressure that Pan Africanists such as W.E.B. DuBois were pushed out of leadership of the NAACP and the vetted and 'chosen' African American leadership were intimidated from connecting their legitimate rights with those of Africa. It was the NAACP structure and white liberal leadership which precluded the organization from stepping out into the international arena as a representative of African American interests. R.L. Harris, Jr. correctly noted that

¹⁷⁴ These school systems were my almamator – the University of Islam, later renamed with the name of its founder Sister Clara Muhammad Secondary School; which I am proud to say have produced some of academia's profound scholars and professionals, especially in those classes after my own – the Class of 76.

¹⁷⁵ Exemplified by world heavy weight boxing champion, Muhammad Ali, Elijah Muhammad had taught his followers to resist fighting in American wars until such time as they permit the African minority to acquire political-economic control over a few states.

¹⁷⁶ Mark Ledwidge, "African-Americans and the Formation of the United Nations Organisation", Center for International Politics Working Paper Series, (the University of Manchester), No. 31, May 2007, p. 25.

African Americans questioned and challenged the right of the NAACP to represent their sovereign will and their rights for self determination.¹⁷⁷

The central point brought to light during this period is that the United States was confronted with various types of African American national minority demands. These demands varied significantly and had differing degrees of support within the African American national minority. A degree of official recognition was extended only to those representing the philosophy of Booker T. Washington.¹⁷⁸ Also a certain amount of unofficial and official juridical recognition was given to the program of the NAACP in the north, simply because it withdrew from involvement in the African independence struggle and stayed within the confines of US domestic law. The U.S. was successful at denying the African American national minorities the right, in community with the other members of their group (Africans), to determine and coordinate a joint effort for freedom. As ideas and demands from the other popular groups (the UNIA, CAA, AAFAC, the NOI and others) were ignored or challenged, it is a strong probability that the U.S. government felt that the African national minority had no rights other than those which also served the interest of the Anglo-American majority, as defined by the majority. In 1948 this policy if advanced by a government (local or federal) was universally accepted as a crime and an act of genocide, as Paul Robeson and others proclaimed. Professor Derrick A. Bell, Jr., reiterated this idea that African American existence in the U.S. was predicated on the utility that it provides to the dominant majority when he said:

“...A rather cursory look at American legal history suggests that in the past, the most significant political advances for blacks resulted from policies which were extended and had the effect of serving the interests and convenience of whites rather than remedying racial injustices against blacks.”¹⁷⁹

The United States view on collective rights as reflected from the above citation ignored the existence of the African American national minorities’ unique needs and demands with regard to the Anglo-American majority. Subsequently, the NAACP kept up a barrage of legal wars to advance African American interest within and under the dominant majority. Most of these cases were victorious because the U.S. did not want freedom fighters such Paul Robeson successfully arguing and advancing the Negro Problem on the floor of the United Nations. In addition, the NAACP headquarters in North Carolina followed a more ‘southern’ tactic of gaining the right from the courts as the lawful agent to determine if legal standards had been met; in

¹⁷⁷ R.L. Harris, Jr., “Racial Equality and the United Nations Charter,” A.L. Robinson, et al., eds., New Directions in Civil Rights Studies, (London, University Press of Virginia, 1991), p. 136.

¹⁷⁸ This response was revamped in 2001 and was the central idea advanced in the Rand Corporation study by Cheryl Benard: “*Civil Democratic Islam: Partners, Resources and Strategies*”, RAND Corporation, (Santa Monica, 2003). It is this policy which basically became functional around 2007, that has been the engine behind much of the funding of the pro-American Muslim lobbying spreading in the U.S. The COINTELPRO program of creating and funding fictitious organizations and vetting individual leaders falls under this RAND endeavor as well. The advantage is that many *Imams* and Muslim leaders who had no chance of being published have been so with lucrative funding established by the U.S. government and allocated through the RAND Corporation and its affiliates. We will reexamine this RAND study when discussing the modern era, Allah willing.

¹⁷⁹ Bell, D. A., ‘Racial Remediation: A Historical Perspective on Current Conditions’, Notre Dame Lawyer, Vol. 52, No. 5, p. 5.

effect giving the NAACP the right to bear arms to protect an agent of the court. This was the era of Robert Williams and the African American militant voices that actually echoed the voices of freedom and liberty of the American founding fathers. Like the Founding Fathers these African American leaders won the attention of every American.

13. U.S. View of Collective Rights during the 20th Century

This period will survey the years of the late 50's up to the reemergence of direct action by a more fearless African American generation. Special mention will be given to Reverend Martin Luther King Jr. and his legal victory over the United States' institution of segregation and apartheid. This period was ushered in by the Brown v. Board of Education Court Decision, which led to the official dismantlement of legal apartheid in the U.S. During this period the evolution of the United States view on collective rights must be seen in light of three factors: [1] the historical changes occurring in the international geo-political situation around the world which influenced the domestic scene in America; [2] the growing minority protest through the non-violent civil rights campaigns, the Islamic movements, and through violent riots; and [3] the adjustability of the United States view on collective rights to these changed domestic and international environments.

A slow revolution had taken place in the international situation between the time that U.S. domestic apartheid was being organized in the early 1900's and the visible impact of the Brown v. Board of Education decision around 1964. There were about five changes on the international level indicators, which affected the United States views on collective rights of minorities. [1] The U.S.S.R. had achieved nuclear equality with the U.S.; [2] the Third World nations had emerged out from under European colonialism as an independent world voice; [3] the Monroe Doctrine/big stick/gun boat policy had been successfully challenged by Cuba and the U.S.S.R.; [4] the U.S. military, moral and economic superiority had been called into question by Vietnam on the one hand, and [5] on the other, by the increasing desire of Europe to emerge from under U.S. economic domination and play its own role on the new world stage.

To reflect the new paradigm shift in the international order the United Nations passed a series of resolutions that worked to alienate the United States from other progressive nations based upon its record of racial apartheid. The United Nations passed Resolution 721 (VII) on December 8, 1953 and Resolution 320 (IX) on December 14, 1954. These resolutions expressed the strong view that the policies of racial segregation and apartheid jeopardized friendly relations among states and promulgated a grave threat to the peaceful relations between ethnic groups in the world. The tensions of the cold war afforded the USSR,

China and other socialist nations to openly criticize the U.S. on the floor of the United Nations for its political hypocrisy. It is no doubt that these resolutions helped push the Brown v. Board of Education ruling in 1955 officially ending domestic apartheid in the United States. The federal court which presided over the above ruling was made fully aware of the relation between the United States' domestic policies of apartheid and her foreign policy interests. In a federal government's repository called Amicus Curiae it reflected the pressure that the federal court was under at that time.

“It is in the context of the present world struggle between freedom and tyranny that the problem of racial discrimination must be viewed ... discrimination against minority groups in the United States has an adverse effect upon our relations with other countries. Racial discrimination furnishes gist for the communist propaganda mills, and it raises doubts even among friendly nations as to the intensity of our devotion to the democratic faith.”¹⁸⁰

Thus, northern liberal and progressive parties were attempting to get their southern segregationist brothers to look at the bigger picture. Allowing certain freedoms to be realized by American minorities, and indeed advancing vetted African American interest was a far more efficient and acceptable way of keeping the rest under domestic colonization. The impact of the Brown v. Board of Education ruling on the African American struggle for freedom and Anglo-American resistance to that struggle was significant. As a result of the landmark Supreme Court decision, one of the most dynamic and charismatic African American women leaders of the era, Queen Mother Audley Moore was able to galvanize and reorganize what was left of the UNIA by establishing the Reparations Committee of Descendants of the United States Slaves, as well as the Universal Association of Ethiopian Women. She was the first to seriously discuss the question of the actual monetary remuneration that the United States owes to its African American national minority as a result of slavery and apartheid.¹⁸¹ In the same year Dr. Martin Luther King, Jr. in confederation with other African American Christian pastors established the Southern Christian Leadership Conference (SCLC) in order to implement desegregation in the south.

The response of white southern segregationist varied. In 1955, the Ku Klux Klan was reconstituted for the third time in the U.S. The National States Rights Party and the American Nazi Party were also formulated and competed with the new KKK for a share of lower and middle class white membership. However, the most effective challenge to the civil right initiatives being conducted in the south was the White's Citizens' Council, which garnered support from upper middle class whites. This organization was founded by Robert Patterson in 1955 in Indianola, Mississippi, as a direct result of the Brown v. Board of Education decision; striking down the separate but equal system of education.¹⁸² This resurgence of white

¹⁸⁰ Brown v. Board of Education, 347 U.S. 483, 1954.

¹⁸¹ Charles J. Ogletree, Jr., “Repairing the Past: New Efforts in the Reparations Debate in America”, Harvard Civil-Rights Civil Liberties Law Review, Vol. 38, p. 287.

¹⁸² Encyclopedia of American Race Riots, p. 356.

supremacists groups in the south resulted in increased violence towards African Americans throughout the south. In August of 1955 a fourteen year old African American boy from Chicago named Emmett Louis Till, while visiting his grandparents in Mississippi, was tortured and brutally murdered for purportedly flirting with a white woman. An all white jury later acquitted two of the twenty involved, Roy Bryant and J.W. Milam of murder. The impact the acquittal had upon the United States and the rest of the world was devastating. In 1957 President Eisenhower was compelled to sign the second Civil Rights Act which guaranteed protection of African Americans against discrimination in public transportation, housing, hotels, restaurants and public facilities.¹⁸³ Again, in Lumberton, Mississippi, in February of 1959, an African American man, Mack Charles Parker was lynched for allegedly raping a white woman. Although there was no evidence that Parker was the perpetrator, yet the local sheriff, a Christian pastor and hundreds of whites from Mississippi and Louisiana participated in the crime. It was this lynching which induced the U.S. Congress to pass more strident civil rights legislations which forced the federal government to crack down upon "open and public sanctioned acts of violence against African Americans."¹⁸⁴

The lynching of Mack Parker caused increased international pressure against the U.S. system of apartheid when in December 1960 the United Nations passed Resolution 395 (V) that expressed the opinion that "a policy of racial segregation is necessarily based on doctrines of racial discrimination."¹⁸⁵ This resolution no doubt further challenged the United States' domestic policy of apartheid in its southern states. Here is an example, and there were many, where changes in the international order and in laws regarding the rights of oppressed groups had direct effect upon the United States' view upon the rights of its chief national minority. The United States was busy pretending to create, accept and ratify UN resolutions in order to protect linguistic, ethnic, cultural and religious minorities all over the globe; while denying these same rights to its national minorities. A New Europe which had successfully crawled out from under the economic cell of the cold war and had transformed their relationships with their former colonies from direct colonialism to indirect market control; began to openly challenge the U.S.'s status as a leader among the nations based upon its treatment of its non white national minorities.

¹⁸³ Ibid, pp. 111-112.

¹⁸⁴ Ibid, p. 495.

¹⁸⁵ United Nations Publication, Human Rights: A Compilation of International Instruments of the United Nations, Sales No. E73 XIV7 (ST/LEG/SER.0/6) ST/HER/2 1977, P. 41.

a) **Martin and Malcolm in the Shadow of the Brown vs. Board of Education Decision**

It goes without saying that major changes in the geo-political situation in the world, such as the rise of nationalism among former European colonies and the passing of anti-colonial resolutions at the United Nations made key influences upon the United States view of collective minority rights. Another **factor** that had an effect upon the United States view of collective rights for its African minorities was the 'black national minority protest'. One of the most effective resistances to domestic apartheid, which had massive and national repercussion, was Dr. Martin Luther King, Jr. and those who followed his non-violent civil disobedience methodology. His tactic relied upon mass pressures for immediate alteration in the status quo. They sought appeal to the good will of the great majority of the people of the U.S. and in the world in order to strike down Jim Crow apartheid statutes. The one weapon that Reverend King utilized effectively was the equality of man before God. God's law was binding upon all elements of the United States' population, thus Reverend King was able to polarize the Anglo-American population and divide them based upon their individual responsibility before God. This was quite effective in rallying support from certain Jewish and 'liberal' elements among the white population. However, there was still opposition from the majority of Anglo-American people. In February 1960 the first sit-in occurred in Greensboro, North Carolina, when college students protested against racial discrimination at the counter of a public diner. The following year, another technique was applied where 'Freedom Riders' rode buses throughout the south 'testing' segregation in bus terminals.¹⁸⁶ These protests were often opposed with violence and mass arrest by those who insisted on the maintenance of segregation in the south. The Anglo-Americans of the south clearly would not yield to international pressures or to viewing the Africans in this nation any better than freed slaves who were subject to the domination and political determination of whites.

Outside of this were the Islamist, Black Nationalist and radical revolutionary elements of the African minority who disagreed with Rev. King's non-violent methodology for attaining equal status in American society. Many of them, like Robert Williams felt that since American successfully won its freedom from English domination by means of violent revolution and armed resistance; and since many of the newly emerging African states won their independence through military struggle - they concluded that the best solution for Africans in the US was to gain their rights as equal members within the state was to take up the arm struggle. Among these groups were the Organization of African American Unity (OAAU), the Black Panther Party, the Republic of New Afrika, the Blood Brothers, the Mau Mau, the Black Liberation Army,

¹⁸⁶ Zukrosky, J., "Growing Up on Integration," The New Republic, Vol. 167, Oct. 14, 1972, pp 19-22.

the Revolutionary Action Movement (RAM), the Hanafis, Move, etc. Each of these groups felt that the solution to the problem of America's chief national minority was to take the issue out of the arena of 'civil-rights', and to present it to the world community in the form of human rights. This would internationalize the question of the Africans in America and would allow international resolutions to be developed which could alter the terms by which America has dealt with the African minority of the U.S. The key issue concerning these types of movements was that there was a deliberate effort by leaders of these movements to connect the struggle of Africans in this country to international conduits designed to solve the questions of national minorities. Since international institutions represented the most politically sophisticated entities developed by mankind, these movements were potentially far more politically refined than that of the civil-rights movements.

The leading proponent of the internationalization of the African American question during the early 60s was *al-Hajj* Malik El Shabazz (Malcolm X). This is not to say that he was the first, because men like Marcus Garvey of the U.N.I.A., W.E.B. DuBois during his post N.A.A.C.P. days, and Paul Robeson through the CAA all advanced the idea of the internationalization of the struggle of the U.S.'s African American national minority. However, at the onset they did not have at their disposal an organization like the United Nations with countless resolutions and charters that protected the rights of national minorities. Malcolm was directly influenced by how the newly emerging Third World bloc nations utilized the United Nations for their liberation from European colonialism. One of these influences, the resounding stellar voice of Paul Robeson openly challenged African Americans and the oppressed colonized nations of the world to align themselves with the 10 Points of the Bandung Conference. Robeson reminded African Americans that the specter of African and Asian alliance as exemplified in the Non Aligned movement threw a wrench in the bi-polar political discourse of the newly emerging cold war configurations. The Bandung Conference, as Robeson saw it called for recognition of the genocides inflicted upon Third World nations as a result of colonialism. This concept of 'genocide' was introduced in the human lexicon in 1944 resulting from the horrors of the Nazi extermination of the Jews in Poland. As a result, a Polish Jewish scholar, Raphael Lemkin, coined the phrase 'genocide' to describe the destruction of racial and national groups. It took its etymology from the Greek *genos* (race) and the Latin *cide* (killing).¹⁸⁷ It was in 1948 that the United Nations

drafted *The Convention on the Prevention and Punishment of the Crime of Genocide* and defined it as

“(a) killing members of a group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group.”

¹⁸⁷ United Nations General Assembly Resolution 96 (I); also see Lemkin Raphael's, *Axis Rule in Occupied Europe*, (Carnegie Endowment for International Peace, Washington, 1944), p. 79.

Any cursory look at the treatment of the African American national minority by both the state and federal governments of the U.S. indicates that they have been the victims of all five varieties of crimes; and this has gone on since before the founding of the union until the present. Particularly in 1948 the majority of the southern states were guilty of the crime of peonage and lynching still terrorized the African American community. It was because of this, that after the establishment of UN Convention on Genocide, activists such as Paul Robeson, W.E.B. DuBois, William L. Patterson, Mary Church Terrell and others tested international bodies by presenting a document to the United Nations charging the United States government with genocide in its failure to act against increased lynching of African American men.¹⁸⁸ In fact, lynching was only one aspect of the kind of genocide committed against the African American national minority; since the Genocide Convention divided genocide into three types: *physical genocide* (causing death, injuring physical integrity or health); *biological genocide* (restricting birth) and *cultural genocide* (destroying the special characteristics of a group – such as their language, religion or customs).¹⁸⁹ From the earliest periods of Antebellum America to the present year of 2015, the African American national minorities have had to endure some aspect of genocide.

This was the first time that African American leadership united across class and gender to present their case to the United Nations. This was mainly due to the influence of Paul Robeson, who more than any African American leader had the chance to travel all over Europe, Africa and Asia advancing the cause of freedom and liberty for his people. Due to this, Robeson had an enduring effect upon the latter thinking and direction of Malcolm X. He was also directly influenced by how the newly emerging Third World bloc nations utilized the United Nations for their liberation from European colonialism. In 1964 when *al-Hajj* Malik El Shabazz broke with the Nation of Islam he set upon the obligatory pilgrimage to Mecca, then a visit of several African and Arab nations. During these trips, he broadened his understanding of international law and the struggle for human rights. On his return, he established two organizations: [1] the Muslim Mosque Inc. and [2] the Organization of African American Unity. On June 28, 1964, he had this to say about the need of African Americans to internationalize their struggle in the same manner as the African independence movements:

“...the purpose of the Organization of Afro-American Unity is to unite everyone in the Western Hemisphere of African descent into one united force. And then, once we are united among ourselves in the Western Hemisphere, we will unite with our brothers on the motherland, on the continent of Africa. So to get right with it, I would like to read you the "Basic Aims and Objectives of the Organization of Afro-American Unity," started here in New York, June, 1964. "The Organization of Afro-American Unity, organized and structured by a cross section of the Afro-American people living in the United States of America, has been patterned after the letter and spirit of the

¹⁸⁸ “We Charge Genocide”, Freedom Road Socialist Organization/Organizacion Socialista del Camino para la Libertad, <http://freedomroad.org>

¹⁸⁹ Robinson Nehemiah, The Genocide Convention: A Commentary, (Institute of Jewish Affairs, New York 1960), p. 19.

Organization of African Unity which was established at Addis Ababa, Ethiopia, in May of 1963."We, the members of the Organization of Afro-American Unity, gathered together in Harlem, New York: "Convinced that it is the inalienable right of all our people to control our own destiny; "Conscious of the fact that freedom, equality, justice and dignity are central objectives for the achievement of the legitimate aspirations of the people of African descent here in the Western Hemisphere, we will endeavor to build a bridge of understanding and create the basis for Afro-American unity; "Conscious of our responsibility to harness the natural and human resources of our people for their total advancement in all spheres of human endeavor; "Inspired by our common determination to promote understanding among our people and cooperation in all matters pertaining to their survival and advancement, we will support the aspirations of our people for brotherhood and solidarity in a larger unity transcending all organizational differences; "Convinced that, in order to translate this determination into a dynamic force in the cause of human progress conditions of peace and security must be established and maintained;" - And by "conditions of peace and security," [we mean] we have to eliminate the barking of the police dogs, we have to eliminate the police clubs, we have to eliminate the water hoses, we have to eliminate all of these things that have become so characteristic of the American so-called dream. These have to be eliminated. Then we will be living in a condition of peace and security. We can never have peace and security as long as one black man in this country is being bitten by a police dog. No one in the country has peace and security... "Dedicated to the unification of all people of African descent in this hemisphere and to the utilization of that unity to bring into being the organizational structure that will project the black people's contributions to the world;..."Persuaded that the Charter of the United Nations, the Universal Declaration of Human Rights, the Constitution of the United States and the Bill of Rights are the principles in which we believe and that these documents if put into practice represent the essence of mankind's hopes and good intentions; "Desirous that all African-American people and organizations should henceforth unite so that the welfare and well-being of our people will be assured; "We are resolved to reinforce the common bond of purpose between our people by submerging all of our differences and establishing a nonsectarian, constructive program for human rights; "We hereby present this charter...The Organization of American-American Unity shall include all people of African descent in the Western Hemisphere, as well as our brothers and sisters on the African continent." Which means anyone of African descent, with African blood, can become a member of the Organization of American-American Unity, and also anyone of our brothers and sisters from the African continent. Because not only is it an organization of American-American unity meaning that we are trying to unite our people in the West, but it's an organization of African-American unity in the sense that we want to unite all of our people who are in North America, South America, and Central America with our people on the African continent. We must unite together in order to go forward together. Africa will not go forward any faster than we will and we will not go forward any faster than Africa will. We have one destiny and we've had one past."¹⁹⁰

Al-Hajj Malik El Shabazz went on to discuss the necessity of self defense in the face of systemic police brutality and white Christian terrorist attacks in the south.¹⁹¹ He mentioned education as being the most important element in the struggle for human rights. He cited the political, economic, social and cultural objectives of OAAU and then ended his talk with the following statement: "*We declare our right on this earth to be a man, to be a human being, to be respected as a human being, to be given the rights of human being in this society, on this earth, in this day, which we intend to bring into existence BY ANY MEANS NECESSARY!*"¹⁹²

Armed with this kind of energy, *al-Hajj* Malik El Shabazz, redefined the struggle of African American/Muslim national minorities in the U.S. not as the abuse of their civil rights, but as the abuse of their collective human rights. The importance of this is that it allowed for international bodies to examine

¹⁹⁰ Al-Hajj Malik El Shabazz, "*Speech on the Founding of the OAAU*", June 28, 1964.

¹⁹¹ It must be noted that as early as 1959 al-Hajj Malik El Shabazz was delivered a message from the popular leader of Egypt, Abdernaser, that if the N.O.I. were to accept traditional Islam; the Egyptian people would assist with economic assistance and military training in their struggle for self determination. This offer was delivered by Akbar Muhammad, one of the most dynamic and courageous sons of Mr. Elijah Muhammad.

¹⁹² Opcit.

and criticize the treatment of African American national minorities on the floor of the United Nations. The implications of this approach was far reaching, because it raised the idea of: [1] the recognition of the crime of genocide against African Americans by the Anglo American state; [2] the demand for remuneration, special measures, reparations and other international recognized affirmative actions to be granted the African American national minority for four hundred years of slavery, genocide, apartheid and domestic colonization; [3] the rights to self determination for the African minority where they could enjoy political, cultural, and economic autonomy from the U.S.; [4] the emergence of an internationally recognized armed struggle and national liberation movement to obtain these rights, if the U.S. refused to grant them; and finally [5] the support from the international community for the just demands of America's African minority. In short, the implication of such an endeavor was, and remains far-reaching.

In a press conference on his return from a second trip to Africa and the Middle East, al-Hajj Malik El Shabazz was asked pointedly by members of the press, was he going to take the situation of the African American national minority to the World Court; and he responded:

“Oh yes!...as I pointed out in my travels, that African nations and Asian nations and Latin American nations look very hypocritical when they stand up in the United Nations condemning the racists policies of South Africa and that which is practiced by Portugal in Angola; and saying *nothing* in the U.N. about the racist practices that are manifest everyday against Negroes in this society.”

What he said thereafter was significant, but what was more noteworthy was the response of the press to our leader's words. Both Malcolm's security and other observers to the press conference noted the frantic but serious activity of the press. The faces of journalists, police, FBI and CIA agents at that conference exhibited a singular serious expression of fear – the kind of united response usually provoked when southern towns got news of a slave uprising. Some of the *Imam's* security recalled that it was at that moment that they felt a genuine threat to the life of our leader. The threat from members in the N.O.I. paled in comparison to what observers among our people saw in the response of the whites present at that press conference. Each time I examine the televised version of the press conference, I cannot help but see the same realization in the eyes of al-Hajj Malik El Shabazz; and it is in this light, that his assassination should be reexamined. He made these demands at a time when the U.S. was suffering from national social unrest in most of the metropolis of the country. The government was responsible for the elimination and assassination of key revolutionary leaders throughout the world, (Lumumba in the Congo, Che Guevara' in Argentina, Mohammed Sadre in Iran and many others). The government remains implicated in the assassination of its own president during that time, President J.F. Kennedy and because of increased atrocities in Vietnam, the U.S. was growing increasingly unpopular among the international community. For this reason, the presentation of the question of America's chief national minority to the United Nations would have meant

political disaster for the country and could have led to a total transformation of the society in directions which the U.S. was not then, nor now prepared. The assassination of *al-Hajj* Malik El Shabazz, in the analysis of U.S. government agencies was the most expedient and pragmatic thing for them to do, since the outcome of such an endeavor would pose a clear and present danger to United States' 'vital interest'. This response by the United States was thus far the most violent reaction taken against the political demands of the African American national minority. We will return to the political implications of the ideas of al-Hajj Malik El Shabazz and their impact upon the U.S.'s African minority in our conclusions.

b) The Lion Cubs of Malcolm X

Out of consternation and fear of the forceful and militant message of al-Hajj Malik El Shabazz, the United States officially endorsed African American groups such as the NAACP, the Student Non-violent Coordinating Committee (SNCC), the Congress of Racial Equality (CORE), the National Council of Negro Women (NCNW), the National Negro Congress (NNC) and others - as long as they struggled within the limited confines of Anglo American interests. Malcolm often referred to these 'Negro' collaborators as the 'big six'. These groups had grown rich and fat on managing the misery of the African American national minority. Their energies were dissipated due to trying to fight on two fronts. They threatened, protested and litigated against the unconstitutional treatment of African Americans; while fighting desperately to keep the African Americans loyal to 'American ideal'.

On the other hand, heroines such as Fannie Lou Hamer and the popular leader Ella Baker became the most outspoken voices during this period in their demand for justice and equal rights for the African American people. Fannie Lou Hamer particularly noted how the impact that the growing international struggle against western imperialism had upon the civil rights struggle. As direct non-violent action in southern segregated states began to garner more support from northern whites, southern whites encountered these actions with increased violence. This period witnessed the reemergence of white Christian terrorist groups as more and more Americans increasingly criticized the apartheid south. A series of terrorist acts against African American persons and institutions shocked the world into the horrors of segregation in the south. The first was the cowardly bombing of a Black church, killing four young African American girls. The second was the bombing of an African American school and the third was the assassination of Medgar Evers, the head of the Mississippi branch of the NAACP.

By 1963-64 as a result of increased racial tension and repression the African Americans had had enough and riots broke out over many southern and northern cities. The U.S. responded with dogs, horses, tear gas and shot guns in order to quell more increasingly defiant acts by the young African American national minority.¹⁹³ Rev. King started to lose his hold upon his more militant disciples and supporters. Stokely Carmichael (who changed his name to Kwame Toure'), Hamilton Charles, William L. Patterson

¹⁹³ Yusef N. Kly, International Law, p.116.

among others broke with the non violent tactics espoused by Rev. King, the SNCC and the NAACP. The two political comrades, al-Hajj Malik El Shabazz and Robert F. Williams, had the full attention of the young, dynamic and fearless Black Students movements who began to sang: “Ain’t gonna be no mo shukin and jivin!”; meaning that there will be no more compromise with injustice. Young Black students increasingly felt the need to recompense white chauvinism with the same medicine it had been giving to them for four centuries.

Thus, the Black Panther Party was first born in the south as a voters’ registration movement and then swiftly evolved into a call for ‘Black Power’ under the leadership of Carmichael. In Cleveland, Ohio Max Stanford (who later accepted Islam and changed his name to Muhammad Ahmad) and Herman Ferguson established the Revolutionary Action Movement (RAM) to combat racism and discrimination in the Ohio area.¹⁹⁴ Al-Hajj Malik El Shabazz gave active support for the program of RAM by joining its ranks.¹⁹⁵ The Revolutionary Action Movement was joined by Islamic Revivalist Movement (IRM) which was the first Muslim organization to present a case to the United Nations regarding the U.S. chief national minority. On February 22, 1965, one day after the assassination of *al-Hajj* Malik El Shabazz, Amiri Baraka (Leroi Jones) and other African American poets, painters, sculptors and musicians founded the Black Arts Repertory Theatre/School (BARTS). The members of BARTS included the Last Poets, John Abd’l-Hamid Coltrane, Marion Brown, Pharaoh Abd’l-Mati Saunders, Nina Simone, McCoy Tyner, Betty Carter, Archie Shepp, Max Roache, Askia Muhammad Toure, Marvin 2X, Sonia Sanchez, Haki Madhubuti, Lou Gossett, Max Stanford (Muhammad Ahmad), Jackie McClain,¹⁹⁶ the amazing Jimi Hendricks and many others. According to John Bracey and Sharon Harley:

“The BARTS marked a turning point in African American culture, emphasizing black consciousness, self-determination, and cultural revolution - against white racism. In solidarity with Black Power, the Harlem BARTS experiment inspired the development of a national Black Arts movement, which made an indelible contribution to the direction of African American culture and consciousness.”¹⁹⁷

In October of 1966, Huey P. Newton and a few African American young adults of Oakland, California, formulated the Black Panther Party of Self Defense with its 10-point program and by 1968; the BPP was in every major city with a national newspaper, community breakfast programs, clinics and literacy programs. The BPP instituted these grassroots programs nationally while demanding for the African American the rights of self determination.¹⁹⁸ They boasted of dynamic and charismatic leaders such as Stokely Carmichael and H. ‘Rap’ Brown in the south; Bobby Seal, Eldridge Cleaver, Kathleen Cleaver and

¹⁹⁴ John H. Bracey, Jr, and Sharon Harley, eds. “The Black Power Movement: Part 3: Papers of the Revolutionary Action Movement, 1962-1996,” Black Studies Research Sources: Microfilm from Major Archival and Manuscript Collections, (Lexis Nexis, Bethesda, Md, 2003), pp. 7-9.

¹⁹⁵ Ibid.

¹⁹⁶ The legendary bi bop jazz composer Jackie McClain was a good friend of my father, Farid Shareef. I first met him when I took over my father’s paper customers in Hartford Ct. I used to deliver his weekly Shabazz bean pies and *Muhammad Speaks*. After the 1970-71 riots tore through Hartford Ct at the hands of angry Black and Puerto Ricans; it was Jackie McClain who established the Artist Collectives near the home of the legendary Hartford boxing gym. It was at the Artist Collective that I learned how to play the congas and fell in love with the Afro-Cuban beat.

¹⁹⁷ John H. Bracey, Jr, and Sharon Harley, eds. “The Black Power Movement: Part 1: Amiri Baraka from the Black Arts to Black Radicalism,” Black Studies Research Sources: Microfilm from Major Archival and Manuscript Collections, (University Publications of America, Bethesda, Md, 2001), pp. 7-9.

¹⁹⁸ Sundiata Acoli, “A Brief History of the New Afrikan Prison Struggle”, Pts 1 & 2, pp. 7-15.

others in Oakland Ca; Bunchy Carter and John Higgins in Los Angeles, Geronimo Pratt in L.A. and Louisiana; Lumumba Shakur in New York City; Fred Hampton in Chicago; Chaka Fuller and many more.¹⁹⁹

On March 29, 1968 the Provisional Government of the Republic of New Afrika (PG-RNA) was founded in Detroit, Michigan and the Black Liberation Army emerged.²⁰⁰ The New Libya Movement, the New Afrikan Independence Movement (NAIM), the Black Nation Inside North America (BNINA) worked hand in hand with other African American organizations to establish their rights of self determination as articulated by *al-Hajj* Malik El Shabazz. Dr. Acoli noted that the RNA and the BLA were joined by an array of young legally astute lawyers such as Chokwe Lumumba (*rahimahu Allah*), Michael Tarif Warren, Adjoa Aiyetoro and others who were able to present the African American's demand for self determination to the U.S. courts and international law.²⁰¹

The overall response of the U.S. government to these new, young, militant African American organizations was typical of the response made in previous generations. This new generation of the African American national minority had openly chosen to take up the weapons of culture, literature, art, community programs, direct political action and arm struggle to resolve the domestic colonization of the African American/Muslim national minority. The response by the U.S. government was to treat these organizations as enemy combatants and insurgents, allowing them in their own skewed perspective to annul the U.S. constitution by violating its fundamental precepts. This was done by President Johnson pushing the Congress to pass the Omnibus Crime Control and Safe Street Act of 1968 which allowed the U.S. government to deploy powers given to the NSA from the Foreign Intelligence Surveillance Act to share telephone, telex and fax with the FBI and CIA. It was simply an expansion of existing COINTELPRO powers granted during the McCarthy era.

In addition, the U.S. utilized the same failed techniques deployed in Vietnam and used them against the student protest movement and the more politically aggressive urban black nationalist/black power movements. With the U.S. military violent response to peaceful student protest at Kent State earmarked the beginning of the militarization of U.S. law enforcement; and the deployment of '*counter intelligence program*' (COINTELPRO) tactics to disrupt and destroy African American's self determination.²⁰² It is an axiomatic fact that *Americans have a short political memory*. Today Americans believe what they have to

¹⁹⁹ Ibid., pp. 11-12.

²⁰⁰ Ibid.

²⁰¹ Sundiata Acoli, *A Brief History of the New Afrikan Prison Struggle*, <http://www.sundiataacoli.org>, p. 18. It is important to note here that the greatest jurists and advocate of the oppressed to emerge during this period was Att. Chokwe Lumumba. He was elected as president of the Provisional Government of the Republic of New Afrika (PG-RNA) and later was elected as Mayor of Jackson Mississippi. Chokwe Lumumba was unique in his ability to govern with benevolent pragmatism. He was declared by friend and foe to be one of the most astute lawyers and litigants of the 21st century. When he died, a great door of jurisprudence, civic responsibility, political action, self determination and courageous leadership was closed. The argument that Mayor Lumumba made in defense of comrade Sundiata Acoli is one of those legal depositions which should be read and studied as a classic in jurisprudence and history. May Allah raise an entire generation of leaders like him among our young sons and daughters. When I first heard that he had been elected as Mayor of Jackson in 2013, it was the first time in ten years that I had seriously considered returning back to the United States. Mayor Lumumba represented the kind of leader that a genuine *samurai* a foot soldier like me could serve under and live and die with honor. I met officials from Venezuela who knew Mayor Lumumba and declared that he was a true statesman, a soaring charismatic champion of the People.

²⁰² Gene Healy, "Deployed in the U.S.A.: the Creeping Militarization of the Home Front", *Policy Analysis*, (Cato Institute, Washington, D.C.), Dec. 17, 2003, No. 503, p. 4.

believe in order to simply try and maintain their sense of pre-eminence. This national memory lapse resembles the same symptoms of a schizophrenic serial killer whose amnesia actually helps conceal the crime from others for decades. The schizophrenic conceals the crime even from themselves until the soul cracks. Thus, the U.S. government resorted to the same unconstitutional acts it did during WW1, the two Red scares and the era of McCarthyism.

There is no doubt that international changes and domestic unrest had profound effect upon the United States' view of collective rights. However, there were counter pressures at play to prevent any substantial changes that might threaten Anglo majority interests in the United States. For example, in 1964 President Lyndon B. Johnson was responsible for passing the Civil Rights Bill. This bill on the surface seemed to enact considerable changes in the United States view of collective rights of minorities. The bill: facilitated voting rights for the African minority; forced schools to integrate; denied federal funds to states, schools, or other institutions which practiced apartheid; outlawed discrimination in business and labor; gave access regardless of race to lunchrooms, restaurants, theaters, hotels, stadiums and large rooming houses; and empowered the attorney general to bring suit when ever such rights were violated.²⁰³

Even though the Bill struck at the basic values of many Anglo-Americans, there was no demand to alter the economic status quo that made African American labor available to meet the business needs for cheap labor.²⁰⁴ The thrust of the Bill was simply to extend the coverage of existing civil rights for American citizens to include coverage for individuals of the American national minorities. From this point, it served as window dressing to enliven America's tarnished image as a land of freedom and equality, than as a viable approach for granting equal status rights to minorities or solving minority problems. Professor Derrick Bell observed:

“The relief actually granted by the Civil Rights Acts of 1964-68 tends primarily to improve the country's democratic image and only secondarily or collaterally to repay the harm which initially prompted the litigation, and subsequent non-racial decisions relying on the initial civil rights precedent often bring greater substantive benefit to the community at large than was obtained by black Americans.”²⁰⁵

In other words the federal government refused to embark upon any sort of conceptual reorientation that might facilitate a solution to minority economic, political and social inequality in line with what was demanded of nations by Article 27 of the Covenant on Civil and Political Rights. To evidence this, President Johnson established the National Advisory Commission on Civil Disorders on July 29, 1967. Even though this commission was established solely for addressing the problem of the African minority in the inner cities of America, it failed to do the essential thing which the international community delineated as the key means

²⁰³ Williams A Williams, *The Tragedy of American Diplomacy*, (Dell Publishing Co. Inc., New York), 1972, pp. 34-45.

²⁰⁴ Richard Bardolph, *The Civil Rights Record: Black American and the Law 1849-1970*, (Crowell Publ. Co., New York), 1970, pp. 103-6.

²⁰⁵ Derrick A. Bell, *Racism and American Law*, (Smith & Carlos, Mexico), 1969, pp. 14-15.

to resolving minority problems, which was to officially recognize the existence of the African minority. The official task of the commission was to seek the reasons of civil disorder in general, without mentioning that the civil disorder came directly from the African minority as a result of the historical pattern of domestic colonization.

The 1970s through to the 1990s had witnessed a reversal of those limited concessions made by the United States during the 60s. This combined with the decline in United States economic power had led to even worse conditions for the African American national minority. The internationally recognized right of affirmative action and special measures is looked at in the United States as being something negative and politically debilitating. The second internationally recognized right of recognition remains legally unacceptable by the Anglo majority in the United States

There are many examples of special measures to be applied to the rights of national minorities in order to guarantee for them equal status with the rest of humanity. The essential factor in all of them is that the central government is obligated to provide these measures in order to promote the survival and equality of their minorities with the majority. Thus, the Article 27, in all its component principles aims at the survival of the national minority in an equal status relationship with the majority. This implies that they have the right of self-determination. This means that every national minority has the right as a group to create the conditions, by whatever means that would lead to their self-determination. This could entail voluntary assimilation into the dominant nation or political independence. It all depends upon the will of the minority. They have the right to the WILL TO POWER as does all groups. Rupert Emerson stated it quite succinctly when he said:

“The crux of the matter in a plural society is that it is not one people which are determining itself but two or more, and it should not be ignored that the United Nations Charter speaks in the same breath of self-determination and of equal rights of peoples. If they are actually to be equal, then the subordination of one to another is evidently ruled out. As the international system has been built on the doctrine of equality of states, so likewise nations may assert themselves as separate and ultimate entities which cannot legitimately be subjected to the actions of majorities which they regard as alien.”²⁰⁶

This simply means that every national minority whether members of a racial, linguistic or religious group in a unitary state can consider itself qualified as a nation, and accordingly, has the rightful claim to separate statehood in legitimate exercise of the right of self-determination. The support for this deductive reasoning is provided by the principles of Article 27 of the Universal Declaration on Human Rights.

One issue that must not go unmentioned is the fact that the United Nations is no longer under the influence of a bipolar international system. It is generally agreed that the international system is undergoing a sought of 'Pax Americana'. The United States is utilizing the United Nations to implement its program of 'democratizing' the planet. There is no longer a nation state with enough power like the former Soviet Union

²⁰⁶ Rupert Emerson, From Empire to Nation, (Garland Press, New York), 1963, p. 126.

neither to check America's ambitions nor to offer alternative solutions to that which the United States offers. It is for this reason that what happens in the United States could be the universal precedents for all nations. Since the United States is looked to as the normative example among industrialized states, therefore whatever happens to the national minorities in this country will determine what could happen for the rest of the world. Thus, it is incumbent at this juncture to stress the point that all national minorities in this country must utilize the most effective means possible of achieving equal status in the U.S. This means that the African minority, the Indian minority and the Hispanic minority must use the conduits of international law and the United Nations in demanding its internationally recognized rights of self-determination. This and this alone is the cutting edge of the struggle for human rights. The African American minority acceptance of inequality and enslavement has not only served as the human capital and original resource through which was brought into existence the world's greatest military, technological and social power, but it is also a chief cause of the United States being a nation that insists on the feasibility of using its power for the worldwide benefit of maintaining the Anglo-American ideology of 'white racism', oppression and exploitation of the non-European and non-Anglo-American world. The acceptance of this state of affairs by the African Americans in the United States is largely responsible for the racist distortion and delusions in American societal development. I fear the outcome when African American politicians who have sanctioned the domestic colonization of its people and who have become the world's example of the pure collaborator - when they go over to South Africa to assure the noble Azanian people that peaceful and democratic methods are the best solutions to resolve the complex problems facing South Africa. The United States holds these assimilated Black Anglos up as an example of what assimilation and non-violent resistance can produce.

c. COINTELPRO and the Destruction of the New Left

From 1946 to 1973 the U.S. government enacted a domestic 'counterintelligence program' (COINTELPRO) in order to neutralize political dissent among radical political organizations. Initially COINTELPRO was used by the NSA, the FBI and the CIA to disrupt and discredit Communist Party activities as well as radical anarchists.²⁰⁷ President Franklin D. Roosevelt authorized U.S. intelligence agencies to determine whether political dissent in the U.S. had connections with foreign governments. The FBI director J. Edgar Hoover, assuming that African American national minorities were incapable of developing a sustained liberation movement, concluded that the militant activities of W.E.B. DuBois, Marcus Garvey, Paul Robeson, Elijah Muhammad and their organizations were initiated and funded from abroad. Consequently, COINTELPRO activities were directed towards African American organizations to determine to what extent minority demands for justice and equality was being orchestrated from abroad.²⁰⁸

From 1960 to 63, with social unrest raging in many U.S. cities, and young African American leaders of the New Black Power movement increasingly turning to the voices of *al-Hajj* Malik El Shabazz and

²⁰⁷ Intelligence Activities and the Right of Americans: Book II, Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, April 26, 1976, p. 14.

²⁰⁸ Ibid., 7.

Robert Williams; the NSA, the FBI and the CIA then directed COINTELPRO activities towards the new militant African American national minority struggle. In other words the same dirty tricks the U.S. government used on African Americans during the beginning of the turn of the 20th century and during the 'Red scare'; they used during the 60s and 70s. Any cursory look at the Patriot Acts, S-1959, FISA, and every other subsequent fascist presidential decree, shows that COINTELPRO was resurrected and sectioned off to competing intelligence agencies under another name.

The 1976 intelligence hearing on COINTELPRO cited its new mandate in the following terms:

"From 1956 until 1960, the COINTELPRO program was primarily aimed at the Communist Party organization. But, in March 1960, participating FBI field offices were directed to make efforts to prevent Communist "infiltration" of "legitimate mass organizations, such as Parent-Teacher Associations, civil organizations, and racial and religious groups." The initial technique was to notify a leader of the organization, often by "anonymous communications," about the alleged Communist in its midst. In some cases, both the Communist *and* the "infiltrated" organization were targeted. This marked the beginning of the progression from targeting Communist Party members, to those allegedly under Communist "influence," to persons taking positions supported by the Communists. For example, in 1964 targets under the Communist Party COINTELPRO label included a group with some Communist participants urging increased employment of minorities and a non-Communist group in opposition to the House Committee on Un-American Activities. In 1961, a COINTELPRO operation was initiated against the Socialist Workers Party. The originating memorandum said it was not a "crash" program; and it was never given high priority. The SWP's support for "such causes as Castro's Cuba and integration problems arising in the South" were noted as factors in the FBI's decision to target the organization. The Bureau also relied upon its assessment that the SWP was "not just another socialist group but follows the revolutionary principles of Marx, Lenin, and Engels as interpreted by Leon Trotsky" and that it was "in frequent contact with international Trotskyite groups stopping short of open and direct contact with these groups. The SWP had been designated as "subversive" on the "Attorney General's list" since the 1940s. Beginning in the mid-sixties, the United States experienced a period of domestic unrest and protest unparalleled in this century. Violence erupted in the poverty-stricken urban ghettos, and opposition to American intervention in Vietnam produced massive demonstrations. A small minority deliberately used violence as a method for achieving political goals -- ranging from the brutal murder and intimidation of black Americans in parts of the South to the terrorist bombing of office buildings and government-supported university facilities. But three Presidential commissions found that the larger outbreaks of violence in the ghettos and on the campuses were most often spontaneous reactions to events in a climate of social tension and upheaval. During this period, thousands of young Americans and members of racial minorities came to believe in civil disobedience as a vehicle for protest and dissent. The government could have set an example for the nation's citizens and prevented spiraling lawlessness by respecting the law as it took steps, to predict or prevent violence. But agencies of the United States, sometimes abetted by public opinion and government officials, all too often disregarded the Constitutional rights of Americans in their conduct of domestic intelligence operations."²⁰⁹

The years of 1967-68 were the most volatile years for the U.S.'s African American national minorities. These were the years when the U.S. was violating every international resolution in its execution of the war in Vietnam, Laos and Cambodia. African Americans and young whites were involved in violent protest against the war. The U.S. was at an all new low with regard to its domestic and foreign policies; and those who man the gates had gone ape wild. Increasingly Ho Chi Minh was looking like an ancient sage, a hero and martyr; and the U.S. resembled a demon rogue nation.

With the passing of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, Rev. Martin Luther King turned his attention to the racial discrimination in housing, unemployment and poverty among African Americans in northern cities of the U.S. This 'War on Poverty' which had the explicit support of the

²⁰⁹ Ibid.,18-19.

U.S. government attempted to address racial discrimination throughout the country. However, with the escalation of the war in Vietnam, this brought the so-called war on poverty to an abrupt end, causing King to openly criticize the U.S. governments' real objectives. His famous 1968 speech: *Why I Oppose the War in Vietnam* defined the U.S. as the greatest purveyor of violence in the world and reflected a more internationalist approach which was in line with the increasingly militant stance of his young supporters. The response of the U.S. government towards King was typical and he began to lose the support of many U.S. senators and congressional leaders. On April 4, 1968 Rev. Martin Luther King was assassinated by a white American, James Earl Ray and other accomplices, leading to a massive wave of riots by African Americans across the country. Internationally, the African American national minorities won the sympathy and support of emerging nations around the world. Egypt, Algeria, Cuba, India, Ethiopia, Ghana, Mali, Guinea Conakry, the People's Republic of China and other emerging Third World nations began to openly declare their support for the struggle for freedom in the U.S. by the African American/Muslim national minorities. Chairman Mao Zedong said in his speech entitled: Support of the Afro American Struggle against Violent Repression:

"The Afro-American struggle is not only a struggle waged by the exploited and oppressed Black people for freedom and emancipation, it is also a new clarion call to all the exploited and oppressed people of the United States to fight against the barbarous rule of the monopoly capitalist class. It is a tremendous aid and inspiration to the struggle of the people throughout the world against U.S. imperialism and to the struggle of the Vietnamese people against U.S. imperialism. On behalf of the Chinese people, I hereby express resolute support for the just struggle of the Black people in the United States."²¹⁰

What this meant is that unitary states were then (and still are) willing to support the African American/Muslim national minorities in their struggle for self determination. With social unrest striking all the major cities, increased poverty and the unpopular war in Vietnam, the U.S. feared the possibility of states like the PRC assisting the African American struggle for self determination.²¹¹ In fact, Robert Williams, Huey P. Newton and Bobby Seal openly discussed the possibility of African American freedom fighters getting military training in the P.R.C. Thus, the U.S. saw the need to normalize relationship with China in order to preempt the possibility of the African American national minorities obtaining this kind of support. While COINTELPRO was actively deployed in the U.S., efforts were made by Henry Kissinger to open a new chapter between the P.R.C. and the U.S. The stated reason for this was in order to enlist China's assistance in the U.S.'s gradual pull out of Vietnam and to help contain the USSR. The real objective was to get the P.R.C to agree not to meddle in the internal affairs of the U.S. and to accept the 'status quo' of the U.S. internal domestic social structure. From 1972 until 1978 the U.S. engaged the P.R.C. in intense meetings in order to get the Chinese to back down from any support for the self determination of any national minorities in the U.S. on the agreement that the U.S. would withdraw its troops from Taiwan, cut diplomatic ties with Taiwan and cancel the Mutual Defense Treaty between the U.S. and Taiwan.²¹²

²¹⁰ Muhammad Shareef, "An Open Letter to the People's Republic of China", www.siiasi.org, (SIIASI, Yanqing, 2009), p. 2.

