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Vienna, April 2023

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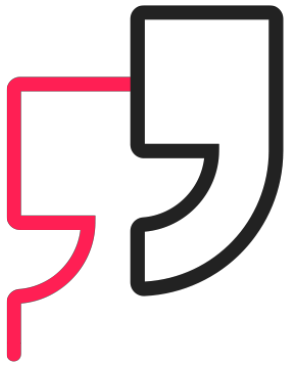