²¹¹ Ibid.

²¹² The fact that Obama violated these agreements back in 2010, and again last year with its symbolic sale of 'defensive' weapons to Taiwan; indicates that the U.S. ambitions in the south Pacific is to contain and then degrade China's political, economic and military objectives.

While the U.S. was negotiating with the P.R.C., the government under COINTELPRO was actively eliminating and disrupting all African American, Spanish, Indian and dissident groups that the P.R.C. could engage with and support if they chose to. The traditional Sino approach to this kind of belligerent behavior is to determine if there is a 'taiwan' problem in the U.S., and to exploit it. Once the U.S. administration was briefed by NSA that this was a conceivable and likely strategy; African American military intelligence officers were deployed through COINTELPRO to target individuals "identified not as criminals or criminal suspects, but as "rabble rousers," "agitators," "key activists," or "key black extremists" because of their militant rhetoric and group leadership"²¹³

From 1964 to 1972, the NSA expanded its telecommunication monitoring to target African American domestic dissent. The CIA expanded its mail opening activities as requested by the FBI. The IRS was also employed to audit the taxes of politically active groups and individuals. It was the FBI which initiated more intrusive techniques such as electronic surveillance, infiltration, police informants, 'Black' listening posts, slander, defamation, lies, illegal arrest and assassinations. The stated strategy of COINTELPRO against African American national minorities was: "to expose, disrupt, misdirect, or otherwise neutralize such groups and their leadership, spokesmen, members, and supporters". The larger objectives as stated in FBI records were to counter their propensity for violence and frustrate their efforts to consolidate their forces or to recruit new or youthful adherents. Field officers were instructed to exploit conflicts within and between groups; to use news media contacts to ridicule and otherwise discredit groups, to prevent rabble rousers from spreading their philosophy publically and to gather information on the unsavory backgrounds of group leaders."²¹⁴

The overall objective was to keep the African American national minority from forming themselves into a united front and taking their case beyond the confines of U.S. domestic law into the realm of international human rights LAW. This tactic would have called into question the U.S.'s leadership in the world. Al-Hajj Malik El Shabazz cited this fear on the part of the power structure of the U.S. at a press conference in Paris where he stated that the U.S. is:

"...absolutely against the successful regrouping or organizing of any faction in this country whose thought or thinking pattern is international rather than national. There is a worldwide revolution going on. It goes beyond Mississippi. It goes beyond Alabama. It goes beyond Harlem. What is it revolting against? The Power Structure! The American power structure? No. The French power structure? No. The English power structure? No. Then what power structure? An international western power structure!"

Al-Hajj Malik El Shabazz clearly tried to show the interconnectedness of the struggles all over the world and that in order for the African American to attain his just freedoms and human rights they would have to see their struggle in the light of the international struggle against global imperialism. For this reason he sought the assistance of African and Asian nations in providing political, economic, educational and spiritual assistance for the entire African American community. This is what induced him to formulate the

²¹³ Ibid.

²¹⁴ Ibid., 26. The irony is that Edward Snowden as a contract worker for the NSA, has revealed that he was responsible for retrieving, storing, analyzing the same data and distributing it to his superiors.

OAAU; and after his assassination, he was followed in this by a vast majority of the young African American students and activists.

On his last trip to Africa and the Middle East, al-Hajj Malik El Shabazz was able to obtain several seats for scholarship to study at the ancient al-Azhar University in Cairo. Among the first of the African Americans to qualify for a scholarship was Ahmad Tawfiq who began his studies in September of 1964.²¹⁵ On his return he formulated the Mosque of the Islamic Brotherhood (MIB) made up of some of the former members of the Muslim Mosque Inc. and the OAAU. *Imam* Tawfiq was born in Newberry, South Carolina in 1936 and during the great migration north, his family moved to New York City in 1942. Like most African Americans fleeing southern racism, Tawfiq's parents hoped to improve the chances of their children in the north. In 1964 Tawfiq joined the Muslim Mosque, Inc. and due to his personal discipline, al-Hajj Malik El Shabazz chose him to be one of the recipients of the several scholarships at al-Azhar. It was during his studies in al-Azhar that al-Hajj Malik El Shabazz was assassinated and there was a break up and reorganization of the OAAU and the Muslim Mosque, Inc.

On his return from Egypt, *Imam* Tawfiq formulated the Mosque of Islamic Brotherhood, influenced in part by some of his teachers in al-Azhar who were members of the Ikhwan al-Muslimeen and disciples of Hassan al-Banna and Sayyid Qutb.²¹⁶ In fact some of al-Hajj Malik El Shabazz's closest associates in Egypt were prominent members of the Ikhwan, such as the father of Dr. Tariq Ramadan.²¹⁷ In addition to teaching, *Imam* Tawfiq established the *Western Sunrise* newspaper, which had a wide readership throughout the nation among African American *Sunni* communities.²¹⁸ Although *Imam* Ahmad Tawfiq was one of the religious lion cubs of al-Hajj Malik El Shabazz, he did not follow the same political trajectory of his leader. I will return to discussing the influence of *Imam* Tawfiq when discussing the influence of COINTELPRO upon African American organizations.

Another group considered the lion cubs of al-Hajj Malik El Shabazz was the Dar'l-Islam Movement which took its genesis from the Islamic Mission to America, led by *Sheikh* Dawood Ahmed Faisal out of the State Street *Masjid* in New York.²¹⁹ The Dar'l-Islam Movement first started around 1964 and had distinct political leanings which combined Islamic spirituality with the kind of grassroots community actions of the pan African organizations in urban America. Some of its most prominent members were two of the founding

²¹⁵ *Imam* Talib Abdur Rashid, *The Sunni Islamic Training and Mission of el-Hajj Malik El Shabazz/Malcolm X*, unpublished paper, 2007, p. 4.

²¹⁶ "Shaykh Allama al-Hajj K. Ahmad Tawfiq"; www.mib.org.

²¹⁷ In 1999, while in Leicester, U.K., I had the chance to sit and talk at length with Dr. Tariq Ramadan about the relationship between his father and al-Hajj Malik El Shabazz. Dr. Ramadan informed me that on many occasions they would talk about the problems of the African American national minorities. He told me that there were several extant letters of exchange between al-Hajj Malik el Shabazz and his father. These letters, if and when, Dr. Ramadan, feel it right to expose them to public scrutiny, will not doubt give a deeper insight into the international perspective of al-Hajj Malik El Shabazz as well as the views that international Muslim organizations, such as the Ikhwan al-Muslimeen had regarding the African American struggle for freedom.

²¹⁸ Other than the many informal conversations I had with my friend and comrade, the present leader of the MIB, *Imam* Talib Abd'-Rashid; most information I received about *Imam* Ahmad Tawfiq were from extensive conversations I had with one of his closest friends, *Imam* Muttawaf Shaheed of the Islamic Revivalist Movement in Cleveland Ohio. He and one his assistance, *Imam* Yasin outlined the connections between the Black nationalist movement and the African American *Sunni* Muslim communities throughout the east coast of the U.S..

²¹⁹ *Sheikh* Faisal traced the formation of his mosque directly to the Shaykh al-Islam of America Muhammad Satti Majid and his work throughout the east coast industrial cities of the U.S.

members of the Last Poets – Suleiman al-Hadi and Jalaludin Mansour. The Dar’l-Islam broke up in 1965 and then was reorganized again in 1967 under the leadership of *Imam* Yahya Abdul-Kareem. They founded a new center in Brooklyn, New York called *Yaasin Masjid*. It was from this center that the Dar’l-Islam began to actively seek out confederations across the eastern with other African American Muslims in Baltimore, Cleveland, Philadelphia, Atlanta, Chicago and Detroit.²²⁰ One of the founding members of MANA, my colleague *Imam* Mukhtar Curtis informs us that the Dar’l-Islam Movement was exclusivist designed to cater to the needs of the African American Muslim national minorities first and foremost.²²¹ *Imam* Yahya developed a national *Sunni* Muslim community which attempted to create a distinct identity for the African American Muslim national minority. This action was in accord with the legal objectives of every UN resolution passed regarding the rights of national minorities. The United States response to this trajectory of the Dar’l-Islam movement will be examined later.

In 1965, a young 17 year old jazz musician by the name of Cornelius Washington accepted Islam and soon changed his name to Yusuf Muzaffaruddin Hamid. From 1965 to 1969 Muzaffaruddin traveled throughout the Middle East, African and Asia. Like many African American men opposed to the war in Vietnam, Muzaffarudin left the country in order to avoid the draft. During his stay in Pakistan he met and became a disciple of Maulana Mawdudi, to whom he narrated the plight of African Americans in the U.S.²²² On his return, he along with other African Americans established the ‘Community Mosque’. He soon set out to Akron, Pittsburgh, Atlanta, Chicago and New York in order to organize the African American Sunni Muslim communities into a ‘Federation of Muslim Communities.’ By 1971, Muzaffarudin helped establish the Islamic Party of North America and produced a bi-monthly journal called: *Al-Islam: the Islamic Movement Journal*. The Islamic Party attracted African American activists such as Khalid Griggs, *Imam* Talib of Pittsburgh, Amir al-Islam, and others who implemented similar programs of the Black Panther Party in the D.C. area, but from an Islamic perspective. The organization had one of the most developed Islamic and Afro-centric bookstores in the D.C. area. The Islamic Party was an attempt by African Sunni American Muslims to organize themselves into an internationally recognize organization. By the late 70s the Islamic Party had garnered the financial support of nations such as the Libyan Jamhuriyya. Muzaffaruddin along with many of his top lieutenants were forced out of the U.S. into Trinidad. Again, we have African American Muslim national minorities organizing themselves, defining their uniqueness and working to maintain a sense of autonomy, if only religious. Once Mazaffaruddin gained the support of a sovereign state and his community crossed international borders the Islamic Party of North America became an international institution. The next step would have been to register their status at the United Nations. I often wondered if *Imam* Muzaffaruddin considered this as a viable option.

²²⁰ Gutbi Mahdi Ahmed, "Muslim Organizations in the United States," *The Muslims of America*, (New York: Oxford University Press, 1991), p. 20.

²²¹ R.M. Mukhtar Curtis, "Urban Muslims: The Formation of the Dar ul-Islam Movement," in *Muslim Communities in North America* (Albany, NY: SUNY Press, Yvonne Yazbeck Haddad & Jane I. Smith eds., 1994).

²²² Najeeb Abdul Haqq, "The Islamic Party: Homegrown Islamic Movement in America", public speech, February 10, 2008.

The Dar’l-Islam attempt to create a distinct African American Islamic identity; the IRM’s attempt to petition the UN; and the Islamic Party’s attempt to network Muslims of African descent across continental America indicate that the African American Muslim generally acted as a distinct religious, ethnic and cultural national minority as delineated in international law. Subsequently, each of these indigenous African American Muslim groups came under intensive scrutiny from the state department under the guise of COINTELPRO; and like the Black Nationalist and Civil Rights organizations; they too were the targets of infiltration, agent provocateurs and informants which resulted in the same internecine warfare.²²³ It is in this light that the breakup and splits which beset these organizations between 1976 and 1978 should be assessed. It was the potential threat which the U.S. perceived in the possible confederations of indigenous African American Muslim that led to their infiltration and disruption.

In 1970 in Atlanta Georgia, the famous Black Nationalist Conference was held, where the NOI took the lead in calling the African American nation to independence. African American organizations expressed the need to set aside their differences and work together for the advantage of the entire race under a Black United Front. In 1973 in Lucasville Ohio, a group of African American Muslims calling themselves ‘the Servants of Allah’ led by the Islamic Revivalist Movement of Cleveland directly petitioned the World Court at the Hague in the Netherlands regarding the systemic discrimination and repression of African American Muslims in Ohio state penitentiaries. It stated:

“We, the Sunni (Orthodox) Muslims here in North America, i.e., the United States of America, are bringing formal charges against the Government. We will prove beyond any and all reasonable doubt as to these charges as true and that this Government of the United States of America are guilty of these said charges and in particular this arm of said government, that we as Sunni (Orthodox) Muslims are now in custody of the United States Government, alleged to be criminals against this so-called free society. We, as Sunni (Orthodox) Muslims, chose the religion of Islam as our right way of life and endeavored to fulfill this choice, but we are unable to do so because this government chooses to deny us our human rights.”²²⁴

What is significant about this period is that Islam became the religion of choice for a growing number of African Americans due to the work of al-Hajj Malik El Shabazz; and following his example, many of these African American Muslim communities saw the need to take their struggle out of the context of civil rights and place it under the international paradigm of human rights. As African American national minorities increased their demands at the international level, the United States amplified its domestic counter intelligence programs against African American Muslims, Black Nationalist organizations and the

²²³ The rarely discussed violence between the Dar’l-Islam, the Mosque of Islamic Brotherhood and the Islamic Party were direct results of COINTELPRO operations to ferment internecine war between African American Sunni organizations and to prevent them from confederating and formulating a united front. The creation of fictitious organizations in 1970 such as the chameleon like morphing of the Dwight York’s Islamic Hebrew Israelites, to the Ansarullah, to the Naubawian, to the Prince Hall Masons and to pagan Kemitology indicates the extent that the U.S. government would go to impede the development of its national minorities. The written testimony of former New York City mayor Koch at Dwight York’s trial is a clear indication of who was behind the chimerical rise of *Imam* Isa, aka Dr. Malachi York, aka night club singer and recording studio executive. By 1978 all of the authentic African American Muslim organizations had become the target of an NSA program possibly connected to *National Security Council Memorandum-46*, where the previous spiritual, religious, cultural and political direction of these organizations were redirected away from the vital interest of the African American Muslim national minority. The Dar under *Imam* Yahya in particular was completely altered after the break up led by the Pakistani Shaykh Gilani to meet the needs of the US State Department in Pakistan and Afghanistan. They had been transformed overnight into one of many conduits through which the NSA was able to win the cold war by inducing Islamic resurgent energies against Soviet interest in the Middle East..

²²⁴ The Islamic Revivalist Movement, “UN Petition of the Servants of Allah”, Hague, Netherlands, 1973, p. 4.

New Left. The 1976 Senate Hearing outlined the various techniques used by the government to break up and disrupt targeted organizations:

“Their techniques ranged from anonymously mailing reprints of newspaper and magazine articles (sometimes Bureau-authored or planted) to group members or supporters to convince them of the error of their ways, to mailing anonymous letters to a member's spouse accusing the target of infidelity ; from using informants to raise controversial issues at meetings in order to cause dissent, to the "snitch jacket" (falsely labeling a group member as an informant) and encouraging street warfare between violent groups; from contacting members of a "legitimate group to expose the alleged subversive background of a fellow member to contacting an employer to get a target fired; from attempting to arrange for reporters to interview targets with planted questions, to trying to stop targets from speaking at all; from notifying state and local authorities of a target's criminal law violations, to using the IRS to audit a professor, not just to collect any taxes owing, but to distract him from his political activities.”²²⁵

By this time rivalry not only prevailed between organizations, but there was also internal rivalry between Oakland California factions of the Black Panther Party and those in New York City. After the assassination of al-Hajj Malik El Shabazz, the NOI had been thoroughly infiltrated by the Black Mafia who had taken control of the narcotic trade in Philadelphia, New Jersey, and Boston. Most of the Temples on the east coast that were a part of the lucrative fish market business networks had members of the Black Mafia members. I recall as a youth when I would view the Saviors Day dinners at Salaam Restaurant and how a large number of diners were dressed with minks, chillas and ‘mack’ gear, like it was a night at ‘the Pimps Ball’. The way some of the Muslims were dressed reminded me of the comical pimps of Gerald 2X cartoons I was so fond of reading in the weekly *Muhammad Speaks* newspaper.

In 1973 in San Francisco a cadre of N.O.I. associates calling themselves ‘Death Angels’ began a killing spree across the Bay Area; later dubbed ‘the Zebra Killings’. These murders were committed mainly in retaliation of the police shooting and murder of a prominent F.O.I. leader; yet there was a clear connection between these serial murders and the transfer of east coast N.O.I. leadership from the east coast to the west. Many N.O.I. members who were actively involved in the assassination of al-Hajj Malik El Shabazz as well as members of the New Jersey Black Mafia were relocated and appointed over many mosques in California. This afforded the FBI ready access to informants who had worked with them in New Jersey and New York in the N.O.I. It is fair to say that most of the organizations of the New Left had been infiltrated and compromised with agent provocateurs.

In spite of these covert actions by the government, increasingly Islam became the choice of a growing number of African American people. African Americans flew to Islam like birds released from captivity. There was a surge of Islamic conversion or reversion during this period where most of the leaders of the Black Nationalist movements had either openly converted to Islam or had accepted names which reflected Islamic influence. These men and women became in effect the direct spiritual children of al-Hajj Malik El Shabazz. Regardless of the religious affiliations or the lack thereof from young African American activists, the fact that Malcolm X was Muslim had a major impact on the future Islam was to play on the Black Nationalist movements. *Al-Hajj* Malik El Shabazz’s technique in proselytizing was not to call the African American directly to Islam. He himself set the example as a model of the revolutionary Muslim leader; and

²²⁵ Intelligence Activities and the Right of Americans, p. 4.

the people themselves chose Islam based upon his example. Everyone knew of his checkered past as an ex-convict and criminal and how the discipline of Islam transformed him into one of the most courageous and feared African American leaders in the history of the U.S. It was this example which induced African Americans (and some whites) to enter into the fold of Islam.²²⁶

c) **The ‘Revolution’ to End All Revolutions**

Increasingly, Islam became the spiritual choice of a growing number of African American activists. This choice no doubt would alter the quality of social transformation which African Americans desired for the U.S. To African Americans there was a clear distinction between the aims and objectives of African Muslim social transformation and that of the cultural nationalists and socialists.²²⁷ This spiritual, ethical and moral distinction between African American Muslims and their non Muslim ‘revolutionaries’ will be made clear between the years of 1972 and 1974.

It was during this period that the CIA and FBI developed a unique technique of disruption called the *fictitious organization*.²²⁸ This entailed the conception of false organizations with the same declared aims as the target organization in order to misdirect and ridicule the group in the eyes of the public. One of these fictitious groups that literally deconstructed the New Left was the Symbionese Liberation Army. Admittedly, one of the most bizarre actions taken by the U.S. government against the Black Power, Islamic movements and what became known as the New Left was what it initiated in 1973 in order to completely eliminate the New Left and discredit them with the American masses. Using psychological and pharmaceutical behavioral modification techniques, the U.S. government manufactured their own ‘revolutionaries’, the Symbionese Liberation Army (SLM), in order to have a weapon to destroy the social revolutions ignited at home and abroad. I will discuss this at length because this is the same technique utilized by the U.S. in the creation of today’s *al-qaeda* and ISIL. The means by which the U.S. government manufactured the SLM inside of the penitentiaries is the same method utilized to concoct today’s Muslim terrorists. A close look at the development of the leader of the SLM gives clear evidence to the development of Abu Bakr al-Baghdadi’s character while in secrete U.S. detention. Contracted psychiatrist of U.S. military prisons in Iraq and

²²⁶ In a private conversation with Dr. Umar Abdallah of Michigan, he informed me that it was his reading of the Autobiography of Malcolm X which was the main motive for his acceptance of Islam.

²²⁷ A perfect example of this was what Dr. Yusef N. Kly informed me about in Algeria where several Black Panther members sort political asylum. Among them was Eldridge Cleaver, the Minister of Information for the Black Panther Party. Initially, the Algerian government showed full support for these political asylum seekers by turning over the control of the U.S. Embassy in Algeria to the Black Panther Party. Dr. Kly, who was present in Algeria at the time told me that the problem began when many members of the Black Panther Party in Algeria failed to recognize or respect the Islamic values of the Algerian society. Many of these Black Panther Party members held up in the U.S. Embassy, while expressing political revolutionary ideals, did not exhibit personal spiritual, ethical or moral revolutionary principles. They were still addicted to the same vices such a fornication, drinking, smoking and partying which was the norm of 1968 young African American experience. Within a short time, a conflict emerged between the personal moral proclivities of these African American political asylum seekers and the Algerian authorities. For a short time the U.S. Embassy in Algeria became a place where wild parties, alcohol and revelries were common place. Rather than demonstrating to the new revolutionary government of Algeria, that African American freedom fighters were politically mature enough to represent their people’s right of self determination; these ‘Black revolutionaries’ resorted to the same partying, drinking and nonsense which contributed to social delinquency characteristic of that period.

²²⁸ United States Senate, “Supplementary Detailed Staff Reports on Intelligence Activities and the Rights of Americans”, Book III, Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, April 23, 1976, pp. 126-127.

Afghanistan openly admit that it was the atrocities of these prisons which forged the leadership of what became the ISIL.

In 1967 to 1969, an African American pimp and petty criminal by the name of Donald David DeFreeze originally from Cleveland Ohio, was deployed by the LAPD as an informant in Los Angeles and worked closely for some time with the agent provocateur Ron Karenga of the United Slaves Organization before being rebuffed by him for his lack of commitment to 'black culture.'²²⁹ It was during this period that the LAPD began supplying weapons to black agents such as US organization to assassinate members of the Black Panther Party. This tactic was known in COINTELPRO as "*encouraging violence between rival groups*."²³⁰ DeFreeze was in the middle of it as a police informant selling stolen weapons to rival street gangs and black nationalists groups.²³¹ According to many former F.O.I of Los Angeles Temple # 27, DeFreeze actually attended a Nation of Islam meeting and for the first time in his life had a genuine religious experience. He met Capt. Rashid Ali, a well decorated former U.S. marine officer, and now west coast regional captain of the Fruit of Islam in L.A. He was one of al-Hajj Malik El Shabazz's closest comrades in southern California. Everyone who had the pleasure of knowing him agreed that he was positively infectious and a born leader. My father, a former F.O.I. lieutenant, has always maintained the highest love and admiration for Capt. Ali. The positive impact that Capt. Rashid Ali and his well disciplined cadre of F.O.I had on Donald DeFreeze was deep and that Sunday afternoon DeFreeze seriously considered 'waking up, standing up and cleaning up' and walking away from a life of being a police informant, a wannabe pimp, peddling stolen weapons and destroying his people. DeFreeze was not the first repeat offender, ex felon, pimp, drug dealer, or gang leader who walked through the doors of Temple 27 and came out a different person.

According to LAPD records, DeFreeze had 'an attack of conscience' and wanted to quit being a police informant. He envisioned his estranged wife and children joining him in L.A. and living a real life together.²³² How many police informants did the LAPD send to infiltrate Temple 27 that were not turned by Capt. Ali and Min. Abd'l-Karim Hassan? The LAPD were infuriated with DeFreeze that he too, a petty criminal, sex offender would be turned by the N.O.I. They emphatically rebuffed him and decided to 'cut him loose', which meant that he no longer had any police immunity. Within days he was set up by a

²²⁹ Leean Malkki, "Survival on a Shoestring: the Symbionese Liberation Army Revisited", *Critical Studies on Terrorism*, Vol. 3, No. 2, August 2010, pp. 315; and Mae Brussell, "Why Was Patricia Hearst Kidnapped?", *The Realist*, 1974, p. 6.

²³⁰ Intelligence Activities and the Right of Americans, p. 21. This tactic entailed FBI agents and informants spreading lies, threats or disparaging remarks between groups prone to violence in order to capitalize on hostility between groups. This tactic worked well in the conflicts between the Black Panther Party and the United Slaves Inc., as well as the Darul Islam Movement and the Mosque of the Islamic Brotherhood. In Chicago where the Black Panther Party was attempting to recruit Jeff Ford, the leader of the Black P Stone Nation, to its ranks, the FBI sent out letters claiming that members of the BBP leadership were threatening him. Again in the FBI initiated 'Weed and Seed' program, the government re-fomented violence between the Crips and Bloods after their truce during the 1992 L.A. riots. Today, the NSA, the CIA and the DOD use the same tactic in fomenting violence between *jihadi* groups in Afghanistan, Somalia, Iraq, Pakistan, Indonesia, Syria and Libya; where fictitious *fatwas* and edicts are spread making *takfir* of rival groups.

²³¹ Gregory G. Cumming, *The End of An Era: the Rise of the Symbionese Liberation Army and Fall of the New Left*, unpublished PhD dissertation, University of California, Riverside, p. 36. It was during this period that a change took place in L.A. street gang culture where before gang fights were settled with fists, canes, clubs and knives; in the late 60s hand guns and shot guns were introduced into this culture by individual such as DeFreeze and other police informants.

²³² Ibid., p. 33.

‘prostitute’ and charged with armed robbery. Little did he know that the LAPD determined that he knew too much and it was in their best interest to get him off of the street and deprogrammed.

At his court arraignment DeFreeze presented the Judge with a letter of confession telling him everything that he was paid to do for the LAPD; but the Judge did not want to hear it.²³³ The District Attorney’s office asked the courts to give DeFreeze 5 to 15 years in prison, with initial psychiatric assessment first at Chino and then at the infamous ‘Monster Factory’ CMF Vacaville prison. DeFreeze ended back in CDC under intensive psychiatric testing and evaluation.²³⁴ At this prison psychiatrists such as Dr. Fredric Hacker were assigned to DeFreeze, and immediately connected him with an African American professor, Dr. Colston Westbrook who was running the Black Cultural Association at the Vacaville prison. Westbrook, who spoke several languages, was an alleged intelligence officer in Vietnam trained in psychological warfare. The BCA was a front for recruiting hardened African American criminals as counterintelligence agents against radical black nationalists, Muslims and antiwar activists in California.²³⁵

It is not surprising that it was during this period that many leaders of the radical African American groups were assassinated, arrested, exiled or marginalized. Freedom fighters such as George Jackson, Bunchy Carter, Fred Hampton, Chaka Fuller, John Higgins, Carl Hampton, Babatunde Omawali, and others were targeted and assassinated by FBI, police and agent provocateurs. Others like Sekou Odinga, *Imam* Jamil al-Amin, Sundiata Acoli, Jihad Abd’l-Mumit, Dr. Mutulu Shakur, Assata Shakur, Mumia Jamal, Geronimo Pratt were set up, shot, arrested, beat and tortured. Some were eventually freed, some were liberated and others remain behind the walls of the penal colonies. To date there are more than eight hundred African American and Puerto Rican political prisoners of war who were captured during the COINTELPRO period; and their status as POWs have been consistently denied them – a violation of internationally recognized standards and because of its duration, - constitutes a war crime.

In the CMF Vacaville authorities utilized the BCA as a form of ‘behavior therapy’ program.²³⁶ The U.S. government was interested in knowing how ‘revolutionaries’ and ‘dissidents’ are produced. The DOD wanted to apply this study in the counterinsurgency units in Vietnam. Dr. Colston Westbrook with his expertise in military intelligence and psychological warfare was brought in and through the BCA initiated

²³³ Ibid., p. 24.

²³⁴ Mae Brussell, p. 6.

²³⁵ The BCA was the brainchild of African American academics associated with Ron Karenga, such as Westbrook and other Black intellectuals in California universities. These were the kind of scholars who were to lay the foundation for what would later become the Black Studies movement. These intellectuals saw themselves as vanguards of the African American struggle and had nothing but disdain for grassroots organizations such as the N.O.I. and the Black Panther Party. They argued that there needs to be a cultural revolution among African Americans connecting them back to their ancient past. They referred to themselves as ‘cultural nationalists’, in order to distinguish themselves from black revolutionary nationalists. They viewed Islam, Marxism and Communism as foreign impositions upon the conscious of Black People. Thus, there was a coordinated effort to thwart the impact and influence of the Black Muslims and the Black Panther Party on California university campuses, from San Diego to the Bay Area. Because the cultural nationalists were well connected to academia, they had direct access to the many grants established by wealthy white liberal Californians. Thus, Ron Karenga, Colston Westbrook and others were able to develop well funded programs on university campuses, in local jails, prisons and other California social services with the aim of countering the grassroots impact of the Black Panther Party and the N.O.I. It is without doubt that some of this fiscal support came surreptitiously from the CIA, and the FBI. As we say in the hood: ‘These brothers were paid!’ Taken the acronym US they basically told the world that they belonged to the U.S., and they did. They learned quickly that they lacked the strength and numbers to come up against the N.O.I., so they set their sights on an easier target – the L.A. chapter of the Black Panther Party.

²³⁶ Rona M. Fields, “The Neurobiological Consequences of Psychological Torture”, p. 2

the program of 'cultural revolution' which Ron Karenga and other pundits of the emerging 'black studies' program espoused. Dr. Hacker a specialist in the psychology of terrorism provided briefings for the Bay Area police, the courts and his employer, the CDC. Impressionable upper middle class white 'hippie' volunteers were brought in to BCA meetings. It was Westbrook who screened selected and vetted these 'volunteers'. The CDC was able to see how dissident elements in the inmate population could develop. CMF Vacaville prison provided the ideal laboratory. The U.S. State Department had two purposes for this experiment: [1] to develop a working profile of how revolutionary, dissident, criminal groups coalesce and develop in order to preempt them from emerging; and [2] create a fictitious revolutionary group designed to demoralize, disrupt and destroy all genuine social protest and draw public and international denunciation and ridicule on their 'revolutionary' activities. These kinds of tactics were used regularly by SOG operations in Laos and Cambodia and the government wanted to see if these same tactics could be deployed to suppress and stop social unrest in the U.S. Such tactics became standard procedure under COINTELPRO.²³⁷

Psychologically, DeFreeze was basically a wannabe pimp and sexual predator; and his psychiatrist manipulated him through his weaknesses. DeFreeze was not a connoisseur Black African culture, but of women. Thus, Colston Westbrook got young white and black female students from the Bay Area and Sacramento area colleges to volunteer to work in the BCA. Westbrook made sure that the women volunteers outnumbered the men, were pretty and young. He also convinced some of the inmates that through the use of behavioral modification drugs inmates could master their circumstances and become the kind of leaders needed for the Black revolution. The white volunteers were told that in order to be truly committed to the work of the BCA, they would have to learn to accept and yield to Black leadership of the revolution. They were told this was important in order to rebuild the self esteem of the inmate. Thus, young impressionable white hippies were made to believe that these Black inmate leaders were POWs and political prisoners; and that yielding to them was a way of helping them regain their humanity.

As you can imagine by July 1970 DeFreeze actually volunteered for 'medical research' connected to the BCA program.²³⁸ In closed sessions the Watch Officers and COs were told to look the other way as DeFreeze clearly developed close ties with some of the female volunteers. Nothing was done by the psychiatrist involved to modify DeFreeze's libido. In fact, the psychiatrists stimulated DeFreeze's proclivities. For two years Dr. Hacker, a host of other 'psychiatrists' and 'visitors' vetted DeFreeze, and placed him under enhanced behavior modification sessions using Mescaline, Quaaludes, and Artane

²³⁷ Select Committee to Study Governmental Operations, "Supplementary Detailed Staff Reports On Intelligence Activities and the Rights of Americans", Book III, Final Report, April 23, 1976, p. 56. The U.S. Senate reported that the FBI developed three types of fictitious or 'notional' organizations designed to disrupt Black organizations in the U.S.: [1] were organizations whose members were all FBI informants; [2] organizations with some unsuspecting non-informant members; and [3] organizations "with no actual members" but with an address for mailing seditious and divisive letters to undermine and challenge existing leftist organizations. This tactic has been reinvigorated in the 'war on terror' under the Patriot Acts, FISA and other unconstitutional acts to undermine the resurgence of Islam in the U.S. It is important for Muslim activists and leaders in the U.S. to carefully study the 1976 Senate Hearings on COINTELPRO because the same tactics utilized by the NSA, the CIA and FBI then are being utilized now in the 'war on terror'.

²³⁸ Mae Brussell, "SLA is CIA", *The Realist*, 1974, p. 1.

designed to turn him into a better person – a ‘revolutionary’.²³⁹ Westbrook created the environment through the BCA for DeFreeze to ‘develop his latent leadership qualities’. DeFreeze, and others such as Thero Wheeler, were allowed to meet with serious black nationalists and ‘shot callers’ inside the penal system, in order to earn ‘street cred’. It was at this time that his handlers gave him the name ‘Cinque’ after the captured African who led a nearly successful mutiny and revolt on the Amistad slave ship. The BCA working closely with Ron Karenga’s US and some of his colleagues at San Francisco State University developed a bibliography of books to be read by inmates and volunteers, with free open discussions. Karenga’s supporters in the program used the BCA to continue the United Slaves’ criticism of the Black Panther Party and other African American leaders. In fact Westbrook used the BCA format to criticize everything. Nothing was taboo, because they were trying to create the ultimate hardcore ‘revolutionary cadre’. Inmates were encouraged by Westbrook to openly discuss ‘offing’ certain leaders of the Black movement who they felt were not ‘revolutionary’ enough. The BCA deconstructed the N.O.I., the Black Panther Party, and every other group who were not willing to ‘take the revolution to the street’. The BCA carefully cultivated hatred and violence towards those their ‘black studies’ program deemed ‘uncle tom’.

Once women were brought into the BCA meetings the inmates started infighting over who should be the leader. This way the CMF psychiatrists were able to induce the alfa dog syndrome among the male inmate participants. As a behavioral study the psychiatrists allowed DeFreeze, now renamed Cinque to head a new wing of the BCA called Unisight; and of course all the white female and male volunteers joined DeFreeze. He was not talking about a Black cultural revolution, which was the theme of the BCA. He was talking about a revolution that involved all people, all races, all sexual orientations, and the young whites loved it. In the mean time, Dr. Hacker and others continued to administer behavioral modification drugs and treatments. As long as DeFreeze was a part of the program, Westbrook and Dr. Hacker made sure that he never received a 115 Rules Violation Report which would reclassify him as a program failure. Although there were many infractions, including reports of sexual assault, they were all written off as a part of the ‘medical research’. As DeFreeze’s psychosis increased the CDC decided to downgrade his status; mainly based upon the favorable reports composed by the psychiatrists of CMF and the director of the BCA.

Once DeFreeze was primed psychologically in December 1972, he was abruptly transferred from CMF Vacaville to the South Facility of Soledad Prison. The South Facility was a holding section for prison and police informants as well as trusted inmates. This is significant because in the eyes of the CDC authorities Donald ‘Cinque’ DeFreeze was still an informant under training and psychological evaluation. The South Facility had no security, gun towers or guards. There was no need for it because these inmates were law enforcement’s partners ‘against’ crime. It was a ‘snitch camp’. As expected and planned in March,

²³⁹ On May 8, 1973, the Director of the CIA’s Science and Technology Group composed a memorandum classified as ‘secretive/sensitive’ whose subject was entitled: *Involvement in Sensitive Domestic Activities* in which the former director admitted that the CIA had developed at least five programs “with possibly sensitive domestic overtones.” Two of these programs revolved around behavioral modification techniques called the *VIP Health and Behavior Prediction System* and *OFTEN* which entailed the collection of data on the usage of “dangerous drugs from U.S. firms.” These two programs were outsourced to CMF Vacaville prison and used in the facility to manufacture ‘revolutionaries’. The extreme sensitive nature of these programs induced the CIA to terminate it in the Fall of 1972, although it continued secretly in the CMF Vacaville prison.

1973, DeFreeze simply walked out of the Soledad prison. He was allowed to ‘walk off’ in order to construct an identity of a real committed revolutionary who had ‘escaped’ from Soledad.

DeFreeze quickly went underground and reunited with his young white protégés from the BCA Unisight program. Thus, was born the Symbionese Liberation Army, made up of one former Black petty criminal and ten white upper middle class adherents, who were all brought together behind the walls of the CMF Vacaville ‘Monster Factory’ in a social experiment. The SLA first borrowed the same seven headed cobra as their symbol which Ron Karenga had earlier adopted for his United Slaves –representing the seven principles of *kwanza* invented by Karenga. One of the first ‘revolutionary’ acts of the SLA was the assassination of a well respected Black educator and dedicated Superintendent of Oakland schools, Marcus Foster.²⁴⁰

Members of the Bay Area African American community correctly surmised that the SLA was a front organization designed to ridicule, disrupt and destroy the New Left. Bobby Seal, Elaine Brown and other local members of the Black Panther Party openly said that Donald Cinque DeFreeze was an agent provocateur and his SLA was a fabrication.²⁴¹ The killing of the African American school superintendent was not a mistake by the SLA. It was a targeted assassination of one of the most progressive and proactive school superintendents in the northern Californian area. He was the first African American to hold the post, was applauded by his people and had gained the trust of a large segment of Bay Area whites. Like most successful Black men in the U.S., there were many conservatives and law enforcement agencies that saw Marcus Foster as a threat, because he was poised to institute institutional changes in the educational system of Oakland that would assure that African Americans, Hispanics and Asians achieved the kind of educational parity that all Californians received.

It was this educator and freedom fighter that SLA decided to kill. It wasn’t Donald DeFreeze who pulled the trigger. It was two of his white ‘disciples’ who ambushed an unarmed the Black civil servant and gunned him down, in the name of the ‘revolution’. This act threw the New Left into a tailspin. Here was a petty criminal police informant claiming to be Field Commandant Cinque, who had called out the left, saying that they were not serious enough; and then at the hands of two young white men assassinate someone that many white conservative Californians wanted out of the way. The SLA went on to ‘kidnap’ Patty Hearst, kept her in a locked closet, turned her out, and then transformed her into someone else.

During the makeover of Patty into this new person, the Hearst family was forced to shove out about a million dollars to distribute food to African Americans in the Bay Area and L.A. The objective of this action was to humiliate every African American organization that was on the ground in the Bay Area at the time and sacrifice every African American icon. The N.O.I., the Black Panther Party, and every other local Bay Area organization were disgraced by the images of Black rioters at the food distribution points. The icons of reparations, Black self government and organization were decimated in the minds of many white sympathizers on that day. Then after humiliating his people by throwing free food at them, he then presented

²⁴⁰ Gregory G. Cumming, pp. 59-71.

²⁴¹ Ibid., p. 32.

Patty Hearst to the world as ‘Tanya’ the SLA revolutionary. From 1973 to 1975, the SLA literally captivated the minds of the American public.

The NSA was able to carefully divert the eyes of the American people from the criminal acts of President Nixon and his administration, who in addition to secretly carpet bombing Laos and Cambodia, ordering the break-in and burglary of the Democratic Party campaign headquarters, spying on political opponents and he enhanced the extrajudicial COINTELPRO programs eradicating the African American struggle. The NSA, the CIA and the FBI were able to use Donald DeFreeze to create a living replica of the stereotypical Black pimp posing as a ‘revolutionary’ who kidnaps a wealthy white girl and ‘turns her out’ to fight a ‘revolution’ against her own kind and class.²⁴² With that shocking image imprinted on the minds of Middle America; the New Left was destroyed, the N.O.I and the Black Panther Party lost all relevance and credibility; the eyes of America were turned away from the crimes which their president had committed against his people and the world. In 1974 using the same COINTELPRO tactics of agent provocateurs in both the MIB and the Dar’l-Islam Movement in New York incited conflict between the two groups where two Muslim from the Dar’l-Islam were shot and killed.

The U.S. government under the cover of COINTELPRO was able to kill a multiplicity of birds with one stone. Progressive whites were alienated from the New Left, and the legitimate freedom fighters and vanguards of the armed struggle, such as the Black Liberation Army and the Weathermen were discredited and placed on the defensive. With the death of Mr. Elijah Muhammad in 1975, *Imam* W.D. Mohammed carefully dismantled the N.O.I. and redirected the organization away from Black nationalist political concerns towards a more pro-American inclusive and personal moral development. In fact, he enacted exactly what the FBI reported that it hoped for regarding the direction of the post Elijah NOI.²⁴³

²⁴² The reason the DeFreeze’s Symbionese fiasco is so important is because it was the first example of U.S. government utilizing the penal system to create ‘revolutionaries’ designed to undermine and discredit the revolution. Once this technique was perfected it was then re-deployed in Israeli prisons to create rival Palestinian factions. Then it was branded and now being outsourced in the ‘war on terror’. Secret CIA prisons around the world, sometimes situated in countries ‘hostile’ to the U.S., such as Sudan, Syria and Libya were used to detain, torture and develop the kind of ‘revolutionary’ needed to undermine the resurgence of Islam around the world. Secret prisons situated in the countries of traditional allies of the U.S. in the Middle East such as Saudi Arabia, Qatar, Morocco, Tunisia, and especially Egypt were utilized to create Islamic DeFreezes whose purpose was to do to the Islamic revolution what DeFreeze did to the revolution of the New Left in the U.S. CIA and U.S. military prisons located in nations designated by Rumfield as the ‘New Europe’, such as Tajikistan, Kazakhstan and other newly independent states along the eastern borders of China have proven particularly useful in the programming of Muslim terrorist designed to alienate Muslims and marginalize Islamic resurgence around the world.

²⁴³ Many pundits of rival NOI factions used the declassified FBI documents as evidence that *Imam* W.D. Mohammed worked with the FBI. Both the *Final Call* of Minister Farakhan’s NOI and *Muhammad Speaks* of Silas Muhammad’s Lost Found NOI, produced prominent articles citing the concurrences between *Imam* W.D. Mohammed’s aims of the organization and stated objectives of the FBI for the N.O.I. However evidence shows that this concurrence from the *Imam*’s perspective was simply coincidental. Once an individual genuinely embraces the American ideal then they will share views with many American citizens across a wide spectrum of the society. However, from the FBI perspective this concurrence was premeditated and fit one of the COINTELPRO’s tactics of deliberately placing a ‘snitch jacket’ on an individual in order to undermine their credibility. These words were recorded in unclassified FBI documents regarding the projected direction of the NOI with a clear ulterior motive. FBI COINTELPRO tactics included neutralizing targets by labeling them as ‘snitches’, informants or collaborators, so that they would no longer be trusted. This was a very pernicious and common practice of the FBI and the CIA. It is conceivable that the FBI received the information of this desire on the part of *Imam* W.D. Mohammed through surveillance or informants, and then placed the same information in their ‘classified/unclassified’ files (those intended to be ‘leaked’). The aim was to give the *Imam* a secret ‘classified’ snitch jacket and then ‘unclassify’ this rumor in order to portray the *Imam* as working for or in conjunction with the FBI. This was the same tactic pulled by the FBI against William Albertson of the New York Communist Party; see: Frank Donner’s “Let Him Wear a Wolf’s Head: What the FBI Did to William Albertson,” *Civil Liberties Review*, Vol. 3, April-May

By 1976 the U.S. Senate and the Supreme Court had declared COINTELPRO illegal and unconstitutional.²⁴⁴ But by that time most African American militant leaders had been assassinated, arrested, forced to leave the country, marginalized or their organizations were successfully neutralized and eliminated as a threat. During this period the FBI were mainly involved with mop up units to find and finish off the last remnants of the BLA, the Republic of New Afrika, and the Weathermen. With the highly publicized massacre of the Symbionese Liberation Army in Compton, the New Left was completely demoralized.²⁴⁵ More importantly, the U.S. government used this homegrown terrorist organization as a wakeup call to white conservatives and liberals alike. By 1978 the majority of white liberals and the new left made a paradigm shift towards the right. Overnight the conservative far right had access to motives, objectives and tactics of the New Left given them by these former white radicals. In three years the New Left was completely dismantled and the African American militant struggle was exterminated. Where could it hide? When the once militant and radical white comrades of the revolution upon whom they relied 'turned', there was nowhere to go. On the ground there were no real revolutionary organizations that either the Third World nations or the United Nations could engage with in order to determine the political aspirations of the African American national minority. This victory on the part of the U.S. government against its chief domestically colonized national minority did not in any way dissipate over the years. The U.S. remained hyper-sensitive about the perceived impact that the African American national minority's struggle could have on the African independence movement, particularly in southern Africa; where the U.S., the U.K. and Israel had its strongest links and investment portfolios

The triangular diamond trade between southern Africa, Tel Aviv and New York City informed the U.S. national security issues for the late 70s. The NSC was deploying its high level technology to protect and advance U.S., U.K., South African and Tel Aviv precious metal interest. The immense mineral wealth of Angola and Namibia was the pull factor which attracted U.S. business interest, insurance agencies, securities industry and private contractors (mercenaries) into the region as allies and support of apartheid South Africa. Increasingly, African American organizations such as the All African People's Revolutionary Party and the well informed independent think tank - Trans-Africa, maintained sustained and open relationship with the independence movements in Africa. There was increased networking between African Americans and African nations, especially through the traditional Black colleges in the south.²⁴⁶ If left alone

1976, 12-22. The reality is that *Imam* W.D. Mohammed was a genuine believer in the innate virtue of the American ideal. Anyone who studied his social doctrines and ideas would know that he came in the same line as James Madison and Fredrick Douglas with regard to identifying with the most forward looking values of the U.S. constitution. Because he genuinely embraced these values shared by a great majority of Americans, he was able to negotiate contractual agreements between his community and the U.S. military – producing and providing packaged foods for the U.S. Army. In fact, any national minority which is loyalist, naturally develops collective agreements between themselves and the government, as acknowledged in the People's Republic of China with its Hui Muslim national minorities.

²⁴⁴ Intelligence Activities: Senate Resolution 21, Hearings Before the Select Committee to Study Governmental Operations with Respect to Intelligence Activities of the United States Senate, 94 Congress, First Session, Vol. 5.

²⁴⁵ Cumming, *The End of An Era* p. 8.

²⁴⁶ Traditional Black colleges such as Tuskegee University, Prairie View A & M University, Hampton, Spellman, Howard and Morehouse maintained strong relationships with Liberia, Nigeria, Ghana and other newly emerging African states. In addition Black fraternities and sororities developed and maintained developmental programs in many regions of Africa. Although, this was natural and expected, yet the U.S. government was able to utilize these same conduits to advance its political and economic

these growing links between Africa and their descendents in the U.S. would crystallize into a viable and lucrative global network. These links would affirm the international links of the African American national minority with their brothers and sisters in Africa along the lines defined in Article 27 of the Declaration on Civil and Political Rights. Due to the precarious diamond and precious metals trade run mainly by the Anglo-American Corporation from apartheid labor; the U.S. felt that it was in her best interest to interdict determine and disrupt any and all ties between the militant pan-Africanists interest of African Americans and the independence movements in Africa.

d) United States' Policy to Keep the African and the African American Divided

Although the U.S. government had declared COINTELPRO illegal, yet in March of 1978, President Carter ordered the NSA to implement what became known as 'memorandum-46' effectively interdicting the African American/Muslim national minorities from developing relationships and ties with their brothers and sisters of the continent of Africa. The substance of the NSA memorandum-46 was:

"The nationalist liberation movement in black Africa can act as a catalyst with far reaching effects on the American black community by stimulating its organizational consolidation and by inducing radical actions. Such a result would be likely as Zaire went the way of Angola and Mozambique. An occurrence of the events of 1967-68 would do grievous harm to U.S. prestige, especially in view of the concern of the present Administration with human rights issues. Moreover, the Administration would have to take specific steps to stabilize the situation. Such steps might be misunderstood both inside and outside the United States. In order to prevent such a trend and protect U.S. national security interests, it would appear essential to elaborate and carry out effective countermeasures."²⁴⁷

This entailed the NSA, the CIA and the FBI in 1978 reinstituting unconstitutional and illegal COINTELPRO tactics such as extrajudicial surveillance, maintaining a watch list, sabotage, and etc all under another name - *National Security Council Memorandum-46*. This willingness on the part of the U.S. to violate its own constitutional standards and prohibitions in order to maintain a status quo indicated that the concept of rule of law as understood by the U.S. was simply the rule of Anglo American might and power.

It was during the late 70s and early 80s that Asian families and people became global as Naisbitt correctly predicted in his Megatrends.²⁴⁸ Being global meant the ability to interact with one's family, business partners and nation across the globe. The Wolof became global at that time making Harlem, N.Y one of their centers. The Yoruba established themselves in Houston and Chicago; and Igbo were throughout the south. When I was 16 I had a job at one of the first of the now global Patel Brothers outlets. The tremendous growth that we have seen in China and India finds its roots in the globally networked Asian family which crystallized in the late 70s and early 80s. At a time when all families, societies and nations

interests. In other words, these emerging relationships between African American collegiate institutions and African nations benefited certain African individuals but had little or no impact upon the collective African American minority.

²⁴⁷ Zbigniew Brezinski, "*National Security Council Memorandum-46*", p. 3.

²⁴⁸ John Naisbitt, Megatrends: Ten New Directions Transforming Our Lives, (Warner Books, New York, 1982).

were becoming global, the U.S. set up illegal statutes and barriers to bar the African American/Muslim's natural path to globalization with their African kinsmen. This stemmed from the old idea that the African American national minority remained the political property of the United States, and was to be exploited in the best interest of the country. The rationale behind this criminal act was stipulated by a modern demon, Brezinski where he stated:

"There are 25 million American blacks whose roots are African and who consciously or subconsciously sympathies with African nationalism. The living conditions of the black population should also be taken into account. Immense advances in the field are accompanied by a long-lasting high rate of unemployment, especially among the youth and by poverty and dissatisfaction with government social welfare standards. These factors taken together may provide a basis for joint actions of a concrete nature by the African nationalist movement and the U.S. black community. Basically, actions would take the form of demonstrations and public protests, but the likelihood of violence cannot be excluded. There would also be attempts to coordinate their political activity both locally and in international organizations. Inside the United States these actions could include protest demonstrations against our policy toward South Africa accompanied by demand for boycotting corporations and banks which maintain links with that country; attempts to establish a permanent black lobby in Congress including activist leftist radical groups and black legislators; the reemergence of Pan-African ideals; resumption of protest marches recalling the days of Martin Luther King; renewal of the extremist idea national idea of establishing an "African Republic" on American soil. Finally, leftist radical elements of the black community could resume extremist actions in the style of the defunct Black Panther Party. Internationally, damage could be done to the United States by coordinated activity of African states designed to condemn U.S. policy toward South Africa, and initiate discussions on the U.S. racial issue at the United Nations where the African representation constitutes a powerful bloc with about one third of all the votes"²⁴⁹

What is amazing is that this human devil saw the potential political power of the African American national minority and how it could be employed for the advantage of Africa and Africans worldwide. What Brezinski saw frightened him to the extent that he (as the head of the NSC) convinced the U.S. administration led by President Billy Carter to violate the constitution again. Pursuant to this, the U.S. State Department developed the Foreign Intelligence Surveillance Act (FISA) in 1978 to help facilitate the government and its agencies to develop the 'effective countermeasures' suggested in the *National Security Council Memorandum-46*.

In 1978 the U.S. willfully broke its own law and international law, in actions which can only be described as attempted genocide. I say 'attempted' because while the government set up these illegal barriers to *jim crow* African Americans to the international interest of the U.S.; yet African voices of the Americas like Bob Marley, Gil Scott Heron, Billy Paul, Nina Simone, Pharaoh 'Abdul Mati' Sanders, Peter Tosh, Max Roach, McCoy Tyner, James Brown, Will Downings and others were singing and playing about African victory in Zimbabwe, Angola, Mozambique, Namibia and South Africa. The African artists of the Americas gave the backdrop music for the African liberation movements in the southern region of Africa, directly challenging the U.S. immoral relationship with apartheid South Africa. Strategically, the *National Security Council Memorandum-46* was nothing but COINTELPRO refurbished by a European *muddajin* implant,

²⁴⁹ Ibid., p. 3.

Zbigniew Brezinski as a political firewall to allow the U.S. to continue doing what it had outlawed and made a felony offense in 1976. In less than sixteen months the illegal and unconstitutional program of COINTELPRO had been disintombed, given a blood infusion, rebranded, and redeployed to continue to undermine the right of self determination of the U.S.'s chief national minority. There was the overwhelming feeling throughout the U.S. that our lives as young African American males were fated. In 1979 there was a feeling of an impending slaughter of male boys about to commence, like those ritually murdered in the times of Moses and Jesus. We were being rounded up based upon color, colors, street addresses, hoods and gang sets. The only reason I escaped this sweep up and ritual sacrifice of an entire generation of African American young males was that I was raised by a member of the nation's largest and oldest organized African American paramilitary unit – the F.O.I. and the M.G.C. Even with that, all my instincts in 1979 warned me that a ritual sacrifice of young African American boys was about to take place. At age twenty I fell within the targeted demographics. It was time for me to escape from the plantation of the U.S. and to make exodus back to Africa.

e) **Ritual Sacrifice: L.A. Street Gangs and the Lucrative Prison Industry**

We in the west have been trained to believe that what distinguishes primitive societies from civilized ones are among many things, the formers predilection for ritual human sacrifice. In ancient pre-modern times societies used elaborate justification for getting rid of dispensable, unwanted or undesirable elements of the society. Sometimes those targeted for ritual sacrifice were infants, women, war prisoners or foreigners. I argue that ritual sacrifice has been and still is a fundamental part of the modern and post modernist age; as the following will corroborate.

By 1979 the U.S. government had neutralized the Black Liberation Army, the Weathermen and had most of the leaders of the Provisional Government of the Republic of New Afrika imprisoned or tied up in the courts. During this time off duty police in southern California along with white motorcycle gangs began to sell weapons to rivaling L.A. street gangs. These street gangs, it must be remembered have been systematically reinforced by the apartheid system in the California Department of Corrections, especially at the notorious gang factory, the California Youth Authority. The rivalries and killings were encouraged in prison. In one notable case in a northern California prison, the COs had cameras set up, and a betting pool was organized where a lone African American inmate was let into the gym for exercise. Then the COs released five members of a southern California Mexican gang into the gym, where CDC prison guards and staff watched as convicted felons maimed and killed one another.

During the early 80s L.A. gang warfare was raging and spreading to all of the cities of California. The reason for this statewide proliferation of gang activity was due to the penal culture of CDC, which created laboratories to grow and nurture this deadly subculture. The CDC turned out to be the lucky recipient of Reaganomics where jobs were being downsized except in the penal system. COs were routinely making more money than university professors. Doctors who had lost their jobs to malpractice litigations and others that feared litigations were turning to the growing number of penal colonies in California. In addition they had a large population of inmates willing and ready to be experimented upon with the latest drugs and medical procedures, if it meant more amenities. Psychiatrists found the CDC a treasure trove for studies, dissertations and the development of behavioral modification drugs designed for those whom doctors determined to be predators. A special ward in CDC prisons was established for ‘category J’ or ‘J cat’ prisoners who were routinely tested with drugs designed to alter and change their behaviors. Again, ‘the Monster Factory’ of CMF Vacaville Penitentiary played and still plays a major role in this regard. Christian, Jewish, Native American and Muslim chaplains were given lucrative jobs to help ‘rehabilitate’ the inmates.

In ancient pagan societies human ritual sacrifice was a means appeasing the ‘gods’. Today, the modern ‘gods’ of democracy, progress, development, modernity and globalization also demand the modern pharaonic state to appease them by ritually sacrificing young African American and Latino American men. This social reality is not unlike the story of the *Banu Isra’il*’s sojourn in Egypt, a narrative which has in fact, always been the underlying driver of the African struggle in the new world. The *Qur’an* gives us this story in the form of an axiom or principle which the Absolute Being calls His *Sunna* in creation. He *subhaanahu wa ta’ala* says:

﴿طَسَمَ * تِلْكَ آيَاتِ الْكِتَابِ الْمُبِينِ. نَتْلُو عَلَيْكَ مِنْ نَبَأِ مُوسَى وَفِرْعَوْنَ بِالْحَقِّ لِقَوْمٍ يُؤْمِنُونَ * إِنَّ فِرْعَوْنَ عَلَا فِي الْأَرْضِ وَجَعَلَ أَهْلَهَا شِيْعًا يَسْتَضِعُّ طَائِفَةً مِنْهُمْ يَدْخُبُ أَبْنَاءَهُمْ وَيَسْتَحْيِي نِسَاءَهُمْ إِنَّهُ كَانَ مِنَ الْمُفْسِدِينَ * وَنُرِيدُ أَنْ نَمُنَّ عَلَى الَّذِينَ اسْتُضِعُّوا فِي الْأَرْضِ وَنَجْعَلَهُمْ أَئِمَّةً وَنَجْعَلَهُمُ الْوَارِثِينَ * وَنُكِّنَ لَهُمْ فِي الْأَرْضِ وَنَرَى فِرْعَوْنَ وَهَامَانَ وَجُنُودَهُمَا مِنْهُمْ مَا كَانُوا يَحْذَرُونَ﴾

“*Ta - Sin - Mim. These are the signs of the Clear Book. I recite to you some of the tidings of Musa and Pharaoh with truth, to a people who believe. Verily, Pharaoh exalted in the earth and made its people into castes. He oppressed a group among them by sacrificing their sons and letting their women live. Truly, he was among the corrupters. And I desire to favor those who were oppressed in the earth, to make them leaders and to make them inheritors. And to establish them in the earth and to let Pharaoh, Hamaan and their forces from among them see what they used to be on guard against.*”²⁵⁰

Shaykh Abdullahi dan Fuduye gave the *tafsir* on the above verses in his famous *Diya ‘t-Ta’weel Fi Ma’ana ‘t-Tanzeel* (The Light of Interpretation Regarding the Meaning of the Revelation). He composed this great work while he and his brother, *Shehu Uthman dan Fuduye’* were in the midst of establishing reform

and Islamic government throughout western and central *bilad 's-sudan*. His ideas on the above verse are quite significant because many of the incarcerated African Muslims in the U.S. penal system can be considered descendents and inheritors of the Islamic reform which this great African scholar achieved.

He said about the above verses: "*Verily, Pharaoh exalted in the earth* i.e. acted arrogantly in the lands of Egypt. Here Allah is showing disdain towards the conceived strength of Pharaoh due to the fact that He caused his government to dwindle."²⁵¹ *Shaykh Abdullahi* explains that Pharaoh felt that his society was the greatest society which mankind had seen, yet Allah ta'ala destroyed his society because of its injustices. This is the conceived opinion of this modern pharaonic system. The United States believes that it represents the best model of the human project and that all societies before it were primitive and regressive. The global American enterprise the Pax Americana century are the latest takes on how modern pharaonic states can wax arrogant in the earth and see themselves as the most advanced civilization that has ever existed.

The *shaykh* continues: "*He made its people into castes*, i.e. factions who took sides with Pharaoh in all of his objectives and aims showing obedience to him in that. Or it means that Pharaoh made the people into classes which gave service to him. He assigned each group and social class a specific activity, labor and practice which distinguished them from the others. Or it means that Pharaoh made the people into political parties by provoking between each party enmity in order that they may not cooperate with one another against him."²⁵² Here *Shaykh Abdullahi* describes the manner in which the pharaonic system operates. It functions based upon mutual division. These divisions start from the family where men and women are divided against themselves and where the parents are divided against their children. These divisions are maintained through racism where the white, the black and other races sustain hatred and mistrust of one another. There are divisions between the upper classes and lower classes. There are divisions within the upper classes between conservatives and liberals, the far right and far left. Among the lower classes the mistrust between different ethnic minorities, immigrants and indigenous oppressed people prevail. Also prevalent among the lower classes are the destructive divisions caused by internecine gang warfare. This later division opens the door to another control mechanism of the pharaonic system.

Shaykh Abdullahi continues: "*He oppresses a group among them*. This group singled out for oppression were the male population of the Banu Isra'il. The expression 'group' (*taa'ifa*) is made accusative because it is a conditional phrase (*haal*) from the active agent of the verb "...he made..." or the expression is an adjective of the phrase 'castes' (*shi'a'an*); or it is disparaging speech."²⁵³ Here *Shaykh Abdullahi* suggests that the Pharaonic system makes a specific group among the caste to be oppressed by all the other castes. He continues: "This oppression was done, *by sacrificing their sons* who were born among them."²⁵⁴ It is significant here how Allah ta'ala uses the present tense verb rather than the past tense as the verses began. Although this is allowable in the Arabic language, it is significant because Allah ta'ala changes his address about the past to addressing the present to indicate that the methodology of the Pharaonic system is

²⁵¹ Abdullahi ibn Fuduye', *Diya't-Ta'weel Fee Ma'ana't-Tanzeel*, Vol. 3, (Cairo/Kano, 1961), p. 182.

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid.

on-going and persistent. Allah ta'ala's use of the term sons or boys (أبنائهم) is to indicate that these boys were never allowed to become 'men' in the true sense of the word. They were never allowed to do what 'men' do in society which is control the affairs of their own communities and families. They were political and economic children too immature to protect themselves their families and communities from the violations of the pharaonic society. Their political and spiritual immaturity also blinded them to the pitfalls of their own lower selves but more crucial than this they were too puerile to recognize the stratagems laid out against them. They were socialized in a maze predetermined to catch a large percentage of the young male population into a trap - a trap which provides a lucrative source of revenue for the entire system.

The term sacrifice (يذبح) is also significant because it comprises many meanings. One of the meanings of the word sacrifice is to slaughter or kill like when you say:

((مَنْ جُعِلَ قَاضِيًا بَيْنَ النَّاسِ فَكَأَنَّمَا ذُبِحَ بِغَيْرِ سَكِينٍ))

“Whoever is made a judge between people, it is as though he were slaughtered without a knife.” It is clear from this meaning that the system of control maintained in the pharaonic system is to slaughter targeted young boys with the tacit approval of all the divided factions and classes of the society. Another meaning of the word is the object of the slaughter (ذبيح), like when the Messenger of Allah, may Allah bless him and grant him peace said:

((أَنَا ابْنُ الذَّبِيحَيْنِ))

“I am the son of the two intended sacrificed victims.” This no doubt refers to his descent from Ishma'il who was intended to be sacrificed by his father Prophet Ibrahim. Also Abdullah, the father of the Messenger of Allah, may Allah bless him and grant him peace, was intended to be sacrificed by his father Abdul Muttalib. In both cases Allah ta'ala redeemed them from being sacrificed as the Book and the *Sunna* delineates. The concept of 'sacrifice' in religion and secular life has the same meaning. It means that the object to be sacrificed (ذبيح) is ransomed for something higher or more significant in the eye of the one making the sacrifice. During *Ramadhan* or *Hajj* the Muslim gives a sacrifice in order for his fasting or pilgrimage to be accepted by Allah ta'ala. Likewise, when we want our children to be enrolled in Stanford or some other 'premium' university in the United States, we have to make certain 'worldly sacrifices'. These sacrifices, whether ritual or worldly, are considered insignificant in the light of the reward to be gained resulting from such sacrifice. In fact the 'sacrifice' can be considered an investment into the future or into the Hereafter. Thus, the pharaonic system devises a methodology of social investment where young men are sacrificed for the higher objectives of the society. There is nothing more important in the modern pharaonic system than financial security and all the 'gods' of the production process gained by financial security. In the name of economic security the pharaonic system devised a means to sacrifice young men among the oppressed classes which benefitted all the other divided groups and factions of the society.

Shaykh Abdullahi says: “The magicians and sorcerers said that these young boys who are born among the Banu Isra’il will eventually be the causative factor in the dwindling or disappearance of the kingdom of Pharaoh. The expression ‘*by sacrificing*’ is a verbal substitute (*badl*) of the expression: ‘*by oppressing*’.”²⁵⁵ This means that both the oppression and the ritual sacrifice constituted the same thing; or it could mean that the ritual sacrificing of the male boys was the means by which the Banu Isra’il were oppressed. Thus, the need to sacrifice them emerged as justifiable and expedient for the future of the society. In these times the modern magicians and sorcerers have made the same calibrations about the young men of the oppressed classes in the United States. Social scientists and the US media helped create the image which ‘criminalized’ the young boys of the society. Biased and sensationalistic reporting of crimes committed by these young boys helped to distort public perceptions and encouraged the pragmatic need to sacrifice them for the ‘collective good’ of the whole society. The public’s response to crime in the United States was the direct result of the distorted media image that the juvenile underclass is becoming increasingly violence-prone.

In 1977 there was a major shift in the California criminal justice policy with the creation of the Determinate Sentencing Act which moved away from the philosophy of prison as rehabilitation and towards punishment and penalization as the fundamental purpose of the penal system. This along with the media bias which serves the public with a daily diet of young African and Chicano Americans employing deadly force at the least provocation - led to desire to ‘sacrifice’ these boys on the alter of the penal justice system.

The benefits to society from such blood lust and sacrifice were tremendous. Today every governor, republican or democrat can justify being elected or re-elected based upon how many ‘boys’ he can sacrifice for the society. This is the same for every city mayor, state official or city official. The Attorney General and the prosecutors can guarantee being reappointed or appointed based upon the ‘sacrifice’ of these boys. Defense lawyers, parole officers and social workers profit from the sacrifice of these boys. Now doctors and researchers have a steady supply of incarcerated guinea pigs in the so-called war against AIDS. The health care industry is losing many good doctors to the penal system precisely because these inmates have nothing to lose from turning themselves into experiments for ‘well meaning’ medical practitioners and researchers. There is no fear because the California penal system has prohibited media probing of the violation of inmates. Today prison officers with just high school diplomas make considerably more than does a university professor with tenure. While major companies are ‘down-sizing’ and ‘streamlining’ their companies - disaffecting hundreds of thousands of employees, the correctional industry and the criminal justice system is growing exponentially. Thus, everybody benefits. Everybody gets a job. Everybody now has the chance to obtain the new ‘gods’ from the production process of the new pharaonic system. No one complains because the sacrifice and slaughter of these young boys is justified economically and politically

²⁵⁵ Ibid.

Shaykh Abdullahi continues: “*And letting their women live*; i.e. by allowing them to live.” The word ‘letting them live’ (يُسْتَحْي) has many meanings when looked at from its etymological root. It has the meaning of ‘to come quickly’ like when the one who calls to prayer says:

حَيِّ عَلَى الصَّلَاةِ وَحَيِّ عَلَى الْفَلَاحِ

“*Hasten to prayer and hasten to success.*” Here the meaning is that the pharaonic system invites the women of the oppressed while repelling the ‘boys’. Another meaning of the words is becoming apparent and distinct, like when you say:

إِذَا حَيَّى لَكَ الطَّرِيقُ فَخُذْ يَمَنَةً

“When the road *becomes apparent* then take to the right.” Thus, the pharaonic society gives the women of the oppressed apparent and distinct positions in the society as opposed to the ‘boys’. Another meaning is ‘lawful means of subsistence’, like when Allah ta’ala says:

﴿فَأَنْحِیْنَهُ حَیْوةً طَیِّبَةً﴾

“*I will give them a lawful means of subsistence.*” Here Allah ta’ala indicates that in the pharaonic system the women of the oppressed are given lawful means of subsistence while the ‘boys’ are impelled by the same system to ‘slang’ drugs on the corners; this being more lucrative than working for McDonalds or ‘Mac World’. This maneuver further divides the oppressed where the women and men are mistrustful of one another, being a recurrence of the plantation culture in which the slave master divided the families of enslaved Africans.

Shaykh Abdullahi continues: “*Truly, he was among the corrupters.* For this reason they used to kill the children of the infants of the descendents of the Prophets.” Pharaoh and the system he devised are thoroughly corrupt, built upon mutual envy and hatred of all its segments. The social engineers and other magicians corrupt the society further by fabricating the lies necessary to unite these alienated elements of the society against the divided families of the oppressed by killing their boys and allowing their women to survive. This ritual slaughtering of the boys of the oppressed creates careers, jobs and security for all other elements of the society. Thus, no voice can be heard crying out except the cries of young men being slaughtered on the altar of the penal justice system. *Truly Pharaoh was among the the corrupters.*

Robby Dixon described the pervasiveness of this corruption in his excellent work, How To Keep Your Child Out of Prison:

“Corrections is a recession-free industry. It provides job opportunities for many otherwise unqualified members of our society, those who are largely unable to sustain themselves within the private sector due to the lack of needed qualifications. Prison is an enterprise, one which represents 360 degrees of profit. Far from the understanding of the average member of our society, those who facilitate this ongoing business of warehousing human flesh have a very hidden agenda which serves to further the motivation for *profits*.”

Again as a result of Reaganomics entire all white townships in rural America began to die, but were given life again when local white conservative congressional leaders began to bid for their towns to be the

new location for the next badly needed correctional facilities. These new prisons were the drive for the construction of new homes, malls, roads, medical facilities and infrastructure for once dying backwater towns of Anglo America. The CDC penal colonies became a win-win situation for everyone, where everyone pretended to try and provide the services required to ‘rehabilitate’ the inmates. In reality no one wanted them rehabilitated because everyone was invested in and profiting from the criminalization of African and Hispanic young men. Crime and gang warfare compensated everyone except the young gang members, the petty criminal or felon. It was a payoff for the system. In addition, it reinforced the intrinsic racism of these small town rural whites who now had living proof in their own areas that penitentiaries full of young Blacks and Latinos that they were no more than anti-social criminals made for the prisons that employ all the town folks. It was convenient to classify gang activity among African American and Hispanic youth as family dysfunctions. This created the weighty social services bureaucracy which dove deep into the private affairs of poor families. The advantage that gang warfare brought to the LAPD and other California police and sheriff departments was legal precedence for increased budgets, more improved weaponry, and particularly lucrative contracts with the U.S. military, from which came helicopters, armored vehicles and other advanced anti riot gear to do battle with menace of gang activity. Judges were elected and reappointed; Senators and congressional leaders were elected and reelected on the sacrificing of these young Black and Latino men. Each member of the political class owed their jobs to the amount of young men they were able to put away in prison and keep there. Too many jobs were at stake, if gang warfare and crime were reduced.

What is the solution to a penal system predicated on the ritual sacrifice of young African and Chicano men for profits? Allah ta’ala gives His solution in the following verse: *“And I desired to favor those oppressed in the earth, to make them leaders and to make them inheritors. And to establish them in the earth and to let Pharaoh, Hamaan and their forces from among them see what they used to be on guard against.”* Shaykh Abdullahi dan Fuduye’ explained the meaning of the above verse as: *“And I desired to favor, i.e. to make superior, those oppressed in the earth, i.e. the lands of Egypt by redeeming them from the evils of Pharaoh.”* Here the *shaykh* explains that in spite of the total control imposed upon the lives of the oppressed of the pharaonic society, yet Allah ta’ala desires to liberate them from their oppression and make them the leaders in the lands in which they were oppressed. When Allah desires a thing He merely says to that thing (as it exist in the unseen realm of His prior knowledge of the thing) ‘Be’, and the thing exist in the manifest world as it existed in His prior knowledge. The will (*iraada*) of Allah ta’ala is eternal without beginning nor end and can never be out stripped by His creation.

It is as though Allah says: ‘The pharaonic system plots and conspires to prolong its existence by making ritual sacrifices of the boys of the oppressed while Allah plots by His desire to transform these intended sacrifices into leaders and inheritors of the land – herein lay the *miracle*. Shaykh Abdullahi dan

Fuduye' continues the *tafsir* of His words: “*To make them leaders*, i.e. in religion who would be followed or leaders in government who would be obeyed. *And to make them inheritors*, i.e. of the rule and government of Pharaoh and his people.” Here the *shaykh* indicates that Allah’s sole objective is to take the young boys who have been set up by the pharaonic system to be sacrificed for profits and transform their evils into good. Allah’s desire is for these intended victims to be established on the straight path of Islam and to be endowed with the traits of uprightness in religion. These traits, if manifested in a single female or male will ignite an entire people – in effect a MIRACLE.

These traits of uprightness are fifteen as *Shaykh* Uthman dan Fuduye' delineated in his Usuul 'l-Wilaaya. They are: [1] knowledge of the sciences which Allah has obligated upon every Muslims from *tawheed*, *fiqh* and *tasawwuf*; [2] repentance (*tawba*) from all sins between the slave and Allah and between the slave and the creatures of Allah; [3] abstinence (*zuhud*) except from what is necessary; [4] solitude (*'uzla*) from people except during the times of prayers and other religious benefits, like *jihad*; [5] making war (*muharraba*) against Satan and being vigilant of his tricks; [6] making the *jihad* against the corrupt soul and bridling it with the bridle of *taqwa*; [7] reliance upon Allah (*tawwakkul 'ala Allah*) regarding daily provision; [8] leaving matters (*tafweed 'l-amr*) over to Allah in times of endangerment; [9] patience (*sabr*) during times of hardship and affliction; [10] contentment (*ridaa*) with the decrees of Allah; [11] fear (*khawf*) of the punishment of Allah at all times; [12] hope (*raja'a*) in the mercy of Allah at all times; [13] negating ostentation and showing off by means of sincerity of action (*ikhlaas 'l-'amal*); [14] negating arrogance and conceit by means of recognition of the favors of Allah (*ma'arifat 'l-mina*); and [15] persistence in a state of praise and gratitude (*hamd wa shukr*) for Allah’s many blessings.

It is these qualities which will enable the oppressed inmates in the prisons of this country to be leaders in religion as well as leaders in government. These qualities are the traits necessary for mastering the self and mastering one’s enemies. *Shehu* Uthman asserted in his Tariq'l-Janna that those who master the fifteen traits of uprightness will have opened to them forty blessings: twenty in this life and twenty in the Next. As long as the inmates remain slaves to their lower desires and corrupt passions, they will continue to be set up to be sacrificed by this government. This is the meaning of Allah’s words: “*To make them leaders*.” Allah’s aim is to also make them inheritors (*waarithheen*). The verse did not mention the object of inheritance; however, *Shaykh* Abdullahi mentioned that this inheritance included the government and people of Pharaoh. But this does not preclude the inheritance being the rightful inheritance by birth. The Banu Isra'il had been cut off from their ancient prophetic traditions through their sojourn and bondage in Egypt. Prophet Musa, upon him be peace, reconnected the Banu Isra'il to their lost inheritance. Thus, the meaning of: “*And to make them inheritors*,” could mean to make them inherit the religious traditions of their fathers, like Ishaq, Yaqub and the Tribes of Isra'il. This is Islamic textual evidence for the obligation to compile, conserve, preserve and revive what distinguishes one people from another.

The modern pharaonic system intentionally destroyed the Islamic religious traditions of the enslaved Muslims, which forced them to acquiesce to slavery. One of our African Muslim ancestors clarified this condition in his poem when he said:

فَقَدْ تَحَيَّرَ عَقْلُهُ	وَمَنْ لَمْ يَعْتَنِ بِنَسَبِهِ
فَقَدْ ذَهَبَ ذَهْنُهُ	وَمَنْ لَمْ يَعْبا بِأَصْلِهِ
فَقَدْ عَدِمَ نُهَيْتُهُ	وَمَنْ جَهَلَ أَصْلَهُ

“Whoever is not concerned with his descent, Then he has lost his mind.
Whoever neglects his origin, Then his stupidity has become critical
Whoever is ignorant of his lineage Then his intellect has dissipated.”

Slavery, exploitation, cultural genocide and domestic colonization can only be unleashed upon a people when their historical consciousness, their language and their religion have been eradicated. Thus, their ‘will to power’ and their ‘will to be different’ is destroyed; making them susceptible to all sorts of aggression from the outside world.²⁵⁶ However, Allah’s desire is to make the young men who are oppressed in the prison system of the pharaonic society to become inheritors of their own African Islamic traditions and inheritors of the Prophet Muhammad, (may Allah bless him and grant him peace) as well. None of this can happen except by means of responsible Muslims who understand the aims and desires of Allah with regard to the oppressed.

Another meaning of Allah’s words: “*And to make them leaders and to make them inheritors.*” could mean that Allah will make them leaders in religious knowledge and leaders among the people of *taqwa* which would then make them the inheritors of the Prophets. The proof for this is in what the Messenger of Allah, may Allah bless him and grant him peace is reported to have said on the authority of Abu Darda:

"إن العلماء هم ورثة الأنبياء، وإن الأنبياء لم يورثوا ديناراً ولا درهماً وإنما ورثوا العلم."

“The scholars are the inheritors of the Prophets. The Prophets are not inherited from in terms of gold and silver coins, but they are inherited from in terms of knowledge.” Again Ali ibn Abi Taalib, may Allah enoble his face said:

"العلم ميراث الأنبياء والمال ميراث الفراعنة."

“Knowledge is the inheritance from the Prophets, while wealth and property is the inheritance from the Pharaohs.” Finally, *Shaykh Abdullahi dan Fuduye’* outlined this same concept in his *Diya ‘l-Hukaam* when he said: “In the *Fawaakih ad-Diwaani* of an-Nafrawi; “The *imamate* is in four divisions: [1] the *Imam* which receives revelation - this is prophecy (*an-nubuuwa*); [2] the *Imam* of inheritance - this is knowledge; [3] the *Imam* of worship - this is the *imam* of *salaat*; and [4] the *Imam* of authority - this is the great vicegerency (*khilaafa*) in order to enact the overall welfare of the entire *Umma*.” This too could be the meaning of Allah’s words: ““*And to make them leaders and to make them inheritors.*”

This knowledge includes the sciences of *fiqh* (jurisprudence) and the remainder of the sciences of behavior (*‘uluum ‘l-mu‘amalaat*). Allah ta‘ala is saying that it is His desire and will to take the ‘boys’ who

²⁵⁶ Chiekh Anta Diop, *Civilization or Barabarism: An Authentic Anthropology*, (Lawrence Hill Books, New York, 1991), p. 212.

were being sacrificed in the pharaonic system, and make them *Imams* (leaders) in the religious sciences. This means that Muslim workers should be actively involved in disseminating the sciences of the religion to prison inmates. Strong efforts should be made by Muslim Chaplains and others to see that the inmate has access to his ‘natural inheritance’. Allah willing, we will return to this theme.

Shaykh Abdullahi continues: “*And to establish them in the earth*, i.e. the lands of Egypt and the lands of Syria and Palestine.” This indicates that the oppressed among the young men who are being daily slaughtered by the pharaonic system will be established with government and sovereignty in the lands of their oppression and in the lands promised to their forefathers. For many incarcerated African Muslims, this simply means that Allah will establish them independently enjoying the full rights of self determination in parts or the entire United States. It also means that they will help reestablish Islamic government in their African homeland. Government and sovereignty entails learning those skills which are essential in nation building and social transformation.

Finally *Shaykh Abdullahi* explains the meaning of the fifth verse of the *Surat ‘l-Qissas* when he said: “*And to show Pharaoh, Hamaan.*” Hamaan was one of the chief officials of Pharaoh. He acted as the chief of the magicians, the chief adviser and the master builder of the pharaonic system. He represented the upper echelon of the pharaonic system. He was the means by which Pharaoh maintained his control over the society. Allah ta’ala describes the function which Hamaan played in the overall system of Pharaoh when He says:

﴿وَقَالَ فِرْعَوْنُ يَا أَيُّهَا الْمَلَأُ مَا عَلِمْتُ لَكُمْ مِنْ إِلَهٍ غَيْرِي، فَأَوْقِدْ لِي يَا هَامَانَ عَلَى الطِّينِ * فَأَجْعَلْ لِي صَرْحًا لَعَلِّي أَطَّلُعُ إِلَى إِلَهٍ مُوسَى، وَإِنِّي لَأَظُنُّهُ مِنَ الْكَاذِبِينَ * وَاسْتَكْبَرَ هُوَ وَجُنُودُهُ فِي الْأَرْضِ بِغَيْرِ الْحَقِّ﴾

“Pharaoh said: O commanders! I do know any deity for you besides me. So kindle for me, O Hamaan, in order to bake clay bricks, and then make for me a lofty tower in order that I may inspect the God of Musa. For I think that he is among the liars. He (Pharaoh) and his forces were arrogant in the earth without right.”²⁵⁷

Hence, Hamaan was the official social engineer for the pharaonic system. Today he is represented by every U.S. domestic and global think tank, and other government agencies that implement the policies of the state. These social engineers and civil servants have calculated the advantages and disadvantages of the ritual sacrifice of these young boys and what it means for the larger society. For the modern Hamaan, the feeding of young Black and Hispanic gang members to the machine of the state is what creates law and order, the rule of law and oils the machinery that drives the national psyche. Hamaan as a concept is in research, think tanks, industry, commerce, exploration, media and in every segment of the society which influences and incites a society to be the slaves of whatever ‘gods’ the state have devised. More importantly, Hamaan is firmly established in academia determining the course the state should take in the occasional ritual sacrifice.

²⁵⁷ *Qurán* /28: .

Thus, Allah ta'ala makes a threat to the Pharaonic system and its social engineers; and includes in that threat the collaborators among the oppressed who have allowed themselves to become the forces of either Pharaoh or his social engineers. *Shaykh* Abdullahi continues: “*And their forces from among them* (from among the Banu Isra’il).” This statement establishes that in order for Pharaoh and Hamaan to successfully oppress the Banu Isra’il and to sacrifice their boys; there had to be active participants among the oppressed who enable to state to dominate them. The concept of collaboration is established in these verses as a principle part of the act of oppression. Note that Allah did not name these collaborators, but subsumed their political identity underneath those who controlled them. This is significant because it, in effect, denies the collaborator a genuine identity separate from the oppressors. Those members of oppressed national minorities who are part of the executive governments or are members of the social engineers in society who make it possible for the state to control oppressed national minorities have lost their own political identities and have, in effect, been excluded from the natural rights due their people. The collaborator is no longer a part of his/her people. The Absolute Being subsumes them under the political identity of the state.

Shaykh Abdullahi continues: “...*what they used to be on guard against*”; that is to say, what they used to ardently fear from the demise of their kingdom by reason of those who survived the ritual slaughter among the male boys.” In other words Allah ta'ala gives these victims of sacrifice an altogether new identity in the light of their oppression. Redemption from their repression and overcoming the state that oppressed them is the eternal Promise offered to them by the Absolute Being. It also constitutes an eternal Threat to the Pharaonic system; that regardless to what ends it goes in repression; that eventually this state will come to an end. And the change in the social hierarchy of the status-quo will be completely overturned by ‘the boys’ society singled out for ritual murder.

It is thus easy to see why African American freedom fighters as well as the police understood the potential of the young men of the L.A. street gangs. The police kept them fighting one another which enabled the LAPD to build up the best equipped metropolitan police department in the world. Law enforcement kept the street gangs supplied with the best low impact weapons, just below LAPD standards. It was Sanyika Shakur (a.k.a Monsta Kody) who first openly outlined the potential of street gangs as revolutionary combatants, in his autobiographical study Monster. Sanyika’s monumental narrative of the development and proliferation of L.A. gang culture explained how these potential street soldiers could be politicized and how their destructive energies could be redirected as a positive defensive element for the African American communities. This was made glaringly clear in the organized and coordinated actions that

LA street gangs made during the riots resulting from the Rodney King verdict. It was this potential which drove the LAPD on its 'arms race' with organized street gangs and to morph into the huge militarized law enforcement unit it is today.

This militarization of police units has been an alarming trend across the U.S. since the 1967 unrest among African American national minorities. The traditional separation between the civil society and the U.S. military as envisioned by the founders of the republic had been removed during the 1967-8 social unrest.²⁵⁸ In spite of the increased militarization of the police and the penal system, in the late 70s courageous Afrikan American freedom fighters were still able to liberate our sister Assata Shakur from the claws of the Anglo system where she gained political asylum in Cuba. At the same time, for reasons of national security, the media worked with the government to keep her case under the radar. The type of imbedded yellow journalism they had entailed corporate media being embedded with the military and other law enforcement agencies in suppressing news which would have positive psychological effects upon the insurgent. From the perspective of psychological warfare, the U.S. did not want it reported in the news that there was a successful raid upon a prison facility in a former confederate state in the U.S. from which an African American female freedom fighter (with an African Islamic name - Assata Shakuur), was liberated and now enjoying the political protection of a vibrant Cuban polity. The pogroms designed to disrupt African American/Muslim freedom continued and the fight against it countered with more efficiency, legality and moral force.

Libya, Ghana, Cuba and their courageous People supported the African American Muslim struggle for freedom, in terms of interest free loans, citizenship and political asylum. By far it was the People of Cuba that took the greatest risk in supporting the plight of African American national minorities. In addition, during the late 70s and early 80s, Cuba began to influence other developing nations in the Central and South America region. Through the use of its soft power, Cuba was able to garner regional support in terms of trade agreements assuring goods entered the country despite U.S. sanctions. Cuba reciprocated by offering scholarships for badly needed professions in their advanced universities. In addition, Cuba sent in hundreds, if not thousands of Cuban doctors and Cuban trained doctors into the Caribbean, Central and South America and in Africa. These educated professionals returned to their respective countries and began to challenge the landed gentry and their allies from the U.S. It was during this period of increased radicalization of states and

²⁵⁸ Diane C. Weber, "Warrior Cops: the Ominous Growth of Paramilitarism in American Police Departments", CATO Institute Briefing Papers, No. 50, August 26, 1999, pp. 1-5.

peoples of Central and South America that the U.S. under Ronald Reagan, began to violate U.S. constitutional law and international law yet again.

f) Iran/Contra and the ‘War on Drugs’: More Ritual Sacrifice

At the beginning of the 1980s the head of CIA, William Casey made an illegal but not uncommon request from the then U.S. Attorney General William F. Smith to permit the CIA not to report drug trafficking by its assets to the Justice Department.²⁵⁹ This secret pact between the Justice Department and the CIA would come to be known as the *Memorandum of Understanding*.²⁶⁰ What this meant was that CIA informants and assets could deal drugs in the U.S. and around the world with impunity. Between the years 1982 to 1995, CIA sources and informants were allowed to traffic in the massive crack cocaine trade which had devastated most of the social, economic and health conditions of the urban areas in the U.S. where mainly Black and Hispanic youth resided. The U.S. government had instituted a policy in the final stages of the ‘cold war’ designed to (a) cause the death of African American and Hispanic youth; (b) cause them serious bodily and mental harm; (c) inflict on them conditions of life calculated to bring about their social deterioration in whole or in part; (d) impose measures which prevented births or had a negative impact on mortality rates among their children; and (e) forcibly transfer a great number of their children to be under the direct or indirect supervision of the state. This is the classical definition of genocide

How did it begin? From 1933 until 1979, the U.S. government funded and supported Anastasio Somoza and his family, one of the most brutal dictatorships in Nicaraguan history. In 1979, Sandinista rebels, made up of Marxist and militant Catholic priests, led by Daniel Ortega, toppled the Somoza regime, aligned itself with Cuba, the People’s Republic of China and the Soviet Union. The Sandinista also gave support to Marxist rebels in neighboring El Salvador, who were trying to overthrow another U.S. supported dictatorial regime in that country.²⁶¹ President Reagan demanded that the U.S. government openly support the far right CIA trained opposition forces which dubbed themselves ‘*countrarevolucionarios*’ (counter revolutionaries) or Contras for short. Beside the former members of the dreaded far right National Guard, many leaders of the Contra rebels were heads of the drug cartels. Naturally, the support for and training of Contra forces first fell into the hands of those recently retired white American mercenaries who had been driven out of Africa with the liberation of Namibia and Angola. A quick perusal of the want ads in any early 80s gun magazines openly hired ‘private contractors’ for training missions in the Honduras and El Salvador.

²⁵⁹ Martha Honey, “Don’t Ask, Don’t Tell”, www.inthesetimes.com, 1998, p. 1.

²⁶⁰ Ibid.

²⁶¹ Howard Zinn, *A People’s History of the United States*, (), pp. 431-433.

The atrocities committed by the Contras were universally condemned and reflected the kind of carnage witnessed in Vietnam, Laos and Cambodia by U.S. troops. In fact, these terror tactics were the same kind of strategies the U.S. would utilize in training the '*mujahidun*' of the mid 80s that would morph into ISIL. There was nothing new to this state sponsored terror campaign. Testifying before a U.S. Senate Hearing, a former contra colonel Edgar Chamorro said:

"We were told that the only way to defeat the Sandinistas was to use the tactics the agency [the CIA] attributed to Communist insurgence elsewhere: kill, kidnap, rob and torture...Many civilians were killed in cold blood. Many others were tortured, mutilated, raped, robbed, or otherwise abused...When I agree to join...I had hoped that it would be an organization of Nicaraguans...[It] turned out to be an instrument of the U.S. government."²⁶²

It was American mercenaries and CIA trainers who initiated this policy of terror by the Contras. Fortunately for the Sandinista government, it was the overwhelming stale 'confederate' stench involved in the vetting and training of the Contras which caused the House of Congress to see it for what it was and to pass the Boland Amendment limiting and halting support for far right fascist dictatorial regimes. Clearly, the Reagan administration had brought on another constitutional crisis, where the government would intentionally violate and circumvent the U.S. constitution again, especially when Anglo American white chauvinism was challenged.

In order to continue secretly funding the Contra rebels the National Security Council (NSC) advised the Reagan administration to allow them to circumvent congressional restrictions on aid to the far right rebels with funds secured from secret and illegal arm sales to Iran. This scheme included the release of a number of U.S. hostages held in Lebanon and then the diverting of the funds from these transactions to support the Contras.²⁶³ Covertly, Saudi Arabia and Israel worked together with the U.S. in trying to prop up the murderous Contras. Israel contributed training and logistics while Saudi Arabia supplied close to \$32 million in financial support. More funds were procured secretly from Arab states of the Persian Gulf as well.

Because the U.S. administration identified support of the Contras as a part of its vital security interest, it turned a blind eye to Contra drug trafficking and the resultant massive influx of cocaine in the U.S. The purveyors of these drugs were the same people the U.S. were funding in the war against the Sandinista government. It is a fact that the CIA operatives and trainers received millions of dollars in kick backs from the drug cartels who had a back stage pass into the growing U.S. market demand for cocaine. In fact some of the same CIA planes used to transport arms and supplies to the Contras, were used to smuggle tons of cocaine into the country. What concerns us in this study is the impact that the flood of cocaine had upon the U.S.'s chief national minority.

²⁶² Ibid., p. 432.

²⁶³ Stanley I. Kutler, ed. Dictionary of American History, (Charles Scribner's Sons, New York, 2003), 3rd Ed., Vol. 1. P. 377

U.S. government agencies such as the NSC, the CIA, the FBI, and the INS were all complicit in this crime and were well aware that the targets of the massive influx of drugs were Blacks and Hispanics of the South Central Los Angeles area. The two key Contra members responsible for the trafficking were Oscar Danilo Blandon and Norwin Meneses. Later studies indicate that there were more drug cartels outside of the Contras, such as the Jamaican ‘posses’ who took advantage of this window of opportunity and escalated cocaine trafficking along the east coast in urban cities of the country. Ricky ‘Freeway’ Ross was not the only one; there were legions.²⁶⁴

As Ronald Reagan was running his illegal war against the Sandinista government, and his government was running illegal drugs into the country; he decided to add insult to injury by declaring a ‘war on drugs’ which his regime was responsible for instigating. Not only was Reagan able to contain ‘communism’ with this policy, but it proved an effective means in reducing the population of young African American men in urban cities all over the country. So by the time crack cocaine flooded the urban cities of the U.S. in 1986, he had declared illicit drugs to be a national security threat and announced the ‘war on drugs’. For more than 25 years and at a cost of 25 billion dollars the DEA and the FBI pretended to fight against the same Contra forces they had vetted, trained and deployed to ward off communism in Central America.²⁶⁵ Today these same far right terrorists morphed into the vicious cartels that plague Central America and northern Mexican cities. The DEA have ‘lost’ so many deadly caches of weapons to drug cartels that ‘losing weapons’ has become a standard method that DEA agents make money on the side. The video tapped decapitations and ritual murders witnessed daily on Youtube were taught to cartels by their U.S. mercenary trainers during the war against the Sandinistas – the same guys who are now selling them arms.

The impact of the crack cocaine epidemic upon the African American national minority was devastating. The response of the African American Muslim communities to this epidemic was to take direct action. In many cities Sunni Muslim as well as Black nationalists such as the N.O.I began to take up the U.S. government mandate of the ‘war on drugs’ by developing social programs as well as paramilitary actions designed to quell this scourge. One notable action was that taken in Brooklyn, New York by the members of *Masjid at-Taqwa* under the leadership of *Imam* Siraj Wahhaj. This Muslim *jama`at* witnessed the deteriorating impact that crack cocaine had upon families, the youth, property value as well as providing the

²⁶⁴ Rickey Ross, was responsible for the trafficking of close to four tons of cocaine during the five year lease that the CIA gave him. However, on the east coast Jamaican posses tripled that amount in New York, Boston, Newark, Washington D.C. and Baltimore. [See Michael C. Ruppert, “Rock Cocaine Hits L.A.”, *the U.S. Journal of Drug and Alcohol Dependence*, November, 1984; and Michael C. Ruppert, “The Dark Alliance the Straight Dope: Between the Rock and a Hard Place”, *The LA Weekly*, March 8-14, 1985].

²⁶⁵ Coletta A. Youngers and Eileen Rosin, ed., “Drugs and Democracy in Latin America: The Impact of U.S. Policy”, executive summary, (a WOLA special report, November, 2004), p. 1..

NYPD a convenient excuse to continue to brutalize young Black men. In fact, the NYPD demonstrated that they were not interested in stopping the crack epidemic, but simply containing it within the 'blackbelt'. Being loyal American citizens and taking the government policy of the 'war on drugs' seriously, the members of *Masjid at-Taqlwa* organized themselves, trained and began to patrol the area of surrounding *Masjid at-Taqlwa*. The Muslims escorted the elderly and children to their homes and schools; and began to 'serve notice' to drug dealers that they had to take their business elsewhere. Predictably, this led to a face-off between the Muslims and the drug dealers, and on one early morning after the *fajr* prayer the Muslims were able to make a successful raid on a major crack house in the area, shutting it down. These kinds of actions were replicated in Cleveland, Baltimore, Atlanta, Oakland, Newark and Philadelphia by both Sunni Muslims and Black nationalists organizations.

Eventually, the Muslims of *Masjid at-Taqlwa* directly encountered a reality that had often been suspected, that some of the important crack houses in New York were actually run by the NYPD police units such as the 75th, 67th and 17th precincts. The Muslim closing down of crack houses and war against drug dealers in Brooklyn cut into the profits of these units of the NYPD. Ironically, it was drug dealers who snitched and eventually, the members of *Masjid at-Taqlwa* were arrested. There was a major outcry from the Brooklyn community against the NYPD actions because they saw these Muslims as heroes. Due to community pressure the courts were forced to release these Muslims who were doing nothing more than demonstrating their civic duty and community responsibility by following the presidential mandate of the 'war on drugs'. However, one of the Muslims, who had a prior weapons charge when he was in the Black Panther Party, was remanded by the courts. The Muslims saw it necessary for this brother to make the *hijra* out of the country; and this is how I had the chance of meeting him and getting the inside story of the heroic actions of *Imam Siraj Wahhaj* and the members of *Masjid at-Taqlwa*.

What is important is that the government was not interested in stopping the trafficking of crack cocaine in urban areas; but they were concerned more about the African American national minorities taking direct action to resolve the destructive impact which crack cocaine had in the Black and Hispanic communities. When I returned from Africa in 1990 and visited some of my neighborhoods in Los Angeles, Galveston, Houston, Lake Charles, Hartford and Springfield; it was like a war had taken place. Public schools were gutted out and vacant and entire neighborhoods stood like ghost towns with boarded up homes and derelict buildings. I arrived at the height of the 'war on drugs' and the civil war among African American youth based on colors, area codes and drug territory. What is poignant is that the NSC had already calculated the impact that illicit drugs would have on the African American and Hispanic American

communities before they introduced the Iran/Contra scam to Reagan. They had studies which reported on the expected fall out, impact and consequences of the cocaine epidemic. The CIA, the FBI and the DEA had already presented their budget to the government based upon estimated cost of equipment that would be needed in order to control, contain and benefit from the war on drugs. They knew that some undercover agents of the CIA, the DEA and the FBI were positioned to make hundreds of millions of dollars in the sale of cocaine in the U.S. This was the reason that seven months before its implementation, William Casey made his request to Attorney General William F. Smith to turn a blind eye to any drug trafficking by assets, informants or agents of the CIA, the DEA or the FBI.²⁶⁶ This meant that a sector of the United States government willfully and intentionally targeted the African American and Hispanic American community for the marketing of illegal drugs in order to advance its national security and political interests in Central America. It was a ritual sacrifice and the knife was placed in the hands of our young African American boys; which afforded the government to perform another ritual sacrifice – the mass incarceration of young Black men on the altar of the ‘war on drugs’. When we examine the intent behind this policy alone, it is reproof of the malevolent objectives of the U.S. towards its oppressed national minorities. The actual statistical data and the quantifiable impact that this had on the African American and Hispanic national minorities adds up to a horrendous genocide which included physical biological and cultural genocides.

Between 1982 to roughly 1994 there were clear negative declines in all social indicators for the African American national minority as a direct result of the crack cocaine epidemic. During this period the homicide rate among Black males between the ages of 14 to 24 more than doubled.²⁶⁷ Although the usage of crack cocaine first hit the city of Los Angeles, the cities which experienced the highest levels of the usage were Oakland, Boston, San Francisco, Baltimore, Newark, Cincinnati, Atlanta, Philadelphia and New York. The highest usage of the drug nationwide rose sharply in 1985 and reached its peak in 1989, after which it declined. Between 1982 and 1989 there was an increase in low birth weight babies among African Americans, along with an increase in child mortalities and fetal deaths.²⁶⁸ These negative statistics were the direct result of the spread of crack cocaine.

In addition to the rise in homicide rates among African American men and Black infant mortalities, it was crack cocaine which was the cause of the burgeoning incarceration rates and the construction of new prisons to confine the largest prison population in the world. According to Evans, Garthwaite and Moore,

²⁶⁶ Martha Honey, p. 6.

²⁶⁷ Roland G. Fryer, Jr., Paul S. Heaton, Steven D. Levitt and Kevin, M. Murphy, “*Measuring the Impact of Crack Cocaine*”, Working Paper 11318, (National Bureau of Economic Research, Cambridge, 2005), <http://www.nber.org/papers/w11318>, p. 3.

²⁶⁸ Ibid., pp.8-9.

there was a tripling of incarceration rates between 1980 and 1996.²⁶⁹ The social variables of crack cocaine in traditional African American communities were typical and they included a complete fall in property value and the loss of property rights. There was also a decline in high school completion rates among the African American male population associated with the crack cocaine market. This study conclusively demonstrated the correlation between the decline in high school completion rates among African Americans and the rise of the crack cocaine epidemic. Their study showed that the government sponsored crack cocaine epidemic accounted “for between 37 and 73 percent of the fall in black male high school completion rates.”²⁷⁰

This led to the total destruction of the family life in what was known as the urban Black belt. By 1986, the U.S. Congress under the Federal Anti-Drug Abuse Act established mandatory sentencing laws for possession of crack cocaine which were designed to target African Americans. Convictions for possession of crack cocaine with intent to distribute carried a five year mandatory sentence for only 5 grams. The result was that African American men and women were receiving longer sentences than other drug users and traffickers.²⁷¹ Many social scientists concurred that mandatory sentencing for possession of crack cocaine actually targeted the African American national minority male population and resulted in the increased sexual risk taking, mental health problems, violence and homicide which are prevalent among this demographic.²⁷²

The crack cocaine epidemic was intentionally disseminated among the African American and Hispanic national minorities at the hands of the CIA, the DEA, the FBI and the NSC, as a part of the Reagan administration to disrupt and overthrow the Sandinista government in Nicaragua. This policy allowed Central American drug cartels and Jamaican posses to distribute crack cocaine in mainly African American communities all over the country with the approval and logistical support of the United States government. The government used the ‘cold war’/‘the communist scare’ as their excuse to institute chemical and biological warfare upon the African American national minority. These chemicals and biological agents were not dropped on the people during a bombing campaign; but through the intentional targeting and trafficking of illicit drugs.

Under the guise of the ‘war on drugs’, between the years of 1982 and 1994 as the U.S. government conducted its genocide of the African American male populations between the ages of 17 and 24; it turned

²⁶⁹ William N. Evans, Craig Garthwaite and Timothy Moore, “The White/Black Educational Gap, Stalled Progress, and the Long-Term Consequences of the Emergence of Crack Cocaine Markets”, February, 2015, p.7.

²⁷⁰ Ibid. p. 1 and p. 39.

²⁷¹ United States Sentencing Commission, *Special Report to Congress: Cocaine and Federal Sentencing Policy*, (Washington D.C.; GPO, February 1995), pp. 184-187.

²⁷² LaVelle Hendricks and Angie Wilson, “The Impact of Crack Cocaine on Black America”, National Forum Journal of Counseling and Addiction, Vol. 2, No. 1, 2013, p. 5.

its eyes to Afghanistan and conducted the most ambitious black ops program in U.S. history. The PR stunt in Central America of depicting far right fascist terrorists as freedom fighters, would be perfected in Afghanistan with the '*mujahiduun*'. Just as the target of Contra militia was 'communism', likewise the target of the '*mujahiduun*' would be the USSR. The Contras who were vetted, trained and deployed by the CIA to fight against 'communism' in Central America would later morph into the barbaric and sadistic drug cartels. Similarly, the '*mujahiduun*' were also vetted by the CIA, trained and deployed to fight against 'communism' in Afghanistan, and would also morph into 'al-qaeda', ISIL and a host of other gruesome killing machines.

g) CIA's Muslim Assets & the Redirect of African American Muslim Leadership

By 1984, the *Memorandum of Understanding* between the Justice Department and the CIA took a life of its own, and opened the door for the U.S. government to brand this technique and utilize it in its new front against the spread of 'communism' in Afghanistan. Prefiguring this revised tactic and its widespread use by the DOD and other counter intelligence agencies, the director of the CIA, William Casey wrote:

"I am pleased that these procedures, which I believe strike the proper balance between enforcement of the law and protection of intelligence sources and methods, will now be forwarded to other agencies..."²⁷³

Just as the U.S. was able to bring together Israeli intelligence, Saudi Arabian finance, Central American drug cartels and racist Anglo American mercenaries in a two pronged attack against the Sandinista government and young African American men; these same elements were deployed in the new front in Afghanistan.

With the 1979 Iranian Islamic Revolution underway and the fear of its spread throughout the region, both the U.S. and the U.S.S.R. saw itself facing a common enemy – resurgent Islam. In Afghanistan, the regime was doing a poor job in containing the rise of Islamist and this opened the door for pro Soviet People's Democratic Party of Afghanistan (PDPA) to seize power in 1978. The PDPA actually instituted some of the same reforms the U.S. would attempt and fail to institute two decades later in its invasion of that country. Under the PDPA land reforms which favored the lower classes were immediately instituted; along with the separation of the 'church and state'. The PDPA also expanded trade unions and education, which included mandatory education for girls as well as an institution of gender equality.²⁷⁴

The irony is that these new policies infuriated many of the wealthy Muslim landlords and the *mullahs*, who controlled all of the poppy fields where high grade heroine was produced. These Muslim drug lords, saw the advances of the PDPA as a direct attack upon their trade; but they couched their grievances as

²⁷³ Martha Honey, p. 1.

²⁷⁴ Norm Dixon, "How the CIA Created Osama bin Laden", *Green Left Weekly*, September, 19, 2001, p. 1.

an attack upon 'Islam'. The United States immediately took the bait and the CIA utilized the same Saudi finances it had vetted during the Contra wars in Central America, to recruit and develop an insurgency that would be multinational. Just as Contra drug cartels were pitched to the American people as freedom fighters, now Muslim drug lords in Afghanistan were rebranded and marketed to the American people as freedom fighters.

In 1986, President Ronald Reagan, would utilize these 'freedom fighters' in its final proxy against Soviet communism. In an address to Congress, he said:

"Throughout the world ... [Soviet] agents, client states and satellites are on the defensive — on the moral defensive, the intellectual defensive, and the political and economic defensive. Freedom movements arise and assert themselves. They're doing so on almost every continent populated by man — in the hills of Afghanistan, in Angola, in Kampuchea, in Central America ... [They are] freedom fighters"²⁷⁵

Utilizing the same Saudi financial 'angels' that funded the war against 'communism' in Nicaragua, the U.S. was able to garner funding for the development and training of the '*mujahiduun*' in Afghanistan. It was this tactic which brought in a young wealthy Saudi CIA asset known to the Americas then as Timothy Osman (aka Osama bin Laden).²⁷⁶ From 1978 to 1992 the U.S. government pumped \$20 billion worth of weapons, training and logistics to the '*mujahiduun*' with much of the funding coming from Saudi Arabia.²⁷⁷ More than 100,000 Muslims from all over the world were vetted and sent to Afghanistan to advance U.S. interest in the region. In the U.S., Camp Peary in Virginia became the secret training center for immigrant *muddajin* Afghans, Egyptians, Jordanians and members of the African American/Muslim national minority.²⁷⁸ The same sabotage and terrorist tactics taught to the Contras in Nicaragua were taught to American Muslim recruits for the war against communism in Afghanistan.

This new policy by the U.S. government had two major impacts upon the African American/Muslim national minority: [1] a break up of their Islamic organizations and [2] a redirect of their leadership in order to implement U.S. foreign policy in the Middle East. This entailed the utilization of foreign born immigrant *muddajin* Muslim *sufi* and *salafist* 'sheikhs' to **redirect** several African American Muslim organizations away from their natural trajectory – Muslim Africa. Those organizations that could not be redirected, their leadership was funneled lucrative scholarships, fellowships and work visas in Middle Eastern mega cities; again redirecting them away from their innate course. In the mean time *muddajin* leaders ignited the sectarian flame of popular *sufism* and *salafism*, where in the mid eighties they were killing one another gangland style on behalf of loyalty to some foreign 'sheikhs' who had been vetted and trained by the CIA.

²⁷⁵ Ibid.

²⁷⁶ J. Orlin Grabbe, "When Osama Bin Ladin Was 'Tim Osman'," *The Laissez Faire City Times*, Nov. 8, 2001, p. 2.

²⁷⁷ *Op. cit.*, p. 2.

²⁷⁸ Ibid. The recruits from the African American/Muslims came via the *Tablighee*, the *Fuqara* and the *Salafist* movements in the U.S.

Then all of a sudden in 1984 when the U.S. decided to conduct a final proxy war in Afghanistan against the Soviets, the CIA turned to the *sufis*, *salafist* and *tabligh* assets throughout the Muslim world schooling them in anti-communism counter insurgency training. Magically a series of related *fatwas* came from all three camps declaring ‘communism’ the number one enemy of Muslims. Thus, the *Tablighee*, the developing *Salafist* and *Sufi* brotherhoods joined hands again recruiting African American Muslims to fight in Afghanistan. One has to assume that the killing spree that occurred on the east coast of the U.S. during the ‘sufi/salafist’ war was boot camp, and basic training for what was to come.

The mid to late 80s due to the interference of *muddajin* Muslim immigrants and foreign Muslim nations, the U.S. witnessed the breakup of a lot of African American Muslim organizations. This was particularly true of the communities associated with the World Community of al-Islam in the West led by *Imam* W. D. Mohammed. All throughout the east coast of the U.S., *Imams* began to publically disavowal their allegiance to the *Imam*. This was a time when *salafist* and *sufic* teachers, were redirecting the minds of some of the *Imams* followers. These teachers entered into the U.S. with a visa, precluding their legal right (at least in the opinion of some of the jurists) to speak about Islam, to give testimony in a court or be a witness to a legally binding contract. They handpicked individual African American youth and sent them to Pakistan or Saudi to be trained. They were taught to minimize the Islamic worth and work of previous African American Muslims generations. By the 90s these *Imams* started returning back home with full degrees and some without, but all of them had a line to lucrative sources of financial support in the Gulf and had been ‘dumbed down’ to parrot the narrow and suffocating doctrine of the Saudi regime. The only contributions these Saudi pundits have made to the advancement of Islam in the west have been a plethora of serial marriages and divorces with abandoned children literally all over the globe.

Islam became marketable and as the Prophet foretold, it was placed upon the market as a commodity. During the 90s one of the main ways that some *Imams* made a living was from the sale of their tapes and CDs, allowing talks, lectures and *khutbas* to become a lucrative business for some. It became a kind of Islamic ‘chittlin circuit’ (or ‘*falafil* circuit’), where the only Muslim communities which benefited were those of the *muddajin*. This entailed eloquent, African American Muslim orators and highly sought after engaging Anglo American Muslim motivational speakers who were funneled out all over suburban America to help in fund raisers for schools, new mosques and other endeavors of suburban *muddajin* Islam.²⁷⁹

²⁷⁹ One New York *Imam* who had studied Arabic in Riyadh took a more cynical and mercenary view when he told me that giving talks at fund raisers for *muddajin* mosques was the way he paid his bills. He said that he demanded from 5-10% of what was expected to be raised and he wanted his money up front. Other *Imams* would announce at the beginning and end of their lectures that their tapes and CDs would be available for purchase after the end of their lectures. One particular popular African American *Imam* known for his addiction to crack cocaine continues to rake in money from his lectures around the world.

ISNA, ICNA, MSA, CAIR and a host of organizations around the U.S. basically exploited indigenous Muslim leaders and their people to assist in raising money and support for Palestine, Kashmir, and other foreign Muslim causes; anything but the rights of self determination of indigenous Muslims in the U.S. One of the most successful Islamic endeavors that happened during this period was the emergence of the *deen* intensives, *rihlas*, and retreats, mainly inspired by indigenous American Muslims, where traditional Islamic texts, sciences and licenses were transmitted to the children of the *muddajin* populations; since they, in many cases, were the only ones who could afford the fees. The urban Islam of indigenous Muslims was mainly nourished by the 'new *fiqh*' of Imam W.D. Mohammed, the vociferous and toxic anathematizing of Saudi trained *Imams*, and the sweaty dancing and chanting of Pakistani Sufism. Indigenous African American Islam had not yet rediscovered its real authentic voice. The *deen* intensives did allow the revival of the study of traditional text and the transmission of licenses (*ijaazaat*) for mainly the second generation of *muddajin* Muslims. There were few efforts like this established for the indigenous African American Muslim communities. It was and still remains today an elitist *muddajin* phenomenon.

This period echoed the final proxy wars of the cold war, in which the U.S. vetted *salafist* and *sufic* elements from its strongest allies –Saudi Arabia and Pakistan and a series of *fatwas* emerged calling communism the worst enemy of Islam. The result was that African American Muslim leaders were redirected and their organizations were dismantled. What remained were national organizations that either catered to U.S. internal domestic interest or those which were used in the country's international interest. None of the indigenous African American *Sunni* organizations exhibited any actions which reflected a desire for self determination. The N.O.I. was the only organization which allegedly coordinated its efforts for the advantage of the African American national minority both domestically and internationally.

The majority of the African American Muslim leadership had either been misdirected away from connecting their communities to their African Muslims across the ocean; or they had been co-opted by either Saudi, Pakistani or Iranian interests. In a speech made by Imam W. D. Mohammed at Prairie View University in early 90s, he openly regretted that he had not guided his community to a more proactive relationship with Islamic Africa. Many *Imams* simply did not care because the xenophobic doctrines concealed within Saudi Islamic discourse preempted making any connection between the African American Muslim national minorities and Islamic Black Africa.²⁸⁰

²⁸⁰ The only minor exception to this rule was the work of the Senegalese *Tijaniyya* communities in Kaolack. However, even this was initiated by the Senegalese themselves and not the African American Muslim communities. There were *Imams* who sent their children to be educated in Senegal, however so far there has been little or no impact upon the larger African American Muslim communities by these brothers and sisters who have completed their education. It seems that they too have been co-opted to advance the interest of a segment of Senegalese society and have failed, thus far, to advance the needs of the African American Muslim national minority.

h) Inside/Outside the California Department of Corrections²⁸¹

When I arrived back in the U.S. in 1990, I began to establish SIIASI classes studying the works of African Muslim scholars and reconnecting the African American Muslim national minorities with their authentic Islamic cultural heritage.²⁸² One of the first people to take the oath of allegiance with our *Sultan* and to take the *khirqah* of the Qadiriyya Path as delineated by *Shehu* Uthman ibn Fuduye', was Sifu Mwalimu Bomani Abd'l-Hamid al-Mugharibi of Houston Texas.²⁸³ I taught Arabic language and morphology at Masjid Muhammad in Houston Texas, and was asked by *Imam* Ibrahim Kamaluddin to give him private classes in the sciences advanced in the al-Ajerumiyya, which I was translating at the time. I set up classes in Houston and then Los Angeles, with the intention of addressing the indigenous African American Muslim communities. I confederated spiritually with *Imam* Hamza Yusef who had been doing his internship as a nurse in a hospital while conducting Friday sermons and university lectures throughout California.²⁸⁴ I was also hired to teach in a women's federal prison in College Station. By 1993 the SIIASI classes began to attract larger numbers, but I felt that the call of African Islamic traditions should be made in the place where African Americans were largely becoming Muslim, and that was in the U.S. penitentiaries.²⁸⁵ It was *Shaykh* Abdullahi's interpolation of the meanings of the opening of *Surat'l-Qissas* that directed my heart towards the U.S. penal system. From the Diya't-Ta'weel I surmised that it was in this

²⁸¹ At this stage of my research I feel it is appropriate to speak in the first person because 1990 marked the point when I returned to the U.S. after ten years of study abroad in Islamic Africa. I established the SIIASI in 1985 in Sudan with the permission and support of the Sultan of Maiurno and was commissioned to return to the U.S. to call people to Allah and the *minhaj* of *Shehu* Uthman ibn Fuduye'. The success and failures I encountered is a reflection of what many other Muslim *daa'is* encountered in their work in the U.S. From 1990 until 1999, I had been actively involved in proselytization and teaching in *masjids*, Islamic centers, universities, but particularly in the U.S. penal system in a voluntary capacity and as a paid Muslim Chaplain. During this period, I was able, with the help of Allah, to marshal and organize the *Jama'at* of *Shehu* Uthman ibn Fuduye' in the U.S., Canada and the U.K. 1999 marked the beginning of FBI covert surveillance of our community which went on unabated until 2001, when due to the 9-11 terrorist attack, federal agents were able to openly target our national community utilizing rejuvenated COINTELPRO tactics. By 2005 FBI harassment was so intense that I was forced into exile to China for seven years. The reason that this is significant is because it gave me firsthand knowledge of the U.S. governments continued policy to control, undermine and disrupt indigenous African American Muslim organizations. It is for this reason that this research will now focus on the *Jama'at* of *Shehu* Uthman ibn Fuduye' and the work of SIIASI within the context of the larger African American Muslim national minority. What happened with the *Jama'at* of *Shehu* Uthman ibn Fuduye' at the hands of U.S. federal agents is a small microcosm of what has been going on with every African American Muslim organization in the U.S. and provides evidence of the government's attitude and treatment of its indigenous national minorities

²⁸² See Jean Boyd and Beverly Mack's Educating Muslim Women as well as www.siiasi.org for a brief chronological history of the Sankore' Institute of Islamic-African Studies International (SIIASI).

²⁸³ I met him and his students of the Five Element Kung Fu school at the International Festival in Houston Texas. We made a pact, that he would instruct me in Jeomen Wushu (Chinese Muslim Kung Fu) and I would instruct him in Islamic African traditions. Of all people who joined the *jama'at*, he was the most sincere and dedicated.

²⁸⁴ It was in 1991 that I asked *Imam* Hamza Yusef to be a part of the board of advisors of the SIIASI and we eventually began working together in the California Bay Area in reviving traditional Islamic education. Yusef would later establish the Zaytuna Institute in the Bay Area of California that would introduce traditional Islamic studies on a mass scale throughout the U.S., Canada and the U.K. This endeavor on his part laid the foundation for the establishment of the first indigenous traditional Muslim seminary in the U.S. – the Zaytuna College.

²⁸⁵ Richard M. Bailey, "Muslim Ministry Workers in North America: A Database Report", The Gospel for Islam: Reaching Muslims in North America, ed. Roy Oksnevad and Dotsey Welliver, (Wheaton, IL, August, 2006), pp. 167-186.

institution where African American and Latino young men were being ritually sacrificed for the good and benefit of the dominant majority. From an ontological perspective if Islam, Christianity, Judaism, Taoism or any religion for that matter had any redemptive abilities then it would prosper in a place which is the darkest. Societies convicted criminals are those that human beings have decided are no longer privileged to live as humans. Murder, theft, assault, drug and human trafficking are among darkest of human crimes and human society across the globe has agreed that a penal system is a just means in punishing and rehabilitating the perpetrators. It is here more than any other place that religion in its transformative and modifying capacity works best for the good of the individual and society. A genuine religion fundamentally transforms human behavior; where convicted felons actively and proactively change themselves back into human beings. That is perhaps the greatest argument of those who follow sacred traditions

Al-Hajj Malik El Shabazz is the prototype of this kind of spiritual human transformation. It was in the hells of the U.S. penal system that he discovered Islam, re-educated himself, rediscovered his African heritage and then set upon the journey of becoming a true human being. Because he realized that he was the victim of a nationwide intergenerational sting operation; he directed his intellectual anger first against that system. He felt that the U.S. penal system was designed to force him into a criminal maze that satisfied the psychic racism, raised the tax base, fed the financial needs of most of American society, but more alarmingly provided the U.S. with a 'legal' means for containing and eliminating its 'undesirables'. He saw the dominant American society, not as human beings, but as vampires who fed upon the condemned lives of young African American and Latino men. When he finally left the prison, *al-Hajj* Malik El Shabazz began to immediately establish the proper barriers to prevent young Black men from initially entering prison. In this regard, the prison program of the F.O.I. and the M.G.C. initiated by Mr. Elijah Muhammad proved that religious influence should be an important option in the rehabilitation of criminals. It was based upon all of the above that I concluded that the most effective forms of calling the U.S.'s chief national minority to Islam was in the place where Allah ta'ala was causing His religion to reach the most people. It was then that I set my eyes on the CMF Vacaville and Solano prisons.

After returning to the U.S., I was often advised by Dr. Kly to get into the U.S. prison system as a teacher, but also as an observer for IHRAAM. One of the best prisons with regard to measuring the extent to which the U.S. abides by or fails to abide by international penal standards is the California Medical Facility (CMF) at Vacaville and its companion prison CDP Solano. It was behind the walls of CMF that advanced research on behavioral modification practices and medication emerged. Just up the street from CMF was the newly constructed Genentech in Fairfield developing the kinds of drugs demanded of the many psychiatrists

of the prison psyche wards. Category J or 'Cat J' inmates were the boon for American pharmaceuticals which regularly provide prison officials with lucrative bonuses as a result of burgeoning sales of behavior modification drugs. By the mid 90s, I was able to procure a job as a Muslim Chaplain in both prisons through one of my own students among the followers of W.D. Mohammed. On being hired, I conducted an experiment for a period of two months with the Muslim inmates, by first inviting a young Saudi student from UC Davis who had mastered the seven variants of recitation of the *Qur'an*. He wanted to teach the inmates for the sake of Allah, so I arranged for his gate clearance and weekly entrance into the prison. The first week about seventy inmates attended the class, but each subsequent week the numbers reduced. By the fourth week the students were down to one and the Saudi acknowledged that coming all the way from Davis to Vacaville for just one student was not worth it. I then consented to a well known member of the Bay Area *Tabligh* who had completed his studies in one of Bangladesh's *Daar 'l-Uloom*. Like his Saudi counterpart, the *Tablighee* leader drove up from Stockton to teach Islamic basics. On his first week all the seventy Muslim inmates were present, but by the forth week, the numbers had dwindled down to two, and one of these was always caught up in a debate with the *Imam*. After one heated debate the *Imam* briskly informed me that he did not drive up all the way from Stockton to be insulted by criminals. I apologized to our brother and reminded him that these brothers were convicts who had been conditioned to doubt and question everything.

The following week, I made a poster for the week's classes announcing the study of Songhay ethics using original manuscripts composed by African scholars. When I arrived for work the following week, the Watch Sergeant informed me that my class had been moved out of the Chapel into the gym. When I arrived in the gym there were more than one hundred inmates, most of whom I did not know, all with pad and pencil ready to learn about their own heritage. There were Crips, Bloods, Black Guerilla Family, NOI, Marxists and atheists who had an eagerness to know about who they were before they were kidnapped, enslaved, jim crowed and criminalized. Over the following weeks the classes never reduced. They increased and we had to establish a schedule for the growing number of inmates wanting to join the class. Every Friday at least two to three inmates would declare his *shahadtayn* and enter the fold of Islam.

My experiment was working. The principle that cures are endemic and close to their sicknesses proved to be true. We were able to witness the proactive effect that African Islamic culture and values had upon the psychic of African American men convicted of murder, man slaughter, armed robbery, drug trafficking and other crimes. My hypothesis was that if African American inmates, convicts and felons could have access to their own authentic African Islamic heritage, the effect would be lasting and a genuine break

through could be had into the humanity of these men. In the CMF prison, I enacted a full Sankore` Institute program for Arabic, theology, jurisprudence, spiritual purification and history. These classes were conducted utilizing the chains of authority (*asaaneed*) as the means to link these inmates with a chain of transmission going back through their African ancestors to the Beloved Prophet, may Allah bless him and grant him peace. We had several Muslim inmates working in the prison printing press who began printing the SIIASI literature in bulk, enough to meet the needs of both prisons. Because CMF was a medical facility, often Muslim inmates were transferred to CMF for either medical or psychiatric treatment. In this way, I had a clear picture of what the other Muslim Chaplains were doing in the other thirty six prisons across the state. One inmate told me that in his prison, the Muslim Chaplain would literary come in a put in a video recording of *Imam* W.D. Mohammed and then go back in his office and sleep.

Over the four years of working at CMF Vacaville and CDC Solano, I received commendation from staff, particularly the Watch Sargeants and the COs who due to their proximity to the inmates, simply wanted to finish their shifts safely and make it home to their families. A fact that I had learned while working as a Muslim chaplain was that as long as the Muslims were satisfied a basic calm pervaded the entire prison. However, when the Muslims became dissatisfied, unrest and tensions abound. During my four year tenure as Muslim Chaplain, the CMF rarely had gang incidents or riots; and the only lock downs I witnessed were when COs would ‘drop a bullet’ around the first week or two of December. This would lead to a lock down and routine search of cells; meaning a lot of overtime work for COs with lucrative overtime pay and bonuses - so that they could have a merry merry Christmas.

Due to the Sankore` Institute curriculum of study I set up, the Muslim inmate population at CMF and CDC Solano, were busy quietly learning about their heritage. Some of them were keen on learning how to read the unique calligraphic styles of Africa. Some of them were keen on the sciences of theology, doctrines, creeds and Islamic philosophy. Others were concerned with mastering *Qur’anic* exegesis, Islamic jurisprudence and the prophetic traditions. All of them were adherents of the path of self purification and transformation of the self (*sufism*). The first thing I did was distribute all the *Qaadiiriyya awraad* and *wazaa’if* I had received in Africa to inmates, especially to those Muslims who were under solitary confinement or administrative segregation. In my view, solitary confinement was equivalent to the *khalwa* (solitary spiritual retreat) prevalent in the *khalawi* Sufic system of the *bilad’s-Sudan*; where disciples were placed to recite specific Names of Allah in order to attain spiritual transformation and enlightenment. The Muslims automatically began to organize themselves based upon a new paradigm, different from the ‘shot

caller' social structure prevalent in all U.S. prisons. The reorganization of the Muslims began to have impact upon the non Muslims as well.

I can honestly say that I witnessed actual miracles inside the CMF, where during the Million Man March being held in D.C., I was permitted to lead the African American inmates on a march around the prison yard in solidarity with our brothers in D.C. The most outstanding miracle that I witnessed over the four year period was spiritual transformation of men who had decided to be TRUE MEN. The impact that this had upon me was magnetic and infectious. It was during this period that I became acquainted with members of the Black Liberation Army and the Provisional Government of the Republic of New Afrika, such as Sekou Odinga and Jihad Abd'l-Mumit who were being held in federal prisons.²⁸⁶

Contrary to the fears of the CDC, there had been about twelve different individual Muslim litigations on the table before I was hired as the Muslim Chaplain.²⁸⁷ For the record, I was not the one who initiated these litigations. For years, before I arrived, each of these litigations was shot down before ever leaving the prison. In some cases the CDC rebuffed litigations due to the misrepresentation and the incompetence of a Muslim chaplain. In most cases, however, the Muslim inmate was painfully ignorant of the objectives and aims of Islamic law and its rulings. At this time I was in contact with Dr. Kly regarding the case of a Muslim inmate in Lompoc who had been beaten close to death by several COs. The wife of the inmate contacted me and told me that her husband requested his case to be presented to IHRAAM. This is what prompted renewed talks and interviews with Dr. Kly. It was during these prolonged conversations that we discussed international standards on the treatment of inmates and how the U.S. stood regarding these resolutions. I mentioned each of the twelve litigations put forward by the twelve Muslim inmates and how each of them was shot down before leaving the prison. Dr. Kly advised me to compose memos addressing the Islamic legal issues regarding the litigations.

For example, one of the litigations was a demand for properly slaughtered meats for Muslims. I was informed by several of the Muslim inmates that there was a Hasidic Jewish inmate in the CMF prison

²⁸⁶ Comrade Dhameera Ahmad of Oakland, California, a former Black Panther Party member who worked closely with Sekou Odinga and other political prisoners in California was the one who brought us together. Jihad Abd'l-Mumit sent me a copy of his Ten Point Program to help rehabilitate, educate and reorganize street gangs for the benefit of the communities. This treatise was the most ambitious community development program that I had seen since the Ten Point Program of the Black Panther Party. At the time Jihad requested that the SIIASI publish his work. However, I advised him that it would not be wise to publish this work with SIIASI because we had little or no distribution network except the penal system. I did have the Muslim inmates at CMF to print up as many copies of his work as possible and had them distributed throughout the different prisons where there were *jama'ats*.

²⁸⁷ I was suspected by certain staff of the CDC for initiating the twelve or more Muslim litigations. However, this is incorrect because these litigations had been on the table some four years before I was hired. What I did was cross check all the Islamic jurisprudence of these litigations; corroborated these with Muslim jurists in Sudan and Saudi Arabia, (particularly with *Shaykh Umar al-Felata* in Medina al-Munawara) and then had these reviewed by jurists and lawyers associated with the United Nations Human Rights Commission.

who had his kosher meals and utensils delivered to the prison every week. I wanted to know how this singular Jewish inmate, (and he was the only one in the entire prison), could get special treatment by the system. We arranged a meeting between him and I where he presented me the deposition of his lawsuit against CMF prison. When I read the deposition, I was amazed at the similarities between Jewish and Islamic dietary rules, which then sparked a dynamic and constructive dialogue between myself and the Jewish chaplain. It was at that time that I began to do an in depth comparative study between Jewish and Islamic theology and law. In the Jewish lawsuit, it used the Torah, the Talmud and the Midrash as the basis of what are the standard rules for Jewish kosher law. The crucial element of the argument was that kosher diet played a key role in the spiritual and moral rehabilitation of the litigant, and since rehabilitation remained a major goal of sentencing; the institution's denial of kosher diet to the inmate was an abjuration of part of the responsibility of the prison.

It was based upon this deposition that I composed a complete study of *dhabiha* from the *Qur'an*, the *Sunna* and the consensus of the scholars, and showed how the Title Fifteen (the basic rule book of the CDC), also afforded religious communities to have their religious diets as long as it did not increase the normal cost of feeding an inmate. Dr. Kly advised me to make sure that I gave the first copies of this document to the Wardens, Associate Wardens and Watch Sergeants. I also sent a copy to the office of IHRAAM. In our classes we would study the memos from a legal perspective and discuss the American legal system and courts and how they worked. It was during these times that the Muslim inmates would educate me in the fine art of American jurisprudence. Some of these brothers were experts at the law and understood the maze of ins and outs of the judicial system. On my part, I would relate the regular advice I was receiving from Dr. Kly and in this way both the Muslim inmates and myself were being instructed in the principles of international law. It was during this process that we realized that there was an almost symbiotic correspondence between the *shari`a*, the U.S. constitution and international law.

Under Dr. Kly's guidance we streamlined the twelve litigations to six. For each of the six litigations, I produced a memo addressing that issue from the perspective of the *Qur'an*, the *Sunna* and the *Ijma`* from which the inmates could draw from in composing their arguments. From there the inmates took it and developed their strategy. I simply performed my job description which was to inform the CDC and the inmate Muslim population about the fundamental rules of Islam. Dr. Kly made sure that the arguments presented by the six inmates also met the criteria for international law. This time all six litigations made it to the courts. Dr. Kly, then saw to it that the judge involved in the cases received a communiqué from the United Nations NGO advising the judge that the U.N. was observing the case as a study to determine how

and if the U.S. penal system accorded with the international standards of the treatment of inmates that it signed at the United Nations. The impact this had on the judge was one of attentiveness and vigilance. If the judge was going to be biased in favor of the CDC, this was not going to be one of those cases.

In order to defeat these litigations, the investigative units of both the CMF and Solano prisons were utilized. When the judge informed CDC lawyers of the UN communiqué to observe the case, CMF investigative unit called in the FBI to look into possible foreign interference into the penal system of California. It was then that I was placed on administrative leave and placed under investigation for 'jeopardizing the security of a prison'. The downside was that I lost my job as Muslim Chaplain and a great deal more. Had it not been for the subtle support of Allah *ta'ala*, I doubt if I would have survived. This predicament also revealed the political attitudes of some of my closest friends, who privately advised me to forego the Muslim inmate litigations and to concentrate just on teaching them Islam. Many Muslims were surprised on the eve of September 11, 2001, to see certain American Muslim leaders make an about face in their Islamic discourse. As for me, I had a clear glimpse of this paradigm shift as early as 1997. The horror of 9-11 simply provided a convenient excuse for these leaders to do publicly what they had been doing secretly since 1997. To my knowledge, the actions I took at the CDC were the first time that I hit the radar of the FBI. Because of the nature of the accusation and the fact that I had brought in the UN to observe the case, the FBI gave me a file. Thereafter, my phones were tapped, my emails were interdicted, stored and analyzed by a huge computer tracking system developed by the NSA and located in San Francisco.²⁸⁸ Lawyers informed me that it was legal action put forward by Muslims of the CMF and Solano prison, my communication with our *Sultan* in the Sudan, my communication with Dr. Kly and other IHRAAM lawyers which gave the U.S. Department of Justice pretext to place my movements under closer scrutiny. It must be understood that this was pre-9-11 surveillance.

²⁸⁸ This NSA program first developed in 1992 was later passed on to the Department of Justice and the FBI in July 11, 2000 and renamed 'Carnivore' (DCS 1000), at which point its constitutionality and legality came into question. However, the 9-11 attacks in 2001 put an end to all barriers to its full implementation by the FBI. The only prerequisite for the illegal surveillance of American citizens was that the FBI was obligated to report to the U.S. Judiciary Committee of the Senate and of the House of Representatives at the end of Fiscal Years 2002 and 2003 delineating the usages and implementation of the Carnivore program. In 1992 this program was implemented with impunity and secrecy under the NSA which went on to develop a far more comprehensive electronic surveillance system named 'Echelon' which was effectively networked and used by five nations called 'the Five Eyes': the U.S., the U.K., Canada, New Zealand and Australia (all Anglo-European states). See: "*The Carnivore Controversy: Electronic Surveillance and Privacy in the Digital Age*", Hearing before the Committee on the Judiciary United States Senate, 106th Congress, Second Session, September 6, 2000, Serial No. J-106-105; "*Independent Review of the Carnivore System: Final Report*", ITT Research Institute, December 8, 2000; Peter Young, "The Case Against Carnivore: Preventing Law Enforcement from Devouring Privacy", *Indiana Law Review*, Vol. 35, Issue 303, 2001, pp. 302-328; Griffin S. Dunham, "Carnivore, the FBI's E-mail Surveillance System: Devouring Criminals, Not Privacy," *Federal Communications Law Journal*, Vol. 54, Issue 3, Article 7, May 1, 2002, pp. 544-566; "*Carnivore/DCS-1000 Report to Congress*", the Federal Bureau of Investigation, United States Department of Justice, December 18, 2003.

Because the CDC mistakenly or falsely concluded that I was the instigator of these litigations, the FBI assumed by focusing on me that the problem would go away. It was for this reason that we all agreed that it was in the best interest of the litigations that I remove myself from direct involvement in the cases. I left the inmates in the hands of trusted and courageous jurists from IHRAAM. I continued to advocate publically on behalf of Muslim inmates in the CDC throughout the country. More importantly, I asked many of the *saalih* who I encountered during my travels to direct their *himma* towards our brothers inside the CDC. Then by 1998, Allah ta'ala granted us some of His miracles. The first was that the Honorable Judge Karlton of the U.S. District Court of California consolidated all six litigations into a single petition and certified the inmates' claim as a class action lawsuit; to be inclusive of all present and future Muslim prisoners at the prison.

The second miracle came in the form of Professor of Law at the U.C. Davis School of Law and head of the King Civil Rights Law Clinic – Susan Christian. According to some of the Muslim inmates, if they could pick a person as a Christian saint, then Susan would qualify. She had at her disposal some of the most diligent, adept and vigilant young scholar/warriors – students of law to help litigate each of the cases.²⁸⁹ Some of the Muslim inmates involved in the case, noted about these courageous litigants: “Each and every American should take comfort in knowing that our future is in the hands of such diligent and dedicated young people.”²⁹⁰ Led by Susan Christian the law clinic set out to fight what became a successful legal battle.²⁹¹

That same year in order to chastise and socially engineer the Muslims, the CDC instituted new grooming standards which required all male inmates to be clean shaven, with the exception of a mustache. Although I was no longer employed at the CDC, the Muslim inmates contacted me and asked me to compose a treatise which addressed the issue of beards and how the security needs of the CDC could be met by allowing Muslims to wear beards. These ‘grooming standards’ were and still are a means by which the U.S. penal system maintains psychological control over inmates. It serves no security interests for the system other than maintaining control. The Muslims were joined in this litigation by Rastafarian, Sikhs and Jews whose grooming standards are similar to Muslims. I composed the memo and had it sent to the United Nations, the Court and CDC officials. On February 19, 1998, I was invited by California Senate Aide –

²⁸⁹ “California Legal Clinic Awarded Legal Fees: Students Work Recognized”, 2003.

²⁹⁰ Abd Allah W. Mustafaa & Mujaahid Shabazz, “Historic Decision: Federal Court Rules in Favor of Muslim Inmates”, *San Francisco Bay View*, 2003.

²⁹¹ Ibid. Susan Christian became another casualty of this ‘war’, because she was ‘let go’ after her contract expired at the law clinic. This was an attempt to break the momentum which the litigations were taking. The CDC did their part by transferring many of the Muslim inmates to other prisons in an attempt to break

Gwinnae Byrd to Sacramento to address a Senate Hearing at the California State Assembly on the issue

regarding grooming standards at the CDC. The following is the speech I gave before the Hearing:

“On Dec. 12, 1997, the Sankore’ Institute, representing the larger Muslim community, presented the Islamic viewpoint concerning the CDC’s new inmate grooming standards. The views which we represented were consistent with the legal sources of our religion. We attempted to come to a middle ground where the new changes as planned by the CDC could be implemented without violating Islamic grooming standards. In addition to this we made every effort to demonstrate that there *were alternatives which could be considered which would be more effective in carrying out the purpose of this action and would be as effective and less burdensome to affected persons*. Our institute clarified that all responses (positive or negative) would be reported directly to the United Nations offices concerning human rights issues, namely: the Urgency Section of the United Nations Human Rights Commission; the Islamic Human Rights Commission; and the International Human Rights Association of American Minorities. These international conduits have long been examining the correctional systems in the U.S. and have determined that the systems of incarceration in this country lagged behind internationally accepted standards on the treatment of prisoners. The fact that the U.S. utilizes United Nations’ channels to sanction Muslim nations testifies to the moral hypocrisy which this country has been entrenched in for decades. The response which the CDC gave to the Muslim community in particular has been the gradual oppression of Muslim inmates by compelling them by means of reclassification to comply with rules which have no security purpose, but which violate the Muslim inmates’ Islamic religion. It is a well known fact that the Muslim inmate population has contributed to the security and harmony which exist in the CDC system. The Muslim inmate population does not and has never had a history of escapes, drug or gang activity. However, Muslims inmates who have maintained a consistent record of good behavior, excellent work habits, well-grounded educational commitment are now being penalized by the CDC for simply not complying with grooming standards which, as we have demonstrated in our memo, serve no real security purpose except to create a gestapo style climate in the CDC system. Our institution has received hundreds of letters from Muslim inmates who were reclassified as “Work Group C” where they are unable to receive time credits resulting in the lost of all the privileges of higher work groups. In addition to this Muslim inmates have been determined to be “program failures” who fail to accept or perform assignments. The outcome of this is that Muslim inmates have been served CDC Form 115, Rules Violation Reports, where they have been accused of misconduct which violates the law and charged with infractions which are considered major in nature. As we explained in our memo, these violations by the CDC of Muslim’s religious rights have been reported to the above mentioned United Nations organizations. In addition to this, we have and will continue to encourage those Muslim inmates who are not intimidated by gestapo tactics and who are only afraid of the eternal punishment of Allah to continue to sue the CDC by utilizing the only legal redress allowed the Muslim inmates - the 602. This should be done in a continuous and persistent manner until the situation reaches critical mass sufficient to gain the attention of the State of California as well as the international community. Lawyers throughout the state and international jurists have assured us that they will give us their full corporation in seeing that the rights of the Muslim inmates are fought for in the most effective means possible. The United States is on the verge of leading an unpopular military attack upon Muslim people in the Middle East, under the guise of “international support”, while at the same time she fails to implement the same international standards with regard to her own Muslim inmate population. Conscientious Muslims around the state consider this unjust and it discloses the real nature of the “new inmate grooming standards”. Our institution will encourage Muslims around the state to protest this injustice and to make it be felt where it will hurt the most.

Muhammad Shareef

DIRECTORATE: SANKORE’ INSTITUTE OF ISLAMIC-AFRICAN STUDIES

February 19, 1998”

It was after my address at the California Senate Hearing, that I noted a clear pattern of increased surveillance and interdiction from federal agents. This was further corroborated by Muslim inmates who informed me that they were visited by the FBI and questioned about the role I played in the formation of these litigations and if I was being guided in my actions by a foreign government. The fact is that I had consulted with scholars in Sudan and Saudi Arabia regarding the Muslim litigations, but none of them directed my actions. At that time I followed the legal advice of the African American/Muslim leader and jurist, Dr. Yusef N. Kly. Regardless of my spiritual and political ties to the *Sultan* of Maiurno, no one

outside the U.S. dictated the actions that we took against the C.D.C. However, the FBI utilized the possibility of foreign government involvement to induce the federal courts to place me, the SIIASI and the *Jama`at of Shehu Uthman ibn Fuduye`* under increased and enhanced surveillance.

In that same year, during the court hearing, the warden of CDC Solano prison, Dr. Anthony C. Newland testified under oath, when asked why he refused to grant the Muslim inmates their rights, especially when what was being asked did not violate the security of the institution, he said that the Muslims were being guided in their demands by a radical Muslim cleric – Muhammad Shareef. One of the Muslim plaintiffs later wrote advising me that this response of the prison warden could possibly implicate me in any future conflicts or possible violent incidents that could occur between the CDC authorities and the Muslims. I was told that an ‘incident’ was being devised by the authorities in one of the two prisons that would result in either a Muslim riot or an attack on a CO; which would incriminate me as the instigator and justify the prison not granting the Muslims their rights.²⁹² The inmates warned me that there were two options that I could take: [1] to either sue Dr. Anthony C. Newland for slander and defamation; or [2] leave the country.²⁹³ I had been unjustly fired; accused of jeopardizing the security of a U.S. prison and was under direct CDC and FBI surveillance. This situation was scary. It was not until then that I had a glimpse of the extent of FBI surveillance and the nature of their interdiction into people’s personal lives; and for the first time in my life I became truly frightened. After calling upon Allah and seeking *istikhaara* through the recitation of the Daa’irat’l-`Awniyya of the *Shehu*; I decided to make the *hijra* back to Africa and vanish off the grid.

Institute of Islamic-African Studies International

²⁹² It must be noted that this same tactic was used to convict the ‘blind Shaykh’ Omar Abd’r-Rahman, who was convicted for his role in the first bombing of the World Trade Center. He was not convicted on any material evidence; but for what he said and preached. He was made out to be the ‘brains’ behind the attack.

²⁹³ I am grateful to *Imam* Muhammad Abdullah of Los Angeles for passing the letter of the inmates to me in 1999. At that time all communication between CDC inmates and myself were monitored and curtailed. To this day in the CDC, the publications of the Sankore` Institute of Islamic-African Studies International are considered contraband. Thanks to elements of the Tea Party and other far right racists groups, the SIIASI is painted a being domestic terrorist organization intent on overthrowing America.

i) Indigenous American Muslim Confederations

It was in the same year of 1999 that the indigenous American Muslim national minorities started talking to one another. A dialogue began to emerge between the African American/Muslim, the Hispanic American Muslim, and the Anglo American Muslim regarding Islam as a genuine American way of life and not a transient culture determined by a precarious visa, a green card or naturalization hopes. The overall impression of the *muddajin* who become naturalized, was that they had not yet fully unpacked their bags and were still living out of their suitcases. The indigenous American Muslims began to openly discuss the uselessness of immigrant led organizations such as CAIR, ISNA, ICNA, the Fiqh Council and the MSA to the needs and aspirations of the indigenous Muslim national minorities.

Simultaneously, in the spring of 1999 our *Sultan* in Maiurno, *Amir'l-Mu'mineen al-Hajj* Abu Bakr ibn Muhammad Tahir ibn Muhammad Bello Maiurno ibn Muhammad Attahiru ibn Ahmad Zaruku ibn Abu Bakr Atiku ibn *Shehu* Uthman ibn Fuduye', appointed me as the *amir* of the national *Jama`at* of *Shehu* Uthman ibn Fuduye' with the command to: "*Confederate with all Muslim in good works.*"²⁹⁴ In mid July, I received an invitation from *Imam* Jamil al-Amin as the new head of the Islamic Shura Council of North America to participate in the 1999 *Riyaadah* to be held in Atlanta. He wanted to use the event as a means for the Muslim communities to develop a united national agenda. It was in August of 1999 in Atlanta at the annual *Riyaadah*, that several leading African American *Imams* sat down to discuss the future of Islam and Muslims in the U.S.²⁹⁵

²⁹⁴ See Appendix A for a copy of the Letter of the *Sultan* of Maiurno, appointing me as the *amir* of the *Jama`at*. This occurred on May 5, 1999. Initially, I refused to accept this responsibility because I knew that I was not qualified to be the *amir* of anything including a family. From the time I returned to the U.S. in 1990 until 1999, I was content to direct the SIIASI, teach the *minhaj* of the *Shehu*, to organize the national *Jama`at* of *Shehu* Uthman ibn Fuduye' and see to their instructions. By this time we had *Jama`ats* in Houston, Los Angeles, Oakland, Fairfield, Atlanta, San Diego and Hartford. The basis for formulating a *Jama`at* led by an *Amir* was outlined by the *Sultan* in his letter where he quoted the Messenger of Allah, may Allah bless him and grant him peace: "When there are three among you chose one as the *amir*." Our *jama`at* was made up of mainly African American with a few Anglo Americans, Philippines and Latinos. Many of our members were ex-convicts who were my students in CMF and Solano prisons. Some were former gang members from the Crip, Blood, Gangsta Disciples, Black Stone Rangers, Latin Kings and Sotnios. There were some who had completed their tertiary education and others who were attending college. We had at least two members who were doing post graduate studies. All of them, with the exception of a few informants were men and women of repentance who had turned their backs on the 'slave culture.' When I first began working in the CDC and Solano prisons there were no more than seventy registered Muslims in both prisons. By the time I was placed on administrative leave there were at least seven hundred registered Muslim inmates in both prisons combined. By 1999 their numbers had grown exponentially and most of these men were members of the *jama`at*. Once the litigations were accepted at the court, the CDC wanted to break up the *jama`at* by transferring members to other California prisons; hoping by that to impede the litigation and to disrupt the *jama`at*. On the contrary, wherever members was transferred there emerged a *jama`at* in that prison. San Quentin, Chino, Lompoc, San Obispo, Soledad, Folsom and several federal and state prisons around the country.

²⁹⁵ The *Imams* who were present were: *Imam* Jamil al-Amin, *Imam* al-Amin of New York, *Imam* Khalid Griggs of North Carolina, *Imam* Ihsan Bagby of Kansas, *Imam* Siraj Wahhaj of Brooklyn, *Imam* Talib Abd'r-Rashid of Harlem, *Imam* Asim of Philadelphia, *Imam* Luqman Abdullah of Dearborn, *Imam* Mutawwaf of Cleveland, *Imam* Johari of Washington D.C., *Imam* Jihad Abd'l-Mumit (who had recently been released from prison), Dr. Amir al-Islam, *Imam* Khalil of South Carolina and others. There were others who refused to be present or had prior engagements.

One of the highlights of the 1999 *Riyaadah* is that I was honored to meet one of the former comrades of the Black Liberation Army, Jihad Abd'l-Mumit who had recently been released from federal custody. He was surrounded by a host of young former gang members that he had helped transform into Muslim actors for several plays he composed, directed and acted in; addressing gang violence. In my circles Jihad Abd'l-Mumit was a living legend and to witness him using the medium of drama to transform young street soldiers into thespians was one of those miracles from the hood, we had grown accustomed to witnessing.²⁹⁶

One of the downsides of the *Riyaadah* was at the Saturday morning breakfast, when a young man purportedly representing *Shaykh* Abdalqadir as-Sufi the leader of the Norwich based *Murabitun*. He read a letter which basically demanded that all the different *jama`ats* present should give the oath of allegiance to their *shaykh* and that we should not be perturbed with having a white man as a leader. One of the assistants to *Imam* Jamil al-Amin at the time, *Imam* Yassin, stood up snatched the letter from the young man's hand and tore it to pieces; and then began to give a thirty minute diatribe about the *Murabitun*. At one time, *Shaykh* as-Sufi was my teacher in whose home I resided at Christ Church Rd. in Norwich, England. I felt an obligation to intervene, but I felt that this young man should be taught a lesson in *adab* and respect for leadership. When both I and *Imam* Jamil al-Amin had a private moment, I told him that what the *Murabitun* did was utter disrespect of every *Amir* and *Imam* in the U.S. I told him that I was headed to the U.K., and if he liked I could deliver any message he and the *Imams* had to pass on to the *Murabitun* leadership in Norwich.²⁹⁷

²⁹⁶ A year later when *Imam* Jihad Abd'l-Mumit openly announced that he wanted to join the *jama`at* of *Shehu* Uthman ibn Fuduye', I, *Amir* Luqman Abd's-Salaam and *Sidi* Hamza Perez looked at one another with eyes agasp – "What?!" For me it was a mixture of exuberant gratitude and fear. Fear – because with Jihad Abd'l-Mumit joining our *jama`at* it would no doubt intensify the FBI surveillance that was already mounting in the pre 9-11 years. On the other hand, I thought that if there was anybody who can instruct the *jama`at* on the mechanism and tactic of the FBI it was Jihad.

²⁹⁷ It was during my stay at a *deen* intensive being held in Nottingham England, that I had the chance to sneak away on a quiet trip to Norwich where I immediately requested to meet in private with their leader, *Amir* Uthman Morrison (a Black West Indian with an Oxford accent). I explained to him what the young man from his U.S. affiliates had done and informed him that his actions were an act of disrespect towards every leader and community in the U.S.. The *Amir* agreed and showed his regret for the actions of the young man. We went on to talk about the possibilities of confederation across the Atlantic between the *Murabitun* and the newly emerging confederations in the U.S., but it would have to start on the basis of mutual respect. I warned the *Amir*, as I was instructed to do by the elders in the U.S., that the world was smaller and that it was no longer difficult for communities to extend their reach, if need be across the ocean. *Amir* Uthman Morrison, being a natural leader graciously accepted the message I had and promised that he would do his best to rectify the situation for the sake of Allah and future cooperation. However, one of the more elder disciples of *Shaykh* as-Sufi, *Sidi* Isa Brice; a servant of Allah that I had great respect for; felt that my very presence in Norwich delivering a message from our leaders and elders in the U.S., was an affront. I assured him and *Sidi* Idris Mears that what they were feeling was the same feelings they caused our leaders in the U.S. to feel. What made the *emirate* of the *Murabitun* any more legitimate than the *emirates* in the U.S., that we would be obligated by the *shari`a* to bend our knees? That did not sit well with these OGs of the *Darqawa* in Norwich; but I had my orders.

It was during the three day *Riyaadah* meeting of 1999 that the first ideas of national confederation were discussed. In fact, two national organizations came away from the meeting joined in confederation. *Imam* Jamil al-Amin, who was the *Amir* of Ummah, promised to ratify the confederation at the upcoming pilgrimage at Arafat. The idea being for all of the African American Muslim leaders who desired to confederate to make the pilgrimage; and then ratify the confederation on the Day of Arafat on the hills of that most sacred of places. He never got a chance to realize this because within months of that initial confederation he was being hunted down by local, state and federal authorities accused of shooting and killing two police officers. Few people knew that there was a patent connection between this newly emerging national confederation and the series of events which led to the *Imam*'s arrest.

After the initial confederation in Atlanta, I traveled to Canada to confer with Dr. Yusef N. Kly in Regina. I presented the idea of indigenous Muslim confederation to Dr. Kly and requested if it was possible to have our confederation recognized at the United Nations in the same manner that the Gullah Geechi nations of the Sea Islands were recognized.²⁹⁸ I was also able to finally procure the SIIASI as a research organ of IHRAAM.²⁹⁹ From there I flew to Toronto where I gave a lecture at the University of Toronto on rare Arabic manuscript conservation and digitization. From Canada, I flew to England. During late August, in Leicester, UK, several prominent western Muslim teachers, *Imams*, *Shaykhs*, met about the future of Islam in America and the West in what was called a 'Powwow'. The real objective for the meeting was to establish a specific institution and to recruit the best western Muslim minds to that task; nevertheless I composed my reflections on what I considered the most important issue facing western Muslims.³⁰⁰ The competitiveness and envy I witnessed among the followers of two of the American Muslim leaders in Leicester reminded me of that Chinese proverb: 'A mountain can have only one tiger'. At this Leicester meeting there were at least five tigers, all of them with their dedicated followers and disciples. You can imagine that nothing got accomplished. However, the presence of all these great Islamic minds in one room induced me to belligerently call for a confederation of American Muslims right across the Islamic sectarian divide and all of the five tigers agreed. That was the only constructive thing that came from that meeting.

²⁹⁸ Dr. Yusef N. Kly was one of the leading elders of the Gullah Geechi nation being a direct descendent of the Muslim patriarch of the people, Muhammad Bilali.

²⁹⁹ See Appendix B for a copy of IHRAAM's acceptance of the SIIASI as an associate research organ.

³⁰⁰ The leaders who were present at this meeting in Leicester were: *Shaykh* Nuuh Keller, *Imam* Hamza Yusef, *Imam* Zaid Shakir, *Imam* Yusef Islam, *Imam* Anwar Muhaiman, Sidi Abu Qasim Spiker, Dr. Abdal Hakim Winters and others. See Appendix C for a copy of that paper.

One of the amazing trends that emerged in 1999 were IT start ups run by young dynamic second generation immigrant Muslims in the U.K., Canada and the U.S. One such individual in London took notice of the work of the SIIASI and gave me a generous grant which allowed me to return to Africa to begin digitizing and conserving rare Arabic manuscripts in the *Bilad's-Sudan*.³⁰¹

Thus, by *Ramadan* of 1999, I had made it back to the Sudan to inform the *Sultan* of Maiurno of all that had transpired. While there I digitized the entire rare manuscript archive of the *Sultan* as well as that of *Shaykh* Bello ibn Abd'r-Raaziq. It was at this time that the *Sultan* presented to me his desire to establish a center for Islamic instructions and library in his compound. Admittedly, that *Ramadan* was one of the most significant times of fasting that I have experienced. I visited the grave of my master *Shaykh* Muhammad al-Amin, an adobe room adjacent to his saloon (*zaure`*) in which he gave private transmissions. I sealed the *Qur'an* for him in seven days. I entered into *'itikaaf* in the *Jaami`* Mosque where I and about four hundred other worshippers witnessed with our own eyes the new *Imam*, the *Khalifa* of my master and his son, *Shaykh* Faruukh complete the exegesis of the *Qur'an* from *al-Fatiha* to *an-Naas* in one month! It was an amazing miracle that illuminated the entire *mosque* with joyous awe. I recall the *Sultan* reclining on his side in the back with his dark brown fingers moving steadily over the beads of his *sibha* looking on smiling. I can still remember when our eyes met, mine full of worry and anxiety over the situation in the U.S., and his full of omnipresent compassion. He then slowly pointed to his heart and nodded his head slowly; and it was as if everyone and everything in the mosque said in one voice: "Don't worry, we are connected here" (pointing to the global-heart). It was a moment of joyous relief where I started weeping and smiling at the same time along with all the other four hundred worshippers who witnessed the miracle transmission of *Shaykh* Faruukh. While in Sudan, the *Sultan* advised me to hold my post, even though I informed him in truth that I was not qualified to be *Amir* of anything including a family. He told me to hold fast to my post and if I had to start all over again – to do so. That was the spiritual moment that the term '*international*' was added to SIIASI and it was the moment that I began to operate the Sankore' Institute of Islamic-African Studies in an international manner on a global scale. I did not officially add the term '*international*' until 2007 during the *fitna* that the NSA unleashed against our *jama`at*, but I get ahead of myself.

I was back in the U.K. where I had the honor of working with Dr. John Hunwick, Dr. Sean Ofey, and the treasure of the people of the Sudan, Dr. Awn as-Sharif. It was under the magnificently restored Elizabethan architecture of the north London *Furqan* Foundation that I was able to learn the science of

³⁰¹ This brother requested that I not disclose who he was, so I will not mention his name or the successful company he has heading since 1998.

cataloguing rare manuscripts. I was able to introduce to them a user friendly method of manuscript digitization and archiving and in conjunction with an excellent technician from the subcontinent of India – sister Najia, we developed the beginnings of a digital encyclopedia for Arabic manuscripts, to be called *the Sankore` Encyclopedia of Rare Arabic and Ajami Manuscripts*. While there, a few brothers and sisters joined the *jama`at* of the Shehu; taking the *Qaadiri* litanies from me. I also became reacquainted with a long time friend from my teenage years as a young *sufi* *Sidi* Abu'l-Qaasim Spiker. A white American and native Californian, who used to be a screenwriter for Hollywood, and later organized and managed the Zahra Trust publishing and printing of Islamic esoteric text. In 2000, he was residing in the quaint intellectual town of Cambridge, England, working on two projects in conjunction with Kuwait and other Middle Eastern 'angels'. One was a digital virtual tour of the *Bayt'l-Maqdas* in Jerusalem on CD, utilizing the superb photography of Abdal Halim Peter Sanders, video, audio and textual data integrated in an attractive user friendly tour guide of the sacred mosque of Jerusalem. The second project was another digital encyclopedia called the Silk Road, which integrated all the metropolis and routes which joined the long network of trading post stretching from Timbuktu in Africa to Guangdong in China. It was a time when the world was truly global and the Silk Road was one of the iconic names given to this international trade, culture and intellectual network. Abu'l-Qaasim and his colleagues in Cambridge sort to create a digital tour of this global world that can be used in elementary, secondary and tertiary levels of education.

While in Cambridge I naturally visited the local prison to give the Friday *khutba* and lecture to the Muslim inmates there. I was surprised to meet a young brother from South Central L.A. who introduced himself after opening with: "*As salaam alaykum! What's up cuz!*" I grabbed his hand and embraced him saying: "*wa alaykum as salaam wa rahma! What it be like, my blood!*" We both laughed at the irony of our greetings in that land and in that place. In Cambridge, I was able to get my bearings straight regarding the consolidation of the SIIASI. It was *Sidi* Abu'l-Qaasim who helped me get my first domain name: www.sankore.org and it was a Muslim start up internet provider named Webstar, in north London which first hosted the site free of charge, purely for the sake of Allah. It was not long after it began that the site was attacked, hacked and then disabled from the U.S. and from the city of Tel Aviv.

By September of 2000, I was asked by the acclaimed screenwriter and producer Owen Alik Shahadah to participate in a film that he was making called *500 Years Later* in which he asked me to discuss the nature of African Islamic civilization as well as its existence and persistence in the western hemisphere.

This movie received raving acclaims in Europe and the U.S.³⁰² I did not get a chance to see the movie until I arrived back in Africa in 2012. In the fall of 2000, I was invited by my colleague and friend Dr. Abdallah Hakim Quick to participate in the Africa 2000 conference held in Liverpoole, England along with Dr. Ali Mazrui, Dr. Molefe Asante and many other African and West Indian academics. From there I was invited by Dr. Quick to South Africa where I established a branch of the SIIASI and gave lectures in Cape Town, Soweto, and Durban on the importance of preserving and archiving rare manuscripts in Africa. In one African mosque in Durban, I taught from the introduction of Shehu Uthman ibn Fuduye's Ihya's-Sunna.³⁰³

After receiving generous financial support from one particular Muslim of South Africa, I was able to travel to Sokoto, Nigeria where during the month of *Ramadan*, I was able to digitize the entire rare Arabic archives of the Waziri Junayd History Bureau and the archive of the Center of Islamic Studies at the University of Usman Danfodio. The two archives, I digitally arranged, collated and joined with the collection from Sudan and loaded onto the main hard drive of Dr. Ja'afar Makau Kaura, the director of the Centre for Islamic Studies at the university. He in turn wrote an excellent testimony of gratitude to the SIIASI for the work rendered.³⁰⁴ This digital archive allowed the scholars and researchers easier access to these manuscripts without actually physically handling them, which is one of the main three causes of their gradual deterioration.

I spent a great deal of my time in Sokoto, when I was not digitizing manuscripts, at the *Hubbare`* of *Shehu* Uthman ibn Fuduye`, where I sealed the *Qurán* once and recited the Munaaajat of the *Shehu* at least thirty times. At the grave of my master *Shehu* Uthman ibn Fuduye`, I prayed for all the Muslims, many I mentioned by name; and supplicated against those forces in the world that do not love the honor of Islam. These individuals, institutions, think tanks, industries, agencies and governments I also mentioned by name. It was good that I had a copy of The Debt which I was able to reference during these spiritual retreats in the

³⁰² The movie *500 Years Later*, directed by Owen Shahadah won five film festival awards including the 'Breaking the Chains Award' of UNESCO, and the Best Documentary film at the 2005 Pan-African Awards (PAFF). *500 Years Later* charts the legacy of slavery and its impact upon the people in five continents and twenty countries. Among the leading cast were: Dr. Francis Welsing, Paul Robeson Jr., Dr. Kimani Nehusi, Amiri Baraka, Dr. Molefi Asante and many others. Owen Shahadah also produced a sequel to *500 Years Later* called *Motherland* which also received acclaim as an independent film. He is also the developer of one of the most informative websites dealing with '*maafa*' (the great tragedy) which Africans all over the world had to endure for the past five centuries; <http://www.africanholocaust.net>.

³⁰³ Out of this emerged the first *jama`at* in South Africa to give the oath of allegiance to our *Sultan* in Maiurno, which we dubbed New *Fombina*. These brothers, many of whom were from Malawi eventually sent a delegation to the *Sultan* and had a few enroll in the International African University there in Khartoum. As a result of the 2007 implosion of the *Jama`at* of *Shehu* Uthman ibn Fuduye`, the global *jama`at* was splintered and communication links were broken. I pray that Allah ta'ala reformulates the *Jama`at* of the *Shehu* as a spiritual vanguard in the resurgence of African Islamic civilization.

³⁰⁴ See Appendix D for a copy of the letter of gratitude. In addition to leading the Centre for Islamic Studies, Dr. Kaura specializes in the compilation, examination and evaluation of the benevolent sufic brotherhoods of northern Nigeria. One of his memorable researches in this field is his: "Relevance of Qadiriyya Sufism in the Jihad and Its Moderative Effect on the Leadership of the Sokoto Caliphate", paper presented at the Conference of Ulama Organized to Commemorate the 200 Years of Sokoto Caliphate, Attahiru Dalhatu Bafarawa Institute of Qur'anic and General Studies, Sokoto, July 23-25, 2004.

Hubbare` of my master and savior *Shehu* Uthman ibn Fuduye`. I do not know how I found time to study the *Umdat'l-Bayaan* of the *Shehu*, with *Shaykh* Isa Talaata Mafara; or sit in the classes of the *Khateeb* and *Imam*, *Shaykh* Mo`yi while he taught the *Tazyeen'l-Waraqaat* of *Shaykh* Abdullahi. I was able to assist Dr. Omar Bello in his translation, editing and annotation of the *Ajwiba Muharrara* of the *Shehu*, and gave him a digital copy of the same work that I had digitized in the Sudan. This enabled him to have a third source to complete his Arabic annotation of the work. And then there were the frequent and in depth discussion with Dr. Ibrahim Mukoshy, the master African linguists of the University of Shaykh Usman Danfodio. He is a native of Maiurno, Sudan whose father *Shaykh* Muhammad Mukoshy gave me *ijaaza* in one of the *awraad* of the *Qaadiriyya*. In his home, it was like I was *at home*. Dr. Mukoshy's unique perspective on the Fulbe poetry of the *Fudiawa* is astounding. There is no one, to my knowledge, who can make an accurate comparison between the *Sultanate* of Sokoto and the *Sultanate* of Maiurno, like Professor Ibrahim Mukoshy. It is for that reason I spent a great deal of time in his gracious home. The wife of Dr. Ibrahim Mukoshy is an erudite scholar and librarian, Dr. Sutura Saidu Mukoshy. In addition to composing literary works on library science, she also composes insightful researches on learned Muslim women of the past in Central *Bilad's-Sudan*; such as her "*Nana Asma'u bint al-Shaykh Uthman ibn Fudu 1794-1865*", which was inspired from her interviews with *Jaji* Jean Boyd and Dr. Beverly Mack.³⁰⁵

While in northern Nigeria I was granted an audience with the Sultan of Sokoto, the late al-Hajji Abu Bakr; and his council: the former president of Nigeria, Shehu Shegari, and the Galadima; and spoke at length regarding their cousins in the Sudan as well as the opportunities and challenges of disseminating the teachings of *Shehu* Uthman in the west. The private secretary of the *Sultan* gave me an official tour of the palace and informed me that the royal *zaure`* of the *Sultan* where he met VIP guest was remodeled by *Jaji* Jean Boyd. Although, I was in Sokoto for one month, through the entire month of *Ramadan*, I was able to achieve what would normally take at least two quarters of a year to accomplish. It is true that Allah gives *baraka* to the time that is spent visiting the *saalihun*.

In Zamfara State, I was honored to meet its charismatic governor, Ahmad Sani, and his minister of religious affairs and a former school mate of mine in Sudan, *Sidi* Ibrahim Wakala. While there I explained the aim of the indigenous American Muslim minorities to confederate, the need for joint educational, religious and political relationship with the Muslims of Africa and the necessity for them supporting the moral right of self determination of the indigenous African American Muslim national minorities in the U.S.

³⁰⁵ Sutura Sa'idu Mukoshy, "*Nana Asma'u bint al-Shaykh Uthman ibn Fudi 1794-1865*", unpublished thesis, Sokoto, 1991. In addition to her scholarship, Dr. Sutura Mukoshy is an excellent chef. Breaking fast with the Mukoshy's during the *Ramadan* of 2001 was a treat spiritually, intellectually and gesticularly. During these evenings I would attempt to load the manuscripts from Maiurno on to Dr. Ibrahim Mukoshy's desktop, but his hard drive was not large enough.

Out of these conversations, I was able to work out confederations in writing with two major northern Nigerian Muslim organizations: [1] the Joint Youth Islamic Organizations of Zamfara and [2] the Jama'atul Muslimeen of Sokoto.³⁰⁶ Both confederations were identical and stipulated the following:

1. Cooperate in all matters of global da'wah work in accordance with the teachings of the Qur'an, Sunnah and Ijma
2. Establish mutual economic ties between our two organizations in support of da'wah activities.
3. Initiate mutual intellectual and academic exchange programs between the two organizations as well as extend support to Islamic educational institutions.
4. Jointly collect, publish and disseminate all available works of Shaykh Uthman bin Fodio and his lieutenants for the benefit of the Muslim Ummah.
5. Exchange information and promote Muslim media activities between the two organizations.
6. Recognize the moral rights of self-determination for the indigenous African American Muslims.³⁰⁷

My objective was to bring these confederations back to the U.S. and present them at the coming meetings to be held in Philadelphia regarding the future confederation of indigenous American Muslims. This was thwarted by an event which many in and outside the *jama'at* considered a COINTELPRO operation. While I was in northern Nigeria developing a network of Muslims who accepted in principle the right of African American Muslims right of self determination; a few members who had recently joined our community led by *Imam* Naim Abdallah and a young brother Khalil decided on their own and without any consultation with any of the *Amirs* of our *jama'at* to attempt to take over a small *masjid* in upper state New York. This *masjid* was basically a *salafist* mosque that allowed *Imam* Naim Abdallah to occasionally teach and give *khutbas*. At some point the *salafist* convinced the *masjid* leadership to ban any member from our *jama'at* from teaching, since they considered us to be *sufi* deviants. Had *Imam* Naim Abdallah followed the orders of the *Sultan* he should have consulted us and we would have advised him not to confront these brothers and to simply attend the mosque for daily prayers. However, *Imam* Naim Abdallah and Khalil took matters in their own hands and on a cold Friday morning entered with others into their mosque with arms and attempted to take the mosque by force. Eventually, all of the culprits were arrested except *Imam* Naim Abdallah, who rather than face the music with his 'soldiers' decided to abandon them and joined a trip with several of our national *Amirs* to Sudan to visit our *Sultan*. When I received the news of this via email, I immediately assumed that this was a COINTELPRO operation. I was forced to shorten my stay in Northern Nigeria and had to return to deal with the problem.

³⁰⁶ The Joint Youth Islamic Organizations is an umbrella organization of twelve national Muslim Nigerian organizations: Muslim Students' Society of Nigeria (MSSN), Muslim Foundation Association (MFA), Jama'atul Tajdiddil Islamy (JTI), Muslim Corpers' Association of Nigeria (MCAN), National Council of Muslim Youth Organizations (NACOMYO), Islamic Education & Research Centre (IE&RC), Ihsan Association (IHSAN), Ulama Council Yoruba Chapter (UCYC), Federation of Muslim Women's Associations of Nigeria (FOMWAN), Muslim Sisters Organization (MSO), Organization of Women Islamic Teachers (OWIT), and the Sisters Da'awa Group (SDG). See Appendices E and F.

³⁰⁷ Ibid. Appendix E is a copy of the confederation papers between our *jama'at* and the Joint Youth Islamic Organizations. Appendix F is a copy of the confederation papers between our *jama'at* and the Jama'atul Muslimeen.

On my return I traveled to upper state New York with *Amir* Mustafa Ahmad Baba of Hartford Ct and facing the entire *Majlis as-Shura* of upper state New York, we were able to resolve the problem. The *Majlis* demanded that we oust all the brothers who had been involved in the altercation. I informed them that if we ousted these brothers then we would not be able to control them, and they would have to deal with them on their own rather than dealing with them as members of our *jama`at*. After consultation with the *Amirs*, we sat down *Imam* Naim Abdallah from holding any post within our *jama`at* and placed the upper state New York *jama`at* under the supervision of *Amir* Mustafa in Hartford.³⁰⁸

Most if not all of the *Amirs* and *Wuzara* assumed that this criminal behavior was the action of an agent provocateur. I was not convinced. I believe it was simply a case of love of leadership (*hubb`r-riyaasa*); which is the head of all errors (*raa`s kulli khaatiyya*). How many inmates I counseled in the California Department of Corrections whose ‘cronos’ indicated manslaughter and 1st or 2nd degree murder; whose primary sickness which induced their crimes were love of leadership, envy, anger, arrogance and greed. Although, the actions of Naim and his cohorts endangered the lives of Muslims, I believe that their driver was the same kind of petty altercations which drive most Black on Black crime. It definitely would affect my presence at the upcoming national confederation meeting to be held in Philadelphia in 2001. Since 1999 the indigenous Muslim leadership had been talking about formulating an organization distinct from the *muddajin* led/sponsored groups. These series of meetings persisted through 2000 until 2001, in which leaders of the American Muslim national minorities held a series of meetings, mainly and symbolically in the city of Philadelphia, in order to develop an indigenous American Muslim organization made up of a cross section of national Muslim associations. Among them were national organizations with their regional *amirs*, citywide organizations, mosques, university professors, popular Muslim speakers, Muslim poets, Muslim musicians, community developers and entrepreneurs. Everyone recognized the need for a national organization that represented indigenous Muslims interest. The organization that emerged in pre 9-11 America, MANA (the Muslim Alliance of North America) fell short of integrating with the world community at the United Nations. This was due in part, to our leaders’ inability to understand the nature of international law and political science. Like the majority of the leaders of the civil rights movement, the African American/Muslim leadership could not think outside the confines of United States domestic law. In a sense they had failed to start where al-Hajj Malik El Shabazz had ended. It is ironic that many of these same *Imams* will be seen around the nation on either May 18, or February 24, giving lectures in memory of

³⁰⁸ Later *Imam* Naim Abdallah, Khalil and the same brothers who were involved in that armed altercation against other Muslims eventually broke from our *jama`at*, claiming that they had broken with ‘Muhammad Shareef’, but were still under the oath of allegiance to our *Sultan*. These brothers relocated to Philadelphia and now run the Nurazaman Institute and have their own mosque in that area.

al-Hajj Malik El Shabazz, as if they were the hires of his legacy. To this date none of these *Imams* have attempted to follow our Laughing Lion's lead by taking our case to the World Court or the United Nations. I believe it is a case of 'talking Malcolm' and 'sleeping Martin'. Despite this major setback one of the key advantages and strengths of MANA is that it has developed into the same kind of benevolent society that emerged among our African American Muslims forebears at the turn of the 20th century. In this regard MANA is following an intergenerational tradition of benevolence unique to the African American Muslim national minority. This was the trajectory that MANA was moving in during the years of 2000-2001. This is significant because it demonstrates the persistence of an intergenerational tradition. I argue that this unique tradition should be preserved, protected and allowed to speak for itself. However, this demands that MANA will have to garner not just national recognition, but international recognition as a legitimate representative of indigenous American Muslims. It also means that MANA, in its capacity as representative of its people, will have to move proactively for the right of internal self determination for American Muslims, their right to be unique and different, and the subsequent rights to protect and be protected under international law.

During this period I commuted between London U.K. and Cleveland, Ohio. In Cleveland, I conducted the Friday prayers at the IRM mosque and taught the Sawq'l-Umma of *Shehu* Uthman ibn Fuduye' to the men and women of the Islamic Revival Movement there. It was during this period that I began my commentary upon the Sawq'l-Umma which I called *Tawq'l-Lum'a wa Itmaam'n-Ni'ma Fee Sharh 'Ala Sawq'l-Umma Ila Ittiba' as-Sunna*: (The Desire for Illumination and Completion of Blessings through a Commentary upon the Mobilization of the *Umma* towards Following the *Sunna*). It was during my few years stay in Cleveland that I learned about the early work of Islamic community development of the First Cleveland Mosque, the IRM as well as the networks between these early mosques and *Imam* Tawfiq's MIB in Harlem. Every Friday between a large afternoon meal and 'asr prayer, *Imam* Mutawwaf Shaheed and *Imam* Yassin would recount the history of the *Dar*, the *MIB*, the Islamic Party, RAM, the *Sankore* Mosque and their struggles to get Islam firmly established in the state prisons of Ohio. It was in Cleveland that I had my most intensive education regarding the history of Islam on the east coast. It was there that I became acquainted with the important role which the city of Pittsburgh had as the origin and center of African American Islamic activity in the region. I had the chance to work closely with and learn from the founder of the Revolutionary Action Movement (RAM), Prof. Muhammad Ahmad (Max Stanford) who still teaches political science at Cleveland State University.

Whenever I was in London, I taught the Ihya's-Sunna wa Ikhmad'l-Bid'a of *Shehu* Uthman ibn Fuduye' in a small mosque in Streatham in South London. I was also asked to give lectures at the School of

Oriental and African Studies (SOAS). More importantly, I was able to work closely with the Furqan Foundation regarding the sources of rare manuscripts in Black Africa. This institution founded by the former OPEC leader, Zaki Yamani, had already catalogued the rare works of Timbuktu, those in Ahmed Bello University in northern Nigeria; as well as those works in several archives in Mauritania. In Black Africa between the Red Sea and the Atlantic along the Sahel Belt; in villages, *zawiyyas*, *khalawi*, towns and especially in the private archives of the Muslim judiciary there exists more than 900,000 rare manuscripts; and the Furqan Foundation was among those prominent institutions helping to discover, uncover and conserve this rich heritage. The director when I was there was Dr. Yusef Ibish a Syrian graduate Harvard and was one of the first Muslims to debate al-Hajj Malik El Shabazz on the Harvard campus radio station. When asked him about his personal impression of the man then known as Minister Malcolm X, he said: "He was 100% Muslim."

Between the years of 2000 and 2001, our *jama`at* held Chinese Muslim martial arts seminars in UK cities like Birmingham, where, in spite of the large population of Muslims in the city, they were still the victims of random acts of violence from young British vandals. Since I was a young boy in the N.O.I, I have always been a strong advocate of the right of Muslims to defend themselves against any and all attacks. We were taught to never be the aggressors, but to fight against those who fight against us. This policy of self defense should be the common belief of every Muslim, especially those who are members of national minorities in non Muslim states. If Muslims are the victims of random violence, they are obligated by their religion to be able to defend themselves and neutralize an attacker. This obligation is more important for Muslim women in this age where islamophobic cowards prefer to attack Muslim women than men. Muslim young boys, girls, women and men should learn how to effectively defend themselves from knife attacks, stick attacks or multiple attacks. This is usually the way of the warrior, but in these days of increased hostility towards Muslims around the world, it is incumbent for this Way to become the common practice of every Muslim. In Islam in general and in *Sufism* particularly, preparation for death (*mawt*) and to expect it at any moment is one of the means of establishing the heart in the Present Moment. This heightened condition of attentive awareness places a human in a state of serenity and tranquility. The author of the Hagakure, explained this mental state which I have taken as a spiritual litany for optimum attentiveness:

"Meditation on inevitable death should be performed daily. Every day when one's body and mind are at peace, one should meditate upon being ripped apart by arrows, rifles, spears and swords, being carried away by surging waves, being thrown into the midst of a great fire, being struck by lightning, being shaken to death by a great earthquake, falling from thousand-foot cliffs, dying of disease ... And every day without fail one should consider himself as dead."

This is the spiritual path of the *sufi*, where death, (one of the created servants of Allah), never creeps upon him/her. It is for this reason that *jihad* has been made an obligation upon the Muslim *Umma*. This

acute awareness of the inevitability of death and the meeting with Allah ta'ala is the goal of both the smaller and greater *jihad*. It is not about killing people or emasculating the self. The goal of the smaller and greater *jihad* is to be in a state of acute attentiveness (*muraqqaba*) of Allah. It is for this reason that I believe the *zawiyya* of the *sufis* should be places where men and women can also learn to defend themselves and train their physical bodies as well as their souls. It has always been my custom to combine spiritual instructions with martial instructions, similar to what I would later see with my own eyes at the Southern Shaolin Temple and the legendary WuDang Mountain Taoist Monastery.

In the pre 9-11 years of 1999 and 2000 there was a forward looking spirit in Muslim organizations run and led by African Americans. It was the confidence and eloquence of this spirit which inspired the *muddajin* Muslims to remember, rediscover and reclaim the religion they had given up in the process of becoming *muddajin*. There is not a single foreign born Muslim led organization except that it has to admit that a great deal of its early funding was accomplished by the eloquence of *Imam* Siraj, Dr. Naim Akbar, *Imam* Hamza Yusuf and others during the years of 1994 to 2000. There was nothing, ominous or desperate about the message that these leaders expressed. We were convinced given our present trajectory that Islam would be the dominant spiritual and religious expression of the African American national minority. We were not in a hurry and we were definitely opposed to any action by any faction of Muslim that would preempt us from realizing what we saw as inevitable. We, the African American Muslim national minority *did not need or desire* a 9-11! Not, then! Perhaps during slavery, I would have been game for a 9-11 kind of action. In fact, that is exactly what happened from 1511 to 1861 when African Muslims, African Christians and African *Santeria* joined the African Core of the Union Army and put an end to chattel slavery in the United States. But not in 2000-2001! Our situation, as I saw it, was similar to the Mande, Jahonke, Fulbe, and Hausa ethnicities who thrived and peacefully transformed the societies through trade, commerce and manufacturing. Now, from memory, when I look back at those who would do anything to keep that from happening –has ALWAYS been the Anglo American establishment. Some of them are sworn by principle to never allow the Africans to realize their full potential. Who in America could benefit from a heightened state of insecurity if it is not the same fear conjurors who would sleek around slave plantations instilling fear among whites against a general black slave uprising? In Oklahoma and Florida, whites ignited terrorist acts and riots in order to utterly destroy African American economic prosperity; for no other reason than that they envied it and feared that it would naturally supersede their own. The potential for independently and globally networked African American Muslim entities were being actively realized in 2000. Even African American Muslim merchants became global and moved their operations to the south of China which became

a major source for the manufacturer of hip-hop gear. African American Islam again began to look attractive. We had our bazaars, our Back Family days, our 'Eid picnics, *Riyaadahs*. There was a sense of sustainability in the attitude of African American Muslim national minority development; and like the ancient Mande' Muslims we did not want any instability to rock that boat.

14. **The Terrorist Attack of 9-11 and Its Impact on the African America/Muslim National Minority**

In the year 2000, the United States and Israel were kicked off the human rights commission due to their historical treatment of their national minorities. In addition to this, the NYPD had a series of lawsuits against it for its systemic shooting of non white men. For the first time since the end of the 'cold war' a United Nations body had openly criticized the United States for its domestic treatment of its national minorities. This meant that the United Nations had opened the door for the United States' national minorities to present their cases to the world community in order to challenge the government's claim to be the world's moral leader of human rights.

It is ironic that the only thing that could have happened to alter the political trajectory of the world opinion towards the U.S. and Israel in 2001 was a cataclysmic event – an act so violent and horrendous that the world community would be forced to re-evaluate and reassess its critique of the U.S. and Israel. On September 11, 2001, the one thing that could have happened did happen. Nineteen individuals from Muslim countries aligned with the U.S. (Egypt and Saudi Arabia) were given visas to enter the country. Some of them were actually given monthly stipends from Saudi Arabia. They were all *muddajin* Muslims, who according to Islamic law had no right to enter the country, let alone to commit an act of terror.³⁰⁹

³⁰⁹ This line of thinking is what causes many to believe that 9-11 was planned and executed by elements within the United States and Israeli governments. Like the assassination of John F. Kennedy, people always ask: "Where were you when the 9-11 attack occurred?" My answer to that question is what indicates that 9-11 was a 'false flag' event; designed to allow the military/industrial/securities industry in the west to determine the geopolitical trajectory of the world for the foreseeable future. As for me, I was at the Hartford International Airport, in line waiting to board a flight to Cleveland, Ohio. I was dressed in a dark blue traditional Nigerian two piece suit. My companion wore a full facial *khimaar* which showed only her eyes. In my luggage which I had checked in to be boarded on the plane, were two training swords: a Chinese broad sword and a double handed long sword. Both swords were fake, used only for training and demonstration. The reason I was carrying these swords is because our *jama'at* in conjunction with members of *Masjid* Taqwa in New York, held a weekend martial arts and traditional medicine seminar in Hartford Connecticut. There I taught the *Ujaalat'r-Raakib* of *Sultan* Muhammad Bello on prophetic medicine and *Amir* Sifu Bomani Abd'l-Hamid al-Mugharabi instructed us in Chinese Muslim *Wushu*. It was during this seminar that I was able to advance in *xingyi* swordplay and also learned the fundamentals of the Throat Locking Spear system. So here I was at about 8:48 a.m. in line waiting to get my boarding pass for a 9:30 flight to Cleveland when the first plane hit the World Trade Center. We were all in line when the televisions around the airport showed the burning tower. Within about twenty minutes the second plane struck the towers and it was announced that it was a possible terrorist attack. As we looked at the television monitors, I noticed that eyes began to slowly glance in our direction. I also noticed that an attendant at the counter moved to open an unused computer monitor. That is when it was announced that all flights would be canceled, so I instinctively moved to the counter where the attendant was and had our tickets canceled and promptly went to retrieve my baggage which contained the two swords. I called our *Amir* in Hartford to come as quick as possible to retrieve us from the airport. While this was happening, I saw Connecticut state troopers rushing pass me into the airport. I was later told that an enraged White American had shot and severely wounded an Arab who worked for the airport, simply because he looked Arab or Muslim. Of course we got out of the airport as fast as we could. Rather than taking any flights back to Cleveland, the *jama'at* in Hartford immediately drove us to Philadelphia. From there

The first thought that came to every single indigenous Muslim leader in the U.S. on hearing about or seeing the burning Twin Towers was this was a false flag event. When the U.S. identified the criminals as Muslims, we all waited for an official claim by some group. It was well reported that the U.S. then demanded that the Taliban government in Afghanistan turn over Osama bin Laden and his colleagues to the U.S., since he was singled out as the culprit. The leader of the Taliban government, Mullah Umar's response was to first question Osama bin Laden about the bombing of the Twin Towers and then to reprimand him and his group for violating their status as visitors of Afghanistan by committing acts of terror which would have direct impact upon the people of Afghanistan. Bin Laden's initial response was the following:

"I was not involved in the September 11 attacks in the United States nor did I have knowledge of the attacks. There exists a government within a government within the United States. The United States should try to trace the perpetrators of these attacks within itself; to the people who want to make the present century a century of conflict between Islam and Christianity. That secret government must be asked as to who carried out the attacks. The American system is totally in control of the Jews, whose first priority is Israel, not the United States."³¹⁰

Osama bin Laden made this statement under oath to Mullah Umar who was considered by most activists Islamist as the *Amir'l-Mu'mineen* of an Islamic polity. It did not matter whether we agreed with Taliban policies; the fact is that he was the head of an openly declared Islamic polity. The Messenger of Allah, may Allah bless him and grant him peace said that a Muslim could conceivably steal, commit fornication or consume intoxicants; but a Muslim could not lie; especially to the acknowledged leader of a Muslim government. Based upon this Mullah Umar, the Afghani people and the rest of the Muslim world accepted Bin Laden on his word; and Mullah Umar was right in refusing to turn him over to U.S. custody. The result was the U.S. invasion of Iraq and Afghanistan and continual war in Middle East with no end in sight.

If Bin Laden lied and the subsequent CIA doctored videos of him claiming responsibility for 9-11 are authentic; then what impact did this have on indigenous American Muslim national minorities? When the attacks of September 11 occurred, a lot of *Imams* ran for cover! Some changed their positions, stances and

members of our *jama`at* drove us to Pittsburgh where members of the *jama`at* there drove us to Cleveland. I shudder whenever I think what would have happened to us, had I not reacted swiftly to get out of that Hartford airport. I am certain that my presence at the Hartford International Airport on September, 11, 2001 has raised many red flags with the U.S. authorities. Because of it, I am more certain that what happened on 9-11 was planned and executed by elements in the U.S. and Israeli governments. I recall two days later having a disturbing dream about Senator Joseph Lieberman, the then democratic senator for Connecticut, an avowed *jacobite* and the one senator along with a senator from northern California who has persistently developed legislative bills designed to monitor and control the issuing of U.S. passports.

³¹⁰ In my second Open Letter to Hamza Yusef, I referred to Osama bin Laden and his colleagues as young lion cubs, because I only knew what the rest of the world were told. The above statement made by Bin Laden to Mullah Umar was the basis of my judgment. I had nothing else to go on except his sworn testimony that he was not involved in the terrorist attacks of 9-11. Naturally, I was suspect of any subsequent tapes, recordings or videos procured by the CIA which stated any change in the above cited quote. Customarily, a person's initial response is far more accurate than any latter statements he or she might make. To this day, I've not seen any evidence that would contradict Bin Laden's original denial of involvement. This does not in any way exonerate him and his colleagues from the crime of *muharibi* (war-mongering), which *al-qaeda* and their offshoots in Syria, Libya, Iraq and Pakistan actually are.

‘discourses’. As I mentioned previously, some of these changes were not abrupt because some *Imams* made a paradigm shift as early as 1997 due to their own personal ambitions and objectives. The discourse of protest and dissent no longer fit with the trajectory of their future pragmatic needs. It became apparent then that the criticism of American domestic and foreign policies by some Muslim leaders was simply a ‘hook’. Many of them intentionally tried to resemble and impersonate our leader the Lion al-Hajj Malik El Shabazz, and then did the same thing that the white socialist and Marxist community tried to do, - remake Malcolm X into their own image. Fortunately, lion cubs know the call of its Lion. I fondly recalled my conversation with Dr. Kly when I read to him over the phone several post 9-11 characterization of ‘Malcolm X’ by contemporary American *Imams*. This erudite jurists and professor of political science and human rights law laughed and said these brothers have made the *Imam* into some kind of yogurt eating pacifist monk. He then went on to describe how the method and objectives of *al-Hajj* Malik El Shabazz were no different from the methods and objectives of the revolutionaries of the Thirteen Colonies of America. Dr. Kly reiterated that *al-Hajj* Malik El Shabazz exemplified the uncompromising spirit for freedom, justice and equality echoed in the resounding words of Thomas Paine; and that he was willing and preparing BY ANY MEANS NECESSARY for a general call to arms if NECESSARY. In 1997, many pragmatic *Imams* embraced the idea that in order to establish viable institutions a more conciliatory and less confrontational discourse was called for. For many American *Imams* this pragmatism became a necessity in post 9-11 America. After 9-11 only a few indigenous Muslim leaders stood their ground. Muslim leaders were forced to subjectively discuss 9-11, as if those who perpetrated this crime were step-sons of every Muslim in the country. Muslim leaders acted as if they were somehow responsible for the crime and needed to at least explain to the world how they believed the religion of Islam had been ‘hijacked’.

Legally, it is impossible for the ‘*muddajin*’ to hijack the religion, because the *shari`a* preclude their right to define what the religion is. The reality is that all the perpetrators of the crime of 9-11, if what we have been told is true, were *muddajin* immigrant Muslims who entered into contractual agreement with the U.S. via the visa. The legal status that the U.S. constitution, the *shari`a* and international law afforded these domestically colonized (*muddajin*) Muslims was restricted, delimited and circumvented. According to the *shari`a* the 19 *muddajin* terrorists were wrong for merely being in the lands of war, not to speak of plotting to commit an act of horror. The 19 terrorists were not one of us. There was no legal, ethical or spiritual bond between the indigenous American Muslim minority and those 19 Saudi and Egyptian men who were in the U.S. on either the F-1 or tourist visas. If I follow the argument of *Shaykh* Abdallah bin Baya, then the visa made the 19 terrorist allies with the U.S. They had a social contract to abide by the law.

If there is such a thing as a collaborator, then these 19 men fit the bill. If they were united, they were united in the fact that they were *muddajin*. They were collaborators - a name the Vietnamese people gave for the puppet South Vietnamese governments working with the French and the U.S. in the exploitation of the Vietnamese people. Similarly, any Muslim who voluntarily obtains a visa to enter the U.S. and then violates that contract by killing American citizens, becomes the ally (*halif*), the vassal and collaborator with the fascist securities/military industries that have been trying to gain control of the U.S. since Eisenhower. These 19 Saudi and Egyptian men did nothing to harm the weapons and securities industry. They helped it. Without war or instability, the U.S. economy cannot survive. It lost its manufacturing capacity to Japan, China, Vietnam, India and Germany; and the only things it makes and have stockpiles of are weapons.

The religion of Islam had not been 'hijacked' on September 11, 2001; the indigenous American Muslim national minorities simply failed to demarcate the legal judgment which the *shari`a*, the U.S. constitution and international law placed upon those 19 *muddajin*. By law the *muddajin* is a natural ally to the non Muslim state. He is not an ally of the indigenous Muslim national minorities. The interests of the *muddajin* are intricately tied in with the state to which they emigrate. In order to receive and maintain a viable visa the *muddajin* is prone to act as informant for the state against his own kind. In a particular case in southern California, an immigrant Muslim woman acted as informant to the state against her American Muslim husband; in violation of the basic Bill of Rights of the U.S. These same Muslim immigrants were among the first military translators who helped train and deploy the *mujahiduun* in Afghanistan, for the advancement of U.S. interest. In fact, the actions of the nineteen *muddajin* Muslims and so far every single terrorists act conducted by *al-qaeda* and their affiliates have actually helped the U.S. advance its global interest around the world. In dollars and cents, the weapons/securities industry should cut a bonus check for ISIS, since the 'caliphate' has contributed to the exponential growth in sells and contracts.

After 9-11, Cheney and Rumsfeld pushed for the complete revamping of COINTELPRO, the *National Security Council Memorandum-46*, FISA and the *Memorandum of Understanding*; repackaging them and handed it to Bush Jr. as Homeland Security, the Patriots Acts I, II and et cetera, S-1959, and the chain of fascist executive decrees from both the Bush and Obama regimes. Again for the fourth time since the turn of the 20th century, the U.S. government and its agents in the DOI, NSC, the CIA, the FBI and now Homeland Security have violated U.S. constitutional law and international law through the overhauling of illegal cold war counterintelligence statutes that the Supreme Court and the House of Senate in 1976 declared unconstitutional and a felony offense. The reason for breaking the law was in order to contain and control a historically oppressed national minority. This policy was a textbook violation of international treaties signed and ratified before the international community of nations by the United States.

From 2001 until 2005, the NSC, the CIA and the FBI using the unconstitutional and illegal methods of COINTELPRO placed every Muslim organization, family and individual under enhanced surveillance. Muslim charities and benevolent associations were shut down by the IRS. Muslim individuals were questioned on their jobs. Muslim organizations were infiltrated. FBI sting operations were developed all over the country in order to entrap Muslim national minorities. Mosque and Muslim institutions were raided. Muslim leaders were arrested on false charges, assassinated in premeditated FBI attacks, or driven out of the country. Muslims from all over the world were kidnapped and renditioned to secret CIA prisons in Eastern Europe, Afghanistan, Iraq, Jordan, Morocco, and Egypt or aboard mysterious ships.

In the U.S. during the year of 2002, more than 481 hate crimes against Muslims occurred where the African American/Muslim were the ones who suffered the most.³¹¹ For instance, from 2002 to 2007, the *Jama`at* of *Shehu* Uthman ibn Fuduye` was the target of at least two FBI coordinated sting operations and there were known informants in at least five of our national communities.³¹² Each of these operations failed in their objectives simply because the tactics utilized by the FBI were nothing but the well known methods

³¹¹ Christopher Smith, "Anti-Islamic Sentiment and Media Framing during the 9/11 Decade," *Journal of Religion & Society*, Vol. 15, (2013), p. 1.

³¹² The first was what the FBI named the Portland Seven who according to the FBI narrative in 2001 attempted to travel to Afghanistan via China to join the Taliban to fight against the U.S. led coalition; etc, etc, etc, However the reality is that it was 1999 when one of the key informants Jeffrey Leon Battle who had joined our *jama`at* in Houston. At that time *Amir* Bomani was the *amir* and he was like what the Messenger of Allah said about Umar: "Corruption would not occur with Umar's rule." So Battle had no chance to act out. He soon made his way to the Bay Area California with his young wife, October Lewis. As *Amir* of the national *Jama`at* they were brought to me and immediately we suspected something was wrong. Battle did not sound like he had been a member of our *jama`at*. First he did not know the handshake at the time and secondly *Amir* Bomani had not called me to give me the heads up about Battle's coming. It looked like they were in trouble financially and October acted like a fresh convert to Islam. As my wife listened to the many problems of October, I sat down with Battle and talked to him about his story. I learned that he was 'in' the U.S. military at the time, but was thinking about getting out because he did not want to kill any Muslims. "So why did you join in the first place?"; I asked. He began to try and get me to give him a *fatwa* on why he should quit his commission. I said to him what my *Shaykh* often said to me: "The pages have already been beautified' All the questions you have, have already been discussed in detail by the *Shehu* and his colleagues." It was then that Battles told me he knew some Muslims who knew me when I was in Sudan. He mentioned Ahmed Ibrahim Bilal and Muhammad Ibrahim Bilal. I laughed and remembered those two young boys, who could not have been more than seven and eight when I knew them. I used to play and joke with them every Friday after *juma`* prayer. I knew them and their parents well. Their father and I were both teachers at the American Cultural Center in Khartoum. I was glad that Battle had some connection with some of my old companions back in Sudan; but that was the 'hook'. Then Battle started talking about the need to help the Muslims in Palestine to which I agreed because the majority of my *Munaajat* were directed towards them. I vaguely recall him mentioning that he was connected with some strong Muslims in Washington, but I don't remember him mentioning anyone in particular. He then became more animated as he talked about the brothers that he knew who had military training. Anytime somebody starts talking about military training and doing *jihad* – we automatically assumed the guy was five-o. I said: "Yo bro! Before you start talking about fighting in a *jihad* you better get your commission resolved; because as it stands you can be court marshaled and sent to Leavenworth, just on what you said to me! Secondly, you need to man up and get your stuff together for your young wife. This sister is a new Muslim and is worried about how you and her are going to live and eat!" I informed Battle of the 10 point program of the *Sultan*, and let him know this is the program of the *jama`at*. My overall impression of Battle is that he was a possible low level informant who was trying to recruit some weak minded people into something on behalf of someone else. The someone else was of course a *muddajin* Muslim immigrant by the name of Habis Abdulla Al Saoub from Jordan who set him, his wife, including the two sons of a past acquaintance of mine in prison. The second attempt to entrap our *jama`at* went back as far as 2001 until 2005, through the person of Tarik Shau who had been targeted by the FBI for an entrapment. As he was pulled deeper into the FBI entrapment he began to speak strangely about how we were not serious about *jihad*. It worsened at our *deen* intensive in 2004 where *Shaykh* Muhammad Yaqoubi transmitted the *Shima'il* of at-Tirmidhi. During the *deen* intensive, we had *Amir* Bomani to conduct martial arts training for everyone who desired. Tarik Shau did not relish the fact that he was not asked to teach. What is worst is that when he DID participate in the *tantwei* class his energy, dexterity and movements were so poor that *Sidi* Bomani and his top students realized that Tarik was all talk. As the *Amir*, I was able to talk to Tarik about the reason for his anger; and that is when he mumbled that the *jama`at* was not serious about *jihad*. I said that if what you mean by serious is that we do not know how to fight, well there is *Sifu* Bomani right over there, why don't you challenge him? Tarik left disgruntled claiming that he was no longer a part of the *jama`at*. Within months Tarik Shau was arrested, indicted and by 2007 he pleaded guilty to one count of conspiracy to provide material support to terrorism.

developed under COINTELPRO. The objectives of the NSC, the FBI and the CIA were to completely halt the dissemination of genuine African Islamic culture and values among American Muslim minorities. In this regard, they failed categorically. However, where the federal government believes it won was in the arrest of *Imam* Jamil al-Amin, the break-up of the *Jama`at* of *Shehu* Uthman ibn Fuduye` and the premeditated murder of *Imam* Luqman Amin Abdullah. In Central America an American vassal state detained Minister Akbar Muhammad, the International Representative of the N.O.I. on false grounds of terrorist extremism. Generally, the African American national minority as a whole did not do well during this entire period from the early 80s to 2005; which marked the beginning of the end of U.S. economic and political domination of the world order. The only Americans that are winning are those *ameriKKKans* who are well invested in the private securities industry in the 'war on terror'. These guys are waving the American flag in order to create insecurity and instability in the homeland, so that they can continue fleecing the American people. With the decline in U.S. power, influence and financial assets; the African American national minority had been hit the hardest.

One of the areas in which the 'war on terror' has negatively impacted the African American national minority has been in the realm of heroin addiction. In 2003, I was invited to Baltimore to give a talk at a mainly African American *masjid*. On my way walking from my car to the mosque, I encountered a young African American boy of about 17, who said to me as I passed him: "Yo, I got that Bin Laden!" I was taken aback by his phrase 'Bin Laden' and said: "You got what?!" He responded: "I got that horse! That 'H' dawg!" That is when it hit me that this entire equation of the 'war on drugs' was already worked out and its impact and outcome had been predicted and prepared for – the militarization of the U.S. metropolitan police; the growing construction of state and privatized prisons; and the establishment of a bureaucratic social welfare system to study, care for, but maintain the dependent status of families whose main providers are incarcerated. Thus, after the U.S. invasion of Afghanistan the purest grade of heroin in the world hit the streets of America and Europe and literally killed the cocaine market and devastated American communities reeling from the growing economic bubble about to burst.

How did this happen? When the Taliban took over Afghanistan in 1998, one of the first acts of the new government was to completely ban the production of opium poppy plants in the country. This ban was an attempt to break their opposition among the Northern Alliance the main allies of the U.S. who were in complete control of heroin production in the country. In addition, the Taliban placed a heavy tax on existing opium stocks. The CIA claimed that this ban by the Taliban was also an attempt "to manipulate the global heroin market by squeezing supplies".³¹³ In actuality the Taliban knew that the main recipients of the heroin trade were their opposition among the Northern Alliance along with their allies among the U.S. and U.K. governments. During the entire four year period of Taliban control of Afghanistan, the price of heroin was extremely expensive, jumping from \$44 per kilogram in 1998 to \$700 just before 9-11. In fact, from 1984 until 1996, the U.S. and U.K. encouraged the Northern Alliance to utilize the heroin trade to addict and

³¹³ Raymond Whitaker, "US and Britain Accused of Creating Heroin Trail", *The Independent*, 2001.

demoralize as many Soviet troops as possible. The CIA repeated the same tactic that they had perfected in Vietnam and Nicaragua, where drugs were used to undermine the enemy.

In October of 2001, as a result of the September 11 attacks, and the refusal of the Taliban to hand over *al-Qaeda* members, U.S. forces bombed Afghanistan and gave military support to the Northern Alliance, (those who controlled the lucrative opium trade). By December the Taliban were driven into the hills and mountainsides to conduct guerilla warfare and have been gradually regaining control of the country since that time. In the mean time the U.S. installed a puppet government, run by a former employee of Haliburton, Ahmad Karzai, who remained in power as a dictator until 2004, when elections were held in what international conduits called a rigged election.³¹⁴ What this meant for the opium trade is that now that the U.S. was in full control of Afghanistan, the Northern Alliance had a free hand in the production and sell of opium worldwide. The price of pure grade opium became dirt cheap, and a flood of heroin hit the cities of Europe and the U.S. The first people to be impacted hard with the availability of pure inexpensive heroin were the African American and Hispanic communities. This pure grade of heroin was then dubbed “Bin Laden”; and it has been spreading destruction in the lives of African American national minorities from that time to the present. How, is heroin entering the country? It enters the country the same way that it was imported into the country during the Vietnam War, in the planes, bags, boxes and bodies of the U.S. military.

Those communities who received the bulk of the influx of heroin were the African American and Latino American communities. In addition to this the American public grew increasingly hostile towards American Muslims, believing that Islam encourages violence. Those Americans who believed that Islam and American Muslims posed a danger to the U.S. jumped from 14% to 34% from January 2002 to September 2003.³¹⁵ This hostility expressed itself in the form of the curtailment of legitimate Muslim businesses and charities. It was also expressed in the racial profiling of Muslims at airports. It emerged in the form of detention without charge and secret renditions of Muslim intellectuals and academics. The U.S. Immigration and Naturalization Service developed renewed and discriminatory scrutiny related to Muslim immigration and, deportations. Both Muslim national minorities and Muslim immigrants had to endure increased interrogations without probable cause.³¹⁶

It was due to this increased discrimination and repression of Muslims in the U.S. that several African American/Muslim organizations met together in Pittsburgh during the weekend of April 7, 2002 with the objective of solidifying their confederations and requesting recognition for these confederations at the United Nations. The founder and Chair of the International Human Rights Association of American Minorities (IHRAAM) - Dr. Yusef N. Kly was invited to address the gathering at the University of Pittsburgh. The university lecture was organized by the Black Action Society, the Muslim Student Association and SIIASI. The topic that Dr. Kly chose to address was: “International Law, Self Determination & the Rights of National Minorities.” Dr. Kly was able to take the complex ideas of

³¹⁴ World History Atlas: Patterns of Interaction, p. 1027

³¹⁵ Christopher Smith, “Anti-Islamic Sentiment”, p. 5.

³¹⁶ Barrister Majid Trambo, IHRAAM’s Permanent Representative to the U.N., “Agenda Item 14 (B): Minorities Intervention”, UN Commission on Human Rights, 58th Session, 19 March 26 April 2002, Geneva, p. 1. See: Appendix G.

international law and political science and make them comprehensible to an audience who were made up of the common layperson. He introduced the concept of a national minority and what distinguishes them from immigrant minorities. He talked at length on the difference between complete self determination and internal self determination. He answered the question which was on everyone's mind: "Is it possible to provide national minorities with some form of self determination without threatening the sovereignty of states." In addition to Dr. Kly's address, he also listened to the narrative of our history as Muslims in the U.S. He was shown anthropological data such as Arabic manuscripts composed by enslaved African Muslims and other unique customs that distinguish the African American Muslim national minority. Based upon the evidence shown Dr. Kly was asked if African American Muslims constitute a genuine national minority as defined and stipulated in international law? And he answered in the affirmative and added that the long history of repression qualified African American Muslims with the moral right to demand some form of collective autonomy from the United States. The weekend proved to be extremely productive because two of the four organizations present decided to register their confederation with the United Nations.³¹⁷

It was this event which attracted intense scrutiny from the State Department and within weeks of the conference with Dr. Kly, the *Jama`at* of *Shehu* Uthman ibn Fuduye` came under increased harassment from the FBI. Those members who were under penal control received visits at their homes and work, where the F.B.I. inquired into why they were associated with the *jama`at*. Others who had some advanced education also received visits from the F.B.I. inquiring why would people as well educated as they were would waste their time with the likes of the *jama`at*. Throughout the year of 2002 more than 40% of the members of the *Jama`at* had been stopped, visited or questioned by FBI; forcing many of our members to reconsider residing in Pittsburgh. It is during immense affliction that Allah ta`ala also gives immense spiritual openings. On June, 29, 2002, at 3:45 a.m., I had a dream vision of the Messenger of Allah, may Allah bless him and grant him peace in which Allah showed me that I would make the *hijra* first to China and then back to Africa. In this dream the African American Muslim national minorities had successfully confederated with Anglo American Muslims, the Muslims national minorities of China and the Muslims of Black Africa.³¹⁸

The idea of limited or full autonomy on the part of Muslims in the west was not only expressed in the U.S., but several African Caribbean Muslim communities expressed the same sentiments. At the end of July of 2002 I was invited by the *Amir* of the *Jamaat al-Murabiteen*, Maulana Hasan Anyabwile of Trinidad to give a talk during the Emancipation Week on African Islamic traditions. He also wanted to confederate with or join the *Jama`at* of *Shehu* Uthman ibn Fuduye`. Just weeks before our arrival he was shot and critically wounded while praying the *fajr* prayer in his home by an unknown assailant. Some suspected other Muslims, while we could not help but suspect U.S. involvement. When we arrived we visited *Amir* Hasan in the

³¹⁷ See Appendix G for a copy of that historic document.

³¹⁸ The only person I divulged the meaning of this dream to was *Amir* Abu Ja`far Luqman Abd's-Salaam. I told him that when he hears that I have left or disappeared then he should know that I will first go to China and from there back to Africa. I asked him not to divulge this to anyone. Al-Hamdullahi, this dream came true. In 2005 I fled for China and after seven years in 2012, I returned back to Africa, where I am presently.

hospital who was now a paraplegic. On the 15th of August, 2002, under the unbearable duress endured by this courageous and outspoken leader, we were able to formulate the nature of our confederation and in addition we confederated with an elder community the *Jamaat al-Islami al-Karibi*. This later community was made up of several of the legendary heroes of the island. They were a part of the *Jamaat ul-Muslimeen*, led by Abu Bakr Yassin who courageously took control of the Trinidadian government during rampant corruption and nepotism. During the siege, they were able to negotiate a workable truce which included amnesty. The result is that the Trinidadian government began to initiate the reforms that the *Jamaat ul-Muslimeen* had demanded, which the same general demands of the citizens of that beautiful island..³¹⁹

I was accompanied on this trip by the *amir* of Oakland, al-Hajj Tahir Abdallah and the *amir* of Los Angeles, *al-Hajj* Ali Abd'r-Rahim. We were fortunate enough to reside in the beautiful home of one of the heroes of *Jamaat al-Islami*, Sidi Ahmad. He was a former army officer, short in stature with the same skin tone as *al-Hajj* Malik El Shabazz. He was a positive and joyous host who saw to it that we saw and visited all the sights of the island. We kept cool with cold peanut butter milk shakes and there was no drink on earth better than the iced fresh coconut water. If there are coconut palm trees in Paradise; then I will request mine Trinidadian style. While in Trinidad we were fortunate to visit the gravesites of African Muslims who had fought on the side of the British in the War of 1812 against the United States. These enslaved African Muslims escaped to the British on the promise that they would be manumitted if they fought on the side of the Crown. After the War of 1812, these African Muslims were given their emancipation by King Edward and settled on the southern region of Trinidad.³²⁰ During our pleasant stay in Trinidad, reactionaries within our community in Houston Texas were able to create yet another crisis where our most trusted *Amir* and *Sifu* Bomani al-Mugharibi relinquished his position as *amir* of the Houston community. Inwardly, I felt that we had lost our own Gwanyu, the legendary tiger general of the kingdom of Wei.

This setback for our *jama`at* reflected the general problems Muslim national minorities were facing in 2003. A 2011 study on American Muslims and human rights reported that close to 2000 complaints of discrimination, abuse and physical violence against Muslims were reported to CAIR between the years of 2003 and 2004, where physical attacks against American Muslim minorities increased by 52%.³²¹ In 2003 FBI harassment of our national *jama`at* increased. In Pittsburgh the harassment was so intense that the leadership of the *Jama`at* made an official complaint at the local ACLU.³²² The *Jama`at* of *Shehu* Uthman ibn Fuduye` arranged for representatives of the ACLU to speak to the Muslim community in Pittsburgh regarding their rights when being questioned by federal authorities. It was in these well attended meetings

³¹⁹ Unfortunately, Abu Bakr Yassin began to take a trajectory which tied him and the *Jamaat ul-Muslimeen* to kidnappings, robberies and murders which plagued the island's Indian population. It was for this reason that the leaders of *Jamaat al-Islami al-Karibi* and later the *Jamaat al-Murabiteen* distanced themselves from Abu Bakr Yassin's community.

³²⁰ Prism, "Caribbean Memories of Slavery and the Myths of Othman dan Fodio's Sokoto Caliphate", Tel Aviv, p. 9

³²¹ Ashley Moore, "American Muslim Minorities: The New Human Rights Struggle," *Human Rights & Human Welfare*, Topical Research Digest: Minority Rights, 2011, pp. 92-93.

³²² This initial visit to ACLU was fruitless. The representative there treated us as if we were not a significant enough problem. At a time of Homeland Security when Arab American citizens and Muslim migrants were being targeted and in many cases deported; our problem was inconsiderable in his eyes; and he all but said that, in the way he dismissed our claims. I got the feeling then that the ACLU only took cases which gave them media attention; and like most Americans the ACLU did not believe that the wellbeing of African American and Latino Muslims mattered.

that I learnt that a person did not have to answer any questions of a FBI agent if they chose not to. I also learnt that when you do consent to answer the questions of an FBI agent, you cannot tell a lie. To do so is a felony which FBI agents have exploited to nefarious ends since 2001. In spite of this, during the entire period between 2002 and 2003 the *jama`at* experienced its largest influx of membership. In addition to the seven national *jama`at*, communities and individuals from Springfield Mass, Philadelphia, Cleveland, Toronto Canada, Sweden and the U.K. joined the *Jama`at* of *Shehu* Uthman ibn Fuduye` and took the *Qaadiriyya* litany. This was in spite of or perhaps because of increased FBI harassment. Most of the financial support the SIIASI received was from Muslim inmates throughout the U.S. as well as support from hip-hop groups such as Jerassic 5.³²³

In January of 2004, I was invited by the *Qutb* of *Hajj*, *Shaykh* Abd'l-Qadir al-Jayli ibn *Shaykh* Muhammad al-Bukhari, the leader of the *Qaadiriyya* Sufi brotherhood of Medina and Mecca, to lead members of our *jama`at* and others on the sacred pilgrimage. On this pilgrimage, which was my second, I was accompanied by Cheirno Sulayman, Juma`, Akil (of Jerassic 5), `Imad and others from our *jama`at*. One of the most memorable times of the pilgrimage for me were making the mandatory seven circles around the Ka`ba on the roof of the Sacred Mosque while leaning on the shoulders of Cheirno Sulayman, and sciatic pain shooting down my right leg. As we walked and trotted, I recited the *Munaajat* of *Shehu* Uthman ibn Fuduye` seven times – one for each *tawaf*. The other was on the evening that Cheirno Sulayman, Juma` and I shaved each others' heads, went and buried the hair and made two *rak`ats*; marking the end of the pilgrimage rites. For some reason we were all extremely joyous as if the whole universe was cheerful. All during the hajj rites I was suffering from a major excruciating lower spinal problem, which I endured as a form of *kaffara* (atonement). I remember painfully limping about the plain of Arafat for hours searching for *Shaykh* al-Jayli's camp. It was by a miracle that we found it. While there *Shaykh* al-Jayli appointed me as one of his *khalifas* and *shaykh* of the *Qaadiriyya* Order.³²⁴ I became despondent during our final days in Medina as we prepared to leave the company of the Messenger of Allah, may Allah bless him and grant him peace on our return to the U.S. If only I were employed as a janitor in the Prophets Mosque, I would be content all the days of my life.

How can I give fair well greetings to one whom I earnestly hope to see again?
 How can I depart from my and all the worlds Beloved – the Perfect Human?
 O Allah make my leaving Tayba like one leaving his home on errands, always returning
 O Allah let their always be in Tayba a place for me in the blessed assemblies of learning
 Wishing aloud that the Lord of the Throne would extend Medina to the far west
 Where we in the far west can smell his fragrance and call ourselves his guest.

Back in the U.S. we returned with a renewed commitment to activate African Islamic civilization in the country. Throughout the nation there were *jama`ats* reciting the *Munaajat* of the *Shehu* calling upon the Absolute Being in 2004 at a time when David Hodge noted that Muslims around the nation were daily

³²³ I am grateful to al-Hajj Akil, Dhakir, Charlie 2Na and other members of the famous Jerassic 5 hip-hop group for their support of the SIIASI.

³²⁴ See Appendix H for a copy of the official appointment by *Shaykh* al-Jayli. One of the elder disciples of the *Shaykh* who had been a long time disciple of his father as well, informed me that this was the first time that *Shaykh* al-Jayli had given this type of appointment to anyone. He also made a request for our *Sultan* to visit him on an official visit and pilgrimage. I received this letter in 2005 when I was making my escape from the United States to China.

encountering prejudice emanating from what he called: “*diaphobia*, or animosity toward a divine worldview in which a transcendent God serves as the ultimate point of reference.”³²⁵ In our *zawiyya* in Pittsburgh brothers and sisters were sealing the *Qur'an* every seven, nine, ten and fifteen days. Giving out clothes to the homeless and feeding the poor, was one of the unifying elements of our *jama'at* in Pittsburgh. We decided to establish ourselves in the north part of the city because that is where social work was most needed. We all set our sights upon an excellent abandoned church just across the river about five minutes from the famous Pittsburgh Steelers stadium; on a quaint street named ‘*Abdel*’. It was an endeavor which we agreed should be pursued by the national community. Several members residing in Sudan disagreed and felt we should only be concentrating our efforts on making the *hijra*. However, we wanted to create a global bridge between the Americas and Africa that was permanent and reflected the interconnection between the motherland and the Diaspora. I had visited some of the *Fuqara* settlements near Fresno, California; and I was not interested in creating those kind of derelict settlements in Africa. What I envisioned was western Muslim communities in the U.S., Trinidad, the UK, Canada, Sweden networked together with our center in Maiurno Sudan; helping to finance the development of the entire region of the Blue Nile. I had stayed in Pittsburgh, the city of bridges, for more than four years, so I was not interested in burning bridges, but building more.

In September of 2004, I was invited by *Shaykh* Habib Ali al-Jifri and *Shaykh* Habib Umar to visit Prophet *Hud* and the spiritual and intellectual center of the descendents of the Prophet at Tarim in Yemen . This visitation was arranged and organized by several members of our *jama'at* studying in Tarim along with at least two disciples of the *Habaa'ib*. The goal of this visitation was to acquaint them with the desire of confederation on the part of indigenous American Muslim national minorities and the history of the African American Muslim national minority in particular. While there Habib Ali al-Jifri promised that he would assist our *jama'at* in purchasing the abandoned church in Pittsburgh in order to make it into an Islamic center for the work of the SIIASI and the *jama'at*.³²⁶ It was during the meeting with Habib Ali that I realized

³²⁵ David R. Hodge, “Social Work Practice With Muslims in the United States,” in *Social Work: A Profession of Many Faces*, ed. A.T. Morales & B.W. Sheafar, 10th ed., (Boston: Allyn & Bacon), p. 445.

³²⁶ *Shaykh* Habib Ali al-Jifri said: “*Amir* Muhammad, I will help you get this church for your *masjid*. It may not be this week, or this month, or this year; but I will help you.” It is now 2015 and the church still remains abandoned in north Pittsburgh awaiting for this pure descendent of the Prophet, may Allah bless them and grant them peace, to fulfill his promise. One of the main intentions for citing this IS to incite. The magnificent grey stone church sits on a small street block of its own. It reminds me of the public library in Galveston, Texas built by the philanthropic Carnegie Foundation. What is amazing is that its private entrance opens onto a street named ‘*Abdel*’. I was told by one of the archivist at the Pittsburgh Historical Society that this small street which covers two small city blocks was once the estate of a Syrian Arab. The archivist could not tell me if this Syrian was Christian or Muslim however, the name or concept of ‘*abdal*’ is synonymous to both Christian and Muslim Arabs. In my commentary upon the *al-Munaajaat* of *Shehu* Uthman ibn Fuduye’ I summarized the transmitted definition of the term in Arabic: “The etymological root of the expression ‘*abdal*’ (the spiritual substitutes) is the plural of the expression ‘to substitute’ which means to replace something with another thing. Allah ta’ala says: “*The Day the earth will be substituted for another earth as well as the heavens.*” This means on the Day of Judgment when the mountains will be propelled, the oceans will be blown up, and the earth will be made flat and you will not see any crookedness and curves. The transformation of the heavens will be the scattering of the stars, the splitting and cleaving of the skies, the imploding of the sun, and the eclipse of the moon. Allah ta’ala also says: “...and He will substitute you with another people.” Thus, the expression *Abdaal* or *Budala'* are a righteous people by whom Allah establishes the earth. They are seven individuals. Some say they are thirty. Some say they are forty. Some say they are more than that. It has been related by Ibn Shimayl with his chain of authority on the authority of Ali ibn Abi Talib, may Allah be pleased with him who said: “The *Abdaal* are in Syria.” It is not certain whether our Syrian was aware of the etymology of this name. Perhaps it was his name or the name of his family. What is significant is that the name of the street established this place

that even some of the most profound *awliya* of the age can have informants among them. One particular informant was a young brother from Egypt who was always present with us, and would even be nearby whenever I performed my spiritual litanies in the early mornings. It was this individual who suggested to Habib Ali that, I supported suicide bombings and other terrorist acts, which was a flagrant lie. In my last meeting with Habib al-Jifri in order to garner his support for purchasing the church; he asked me pointedly: “What is your opinion of suicide bombings?” I was taken aback by this question, because it had nothing to do with what we were talking about and a Man of Allah would be able to have some *firaasa* of the individual in front of him. My gaze automatically went to the young Egyptian brother, who I knew without any doubt was the one who whispered this idea into the ear of the *Shaykh*, and I knew that this fellow would do everything to keep the *Shaykh* from assisting us to purchase the abandoned church.

My response to the *Shaykh* was simply this: Suicide bombings are not a question of religion. It has nothing to do with religion. It is a desperate response of an oppressed people in the face of what they see as overwhelming odds. Suicide bombings are the result of state oppression. They go hand in hand. In 1959, during the Cuban revolution, freedom fighters would jump into the cars of the corrupt officials of the Batista government blowing them and the officials to bits. These freedom fighters were Catholic, yet their desperate situation prompted them to go against their Catholic values. In 1968, during the Tet Offensive Vietnamese Buddhists burnt themselves alive in protest to U.S. occupation; and Vietcong freedom fighters (who were Buddhists) also exploded themselves killing scores of U.S. marines. It is not a religious question, nor is it a question of jurisprudence. This kind of asymmetrical warfare is the natural result of state terror. You cannot have one without the other. If you want to stop suicide bombings you will also have to stop the terror which causes it, and it is state repression, tyranny and torture. Are suicide bombings wrong according to Islam? Of course they are forbidden. The *shari`a* is clear about that, but it is not a question of religion. It is an illogical response to illogical oppression. For every action there is an equal and opposite reaction.

Shaykh Habib al-Jifri said to me and everyone present: “I never heard anyone answer that question the way *Amir* Muhammad Shareef answered it.” I looked at the young Egyptian informant and saw clear disappointment on his face; but I knew that this brother and perhaps others would do everything they could to pressure *Shaykh* Habib Ali al-Jifri not to honor his promise. *Shehu* Uthman ibn Fuduye` said in his *Uсуul`t-Tareeqah* that one of the five signs which indicate that a spiritual aspirant is false and hopelessly lost is: “Causing discord (*al-waqi`at*) among the people of Allah.”³²⁷ This Egyptian informant is proof of the words of the *awliya* that the weakest trees are those closest to the river. Here was a brother who was close to *Shaykh* Habib Ali, yet he was unable to disavow or forgo being an informant (*jasuus*). For the first time in my life I left the presence of a *wali* and descendent of the Prophet doubting that he would be able to fulfill a

symbolically as a place of *baraka* and like the ancient Sankore` mosque of Timbuktu, the church sits majestically in the northern quarter of the city of Pittsburgh waiting for the Names of God to be heard from its windows in the early mornings and late evenings. I remember driving *Shaykh* Muhammad al-Yaqoubi the son of one of the *Abdal* of Syria to the church where he made supplication that Allah make it a place of worship for our *jama`at* where the remembrance of Allah can spread from its walls to all the homes in the city. We all recited al Fatiha and took the *Shaykh* to the airport.

³²⁷ *Shehu* Uthman ibn Fuduye`, *Uсуul`t-Tareeqah*, (SIIASI, 2002), www.siiasi.org, p. 18.

solemn promise. This reflected the extent that the so-called ‘war on terror’ had even poisoned the circles of the *awliya*. The Torah, the Bible and *Qur’an* speak of the corruption that would seep into the *Holy of holies* (the assembles of the saints). This does not mean that the *awliya* themselves would become corrupted, but that they would be surrounded by those who are corrupted (*fujjaar*); and what I mean by ‘corruption’ is not the corruption of sin or disobedience because the *awliya* have been placed on this earth to eradicate this in individuals and society. The corruption that I speak of here is the corruption of hypocrisy (*nifaaq*) where informants, agent provocateurs and undercover law enforcement agents would make themselves indispensable to the circles of the *awliya* where they would interdict and pre-empt them from being able to perform their responsibilities. It is in this way that one of the most momentous Signs of the End of Time which the Prophet foretold would become manifests – *the filling of the earth with oppression and injustice*.

On my return from Yemen to the U.S., the *Jama`at* organized our annual *Amirs* meeting, during which we agreed that it was time for some of us to make the *hijra* and establish a settlement in Maiurno. The *Sultan* had granted the land, a total of about 33 acres, close to the Blue Nile, where at least 64 homes could be constructed, along with a masjid/learning center and market; with ample land along the river for farming. The objective was to build a permanent network between our global *jama`at* and our spiritual center in Maiurno Sennar on the western banks of the Blue Nile. Using the *hatumere`* I designed a complex following the *ziyaarij* of the sacred name of Allah, which I called ‘a city of God’.³²⁸ There were at least sixteen families who were ready to make the repatriation to the Blue Nile. In addition I was told that the private library of the former *Sultan*, Muhammad Bello, now in the possession of his son, *Kaatib* Mustafa needed to be properly archived and digitized. This archive was purported to contain close to six thousand rare works. I was looking forward to a busy but rewarding return to Maiurno.

I had no problem getting a visa for Sudan having worked closely with the Sudanese embassy in D.C. and other Sudanese nationals in several dialogues on the conflict in Darfur. This was 2004 when news began to hit headlines of secret C.I.A. prisons around the world where Muslims suspected of terrorism were being detained and tortured. This practice was called ‘extraordinary renditions’ and was first implemented in Egypt during the Clinton administration in 1998.³²⁹ These detainees were off times kidnapped and renditioned to Cairo, where Egyptian *mukhabaraat* would use ‘enhanced interrogation methods’ (torture) to get detainees to confess of any crime and then summarily hang them. Some of these detainees were psychologically conditioned through torture to embrace a discourse of rage and vengeance. Like the ‘monster factory’ at CMF Vacaville, these prisons were more concerned with creating terrorist than stopping them. I had already noted that Sudan was one of those outwardly hostile states to the U.S. which maintained secret cooperation in intelligence and the detaining of suspects the U.S. deemed worthy of apprehension. It was in 1998 under this program that the Sudanese government actually drove Usama bin Laden out of Sudan into Afghanistan. Others countries outwardly hostile to the U.S. yet secretly corporative in extraordinary

³²⁸ See Appendix I.

³²⁹ International Bar Association, “Extraordinary Renditions”, An International Bar Associations: Human Rights Institute Background Paper, London, January, 2009, p. 54

rendition were Syria, Libya and Algeria. Those Arab nations friendly with the U.S. that openly worked with them in the secret extra judicial detentions and torture, were Egypt, Tunisia, Morocco and Jordan.

On November 13, 2001 the United States boldly rescinded its constitutional standards again, and turned its back on “existing institutions and legal systems” by basically writing their own laws.³³⁰ Dick Cheney in conjunction with his cronies in the administration developed a law allowing them to break domestic and international law simultaneously. President Bush was told to name this executive order: *Military Order on the Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism*. Under this new law, Rumfield enlisted those nations he dubbed ‘the New Europe’; those who were eager to join the ‘coalition of the willing’ and allow their lands to be the hot spots for secret CIA detention centers.³³¹ Nations such as Albania, Tajikistan, Uzbekistan, Kazakhstan and Slovenia joined with Syria, Morocco, Egypt and Jordan in violating human rights of suspected terrorist at the behest of the U.S., through kidnapping, extraordinary rendition, extra judicial executions and torture. Extraordinary renditions conducted by the U.S. and its ‘coalition of the willing’ violated Article 3 of the *United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*.³³² The Bush administration acknowledged that this practice was illegal causing Cheney to order the then Secretary of the State, Condoleezza Rice to brazenly lie to the American public and world community by her words: “The United States does not permit, tolerate, or condone torture under any circumstances!”³³³

In reality the U.S. in conjunction with other nations placed thousands of Muslims around the world under extraordinary rendition. Some of these Muslims were academics, outspoken critics and political dissidents, but not terrorists. Many innocent victims were caught up in the web, whose only crime was being Muslim. It was because the U.S. could not be trusted, that when it was time for me to travel to Sudan, I consulted Attorney Charles Freeman and Dr. Yusef N. Kly. We all discussed the possibility of the U.S. detaining me for some reason or preventing me from leaving. We agreed that if I did not contact either one of the lawyers at a specific date; then they were to contact the Sudanese Embassy and the United Nations Human Rights Commission. The first indication that my journey would not be safe was that at the beginning of October, 2004, I was at Pittsburgh International Airport having my luggage scanned when I was asked by a TIF officer if he could search my luggage because according to him the scanner had detected explosive material in one of my bags. Of course I had no other choice other than to consent. While they searched and wiped my bag down from possible explosives, two other officers questioned me about my destination, my return date and the purpose of my visit to the Sudan. After the two officers had learned my entire itinerary, suddenly, the officer that was checking for alleged ‘explosive materials’ called me over to my bags and said

³³⁰ Dick Marty, “Alleged Secret Detentions and Unlawful Inter-State Transfer Involving of Europe Member States”, Draft Report, Part II, (Committee on Legal Affairs and Human Rights, Switzerland, June 7, 2006), p. 3.

³³¹ Ibid., p. 3.

³³² Discussion Group Summary, “*Extraordinary Rendition*”, A Summary of the Chatham House International Law Discussion, March 27, 2008, pp. 2-4.

³³³ “*Rice Forcefully Denies Torture*”, US News, December 5, 2005.

that the scanner made a mistake and misread the chemical compound that was in my eye drops. I knew this was a lie and that they used the 'explosive material' claim to learn my itinerary.

Once I boarded the flight, I assumed that the worst was over and I could relax because I was about to be free of the American plantation again. However, the information the officers got from me during the initial interview was passed forward. When I arrived at the Sudanese Airport, I had a strong sense that things were not quite right. Therefore, I hurriedly got my bags and was one of the first passengers off the plane. As we were going through customs, I noticed a familiar face among the customs office standing observing the new arrivals. I noticed a group of Egyptian diplomats had gone to an express line, so I joined them, and was able to get passed customs without a problem. I then rushed down to baggage claims to retrieve my bags and ended up being the first passenger to actually clear customs. It was about 3:40 a.m. and I took my luggage outside the airport in order to wait for a brother in our *jama`at* who was now late. My first mind told me not to wait, but to go on and take a taxi to the Sennar bus stop, and head straight for Maiurno. I decided to wait it out. Thirty minutes passed and the early morning call to prayer was being made. At that moment the familiar face came outside the airport saw me and then went back inside the security section of the airport. That is when I decided to stand and walk to the *masjid*, perform the *fajr* and get the hell out of there. Just as I rose, two Sudanese security police in plain clothes approached me and asked if I were Muhammad Shareef. When I answered in the affirmative, they asked me for my passport and my return ticket to the U.S. I gave both to them and then suddenly a small pickup truck pulled up with armed soldiers. They pushed me on the back of the truck with my luggage and took me directly to the plane I had just got off, and ordered the pilot to take me to Jordan. My passport was handed to the pilot and I never saw my return ticket again. I was then taken to Jordan, where the pilot gave my passport to customs officers and informed them that the Sudanese police ordered that I be brought to Jordan. For about five hours I was questioned by at least three different Jordanian officers. They went through all my bags and scrutinized everything. All the time asking if I were a part of this group, that group; they repeatedly asked me about the nature of SIASI. They asked me why the Sudanese authorities would send me to Jordan rather than deporting me back to the U.S. They wanted to know what happened to my return ticket. I could tell by the fact that they asked the same questions over and over again that they were trying to get me to change my story.

All praises are due to Allah that I took the precaution of informing both Dr. Yusef N. Kly and Attorney Charles Haroun Freeman in the event I do not call them in a particular time to contact the Sudanese Embassy in D.C. and the UN Human Rights Commission. While I was being questioned by the Jordanian customs officers, Dr. Kly had contacted the Sudanese Embassy that started and immediate inquiry as to what happened to me over the past fifteen hours. It was around 5 p.m. when the Sudanese authorities contacted the Jordanian customs and demanded that I be released immediately and allowed onto a flight back to Sudan. I surmised that it would not be wise to go again into Sudan under the circumstance so I asked for a return flight to J.F.K. airport in New York. In 2002, I had already heard the tales of American and British Muslims being tortured by Sudanese authorities just because they were associated with the wrong segment of the

Ikhwan'l-Muslimeen. This for me was the most frightening experience that I had ever had and it showed me just how easily a person can disappear, if someone wants them to.³³⁴

My return to the U.S. only intensified the harassment from the F.B.I. Their constant harrying was so intense that I decided to try and deflect government attention from the *jama`at* by allowing younger members to take responsibility for everyday activities, such as leading the prayers, teaching etc. I felt in my heart that the real target was myself and that if I remove myself from active leadership that FBI harassment of our members would abate. It was then that men and women such as *Imam* Ibrahim, *Amir* Luqman, Muhammad Mendes, *Amir* Ibrahim Snow, *Amir* Tahir Abdallah, Hamza Perez, *Jaji* Maryum Jameelah, Alymah Ramos and others were delegated to run the *jama`at* and the SIIASI.

I also decided to back away from public speaking. My last public address was at a *deen* intensive held in Philadelphia at *Masjid Mujahiduun* under the leadership of *Imam* Asim with whom our *jama`at* was confederated. In that *deen* intensive, I taught on the signs of the End of Time from the Tanbeeh'l-Umma 'Ala Qurb hujuum Ashraat 's-Saa' of Shehu Uthman ibn Fuduye' and at the end of the three day lecture, I informed all present that this would be my last public address.³³⁵ The brothers in Philadelphia put me up in a hotel adjacent to the Chinese Cultural Center where I had the chance to visit their book store. Each day when I had free time, I would go to the book store and read as much about the People's Republic of China as I could. I purchased several books from there which I believed would give me a basic understanding of the psyche of mainland China and their Muslim national minorities; among them: [1] the Thirty-Six Strategems of War; [2] the Outlaws of the Marsh; and [3] the Book and the Cauldron. I also researched on extradition treaties between China and the U.S. There were none. The only exceptions were the agreements made between the two countries after 9-11 regarding suspected terrorists. Even in these cases there has to be an Interpol arrest warrant for the individual. In the absence of an Interpol warrant, the People's Republic of

³³⁴ As a result of this failed extraordinary rendition, the secret relationship between the NSA and certain vetted elements of the Sudanese intelligence was exposed, and when the smoke cleared several Sudanese intelligence officers were humiliated (or worse). On my return to the U.S. one of the Sudanese consulate officers informed me that the incident in Sudan was an anomaly but brought to an end certain aspects of the cooperation between U.S. and Sudanese intelligence. However, I knew then that elements within the Sudanese intelligence and the U.S. would continue to work diligently to undermine my relationship with my *Sultan* and attempt to alter the nature of our *jama`at*. This was justified by the 1978 NSA 'memorandum' composed by Brezinski for President Carter which explicitly stated that the CIA should take "...specific steps" "with the help of appropriate agencies to inhibit coordinated activity" of its African American national minorities with any segment of the African nations. The NSA had the license granted them through an executive order of President Carter to develop 'special clandestine operations' 'to generate mistrust and hostility in American and world opinion against joint activity of the two forces' of African nationalism in the U.S. and in Africa. More poignantly this memorandum allowed the U.S. 'to cause division among' African American national minorities and Africa. This policy was a violation of the right of national minorities to work in league with their members in their mother country which international law grants linguistic, ethnic, religious and cultural national minorities under Article 27 On he Declaration of Civil and Political Rights.

³³⁵ At the time I realized that the entire edifice of 'teaching Islam' had become a racket and rather than producing Muslims of profound character and erudition, we were inflaming the passions of love for leadership, rank and position. What seemed like an upsurge in 'students of knowledge' around the country was simply a rise in young people desiring to be famous and garner enough prestige as '*daa`ees*' to be able to address large crowds in Madison Square Garden and huge conventions centers around the country. Teaching Islam had morphed into a lucrative means of gaining wealth and fame; and I had contributed to this destructive trend among young Muslims in the U.S., Canada and the U.K. We were actually playing a role in the appearance of the signs of the End of Time, where Islamic knowledge would be taught and studied as a means of social mobility and financial security. It is for this reason that I made the Signs of the End of Time as delineated in the Tanbeeh'l-Umma the last public address I was to give in the U.S.

China does not honor any extradition demand from the U.S. for political dissidents or anyone suspected of crime and has not been charged.

Although I surmised that the FBI harassment would abate by me stepping away from active leadership; I was wrong. Every day from October to the end of 2004, two young FBI agents would visit the homes of our members, visit their jobs, or pull them over in their vehicles; and pressure them about their presence in Pittsburgh. As a result, we took mutual counsel and decided to take our case to the local media. A young African American journalist by the name of Brentin Mock who wrote for the *Pittsburgh City Paper* came to us in January to interview those in our *jama`at* who had been stopped, questioned or harassed by FBI agents. The article he composed was named: “*Lost in Translations: A Group of Muslim Students Say Law Enforcement May be Misreading Their Mission.*” It was published in the February 24th edition in 2005.³³⁶ Although the article was not very flattering to our community, yet we were able to get our story out to the public before the FBI could make a surprise raid of our facilities and make us a part of their false narrative. We knew it was coming, especially with increased FBI raids of *masjids* and Muslim charities around the country.

According to a Pew Forum survey it was during 2005 that unfavorable opinions of American Muslims rose from 25% to 29%. According to the same report the Council on American-Islamic Relations (CAIR) claimed that in 2005 it processed far more workplace discrimination and civil rights complaints than in any year after 9-11.³³⁷ Along with the rise in unfavorable opinions towards Americans Muslims, African American Muslim national minorities had to also deal with a rise in a pro-white and anti-black implicit bias from Anglo Americans.³³⁸ Beginning in 2005, African American Muslims have had to endure not only a rise in discrimination against them as Blacks, but they had to also endure the discrimination that every Muslim or ‘Muslim looking’ person had to endure. It was this that informed law enforcement treatment of our *jama`at* in 2005.

On one cool April evening in Pittsburgh after conducting a class on the Ma`rifaat`l-Haqq of *Shaykh Abd`l-Qaadir* one of my students Rashid who was visiting from Hartford asked to take me to dinner at the nearest Muslim restaurant for some *halal* cholesterol building buffalo wings. We had no sooner turned the next block from the SIIASI premises that we were suddenly surrounded with no less than ten police cars. We were told over the speaker to remain in the car and not to move. Within nano seconds, all the different scenarios this police stop could take flashed across my heart. One police officer approached the driver’s side and asked for Rashid’s driver’s license, registration and proof of insurance. Rashid asked permission to reach over into the glove department to retrieve the documents requested. In the mean time another officer approached the passenger side slowly and cautiously with his hand on his gun holster. When he reached my

³³⁶ A copy of the article can be read online at the following link: <http://www.pghcitypaper.com/pittsburgh/lost-in-translation/Content?oid=1337681>.

³³⁷ Sheryl Cashin, “To be Muslim or ‘Muslim-Looking’ in America: A Comparative Exploration of Racial and Religious Prejudice in the 21st Century”, *Duke Forum for Law & Social Change*, Vol. 2:125, (2010), p.129.

³³⁸ Shankar Vedantam, “See No Bias”, *Washington Post*, Jan. 23, 2005 at the following link: <http://www.washingtonpost.com/wp-dyn/articles/A27067-2005Jan21.html>.

window, he asked me for my name and I told him ‘Kenneth Brooks’. He then asked for valid I.D. and I told him that I did not have any on me. When he asked me why, I told him that I was simply going around the corner for a nice meal in a neighborhood where everyone knows me. There was no need to carry an I.D. The officer walked back to another unmarked law enforcement car to talk with a young man in plain clothes. Then the officer on the driver side asked Rashid if it was Ok to search his car. Rashid, having nothing illegal or illicit to hide, consented to the search. We were asked to exit the car. One plain clothes officer took me to the rear of the car and Rashid was taken to the front of the car by the other. The young man then asked me what my name was. I told him “Kenneth Brooks”. He responded: “That’s not your name!” I said: “Well since you already know my name, what is it?” He said: “I know it’s not the name you gave me!” I said: “Listen officer, my name is Kenneth Brooks! What is your name?!” He said: “Why should I tell you my name, when you did not tell me yours?” I said: “You are obligated by law to give your name and badge number when it is requested! What is this stop really all about? Is this apart of Homeland Security?” The young FBI agent never looked at me when I addressed him. As we talked, the other FBI agent was demanding from Rashid to tell him my real name, and of course, Rashid told him exactly what I said in the car: “His name is Kenneth!” “Kenneth what?!”, the agent demanded. Rashid said: “I don’t know! I just know him as Kenneth!”

At that moment a known drug dealer passed us in his bright yellow and black Humvee; and I saw all twenty of the police officers turn and look as he drove by. It was clear on the faces of many of the officers that they felt that this stop was a waste of their time and money. Eventually the young FBI agents had to allow us to leave because after the search there was no reason to hold us any further. When we got back in the car and drove to the *halal* restaurant, we realized that this routine stop was not supposed to end the way it did. The ten police cars were prepared for a confrontation and acted as though they expected us to be armed. We both agreed that had I given them my real name things would have turned out much differently. It was this encounter with the FBI and other law enforcements that convinced me that they were planning a fate for me similar to what happened with *Imam* Jamil al-Amin. They were attempting to push me in order to get me to react on a whim, which would give them the license to do what they really wanted to do. I consulted certain *Amirs* of the *Jama`at* as well as some of the elders in Cleveland and New York; and they advised me that it looked like I was about to be set up for something and that I should be cautious and wise. One *Imam* advised me to make the *hijra*, and I chose China as the first place of *hijra* before making my way to Africa.

One of the texts that I purchased from the Philadelphia Chinese Cultural Center was The 36 Stratagems of War which I had been studying intently for several months in order to understand something about the Mandarin mind. One of the first axioms of this ancient work states: “**瞒天过海**” (*Man tan guo hai*). It can be interpolated several ways. It can be translated as: “Cross the sea without heaven’s knowledge.” Some translate it as: “Deceiving the heavens to cross the sea”. Another possible translation is: “Fool the Emperor and cross the sea.” What is clear is that this first axiom of the oldest document on war instructed

the reader on how to escape the grasp of the government. In Chinese culture the concept of ‘heaven’ (天 - *tan*) meant foremost those who are given control over the people, such as the emperor or the government. This stratagem instructs the reader on how to deceive an unfair government in order to completely elude its grasp. In late April of 2005, I had come face to face with the malevolent intention of law enforcements in Pittsburgh, and after performing *istikhaara* utilizing the Da’irat’l-’Awniyya of the *Shehu*, I was convinced that no good would come from me remaining in Pittsburgh or the U.S. for that matter. The government had unleashed two young canines from the FBI specifically assigned to me. No matter which state I went to, these FBI puppies would stay on my scent maturing into dogs and building their entire career on me. Somebody, or somebody’s dog was going to end up dead and I would either end up on the bottom floor of a 27 floor underground maximum prison or dead. Remembering what al-Hajj Malik El Shabazz once said about ‘four legged dogs’ and ‘two legged dogs’, and how they should be dealt with, I decided it was best for me to make the *hijra* in fulfillment of the dream vision Allah granted me in 2002.

I had to cross the sea to China without the government being aware of it. The opportunity presented itself when members of our *Jama`at* living in China who heard of my situation arranged for me to get a job as an English teacher in Beijing. All the proper arrangements were made for me to get a work visa with a full contract for a year in China. They also purchased a paper ticket in my name on China Air from Los Angeles to Beijing and had it mailed to the China Air office in Los Angeles. All I had to do is get to a Chinese Embassy and present my credentials, get my work visa stamped, and leave. In Pittsburgh, I asked one of our Puerto Rican brothers to purchase a bus ticket in his name to Houston Texas. I wanted to go to Houston in order to meet my older brother (who is the *qutb* of my family) and inform him of my intention. In Houston there has grown a large vibrant Chinese population with a huge Chinese Consulate which allowed me to take care of all my paper work in one day. I had another person to purchase a train ticket in their name from Houston to Los Angeles.³³⁹ On the one and a half day trip, I was able to complete the as-Salaat al-Kubra of *Shaykh* Abd’l-Qaadir twelve times. On my arrival in Los Angeles I immediately had the members of the *Jama`at* to drive me to the China Air office in order to get my paper ticket. I showed them my passport and I was given my ticket. This gave me some days in L.A. to sit down with members of the *Jama`at* asking them to keep my destination on the ‘DL’. Therefore, for several months many people in the *Jama`at* thought I was still in Pittsburgh. Federal agents debated among themselves regarding my whereabouts because the credit card registered for the SIIASI was still being used in Pittsburgh to take care of utilities and others needs of the institution. Because the card was in my name, it looked to many as if I was still fiscally in Pittsburgh.

On July 25th, 2005, I arrived in China and started working as an English teacher for Jurin School in Beijing. The FBI suspected that I had gone to China but there was no real confirmation. It was not until the

³³⁹ I was fortunate at that time because the U.S. had not yet morphed into the militarized police state it is today, where, DEA officers regularly stop, search and steal from bus and railway passengers they ‘suspect’ of being drug traffickers. In the summer of 2005 the entire edifice of Homeland Security was still being debated in the House and the Senate and had not yet crystallized into the monolith that is now violating innumerable constitutional and international statutes in its ‘war on terror’. After I was able to board an international flight with a paper ticket purchased with cash from China, the system of ticket purchasing was changed.

following year when I had to renew my visa that the U.S. government confirmed that I was in China. I was told by Chinese authorities that I did not have enough pages in my passport and had to get more at the U.S. consulate in Beijing. When I arrived at the U.S. consulate to request more pages for my passport, the consulate officer kept my passport and told me that the State Department asked them to hold it. When I told them that the Chinese authorities expected me to return with my passport in order to renew my visa, the consulate composed a letter in Mandarin on their letter head explaining that they were holding my passport. When I gave this letter to the police authorities in China, they wanted to know why my passport was being held. This induced them to make a formal request about my status at the U.S. Embassy. The Consulate could not come up with an Interpol arrest warrant, nor give a clear reason for holding my passport; which not only alerted the attention of the Chinese to me, but also to the U.S. consulate. When I was questioned by the Chinese authorities as to why I thought the U.S. held my passport; I told them that I was a dissident who did not support the political policies of the U.S. and that I am a member of an oppressed national minority; a fact highlighted every year in the People's Republic of China's Assessment of the Human Rights Record of the United States. I reminded the authorities that the United States has afforded thousands of political dissidents from mainland China to settle in the U.S. Rather than harassing these Chinese dissidents, the U.S. gives them a podium and allows them to voice their opinions regarding China's human rights record at Senate and Congressional hearings in Washington D.C.

Eventually, the U.S. consulate had to return my passport back to me (thanks to Representative Maxine Waters). However, several Senators such as Senator Joseph Lieberman from Connecticut developed prerequisites for the renewal of passports which would prevent U.S. consulates from renewing passports if the citizen did not have all the newly 'required papers'. With my passport back in my hand, I was able to get on with my life with little interference from the U.S., except in the interception of my email communication and the hacking of my computers. It was during this period that attacks upon computer networks in China by U.S. based hackers increased; which in turn provoked counter attacks from Chinese mainland hackers.

As a result every two weeks I was graced with an interview with three Chinese authorities of the special security police. I believe one of them was actually one of the more than one thousand Chinese American FBI agents sent to China after the 9-11 attacks, as a part of their agreement on the war on terror. I assumed the agent was the one who always carried the thick file of papers which looked like a thesis paper. He may not have been a 'fed', but he was carrying documents collected, edited, redacted and then given to the Chinese authorities as an authentic FBI assessment. I mostly agreed with the utility of our bi-weekly meetings. Let's face it, it was 2006, in two years the Chinese nation was scheduled to pull off the greatest Olympics in the history of the Games. They had every right to look into and investigate any person of interest; especially if they were someone fed to them from the FBI.

On our second meeting, I started the conversation by asking who was paying for this interview; was it the Chinese government or the U.S.? It was rhetorical question, so I asked the second question: "Is the contents of this conversation being given to the FBI?" They all looked at each other, so I said: "Listen, if

you are transmitting anything to the FBI that they do not already know, then you guys are doing their job for them for free. The FBI made you believe that I was a potential threat to the 2008 Olympics, etc. in order to get you to do their job for them.” I knew enough about Chinese character to know that they did not like being seen as an incompetent patsy for the ‘capitalist west’. We started talking about just how much the United States government had allocated for homeland security in 2006. It was astronomical. I said: “If you guys are going to be coming up here in Yanqing every two weeks, recording this interview, typing it and archiving it for the FBI, why not let them pay the dime? As an individual, I have been allocated a designated budget by Homeland Security. They have to spend that money every year and then they have to show what actionable intelligence these millions of taxpayers dollars got them. They got you guys doing their job for free, so where is that money that the government allocated to them to keep me in their crosshairs? They are spending that money on luxuriant hotels and restaurants and karaoke in Beijing and carrying on as if they were sex tourists in Bangkok.” When I said that the female officer dropped her eyes to the floor and for a brief moment the young male officer had an angry fixed gaze into space. It was young tigers like him who would mature into those fighting and stamping out corruption in 2015 under their new president.

I assumed that with me out of the way that the *Jama`at* would be left alone by the authorities and allowed to get on with their lives. This was not the case. On Friday, June 30th 2006, just before the call to prayer for the *juma`* congregational prayer a well armed FBI SWAT team raided our Nuur`z-Zamaan *masjid* and Sankore` Institute.³⁴⁰ They first blocked streets, had every person to exit the mosque and stand outside as they sent in robots, and went over the Masjid with trained bomb sniffing dogs. All these atrocities were committed by the FBI in order to, as they claimed, look for a single fugitive, one Larry M Williams, who was, according to the FBI, wanted in Utah for possession of firearm and ammunition by a convicted felon. This is not the normal procedure, for the FBI to raid and assault a place of worship on Friday in order to arrest a single felon. The FBI do not usually send a robot to go looking for fugitives. The use of sniffing dogs by the FBI was a clear violation of our place of worship, and showed that the FBI had no inside informants who could have told them that there were arms, ammunition or explosives in our place of worship; or worse, an informant who could have planted them in order to justify a search. The fact is nothing was found to justify such a search by the FBI. What is worse, the news of this FBI attack did not appear on any of the national wire services or national media outlets. Even the normal outrage one would expect to hear whenever the FBI executes a warrant at a place of worship did not materialize. This usually happens when the FBI wants a black out on media coverage in order not to inform ‘other’ people whom they intend to arrest. The above cited Pittsburgh Gazette article did not have a follow-up in the July 1st edition. There was, however, tremendous support from the local and municipal population. A local Pittsburgh leader reflected the general mood of the overall community when he said:

³⁴⁰ Moustafa Ayad, “Mystery Surrounds FBI Raid on North Side Mosque”, *Pittsburgh Post-Gazette*, July 1, 2006. It can be found at the following link: <http://www.post-gazette.com/local/city/2006/07/01/Mystery-surrounds-FBI-raid-on-North-Side-mosque/stories/200607010116>; see also: <http://www.post-gazette.com/pg/06182/702647-53.stm>; and <http://www.msnbc.msn.com/id/13653173/>.

“In the face of the indefensible FBI armed raid on a place of worship coming together for peace we urge all Pittsburghers to stand by the Light of the Age Mosque in this test of our solidarity. We can be proud of our city and our people to see that the non-Muslim neighbors of the North Side have kept your bonds strong with the Light of the Age Mosque, and we can also be proud that Muslims from several different mosques have come forward in the hope of preventing the FBI from doing any more injustice. We know that there is no excuse for terrorizing a community the way the FBI did here last week, and we know that if we don’t want any more of our sanctuaries and neighborhoods to be invaded we have to stand strong together now and loudly denounce the FBI’s intrusion into the peace we are creating at home.”³⁴¹

Even the ACLU, when asked for their comments only said that any search of a religious site would cause concern but that it would be premature to comment further on the specifics. It was as though the media had agreed to keep the story squashed because as they claimed: “It was an on-going investigation.” This is especially interesting because a year prior to the raid we actually went to the ACLU and asked them to investigate the increased FBI harassment of many of the members of our *Jama`at*. The ACLU did nothing, as if they were aware then of the FBI probe. Unlike, a similar FBI raid in Miami, where news coverage started shortly after the raid began, no news coverage aired and no statements from the FBI were forthcoming other than the one requested by the Pittsburgh Gazette.

In the meantime back in China, several American ‘teachers’ floated a rumor that the U.S. had authorized government agents acting in conjunction with bounty hunters to enter China and extraordinarily rendition targets, suspects and escaped felons back to the U.S. At the time I was still getting bi-weekly visits from the special security police, so I put that question to them. What is the Chinese law regarding U.S. bounty hunters entering the country and covertly kidnapping an American citizen they considered a suspect or one wanted for a crime? I was informed that no foreign police has the right to enter China to arrest anyone without the permission and supervision of the Chinese government. This cannot be done without an Interpol arrest warrant, and the actual arrest must be conducted by Chinese officers and then turned over to U.S. law enforcement officers. I then asked what would be the penalty if a bounty hunter or foreign law enforcement agent did enter China and attempted to extraordinarily rendition a suspect, and in the process of defending himself the suspect killed one of the bounty hunters. The Chinese authorities said that of course the person would have to initially be detained until a full investigation was carried out. Once it was determined that the foreign police violated Chinese law in attempting to capture a suspect; then any homicide suffered by that unauthorized police action is on their neck; and the suspect will be judged as acting in self defense.

I asked them if I could have an actual copy of that edict; and the following meeting I was given a copy in Mandarin and English. When I was handed the documents, one of the officers laughed and asked: “You’re not planning on killing any Americans in China are you?” I laughed and said: “No, but I *am* planning *not* to be killed by any Americans!” We laughed and talked about Wu Song, Lu Da and my namesake Hei Xuanfeng – just how they were forced to handle matters such as this. The special security police then soberly reminded me that I had nothing to worry about in China, and that they were competent enough to prevent me from having to harm someone while defending my life. I went back to the American

³⁴¹ Saleh Waziruddin, ‘*Condemning FBI Raid on Light of the Age Mosque*’, Pittsburgh PA; Jamaat for Justice Press Statement at Press Conference (Jamaat for Justice, Pittsburgh, July 7, 2006), www.jamaatforjustice.org.

‘teachers’ and showed them the edict letting them know the possibility of the invisible Americans sending in covert operatives to rendition suspects to the U.S.; but there was also the greater possibility of them getting arrested or killed with impunity in the process. After that the rumors of U.S. bounty hunters secretly kidnapping suspects in China faded like any urban legend.

The U.S. State Department assuming that the Chinese government would take their cue and treat me as ‘an undesirable’; made preparations thinking I would head straight to Sudan. They assumed that I would not like China, so they contacted their assets in the Sudan to preempt my ability to return to the *Sultan*. Rumors were floated that my political opinions and actions were endangering the *Sultan*. What was really said in Maiurno was that the actions which our *jama`at* took implicated our *Sultan* in possible interference in the domestic affairs of the United States. That is a pretty heavy charge. It was during this period that there was a concerted effort by the U.S. State Department to cut me off from the *Sultan* utilizing disgruntled members of the *jama`at* and vetted elements in Sudanese intelligence (*mukhabaraat*). So, by 2007 everyone was debating whether we even had a *Sultan*; that his *sulṭa* (sovereignty) is not temporal; he is only a teaching *Shaykh*; or even if he were a temporal *Sultan* that his authority in no way impinged upon the lives of a single ‘American citizen’. In other words as a *jama`at* we were being politically delegitimized. The mistake that the State Department made was thinking by simply depoliticizing the *Sultan* that this would make him less of a *Sultan*. As a *samurai*, even if the *Sultan* himself said to me in person: “Shareef, I am no longer a *Sultan*”; I would be obligated to disregard his statement because the Messenger of Allah, may Allah bless him and grant him peace said: “There is no obedience to creation when it entails disobedience to the Creator.” *Sultan* Muhammad Bello said in his Ifaadat’l-Ikhwaan:

“If you were to ask: Is it permissible for the *Imam* to remove himself and give the authority to someone else? I say and Allah gives success at arriving at the answer: it is obligatory for him to remove himself from leadership if he finds in himself a deficiency which will negatively affect the *Umma*. It says in the al-Fawaakih ‘d-Diواني: ‘Whoever the community have established a leader, he is not to be deposed from it, based upon the majority opinion due to sin, or oppression, since when he was appointed he was considered just. That which undoes the binding contract of the community is what removes the objectives of leadership; like apostasy, confirmed insanity, that the leader becomes a captive and it is unlikely that he can be freed; or he is overcome with a sickness that causes him to forget sound knowledge; by becoming completely blind, deaf, dumb; or that he removes himself due to his inability to establish the welfare of the Muslims, even when it is not the result of an apparent sickness but simply out of fear for himself being unable to establish the affairs of leadership.’ Then he said after a little: ‘As for removing himself from leadership for no valid reason, it is not permissible for him to do that according to the *madh’hab* of *Imam* Malik and this is based upon the interpolation of *Imam* Khaleel in his Tawdeeh: ‘That whoever possesses a right from one perspective does not possess the right along with it to remove himself from it. It is incumbent upon him to give it to another and appoint a vicegerent over it, like the overall *khilaafa*, guardianship, the person coerced in marriage (in the opinion Ibn al-Qasim), the *Imam* of prayer. For every person who possesses a right from one perspective, he does not possess the right to remove himself from it. He must either entrust it to another or appoint a vicegerent over it; except when there is a precondition like the judiciary, and guardianship. For if he is removed from authority without valid reason, then the leadership of the one appointed after him is not valid’.”³⁴²

This last statement clearly explains the legal ruling of every Muslim ruler and government which was deposed by means of non Muslim imperialist forces and who then appointed others in their place. The overall meaning of the above is that the office of the *Sultan* cannot be abolished, altered or depoliticized.

³⁴² Muhammad Bello ibn *Shehu* Uthman ibn Fuduye’, Ifaadat’l-Ikhwaan, unpublished manuscript in possession of author, ff. 6-8.

The *Sultan* cannot remove itself from office without putting in place individuals or institutions to take its place. The bottom line is that the U.S. State Department used this logic to dismantle the *jama`at* and it worked. 2007 proved to be the most difficult one for the *jama`at*, yet it was also a time of great spiritual openings. In China, I recited the “Seven *mubeenaat*” of *Surat Yaasin* and the *Munaajat* of the *Shehu* constantly praying that Allah would break the back of the tyrants that had driven me from my country and assist the nation that took me in with His Divine assistance. By 2008, I was enjoying the Olympic Games in one of the fine suburbs of Beijing while watching as Lehman Brothers across the waters bit the dirt, marking the beginning of the end of western finances that were driven by African slave labor.³⁴³

Then Allah ta`ala granted me another victory in the form of a webmaster – (like the *Shehu*’s Gidadu, God gave me a Gidadu!) – Abd’l-Qaadir Gidadu, from South Central L.A. He contacted me during the 2007 implosion of the *jama`at* and said: “*Shaykh* Muhammad Shareef, you are my *Shaykh* and I am an unsheathed sword. What do you want me to do?” I asked him to immediately start the www.siiasi.org site so that I could continue to do what the *Sultan* ordered me to do in 1985. We took *shura* on the look, type, style and arrangement of the site we were looking for. It had to have the colors and symbols unique to *Sudanic* Islamic civilization. When *Sidi* Gidadu approached this task, he had little or no knowledge about being a webmaster. Since 2007 until 2015 this young brother from South Central has been keeping the *minhaj* of the *Shehu* networked with the entire globe. Few people have visited the www.siiasi.org and have not praised the work of its webmaster. May Allah give well being, mercy, forgiveness and vitality to Abd’l-Qaadir Gidadu and all those who love him and depend upon him.³⁴⁴

³⁴³ Lehman Brothers was one of the first of the Wall Street giants that garnered its wealth mainly from southern slave labor. It was founded in Montgomery, Alabama in 1850 by three brothers, German Jewish immigrants, Henry, Emanuel and Mayer Lehman. What started as a dry goods store soon developed into a cotton brokerage firm where cotton was purchased from southern slave plantations and marketed all over the world. By 1858, Lehman Brothers opened their office in New York and established the Cotton Exchange. This company prospered during the pre-Civil War years, but from 1861 to 1865 during the Civil War, their stocks plummeted, causing the company to diversify their investments in other industries. During the war, Lehman Brothers gave financial support to the Confederate forces by helping to get POWs from the south released. By 1870, Lehman Brothers did so well from the global sell of cotton that it initiated the New York Cotton Exchange, where Emanuel Lehman held the position of board of directors until 1884. After the collapse of the Reconstruction government in the south in 1877 and the reestablishment of de-facto slave labor, Lehman Brothers diversified their portfolios by entering into the railroad industry, financial advisory and underwriting. In 1906 the company joined with Goldman & Sachs in investment banking and became the key financial backing for the newly emerging retailing industry. Ironically, in 1929 with the collapse of the stock exchange, Lehman Brothers was one of the few companies completely unaffected by the Great Depression. It was in 1996 that research began to emerge regarding the role that Lehman Brothers and other companies in New York played in the development of the slave economy in the south. The company prospered into a Fortune 500 company and in 2000 they celebrated their 150 year anniversary. It was at the 2000 Eid ‘l-Fitra prayer in Philadelphia that I called for Muslims to specifically target companies such as Lehman Brothers in their sincere supplications. As a result spiritual disciples around the country began to mention Lehman Brothers by name in their supplications. By 2002, the nefarious business practices of Lehman Brothers began to haunt them when the U.S. Securities and Exchange Commission (SEC) forced them to pay \$80 million in penalties for dishonest influence, insider trading and other illegal practices. By 2007 Lehman Brothers had collapsed and was abandoned by many of its former business accomplices such as Goldman Sachs. See: *Lots of Lehmans: the Family of Mayer Lehman of Lehman Brothers, Remembered by His Descendants*, by Kenneth Libo, William Bernard, John Loeb and June Bingham, (Syracuse. N.Y., Syracuse University Press, 2007).

³⁴⁴ Within a year of the launching of the SIIASI site, it was attacked by hackers and completely shut down, which induced us to open up several other sites around the world by students and associates in the Middle East and eastern Europe. The majority of the cyber attacks came from Tel Aviv and the Israeli military; while some of the attacks were initiated by lone wolf hackers out of the U.S. and the U.K. The SIIASI webmaster, *Sidi* Abd’l-Qaadir Gidadu was under considerable pressure from federal agents to suspend his work. In spite of this, he has maintained his post and made the www.siiasi.org site into an unsheathed sword for the dissemination of African Islamic religious and cultural traditions.

My communication with students was unhampered. In fact, Skype allowed me to have students all over the globe. Online networking allowed for an efficient form of epistemology, proving one of the best tools for learning. In 2010, president Obama violated standing agreements between the United States and China through the sale of \$6 billion worth of Patriot anti-missile systems, helicopters, mine-sweeping ships and communications equipment to Taiwan.³⁴⁵ This flagrant challenge of the One China policy advanced by the PRC, resulted in increased cyber attacks between the two countries and called into question the veracity of the internet as a free and unfettered conduit for global communication. It was not until 2011 that I began to question the ethical aspect of transmitting Islamic traditions via online communication. For one thing, one of the key elements of learning in Islam is the implicit transmission of virtue and character. This cannot be accomplished via the computer. I tested it with at least five students, and when in 2011 and 2012, it was time to meet these students face to face, I discovered that the only thing they received from me was information (*khabr*). The more subtle aspects of transmission cannot be transmitted via the internet, regardless of what *karamat* one may claim.³⁴⁶

I remained in China for seven years living in at least five different provinces, including Gansu, the Hui Muslim autonomous region. During my stay I was able to improve my health and my skills in internal Wu Shu. I was able to purchase two houses, one in the north in the city of Yanqing in the Beijing province; and the other in Zunyi in the south central province of Guizhou. My seven year stay in China was extremely productive for me in terms of spiritual growth and intellectual production. It was as if the clock had been reset and the Absolute Being allowed me to start over in what was then the most populous most prosperous nation on earth – the People’s Republic of China.³⁴⁷

³⁴⁵ See: Muhammad Shareef, “An Open Letter to the People’s Republic of China”, www.sijasi.org.

³⁴⁶ It was during this period that I came across a 2006 study by Alfred Nordmann called “*Collapse of Distance: Epistemic Strategies of Science and Technoscience*”, in which the author inspired me to reconsider the concepts of time, space and distance and their relationship to cyber education and transmission of knowledge. With regard to the transmission of character, gnosis, and *baraka*, which naturally accompany Islamic transmission, I began to see online transmission of knowledge as a plastic, artificial and virtual experience devoid of the magnetic communication innate in direct transmission. The *baraka*, gnosis and character which are innate with direct interpersonal transmission are deceptively absent in online transmission. Online transmission actually creates the illusion of nearness in place and time, and thus creates an illusory spiritual state that is imagined – not real. The experiences I had in teaching students via Skype were what induced me to compose a paper called: “*The Illusion of Nearness the Absence of Presence and the Collapse of Distance*”, in which I formally disengaged myself from teaching anyone online. In addition, in my school, I have required a student to also master some *quan* (martial arts routine) with the mastery of a text. In this way, there can be clear apparent physical transformation which can accompany the inward and spiritual transformation. This is the school of the southern Shaolin Temple and the Taoist monks of WuDang mountain. I believe that we, Muslims, have a greater right to this kind of knowledge transmission than them.

³⁴⁷ Allah ta’ala says in His Infallible *Qur’an*: “*He who forsakes his home in the cause of Allah, finds in the earth many a refuge, wide and spacious: Should he die as a refugee from home for Allah and His Messenger, His reward becomes due and sure with Allah: And Allah is Oft Forgiving, Most Merciful.*” It is ironic that during this time some sycophants of popular *Sufism* in the U.S., particularly California, floated the idea that I had been driven to China by Allah as a result of opposing those they alleged were *awliya*. If that were the case Allah ta’ala would not have granted His well being upon the country of China during the time I resided there from 2005 until 2012. None of the worldly gains that He granted me then, would have been realized had my stay in China been a repulsion from the U.S. by some alleged *wali*. More importantly, the spiritual openings which Allah ta’ala granted me while residing in the People’s Republic of China were astounding. More than any period in my life, it seemed that the *awliya* were praying *for me* and not against me. Through the supplication of the *Munajjaat* of *Shehu* Uthman ibn Fuduye’, Allah ta’ala made my stay in China one of the most productive periods of my latter years. If my worldly and religious circumstances while in China were the result of angering one of Allah’s *awliya*, then this *wali* must have been like *Muhy’-d-Deen* Ibn Arabi who supplicated for the success for those considered his enemies. It is ironic that it was in 2005 that the drought which is presently devastating California began. The drought has intensified from that time until 2015, regardless of how many prayers for rain are performed. I cannot say that this drought is the result of some *wali* asking Allah to subject California to some physical punishment,

Although I was tied to mainland China through marriage, I never saw China as mine. It is my wife's and children. I naturally agreed with the then president Hu Jin Tao's oft repeated statement: "China for the Chinese and Chinese for China!" For none Chinese, China is a place where foreigners can slow down, transform themselves inwardly and outwardly in a stress free environment; and then get back to their mission. My mission was to repatriate back to Africa and replant the SIIASI in the soil from which it first emerged. In the summer of 2012 I returned to Africa; first landing in Ethiopia, then Togo, from where we drove into Benin.

After seven years witnessing the rapid development of an underdeveloped nation such as China into the most robust economic unit in the world; I knew that Africa as a continent could do the same. This is what the 2006 Sino-Africa Accord was established to facilitate. Rapid growth and sustainable development is what Africa needs. It is what is driving every sunshine economy in Asia and South America. These new emerging powers are not interested in war and insecurity. What made Germany so strong prior to WWI was their concern for industrial and manufacturing superiority and their avoidance of foreign conflicts. Today, peace and avoidance of foreign conflicts have allowed China, India, Brazil, Venezuela, South Africa and to some extent Norway to develop the possibility of a vibrant megatrend of global development. Unfortunately, the psychopaths in the private securities/weapons industry aligned with militaries all over the globe can only stay in the black and reap vast profits during acute insecurity and war.

This age demands that people review Chiekh Anta Diop's concise but superb work called: Black Africa: the Economic and Cultural Need for Federated States where the author discusses in detail the diverse types of Africa's potential energy production, be it hydro-electric energy, wind energy, solar energy, natural gas, petroleum or nuclear and the huge sweet water aqueducts deep under the vast Sahara. Diop demonstrated that if the African continent was federated these multiple and unlimited energy sources can be exploited for the benefit of each African state bringing about gradual and sustainable development to the entire continent. This is Africa's potential and this should be the Africans goal!

Institute of Islamic-African Studies International

15. Conclusion

Prior to the Atlantic slave trade African Islamic civilization was vibrant and on par with the developments which were occurring all over the globe. This development was recognized even by the European colonial powers, such as the British Empire, which when it encountered and eventually conquered the Sokoto Caliphate, saw that this empire was developed enough with an advanced administration system which afforded the British to step back and allow the Muslims of Northern Nigeria to govern themselves under indirect rule. This political administration stretched across the vast lands of the *Bilad's-Sudan* and could be traced back in an unbroken line to the 10th century. African Islamic civilization gave birth to spiritual, literary, economic and political systems that were uniquely African and which in many areas were actually superior to that of western civilization. The periods between 1492 and 1906 witnessed a disruption of African Islamic civilization, due to the Atlantic slave trade, the destruction of Islamic institutions and government, the depletion of African Muslim scholars and labor force as well as prolonged European colonialism which was un-reciprocal in its exploitation of the souls and wealth of Islamic Africa.

Of the hundreds of millions of African kidnapped and brought into the western hemisphere, about 6 million of them were African followers of the Islamic faith. During the process of the Middle Passage, the tortuous making of the slaves, and actual slavery, the Islam of these enslaved African Muslims was eradicated and suppressed. In spite of this systemic repression of Islam during the slave period, Islam survived among African Americans and reemerged during the turn of the 20th century. The 20th century witnessed the emergence of organizations such as the African Muslim Benevolent Association, and many other organizations inspired by Islam, bearing an association with Africa. African American Islam was intimately associated with the emergence of the UNIA under the leadership of Marcus Garvey. The same can be said for the Moorish Science Temple and the Lost Found Nation of Islam.

Each of these organizations and all the subsequent groups developed within the African American Muslim community, such as the IRM, the MIB, the Islamic Party of North America, the Dar'l-Islam Movement, the World Community of al-Islam, al-Allianza, the Umma, the *Jama`at* of *Shehu* Uthman ibn Fuduye`, the Saabiquun and others; all seeking to establish the uniqueness of their Islamic heritage distinct from the US national majority. Some communities established Islamic enclaves during the 40s in upper state New York. Other's established semi-independent communities in Georgia, while others, have established themselves firmly within the African American urban communities throughout the US. The African American Muslim national minority have contributed positively to the growth and development of the United States. It is an open admission that the existence of African American Muslim presence in certain urban communities leads to a drop in violent crime, gang activity, drug usage and a rise in the value of real-estate. Even the Christian clergy openly admit that Islam outstrips any and all religions in addressing the spiritual needs and social dysfunction of African Americans. There is no spiritual force that has had a more powerful and lasting effect upon incarcerated African Americans than Islam. The positive role which Islam has brought into the lives of African Americans in particular is what induced al-Hajj Malik El Shabazz,

(*rahmatullahi `alayhi*), to complain that rather than the United States Justice Department investigating and harassing African American Muslims, they should be supporting them. However, the United States government has maintained systemic and increased marginalization of the African American/Muslim national minorities.

With the horror of the 9-11 attacks, this harassment of indigenous American Muslims has increased, where some of our leaders have been unjustly imprisoned, forced into exile, or assassinated; and their institutions and places of worship placed under extra judiciary surveillance, raided by US government agents, shut down, and their communities scattered. This happens at the backdrop of increased international islamophobia throughout ‘civilized’ Europe and America. More than ever, Muslim communities are in need of defining or redefining the ontological reasons for their existence; and this is in the face of increased global hostility. A Holocaust of colossal proportion is brewing in many developed and developing nations against Muslim national minorities around the world. What is sad and ironic is that the parties which are leading this impending Holocaust or ritual sacrifice are those who survived a similar Holocaust in eastern Europe. The geopolitical reality is that Muslims have been driven to a shore, and now the ocean is at our backs and the enemies – racism, chauvinism, ethnic cleansing and genocide are in front of us. Struggle is inescapable and indispensable. In this age, struggle is the last breath of humanity. It is what makes us human and what drives our inward development. It is the way of chivalry; the Way of the samurai; the Path of the scholar/warrior. One of the Sons of Africa, the great intellectual and freedom fighter, Amilcar Cabral said in his memorial lecture at Syracuse University:

“A people who free themselves from foreign domination will be free culturally only if, without complexes and without underestimating the importance of positive accretions from the oppressor and other cultures, they return to the upward paths of their own culture, which is nourished by the living reality of its environment, and which negates both harmful influences and any kind of subjection to foreign culture. Thus, it may be seen that if imperialist domination has the vital need to practice cultural oppression, national liberation is necessarily an act of culture.”³⁴⁸

The African Muslim national minorities in the U.S. have a unique and distinct culture which distinguishes them from other Americans. They have contributed to the earliest periods in Antebellum and post Revolutionary American political, social, religious and cultural life. This uniqueness demands lawful recognition, preservation and transmission; which require a binding SOCIAL CONTRACT, and/or some form of internationally recognized autonomy. Al-Hajj Malik El Shabazz reiterated that in order for the African American national minority to reap the benefits of self determination they must have economic and political power; but important they must be organized. In his public address to establish the O.A.A.U., he said:

“Basically, there are two kinds of power that count in America: economic power and political power, with social power being derived from those two. In order for the Afro-Americans to control their destiny, they must be able to control and affect the decisions which control their destiny: economic, political, and social. This can only be done through organization.”

³⁴⁸ Amilcar Cabral, “National Liberation and Culture”, public lecture at Syracuse University, Syracuse New York, February 20, 1970.

This is self determination as defined by the *shari`a*, the U.S. Constitution and international law. This cannot be postponed and passed on to the next generation. It is this generation that have been disenfranchised, profiled, brutalized and murdered by former U.S. soldiers that have no psychological right to be law enforcement agents. The quest for self determination must be accompanied with a resolute struggle against injustice. The legendary Zhuge Liang once advised his nephew that there are times when the individual, the family, the nation must seize the moment and make their mark on history. He said:

“If your will is not strong, if your thought does not oppose injustice, you will fritter away your life stuck in the commonplace, silently submitting to the bonds of emotion, forever cowering before mediocrities, never escaping the downward flow.”³⁴⁹

Now is the time that the African American Muslim national minority, in league with our comrades from among the Spanish speaking Muslim communities, the Muslims of the First Nations, and our Caucasian American Muslims MUST seek to establish our rights of internal self determination within or some form of limited or complete legally designated autonomy from the United States. The preamble of the Declaration of Independence defines self determination as the one option and duty a People must resort to in the face of systemic tyranny and oppression. The *shari`a*, but more importantly, the mandate given by Prophet Muhammad to the Negus`n-Negas of Ethiopia, provides African American Muslims with the legal precedence to move gradually towards independence and sovereignty. The Prophet indicated that in order for religious and spiritual life to be truly protected Africa and its People must be sovereign. International law is waiting for the contribution of American national minorities to its legal canons. If the African American Muslims can develop a constitutionally valid, *shari`a* endorsed and internationally recognized SOCIAL CONTRACT between themselves (as an internal nation) and the United States; then it will establish a norm which should positively affect ethnic, religious, cultural and linguistic national minorities around the world. American Muslim national minorities have a duty not only to themselves, but to the American nation and the world, to establish a legal precedence that satisfies the objectives of the *shari`a*, helps refine the US constitution and is recognized and protected under international law. I believe this constitutes the *decisive solution* facing African American Muslim today. I believe that this decisive decision is a part of the Fulfillment of Divine Prophecy. After al-Hajj Malik El Shabazz made his break with the N.O.I. he was asked what would be the nature of his new organization and was he now claiming to be a ‘messenger’ of a sort to his followers, and he said: “I’m not a divine man, but I do believe in the fulfillment of Divine prophecy.”

³⁴⁹ Zhuge Liang (Kongming), The Way of the General: Essay on Leadership and Crisis Management trans. Thomas Cleary, p.4.

There is nothing more certain than that oppressed national minorities around the world will have their independence and enjoy their full rights of self determination. Of this there can be no doubt. What will be the crowning of that momentous event will be the achievement of self determination and autonomy for all national minorities of the United States. I call on all members of the African American Muslim national minority to reexamine this decisive solution originally presented to the world by al-Hajj Malik El Shabazz. The World Court is waiting to hear our arguments! The Human Rights Commission is ready to examine our plight! On the floor of the United Nations we have an avid audience in Iran, Cuba, China, Russia, Venezuela, India, Brazil, South Africa and a host of African and Asian nations! Since the assassination of the Rev. Dr. Martin Luther King we have had the moral support of many of the Scandinavian nations as well as the newly formulated states of Eastern Europe, who still recall with pride, the stellar voice of Paul Robeson as he sung for these freedoms across the continent! Most of Europe has been waiting for us to mature politically and bring our question before the nations of the world. Let's stand and demonstrate to the nations of the world that Black, Muslim and immigrant "lives do matter!"

As African American Muslims we have a deep and abiding relationship with the Americas. No one can demand for us to go back home, because we did not ask to come in the first place. We were stolen and kidnapped by or sold to European Jews and Christians. Even if the dominant culture denies us and swears (as many of them do: "This is a Judeo-Christian nation!"); yet the earth, the air, the water and fire of the western hemisphere acknowledges us. The trees and rivers of the Americas have tasted our blood and tears and are quite familiar with the horrors we have had to endure. The entire real-estate of the Atlantic Ocean with all of its sea creatures witnessed how many ships were laden with the bodies of our ancestors. How many African bodies were swallowed up by the dark waters of the Atlantic?

Thomas Paine appealed to the common sense of the citizens of the Thirteen Colonies with truths that were so plain and simple that every Anglo American be they male, female, old, young, rich, poor, educated or illiterate, responded with the kind of patriotism, loyalty and civic responsibility that moved Heaven. Because we are Muslims, this African American national minority have the support of all the soils, the trees, the rivers and seas of the Americas to corroborate our appeal to Heaven and to all humankind – We the African American Muslim national minority are an integral part of the earliest formation of states in the western hemisphere. We are distinct in our African and Islamic traditions from all other ethnicities of our countries. We demand as a distinct ethnic, religious and cultural minority the immediate recognition and implementation of those special measures guaranteed to assure equitable status with the dominant majority nations of the western hemisphere. This could include either: [1] constitutional revision; [2] border revision;

[3] non taxation; [4] control over an adequate portion of taxation; [5] free primary, secondary and tertiary education; [6] support and subsidies for all African American Muslim cultural and intellectual institutions [7] and/or an autonomous judiciary. I believe with all of my heart that this solution will create a lasting peace between all nations and their ethnic, linguistic, religious and cultural minorities. The choices of autonomy and self determination for Americas' national minorities are part of the Decisive Solution; which will finally bring the United States government in conformity with the most progressive and forward reaching ideas of the world.

This is our Decisive Solution and to borrow a Chinese phrase, it is our Heavenly Mandate; a mandate given to us when the Seal of the Prophets and Messengers looked to Africa and declared:

((لَوْ خَرَجْتُمْ إِلَى أَرْضِ الْحَبَشَةِ فَإِنَّ بِهَا مَلِكًا لَا يَظْلِمُ عِنْدَهُ أَحَدٌ فَهِيَ أَرْضٌ صِدْقٍ حَتَّى يَجْعَلَ اللَّهُ لَكُمْ مَخْرَجًا مِمَّا أَنْتُمْ فِيهِ))

“If you could only leave for the lands of Ethiopia; for verily therein is a ruler where no one is oppressed in his land. It is a land of sincere faithfulness, (so seek refuge and protection with him), until Allah brings about some relief from what you are experiencing.” By historical fact and prophetic declaration the African has been established on the seat of authority. This means that at least the African MUST be self governing and not governed by another. Is this not just, for a people whose color has subjected them to belittlement and abuse for the past 3000 years? The Best of Creation designated our land, our people and our governments as self determined and sovereign in order to fulfill the Heavenly Mandate of providing a secure place of safety and refuge for the righteous. Our master Ibrahim and his wife Sarah fled to Africa fleeing persecution. Jacob, his wife and eleven of his sons fled to Africa fleeing starvation, devastation and drought. Our master Jesus, the son of Mary in the arms of his saintly mother fled to Africa fleeing the knives and persecution of Rome. In order for African people wherever they are to be a refuge for the righteous, they MUST be sovereign and enjoy some sense of self-determination.

Just as Africa as a continent must regain its genuine sovereignty, Africans of the diaspora must also gain their sovereignty and self determination. The most important African diaspora community is the African American national minority in the U.S., who due to 4 centuries of slavery, apartheid, and racial discrimination deserve the rights of self determination and autonomy. However, the U.S. has consistently prevented that from happening by repeatedly violating its own constitutional standards and contravening internationally accepted treaties and resolutions. When a nation violates its own laws and international law in order to hinder the development of its ethnic, linguistic or religious national minorities; then that nation is defined as ‘a rogue nation’. From the time that the U.S. made its 1787 constitutional compromise with slavery until the present fascist executive decrees of the Bush/Obama regimes, it has maintained a pattern of

repeated contravention of constitutional law. From the time the U.S. signed treaties with Morocco, the first nation to recognize its independence until its present creation of Arab vassal states – the U.S. has infringed international agreements. Hence, the United States has been the longest running ‘rogue nation’ on the planet. The struggle for self determination on the part of the African America/Muslim national minority is an obligation according to the *shari`a*; it is incumbent by international law; and it is a patriotic duty based upon the principles of the U.S. Constitution. Every effort the U.S. makes to prevent its chief national minorities from realizing their rights is an unlawful, unconstitutional, criminal act. *Al-Hajj* Malik El Shabazz reiterated this point on April 3, 1964, in his “*The Ballot or the Bullet*”, speech at the Cory Methodist Church, Cleveland, Ohio:

“Whenever you're going after something that belongs to you, anyone who's depriving you of the right to have it is a criminal. Understand that. Whenever you are going after something that is yours, you are within your legal rights to lay claim to it. And anyone who puts forth any effort to deprive you of that which is yours, is breaking the law, is a criminal. And this was pointed out by the Supreme Court decision.”³⁵⁰

Shaykh Abu Alfa Umar MUHAMMAD SHAREEF bin Farid
Tuesday, 1st *Sha`baan*, 1436 (May 19, 2015)
On the 90th birthday of our Laughing Lion

Al-Hajj Malik El Shabazz



اللهم أرحمه رحمة عامة وأحفظه كما حفظت جميع الشهداء

³⁵⁰ Al-Hajj Malik El Shabazz, “*The Ballot or the Bullet*”

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

١٩٩٩/٥/٥

عن العبد الفقير الذليل المذنب إلى رحمة ربه أئوب بكر بن محمد الطاهر
سلطان جلالة إلى أمير جامعة الشريعة عثمان بن قودي باعريكا وجماعتنا
محمد شريف . السلام عليكم ورحمة الله تعالى وبركاته . ونسأل الله لكم التوفيق
قال (عنه) [إن كنتم ثلاثاً فأمرنا أحدكم] وقال (عليه السلام) المسلم السوء
والإمامة فيما أعف ذكره إله أن يؤمر بحصيه فافأ أمر بحصيه
فلا سمع ولا طاعة [

أخوتني في الله لقد بعثنا لكم خطاباً يتعلمون محمد شريف
أخيراً لكم بعد أن تعقلوا هوثر شوري أعتشاً لقول الله
[وتشاورهم في الأمر] والتقمنا رد كما فعلتم و تلك
لم يصلكم ردكم

الأخير محمد شريف نرجو أن يفتقد في أمر تنظيم الجامعة
وبرعاية ههنا وصفاً والتزام المشورة . ولعلك أنت وجماعتنا
ياختيار أربعة رجال أقوياء من بينكم تكون يصم
هيئة الشورى لكل أمور الجامعة . من أهل الصدق والإمانة .
قال (عنه) [إذا أراد الله بالأمير خيراً جعل له وزير صدق أن نفس
ذكره وإن ذكر أمانة وإذا أراد به عيراً جعل له وزير
سوء أن نفس لم يذكره وإن ذكر لم يسمه]
الأخير محمد شريف وكل الجامعة عليكم بالآتي

١- الالتزام بالكتاب والسنة وهدى الشريعة عثمان بن قودي

٢- الالتزام بالشورى والنهاية

٣- تكون به هيئة الشورى

٤- الالتزام بالدعوة إلى الله

٥- الالتزام بالوحدة والجماعة والثبات

٦- التعاون مع كل المسلمين للاصاحبه الخير

٧- الالتزام بأرسال تقرير عن نشاط الجامعة ومجملها ومشاكلها كل شهر

٨- الالتزام بنشر وقراءة كتب الشريعة عثمان بن قودي وآله

٩- أخذ الإذن مناف كل الأمر الكبيرة

١٠- لا تعقلوا شيئاً حتى تعلموا حكم الله فيه

ونرجو منكم جمع المال لأمتي سوء أرسل لكم رولاً لتأخذوا
البينة منه نيابة لمن .

Translation of the Sultan's Letter of Appointment

Left hand corner: the Sultan's Seal

In the name of Allah, the Beneficent the Merciful.

5-5-1999 C.E.

It is from the poor humiliated servant in need of the mercy of his Lord – Abu Bakr ibn Muhammad at-Tahir, Sultan of Maiurno, to the *Amir* of our community in America - the *Jama`at* of *Shehu* Uthman ibn Fuduye` in America, Muhammad Shareef.

Peace be upon you and mercy of Allah ta`ala and His *baraka*. I ask Allah to grant you success. He upon him be peace said: "If you are three then choose one as an *amir*." He also said: "It is obligatory upon a Muslim person to hear and obey in what he likes or dislikes; except when ordered to disobedience. When he orders to disobedience, there is neither hearing nor obedience."

My brothers in Allah, I sent a previous letter to you recognizing Muhammad Shareef as your *amir*; after you have established an assembly for mutual counsel, in obedience to the words of Allah: "...and take mutual counsel with them in the affair...". We awaited your response regarding your actions, however your response did not reach us.

Amir Muhammad Shareef, make strenuous effort in [1] the matter of organizing and managing the *Jama`at*, [2] seeing to the general welfare of the subjects, and [3] adhering to mutual counsel. You, (Muhammad Shareef), and the *Jama`at* are obligated to choose four of the strongest men among you; with whom you will establish and conduct an assembly of mutual council concerning all the affairs of the *Jama`at*. These men must be from the people of sincerity and integrity.

The Messenger of Allah, upon him be peace said: "When Allah desires good for an *amir*, he provides him with a truthful sincere *Wazir*. When he is questioned he reminds and when he reminds he gives assistance. However, when He desires other than good for an *amir* He provides him with a malevolent *Wazir*, who when he is questioned he does not remind, and when he does remind, he does not give assistance."

Amir Muhammad Shareef and every member of the *Jama`at* the following is incumbent upon you:

- [1] Adhere to the Book, the *Sunna* and the methodology of *Shehu* Uthman ibn Fuduye`.
- [2] Adhere to mutual counsel and mutual assistance.
- [3] Establish an assembly counsel.
- [4] Adhere to calling the people to Allah.
- [5] Adhere to unity, *jama`at* and solidarity.
- [6] Confederate with every Muslim in all things that are inherently good.
- [7] Adhere to dispatching messages every six months regarding the experiences of the *Jama`at*, their involvements and their problems.
- [8] Adhere to disseminating and studying the works of *Shehu* Uthman ibn Fuduye` and his Family.
- [9] Take permission from us in every major affair.
- [10] Do not embark upon any action until you first knew the judgment of Allah regarding it.

We hope to collect finances from you, so that I can send a man as my representative from whom you can take the oath of allegiance from me.

In the lower left hand corner: the Seal of the Sultan.

Appendix B

International
Human Rights
Association of American Minorities

IHRAAM

An International NGO in Consultative Status with the Economic and Social Council of the United Nations

July 23rd, 1999.

TO WHOM IT MAY CONCERN

RE: The Sankore Institute
Director: Mr. Mohammed Shareef

This is to certify that The Sankore Institute has fulfilled all requirements and has been officially recognized as an Associate Institute of IHRAAM.

Sincerely,


Diana Kly
Director, Communications

DK:

Ste. 253, 919C Albert St., Regina, SK. S4R 2P6, Canada
ihraam@geocities.com • <http://www.ihraam.org>

Appendix C SANKORE'



Institute of Islamic - African Studies International

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ وَصَلَّى اللَّهُ عَلَي سَيِّدِنَا مُحَمَّدٍ وَعَلَى آلِهِ وَصَحْبِهِ وَسَلَّمَ تَسْلِيمًا

Reflections and Proposals for Forthcoming Powwow

The following ideas are neither exhaustive nor conclusive, but represent the views of the *Jama`at* of *Shehu* Uthman ibn Fuduye' in America and what we hope can be achieved in the US, Canada, the islands of the Caribbean and perhaps the UK. I speak as the *amir* of our *jama`at* and as the *na'ib* of *Amir 'l-Mu'mineen* al-Hajj Abu Bakr ibn Muhammad at-Taahir, the *Sultan* of Maiurno, Gezira, Sudan.

Preamble:

Our *shaykh* and *wazir*, the late *Waziri* Junayd ibn Muhammad al-Bukhari of Sokoto (may Allah be merciful to him) once said: "All communities have an inner life, a spiritual dimension which makes them what they are, gives them *autonomy* and helps them rise beyond their present to greater achievement. I am speaking here of the values which they have about their place in the world, about the correct relationship between men, about the proper ways to behave in conducting the affairs of men and their own views of what constitutes their identity." He also said: "Knowledge is universal and eternal but it has a social and cultural stamp. It also has a purpose and a commitment to a particular worldview. It therefore cannot be neutral." I cite *Waziri* Junayd in order to establish from the onset that there will be disagreements between all of us precisely because of our diverse backgrounds. These disagreements are not bad. Rather, they demonstrate the diversity which Allah ta'ala has created first in humanity and within the *umma* of Muhammad, may Allah bless him and grant him peace. Thus, when Dr. Umar speaks of 'the great country and people of America', we may not necessarily agree with his perspective. Yet, we accept that based upon his own background and current situation he may be encouraged to define the United States in such a manner. Likewise, when Sidi Hamza Yusef calls for forgiveness on the part of African Americans for Anglo-Americans for past injustices, this too has to be looked at from the perspective of the speaker, and not from the perspective of African Americans themselves.

Yes, the U.S. may well be great, but not in the eyes of those who have been the victim of white American chauvinism and domestic colonization for the past 400 years. True, forgiveness may be spiritually uplifting for African people. But we have to admit that restoring acts of injustice, fulfilling one's words, remuneration, reparation and recognition of the right of self-determination for African Americans on the part of Anglo-Americans would be *very spiritually uplifting* for them as well. One cannot happen without the other. Rather, one should not happen without the other. Just as African Muslims cannot presume to speak for the Immigrant Muslim community or the Anglo-American Muslim community, likewise others will not have the pleasure for speaking for us. Allah ta'ala has always given us our voices who speak out for us in the most eloquent fashion. Nat Turner, Denmark Vessey, David Walker, Harriet Tubman, Fredrick Douglas, Henry Highland Garnet, Allen Smith, Omar ibn Said, Muhammad Bilali, W.E.B. DeBois, Booker T. Washington, Marcus Garvey, Paul Robeson, Martin Luther King, al-Hajj Malik el-Shabazz and many others have testified eloquently to the world on behalf of our people. Each age produces lion cubs on behalf of our people. Our cure is right next to the sickness. It is inside of us not outside of us, just as the Prophet, may Allah bless him and grant him peace clarified.

Therefore, the following points emerged from my conversations with many of the African Muslim leaders in this country. I took the time to talk with them about the particular problems of the African Muslims with specific interest to the need for autonomy from the dominant culture. There was a unanimous call for the need for autonomy. This was not surprising given the common experience of these leaders and their constituents. The desire for autonomy cut across class lines and ideological or doctrinal lines. Both middle class and lower class African Muslims desire some form of autonomy. Autonomy was a point where even so-called *salafis* and so-called *sufis* among the African Muslims agreed. African Muslims who felt they were American citizens as well as those who do not see themselves as American citizens also agreed for some form of autonomy from the dominant culture. This is very significant because it means that the question of autonomy for African Muslims in this country is *a unifying factor that could fuse together otherwise diverse and divided elements in the African Muslim community*.

The opposition to autonomy so far has been from responses from some of the immigrant Muslims population. This is understandable due to the nature under which they came to this country. Many of them came for the purpose of assimilating and obtaining the American dream. Any call for autonomy by any sector of the Muslim community will challenge their own interest. This however, is not the case with the children of immigrant Muslims. Recent conversations around the country with them demonstrated the desire for some form of autonomy from the dominant culture, but there were questions as to how this would take place. As for the Anglo-American Muslim, they constitute what Nkrumah would call 'the dialectical moment' in this equation. They have every right based upon the fact that they

are members of the dominant group to have things continue as they are. They have the support of most if not the entire immigrant Muslims for obvious reasons. With the desire for upward mobility within mainstream America by the immigrant Muslims, the Anglo-American Muslims could easily ride a wave that would carry them into an honored place of leadership in American Muslim circles. However, if the Anglo-American Muslims opt to support the call for autonomy it will mean a great leap for political victory for Muslims in the U.S. And the racial unity which almost emerged just prior to the Civil War could well come into fruition. One cannot help but think of men like John Brown, with his Muslim-like beard fighting sincerely for the rights of all oppressed people.

Therefore, we have laid out ten points that we believe describe the situation the way it is on the ground. And since my opinion was asked for by some of the brothers, I felt it necessary to go in some detail due to the fact that I may not be present at the Powwow, myself. I realize that my opinions may evoke some disagreement and even alarm. Nevertheless, it is my opinion backed up by the opinion of many African Muslim leaders in this country. The point is not whether we disagree. The point is whether we are politically sophisticated enough to disagree and still forge ahead as a unified body or not.

I have delegated Sidi Muhammad 'Ubayd 'l-Haqq, since he is under our allegiance to read this proposal on my behalf. There is neither power nor might except with Allah the Mighty the Wise. He is enough for us, upon Him do we rely and He is the best of Guardians.

1. **We should make the first prerequisite for ourselves immediate repentance from all sins committed between us and our Lord and us and the slaves of our Lord.** Allah ta'ala says:

{ " وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ. " }

"Turn in repentance to Allah all together O believers, so that you may be successful." Shaykh Abdullah ibn Fuduye' said in his Sabeel 'n-Najat:

وَاعْلَمْ رَحِمَكَ اللَّهُ إِنَّ اللَّهَ تَعَالَى جَعَلَ التَّوْبَةَ سِتْرَةً لِعُورَةِ الْعَمَلِ وَطَهَارَةً لِّجَنَابَةِ الزَّلَلِ وَهَدْمًا لِمَا مَضَى وَإِصْلَاحًا لِمَا يَأْتِي، وَهِيَ الْحَيَاةُ بَعْدَ الْمَوْتِ أَغْنَى مَوْتَ الْقُلُوبِ، وَاعْلَمْ أَنَّ تَرْكَهَا ظُلْمٌ وَالتَّسَوُّفَ بِهَا بُغْذٌ وَالتَّمَسُّكَ بِهَا قُرْبٌ وَالْمُبَادَرَةُ إِلَيْهَا فَرَضٌ.

"Realize, may Allah be merciful to you that Allah ta'ala has made repentance the covering for the nakedness of actions; purification for the impurities of errors; remover for what has passed and an amelioration for what is to come. Repentance is the life after death, meaning the death of the hearts. Realize that neglecting repentance is injustice; procrastinating in it is remoteness from Allah; taking hold of it is nearness to Allah and rushing to it is obligatory."

Thus, repentance will remove from our hearts self-importance, conceit, pride, love for leadership and rank and having an evil opinion of our Muslim brothers. These qualities will block our efforts and make our works null and void.

2. **All participants should make the first principle of association the recognition of the right to disagree and hold diverse views based upon authoritative proofs.** Shehu Uthman ibn Fuduye' said in his Ihya 's-Sunna citing the words of 'Izza 'd-Deen ibn 'Abd's-Salaam:

الْإِنْكَارُ مُتَعَلِّقٌ بِمَا أُجْمِعَ عَلَى إِجَابِهِ أَوْ تَحْرِيمِهِ، فَمَنْ تَرَكَ مَا اخْتَلَفَ فِي وَجُوبِهِ، أَوْ فَعَلَ مَا اخْتَلَفَ فِي تَحْرِيمِهِ، فَإِنْ قَلَدَ بَعْضُ الْعُلَمَاءِ فِي ذَلِكَ فَلَا إِنْكَارَ عَلَيْهِ، إِلَّا أَنْ يُقْلَدَهُ فِي مَسْأَلَةٍ يَنْقُضُ حُكْمَهُ فِي مِثْلِهَا.

"Objection is connected to what is agreed concerning its obligation or prohibition. Thus, whoever neglects what there is disagreement concerning its obligation, or does what there is disagreement concerning its prohibition, and he is following one of the scholars in that, then there is no objection to him. Except when he follows and issue whose legal judgment has been repealed."

Thus, the participants must be willing to recognize that the diversity of experience and knowledge is a mercy for the successful achievements of our goals in this age.

3. **All amirs of all Muslim organizations as they stand should be given recognition and full respect.**

We must realize that there are on the ground *amirs* and *imams* who have been working for the cause of Islam for many years in the west. All efforts should be made to recognize their achievements and authority. They too should be included and considered in every decision that we make concerning any actions we undertake in the western hemisphere. To ignore their programs and efforts sets the stage for our efforts to be ignored by the forthcoming generations.

I speak of leaders such as *Amir* Jamil al-Amin, *Imam* Siraj Wahaj, *Imam* Khalid Yassin, *Imam* Warithudeen Mohammed, *Shaykh* Umar al-Qadiri, *Imam* Taalib Abd'r-Rashid, *Imam* Abd'l-Lateef, *Imam* Musa Abd 'l-Alim, *Imam* Muhammad Abdullah, *Jihad* Abd'l-Mumit, *Mutulu* Shakur, *Sekou* Odinga, *Muhammad* Ahmad (Max Stanford), *Mtayari* Sundiata and many others who have been working for many years for the cause of Islam and justice in the west. To ignore these leaders and exclude them from this great effort amounts to arrogance, conceit and lack of respect on our parts. We have to begin by showing respect towards our elders. This respect and recognition will assure their support and participation with us in our efforts. *Shehu* Uthman ibn Fuduye' said in his Ihya 's-Sunna citing *Imam* Abu'l-Hassan as-Shadhili:

أَكْرِمِ الْمُؤْمِنِينَ وَلَوْ كَانُوا عُصَاةَ مُذْنِبِينَ وَأَقِمْ عَلَيْهِمُ الْحُدُودَ، وَاهْجُرْهُمْ رَحْمَةً لَهُمْ لَا تُعْزِزُ عَلَيْهِمْ.

“Show respect to the believers even if they be disobedient sinners, establish the legal punishment upon them, then avoid them as a mercy towards them and do not exult yourself over them.” The *Shehu* continues citing *Shaykh Ahmad Zaruq*:
وَالْمَقْصُودُ فِي قَوْلِ أَبِي الْحَسَنِ الشَّاذَلِيِّ هَذَا: أَنَّ كُلَّ مَنْ ظَهَرَ بِالنَّسَبَةِ لِجَانِبِ اللَّهِ تَعَالَى كَامِلًا كَانَ أَوْ نَاقِصًا، صَادِقًا أَوْ كَاذِبًا، تَعَيَّنَ تَعْظِيمُهُ وَاحْتِرَامُهُ، وَوَجِبَ تَرْقِيئُهُ عَلَى قَدَرِ حَالِهِ مِنْ غَيْرِ اخْتِقَارٍ وَلَا إِهْمَالٍ، وَلَا اقْتِدَاءٍ إِلَّا بِمَنْ صَحَّ عِلْمُهُ وَوَرَعُهُ وَنُفُوذُ بَصِيرَتِهِ، فَإِنَّ الْجَانِبَ عَظِيمًا، وَالانْتِسَابَ إِلَيْهِ لَا يَكُونُ إِلَّا بِعَيْنَايَةِ مَنْهُ.”

“What is intended by these words of Abu'l-Hassan as-Shadhili is that everyone who has an apparent connection with Allah ta'ala, whether that connection be perfect or deficient, truthful or insincere - it is incumbent to esteem him and show him respect. It is obligatory to honor him and extol him in accordance with his spiritual state without showing scorn or disregard for him. Never follow anyone except he whose knowledge is sound, whose piety is sound and whose penetrating inner-vision is sound. Verily affinity with Allah is a tremendous thing and affiliation with Him can only occur by His assistance.”

Thus, even if for some reason, we may question the level of knowledge, piety, and beliefs or right to leadership of the above mentioned leaders we are still obligated to show them the highest form of respect. However, the work and many years they have contributed to manifesting Allah's religion in the west are a proof of their integrity and the soundness of their leadership. Some of these are political prisoners who have sacrificed their lives for the cause of justice and truth in this land. For this reason we are even more obligated to recognize them and show them the respect that is fitting their state.

Any human endeavor that is to be considered binding on others cannot be considered so until all the elements that this endeavor will influence participates in its formation and development. Otherwise, it will be seen as an imposition and usurpation of the will and volition of those it influences. If for no other reason, every *amir* and Muslim organization that we hope will be influenced by our efforts must be active participants with us.

4.

Organizations and individuals who have not given the *bay'at* to an *amir* should do so and reorganize themselves immediately.

Shehu Uthman ibn Fuduye' said in his *Masaa'il 'l-Muhimma*: “I say and success is with Allah, that entering under the oath of allegiance (*bay'at*) to the *Amir 'l-Mu'mineen* is obligatory upon every Muslim if he can be found. Muhammad ibn 'Abd 'l-Kareem al-Maghili said in his *Ajwiba* in which he responded to the questions of Askiya Muhammad Ture',

((لَا يَحِلُّ لِبَنَاتٍ مِنَ الْمُسْلِمِينَ أَنْ يَكُونُوا هُمَلًا، قَالَ اللَّهُ تَعَالَى: ﴿وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا﴾. وَفِي صَحِيحِ مُسْلِمٍ عَنْ ابْنِ عُمَرَ أَنَّهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (مَنْ خَلَعَ يَدًا مِنْ طَاعَةِ لِقَى اللَّهَ يَوْمَ الْقِيَامَةِ لَا حُجَّةَ لَهُ، وَمَنْ مَاتَ وَلَيْسَ فِي عُنُقِهِ بَيْعَةٌ مَاتَ مِيتَةً جَاهِلِيَّةً))

"It is not permissible for any group among the Muslims to remain isolated by themselves. Allah ta'ala says, "Hold firmly to the rope of Allah and do not become disunited." It has been related in the *Saheeh* of Imam Muslim on the authority of Ibn Umar that the Messenger of Allah, may Allah bless him and grant him peace said, "Whoever removes his hand from obedience will meet Allah on the Day of Judgment and he will have no proof. Whoever dies and there is not upon his neck the oath of allegiance dies the death of days of ignorance."

If you are of the opinion that somehow the above judgment does not apply in this age are in this circumstance, then you must at least realize that scholars other than yourselves have interpreted the above proofs to be applicable in these circumstances until the Day of Judgment. Which means it amounts to a difference of opinion that you all are bound to respect and recognize. However, there is a prophetic tradition which applies even in the limited interpretation that we may give in this age, that is the Messenger of Allah, may Allah bless him and grant him peace is reported to have said:

((إِنْ كُنْتُمْ ثَلَاثَةً فَأَمِّرُوا أَحَدَكُمْ))

“If you are three then appoint one of yourselves as *amir*.” Clearly, even in the most mundane and trivial activities we are obligated by the Prophet, may Allah bless him and grant him peace to choose for ourselves *amirs*, then what of the important and crucial work of calling people to the Door of Allah and manifesting Allah's religion in the lands of the disbelievers?

Even if for some reason the importance of having and following an *amir* escapes you, then know that the reality of *emirate* has been apart of the reality of African Islamic presence from the first encounter of Islam with Africa. Africans move in *jama'ats* and recognize their leaders, whether they are sound or deficient. This is a part of the reality of Islam in the United States. If you do not accept it nor take it serious, then at least know that others do!

5. There should be a call for local and national confederation of all the *amirs* and Muslim organizations, with particular emphasis on uniting the indigenous Muslim population (African, white, Chicano and First Nation Native Indians) of the United States. This would entail a downsizing of the egos of every *amir*. It would mean the recognition of the validity of the other and the recognition of one's own inability in the absence of others. This is the human situation. Only Allah is Independent. We all need other Muslims to survive and thrive as human beings. This is true by the words of Allah ta'ala:

{وَاَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا.}

"And hold to the rope of Allah all together and do not become divided." And by His words:

{وَأَنَّ هَذِهِ أُمَّتُكُمْ أُمَّةً وَاحِدَةً وَأَنَا رَبُّكُمْ فَاعْبُدُون.}

"And verily this community of yours is one community and I am your Lord, so worship Me." And by His words:

{وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ.}

"And confederate with one another based upon righteousness and fearful awareness. And do not confederate with one another based upon sin and enmity." Further, it has been related by Muslim and al-Bayhaqi on the authority Abu Harayra that the Messenger of Allah, may Allah bless him and grant him peace said:

إِنَّ اللَّهَ يَرْضَى لَكُمْ ثَلَاثًا وَيَكْرَهُ لَكُمْ ثَلَاثًا: يَرْضَى لَكُمْ أَنْ تَعْبُدُوهُ وَلَا تُشْرِكُوا بِهِ شَيْئًا؛ وَأَنْ تَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا؛ وَأَنْ تَنَاصَحُوا مَنْ وَلَّاهُ اللَّهُ أَمْرَكُمْ. وَيَكْرَهُ لَكُمْ: قِيلَ وَقَالَ؛ وَكَثْرَةُ السُّؤَالِ؛ وَإِضَاعَةُ الْمَالِ.

"Verily Allah is pleased with you three things and hates from you three things: He is pleased that you worship Him and associate no deity besides Him; that you hold to the rope of Allah in unity all together and not be divided; that you be sincere with those whom Allah has given the authority over your affairs. He hates from you hear say; asking too many questions and squandering your wealth."

The call for confederation is the best form of social contract between the Muslims. It demands humility (تواضع) on the part of every *amir* and humility is one of the praiseworthy qualities that are essential for leadership. Confederation demands having a good opinion (حسن الظن) of those under the confederation and having a good opinion is also one of the praiseworthy qualities that are essential for leadership. Confederation demands mutual consultation (شورى) a quality essential for leadership. Confederation also demands tolerance (حلم) and kind-heartedness (لين الجانب) and these two are also essential for leadership.

There is not a single praiseworthy quality except that it is needed in order to confederate with other Muslims. The process of confederation evokes every quality of the believer and negates every blameworthy trait of the disbeliever. And just as confederation demands Muslim leaders to inculcate in themselves and their followers praiseworthy qualities, likewise the failure to confederate induces every blameworthy quality. Envy (حسد) and jealousy (غيرة) induces you not to unite with your brother Muslim. Arrogance (كبر) and conceit (عجب) induces you not to unite with your brother Muslim. Having an evil opinion of your fellow Muslims (سوء الظن بالمسلمين) induces you not to unite with your fellow Muslims. Thus, the failure to confederate with your fellow Muslim induces and reinforces every blameworthy character that negates good leadership.

6. The basis of the confederation should be the Book of Allah, the *Sunna* of His Messenger and the *ijma* of the scholars of the *Sunna*. Allah ta'ala says about the obligation of following the Book: *This is a blessed scripture which We have revealed: so follow it.* He ta'ala says about the obligation of following the *Sunna*: *Whatever the Messenger gives you, take it. And whatever he forbids you, abstain from it.* He ta'ala says about the obligation of following the consensus (*ijma*): *Those who oppose the Messenger after the guidance has been made clear unto him and then follows other than the way of the believers; We shall appoint him to that unto which he himself has turned, and expose him to Hell - an evil destiny.*

The Messenger of Allah, may Allah bless him and grant him peace said concerning the obligation of following the Book: "Verily I have left for you two admonitions. They will never mislead the one who takes hold of them. They are plain speech and silence. For plain speech is the Qur'an and silence is death." The Messenger of Allah, may Allah bless him and grant him peace said concerning the obligation of following the *Sunna*: "Take hold of my *Sunna* and the *Sunna* of the *Khalifs* after me. Hold on to them stubbornly." The Messenger of Allah, may Allah bless him and grant him peace said concerning the obligation of following the consensus: "My *umma* cannot agree upon an error. Take hold of the great majority. For whoever separates himself from the *jama'at* even the length of a hands span, then has removed the noose of *Islam* from his neck."

This in no way means that we should reject the *madhaahib*. What it means is that we should consider infallible and uncompromising the above three sources. *Sultan Muhammad Bello* said in his *Usul 's-Siyaasa*:

ولا يشدد لهم في الواجبات والمحرمات المختلفة فيها وأولى المكروهات، بل لا يبادر إلى الإنكار عليهم، ويخرج عقائدهم ويبطل عباداتهم ومعاملاتهم بأمور ولدها بعض المجتهدين بعقله ورأيه من غير أن ترد صريحة في كتاب وسنة إلا إذا خالفوا الإجماع، فما لمطلوب حملهم على ما شرع الله صريحة. وأما جميع ما استنبط ما ليس بشرع معصوم الله تعالى، وإنما هو تشريع عباده وقع فيه الخلاف، ولا يبال الله عنه العبد في الآخرة، فلا ينبغي أن يضيق لهم بالإجتهادات، اللهم إلا أن يكون بلطف وإرشاد، فذلك نصح وإحسان.

“Further, (the leaders) should not be strict towards their subjects concerning those obligations and prohibitions in which there is disagreement. This should be the rule even more concerning what is reprehensible. In addition, (the leaders) should not rush to reject the doctrine of belief of the common people, nor invalidate their worship and behavior based upon the opinions developed through the scholars of independent judgment. However when the opinions of these scholars draw their opinions clearly back to the Book of Allah and the *Sunna* then it is permissible to rouse the people to follow it. But not when their opinions contradict the consensus. What is desired is that the common people be prompted to that which Allah has clearly established as law. As for everything discovered not to be a part of the Infallible *Shari'a* of Allah ta'ala, then it is only a part of the laws laid down by some of His slaves wherein there is inevitable contradiction and divergent views. Allah will not regard that for the slave in the Hereafter. There is no doubt the leader should not burden his subjects with the decisions derived by means of independent judgment except when he guides them to it with kindness and beneficence, for that would be sound advice and excellence”.

For the political implication of such a confederation it would mean confederating with those we might consider the people of innovation (بدعة). The reason for this is that their innovation does not remove them from the circle of *La ilaha illa Allah wa Muhammadun rasulullah*. They are still Muslims and as Muslims they too deserve the right to enjoy the benefits from a confederation of Muslims. Associating with them in such a manner would perhaps allow them to be guided to the right way provided we treat them with the noble character of the Prophet, may Allah bless him and grant him peace.

7. **There should be a written social contract between the Islamic confederation and the People of the Book, the oppressed and all elements of the societies whose morals and social values are similar to our own.** In creating such a social contract we would be following in the footsteps of the first ever agreement of coexistence between ethnic and religious minorities in human history – the *kitaab* or *sahifah* of Prophet Muhammad, may Allah bless him and grant him peace, which united under a single international resolution the *Muhajiruun*, the *Ansaar*, the Jews and Christians of the city of Medina and its environs. This prophetic document gave the right of recognition of diverse ethnic and religious minorities and invested them with a collective personality distinct from the Muslims. They were accorded the right of worship and culture under the sovereignty of Islam. Excerpts from this famous international document will follow.

The *kitaab* opens by stating that it is a social contract between the diverse ethnic and religious community in Medina:

بسم الله الرحمن الرحيم، هذا كتاب من محمد النبي رسول الله بين المؤمنين والمسلمين من قريش وأهل يثرب ومن تبعهم، فلحق بهم وجاهد معهم، أنهم أمة واحدة من دون الناس.

“In the name of Allah, the Beneficent the Merciful, this is a prescript from Muhammad, the Prophet Messenger of Allah to operate among the believers and those who have surrendered from among the *Quraysh* and the people of Yathrib and those who follow them and join them to take part in the wars with them. Verily they constitute a community distinct from all people.”

The *kitaab* declares to uphold justice between all the elements of the treaty:

وأن المؤمنين المتقين أيديهم على كل من بغى منهم أو ابتغى دسيعة ظلم، أو أثما أو عداوانا أو فساد بين المؤمنين، وإن أيديهم عليه جميعاً ولو كان ولد أحدهم.

“Verily the hands of fearfully aware believers shall be against everyone who rebels from among them, attempts to acquire anything by force, or is guilty of sin, or incites enmity, or spreads mischief among the believers. Verily their hands shall be all together unified against such a person, even if he be the son of anyone of them.”

The *kitaab* declares the right of ethnic minorities and individuals to provide protection and treaty agreements that must be upheld by the majority:

وأن ذمة الله واحدة يجير عليهم أدناهم. وإن المؤمنين بعضهم موالي بعض دون الناس.

“And verily the protection of Allah is one. The least of them can by extension provide protection for anyone and the obligations be binding upon all of them. And verily the believers are the clients one of another excluding all people.”

The *kitaab* gives recognition to the collective personalities and the right of equality and assistance to ethnic and religious minorities:

وأنه من تبعنا من يهود فانه له النصر والمعروف والاسوة غير مظلومين ولا متناصر عليهم.

“And verily those who obey us from among the Jews will have help, recognized goodness and equal opportunity. They shall neither be oppressed nor shall assistance be given against them.”

This is a small faction of the treaties which Prophet Muhammad, may Allah bless him and grant him peace developed to confederate the diverse elements of Medina. The principles of tolerance and mutual aid, which they engender, will go far in binding the diverse Muslim and non-Muslims together.

8. **The Islamic confederation should take the forefront in addressing the economic and social injustices that underpin all levels of modern societies.** Allah ta'ala says:

وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا.

“And what reason have you that you should not fight in the Way of Allah while the oppressed among men, women and children who say: Our Lord! Cause us to be brought out from this place whose people are oppressors and give us from You a guardian and give us from You a helper.”

9. **All arrangements and agreements should be done with international recognition and registered with the world community of nations.**

The only way that African and non-African Muslims could become an equal status member of western civilization would be through the creation of a situation permitting it and the Islamic civilization it represents to enter into a *social contract* (equal status relationship) with other peoples of that civilization, and this could be done only through what the Muslims may consider ‘reform’ but which the other members of that civilization would see as *national liberation* or struggle for *self-determination*.

Imam al-Hajj Malik el-Shabazz (may Allah be merciful to him) taught fundamentally that the problem of minority protection is primarily an international responsibility. He often said: “*You can’t ask the fox to take care of the chicken. He will protect them from others and look after their needs, but not for their benefit but rather to assure himself of readily available meals.*” It is for this reason that any confederation of Muslims (both African and non-African) in the United States must be resolved within the context of U.N. participation, International law, U.S. politics and international and domestic struggle. It cannot be done under the context of U.S. domestic law only, devoid of international observation, oversight and recognition.

10. **Finally, the call should be made for the immediate recognition of autonomous Muslim regions within America particularly and abroad generally.**

On December 16, 1966 the International Covenant on Civil and Political Rights was adopted and opened for signature, ratification and accession by the General Assembly of the United Nations. The resolutions put forward by the assembly was far reaching and consistent with the first resolution and social contract created by Prophet Muhammad may Allah bless him and grant him peace between Muslims and all ethnic and religious minorities of Medina.

The following articles of the above international covenant delineate the precise nature under which African Muslims and their allies in the Islamic confederation should demand limited or complete autonomous regions within the southeastern regions of the United States.

Article 1: 1. All people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 18: 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

Article 27. In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

The above articles in order to be ratified in a state, all nations and jurists have agreed that nations would be obligated to adhere to two basic requirements: [1] the obligation to *officially recognize* the legal and political existence of the national minorities living within their borders; and [2] the implementation of *special measures or affirmative action* designed to make those financial, technological, cultural and political circumstances which are required to enable the minority to reach equality status with the majority, to maintain its ethnic identity, while sharing a political, economic and social equal status relationship with the majority.

Recognition simply means that the United States will have to officially recognize the contribution of African Muslims in the formation of this nation. Every slave revolt led by African Muslims has to be recognized as a part of the American Revolutionary wars that led to the independence of this nation from its colonizers. This would mean the immediate *recognition* of Muhammad Sambu (who led the famous slave insurrections in Natchez Mississippi), Ibrahim

(who led the Gullah Wars in Florida and Georgia), Muhammad Bilali (who led some 81 Muslim families in their defense of the Sapelo Island of Georgia from British attack) and Salih Bilali (who did the same in Sullivan Island) as *founding fathers* of this nation. It would mean official *recognition* of Fort Musa in the Florida Everglades (which was the center for African Muslim and Indian resistance to United States slavery and oppression for 45 years) as the center and capital of a new African Muslim led (but open to all Muslims) autonomous region. This official *recognition* would entail constitutional revision where the present constitution of the United States would be considered an illegal document because it was/ is a law imposed upon all elements of the society without due contribution of all elements involved in the formation of this nation. The new constitution would be obliged to recognize the Islamic values and laws which African Muslims have governed themselves by for centuries before being kidnapped and stripped of their chosen culture by the Federal government and the individual states of this nation. *Recognition* would mean the immediate acknowledgment of Arabic language as the official language of the African Muslim minority. This would entail the *recognition* of the *Autobiography* by Umar ibn Said, the letters by *Amir Abd'r-Rahman*, the partial *Risaalat* of Ibn Abi Zayd by Muhammad Bilali as official documents that represent the rights of self-determination of African Muslims. *Recognition* would entail the immediate introduction of the contribution of African Muslims to the formation of this nation in all levels of education. This would also include the introduction of Arabic language as one of the mandatory second languages taught in secondary and advanced level education.

The implementation of special measures means the immediate implementation of affirmative action designed to make those financial, technological, cultural and political circumstances which are required to enable the African Muslim minority to reach equality status with the majority, to maintain its ethnic identity, while sharing a political, economic and social equal status relationship with the majority. This could mean non-taxation for every African Muslim. *Special measures* could mean free education up until the PhD levels of education. *Special measures* could mean the right to be consulted by the state concerning every resolution or law that may adversely affect the African Muslim community. *Special measures* could mean population transfer of African Muslim to select regions of the United States. *Special measures* could mean the United States fiscal support of all African Muslim *masajid* and *madaaris* (since it was these institutions which the United States devastated during the process of enslavement and domestic colonization). And finally, *special measures* could mean boundary revision of certain areas of the United States where African Muslims and their allies in the confederation could form limited or complete autonomous Muslim regions.

All of the above requires the African Muslim community in league with its allies in the confederation to increase its centralization of political power over the resources and people in its own community. In order to achieve this greater centralization of political power, the community must demand a significant degree of political autonomy or independence from the Anglo-American and non-Muslim community.

Conclusion:

The immediate implementation of the above resolutions on the part of members of this 'Powwow' would go far in resolving many of the problems of *dawa* in the western hemisphere. It would give recognition to the struggle that has been waged in the United States since its inception, the struggle of African Muslims for the rights of self-determination. It would give recognition to Anglo-American Muslims as members of the true *founding fathers* of the real American Revolution (the Islamization of the United States). It would include the immigrant Muslim community and allow them the chance to make repentance from the as yet disastrous *hijra* from the lands of Islam into the west for worldly reasons. They must repent and become genuine *muhajirun*. It would forge a new brotherhood, A MUSLIM CONFEDERATION based upon the first human confederation and social contract created by our beloved Prophet, may Allah bless him and grant him peace.

The implementation of the above resolutions will create the social conduits that lie at the foundations of schools, places of worship, etc. There can be no realistic formulation of Islamic institutions without the priority of Islamic sovereignty (either limited or complete). Self-determination for African Muslims and their allies between Hispanic, Anglo and Immigrant Muslims would mean a great leap in American productivity. "It would mean releasing a group of more than 10 million Muslim people out of the harness of Anglo-Saxonization and the straightjacket of forced assimilation, and placing them in a political framework, which would permit them to develop themselves and their culture." This would only mean the expansion of American institutions, industry, identity, perception, and output.

None of our efforts in the western hemisphere will have the blessings of Allah without first examining the question of the legitimacy of Muslims residing in the lands of the disbelievers under no social contract with them. The *Qur'an*, the *Sunna* and Consensus demand that we have some defined legal relationship with the people of this land (*qitaal*, *sulhi* or *hijra*). International conduits and the Declaration of Independence of the United States of America have created the precedence by which we can define that legal relationship. As it stands now, we are under an ANTI-SOCIAL CONTRACT with the U.S., which amounts to no more than a state of domestic colonization and internal imperialism.

Perhaps the immigrant Muslim community in the west and the Anglo Muslim converts can afford to live under a long-drawn-out non-contractual agreement with the U.S. However, the 400 years of slavery, apartheid and second class citizenship for African Muslims in this country has reached its limit. The present plight of our people does not and will not tolerate *gradualism*. The window of opportunity is now open and the dialectical moment has arrived.

WE MUST SEIZE THE TIME BEFORE THE TIME SEIZES US!

الأمير محمد شريف بن فريد

August 1, 1999

Appendix D

USMANU DANFODIYO UNIVERSITY, SOKOTO



CENTRE FOR ISLAMIC STUDIES
P.M.B. 2346, SOKOTO - NIGERIA

TELEPHONE/FAX: 060-232134

DIRECTOR: Ja'afar M. Kaura B. A. (Sok.) M. A. (Kano) Ph.D (Sok.)

Our Ref: _____

Date: _____ AH

Your Ref: _____

15 Shawwal 1421
Date: 10 January 2001 CE

Directorate
Sankore' Institute of Islamic-African Studies
24 Langton House/Colson Way
London UK SW16 1SE

As-Salaamu Alaykum

Re: Project of Digitization of Arabic Manuscripts

On behalf of the Vice-Chancellor, Usmanu Danfodiyo University, Sokoto, Nigeria, the Centre for Islamic Studies and research staff in the Centre I would like to extend our appreciation to our brother Muhammad Shareef, (the director of the Sankore' Institute, for the kind help he rendered to us by computerizing our manuscript collection in our specialist library. In addition to the above, he also loaded into our computer very rare collections from Maiurno Sudan and the Waziri Junayd History and Culture Bureau.

It is my belief that the good job rendered by him to the Centre would go a long way, not only in preserving our precious manuscripts, but also in making researchers get easy access to these manuscripts.

May Allah sub'hannahu wa ta'ala reward your Institute and our brother with Jannat' l-Firdaus - Amin.

Wassalamu Alaykum

Dr. Ja'afar Makau Kaura
Director Centre for Islamic Studies

Appendix E

بسم الله الرحمن الرحيم

No. 24, Ahmadu Bello Way, P. O. Box 713, Gusau. Zamfara State, Nigeria. Tel./Fax: 063-202093

Our Ref:..... IYIO/ZM/L/VOL. 1/50/2001

12th January, 2001

Your Ref:.....

(24 Shawwal, 1421 A.H.)

Date:.....

IN THE NAME OF ALLAH THE BENEFICIENT THE MERCIFUL
**AGREEMENT BETWEEN JOINT YOUTH ISLAMIC ORGANISATIONS
GASAU, ZAMFARA STATE NIGERIA & JAMA'A OF SHAYKH UTHMAN BN
FODIYO OF UNITED STATES OF AMERICA.**

In line with its aims and objectives, the Joint Youth Islamic Organisations Gusau, Zamfara State, Nigeria, do hereby enter into agreement with the Jama'a of Shaykh Uthman Bn Fodiyo of U. S. A to confederate for the purpose of observing *Amr bil Ma'ruf Wannahiy 'anil Munkar* according to the Qur'an and Sunnah with regard to the following.

1. Co-operation in all matters of global Da'wah work in accordance with the teachings of the Holy Qur'an, Sunnah and Ijma.
2. Establish mutual economic ties between our two organizations in support of Da'wah activities.
3. Initiate mutual intellectual and social exchange programmes between the two organizations as well as extend support to Islamic Educational institutions.
4. Exchange information and promote Muslim media activities between the two organizations.
5. Recognize the moral rights for self-determination for the indigenous African - American Muslims.

The Modalities and other details of the above agreement shall be worked out later.

CHAIRMAN
Engr. Sanusi Muh'd Kotarkoshi

VICE - CHAIRMAN (Admin)
Mal. Bala Muhammad Kaura

VICE - CHAIRMAN (Planning)
Mal. Jamilu Ahmad Gusau

SECRETARY GENERAL
Mal. Ibrahim Tudu

ASSIST. SEC. GENERAL
Mal. Auwal Faruk Abdussalam

FINANCIAL SECRETARY
Mal. Sulaiman Isma'il

TREASURER
Mal. Sidi Abdulkadir

PUBLIC RELATIONS OFFICER
Barrister Isma'il Jibril

ASSIST. P.R.O.
Mal. Abubakar Bello Tsafe

AUDITOR
Mal. Hassan Muh'd S/Noma

ASSIST. AUDITOR
Mal. Ja'afar Aliyu Dango

STORE OFFICER
Mal. Lawal Ladan

Amir, Muhammad Shareef
Amir, Jama'a of Shaykh Usman Dan Fodiyo
Date: 14/01/2001 A.D

Engr. Sanusi Muhammad Usman Kotarkoshi
Amir, Joint Youth Islamic Organisations
Date: 21/10/1421 A.H.

Muslim Students' Society of Nigeria (M.S.S.N), Muslim Foundation Association (M.F.A.), Jama'atut Tajdidil Islamy (J.T.I), Muslim Corpers' Association of Nigeria (M.C.A.N), National Council of Muslim Youth Organisations (NACOMYO), Islamic Education & Research Centre (I.E&R.C), Ihsan Association (IHSAN), Ulama Council Yoruba Chapter (U.C.Y.C), Federation of Muslim Women's Associations of Nigeria (FOMWAN), Muslim Sisters Organisation (M.S.O.), Organisation of Women Islamic Teachers (OWIT), Sisters Da'awa Group (SDG).

Appendix F

JAMA'ATUL MUSLIMEEN

P. O. BOX 2941
SOKOTO, NIGERIA

Your Ref.....

Our Ref.....

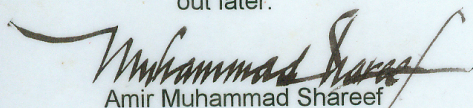
Date 12-01-2001

IN THE NAME OF ALLAH THE BENEFICENT THE MERCIFUL AGREEMENT BETWEEN JAMA'ATUL MUSLIMEEN SOKOTO, NIGERIA & JAMA'A OF SHAYKH UTHMAN BN FODIYO OF THE UNITED STATES OF AMERICA

In line with its aims and objectives, the Jama'atul Muslimeen, Sokoto, Nigeria, do hereby enter into agreement with the Jama'a of Shaykh Uthman Bn Fodiyo of U. S. A to confederate for the purposes of observing **Amr bil Ma'ruf Wanahyi 'anil Munkar** according to the Qur'an and Sunnah with regard to the following.

1. Co-operate in all matters of global **da'wah** work in accordance with the teachings of the Qur'an, Sunnah and Ijma.
2. Establish mutual economic ties between our two organisations in support of **da'wah** activities.
3. Initiate mutual intellectual and academic exchange programmes between the two organisations as well as extend support to Islamic educational institutions.
4. Jointly collect, publish and disseminate all available works of Shaykh Uthman bn Fodio and his lieutenants for the benefit of the Muslim Ummah.
5. Exchange information and promote Muslim media activities between the two organisations.
6. Recognise the moral rights for self-determination for the indigenous African-American Muslims.

The modalities and other details of the above agreement shall be worked out later.


Amir Muhammad Shareef

Amir, Jama'a, U.S.A

Date: 10- 01- 2001 A.D


Muhammadu Bello Dan'Malam

Aminul Am, Jama'atul Muslimeen, Sokoto

Date: 17-10- 1421 A.H

Appendix G
UN Commission on Human Rights
58th Session, 19 March 26 April 2002
Geneva
Agenda Item 14 (B): Minorities Intervention by
Barrister Majid Tramboo
IHRAAM's Permanent Representative to the U.N.

Mr. Chairman,

The International Human Rights Association of American Minorities would like to draw the Commission's attention to the situation of Muslim minorities in non-Muslim countries, which has been affected by the tragic events of September 11th in New York.

First, let me emphasize that IHRAAM joins the many countries and organizations worldwide in condemnation of the attacks on innocent civilians in New York City, and in our expressions of sympathy and condolence to the families of the victims. It is IHRAAM's view that no events in the world should be viewed as taking place in isolation, as if they neither derived from past events, nor precipitated subsequent events. We wish to raise for the Commission's attention the fact that the September 11th events have had wide-ranging impact on members of Muslim minorities in numerous non-Muslim countries since that time, due to the fact that Muslims have, correctly or incorrectly, been linked to the September 11th events by most of the non-Muslim world.

Anti-Muslim reaction has been reflected in acts of official policy as well as in random acts of individuals or groups against Muslim individuals or properties in a range of countries. Official acts of discrimination have included racial profiling at airports, curtailment of legitimate businesses and charities, detention without charge, renewed and discriminatory scrutiny related to immigration, deportations and interrogations without probable cause. In the United States, thousands of suspected terrorists, mainly of Middle Eastern and North African origin, have been detained in the absence of evidence.

In particular, as noted in the article "Anti-terrorism laws singling out Arab Americans destroy trust" by Imad Hamad of the Arab-American Anti-Discrimination Committee appearing in the *Detroit Free Press* on November 23, 2001, the USA's Patriot Act and proposed Michigan Anti-Terrorist Act "severely limit judicial review of executive actions; eliminate the attorney-client privilege and basic due process rights for some suspects; legitimize indefinite detentions without process or appeal; vastly increase secret searches, seizures, surveillance, eavesdropping and wiretapping; and create crimes based on guilt by association."

Writing in the British newspaper, *The Guardian* on January 24, 2002, Faisal Bodi notes: "Despite the government's insistence that there is no direct terrorist threat to Britain, a creeping totalitarian tendency is gnawing at our basic human rights safe guards. Now an individual, if he is not a British citizen, can be arrested simply for what he believes and the company he keeps. He can be punished without proof of guilt. He will be denied the benefit of any doubt. And his wider community will be singled out for collective punishment..."

On the individual or random level, the Washington-based Council on American Islamic Relations reports that there have been 1717 anti-Muslim incidents occurring in the US since September 11th, of which 11 were deaths, and 289 concerned physical abuse or abuse of property, and 224 acts of FBI or police intimidation. In the United Kingdom, the Islamic Human Rights Commission report of 2001 documented 88 incidents of serious violence, of which 52 were directed against individuals, and 36 against mosques or Islamic centers.

As a result of such various wide-ranging responses targeting Muslim minorities in non-Muslim countries such as the United States and the United Kingdom, a widely noted climate of distrust and worsening of relations is being fostered between the targeted Muslim communities and non-Muslim governments and communities. Understandably enough, the targeted minorities have appreciable concerns related to their civil rights, and even their financial well-being and physical safety.

This in turn is reflected in events such as the recent meeting in Pittsburgh, Pennsylvania on April 5-7th, 2002 of African American (indigenous) Islamic religious leaders from all sectors of the United States. The gathering concluded a Declaration of Confederation pledging mutual economic and social cooperation between the *Jama'at* under the leadership of *Amir* Jamil Abdullah Al-Amin and the *Jama'at* of *Shehu* Uthman Dan Fuduye' in America under the leadership of *Amir* Muhammad Shareef, and agreeing, inter alia, to seek international recognition for their Confederation and work towards the right to internal self-determination. We request that the Commission take note of these activities, particularly those related to the efforts of indigenous Muslims to achieve minority rights protection.

Institute of Islamic-African Studies International

الإجازة العامة في الطريقة القادرية العلية الكاملة

بسم الله الرحمن الرحيم

بسم الله الرحمن الرحيم مائتا مرة

أستغفر الله مائتا مرة

اللهم صل على سيدنا محمد وعلى آله وسلم مائتا مرة

لا إله إلا الله مائتا مرة

الله الله مائتا مرة

جزء من القرآن أو ما تيسر منه وهذه بعض من أوراد الطريقة القادرية العلية الكاملة وقد أجازنا بها سيدي الشيخ بكر بن عبد الرزاق السمرائي العباس البغدادي إمام

وخطيب مسجد سيدي الشيخ عبد القادر الجيلاني ولنا سند من سيدي الشيخ

محمد عبد القادر معيني عن سيدي الشيخ محمد أحمد الماحي ومتصلة سندها إلى

سيدي الشيخ عبد الباقي عمر أحمد المكاشفي إلى الشيخ عبد القادر الجيلاني

قدس الله سره وقد أجزت بها محمد شريف بن حبيب حفظه الله وأمهه بحسن

توفيته ونفع به المسلمين وخير الناس أنفعهم للناس ونوصيه بتقوى الله العظيم

والنصح لكل من يلقاه محبا لطريق القوم ملتصا بالسلوك والمحبة وحسن الظن وهذه

إجازة منا بفضل الله ورحمته وله إعطاء الطريقة القادرية في جميع المعمورة ومتصلة

سندها إلى سيدي الشيخ عبد القادر الجيلاني قدس الله سره العزيز وأسأل الله

التوفيق والحمد لله رب العالمين والصلاة والسلام على سيدنا محمد وعلى آله وسلم

وسمانو أحق بها وأهلها والعالمين أعرج خلف الركب

فإن لم ألحق بالقوم

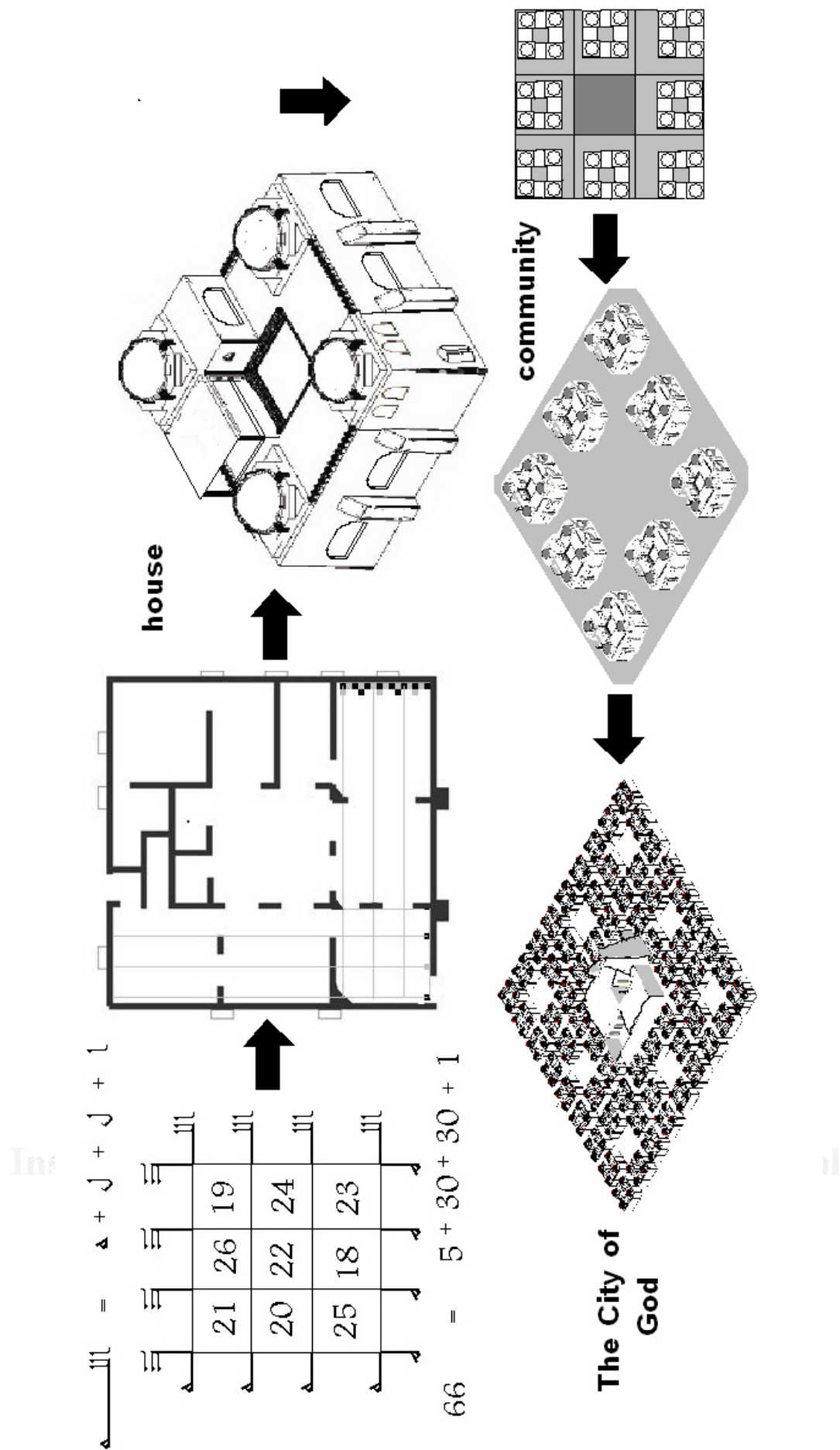
فما على الأعرج من حرج

عبد القادر الجيلي ابن الشيخ

محمد أحمد الماحي المكنى بالبخاري



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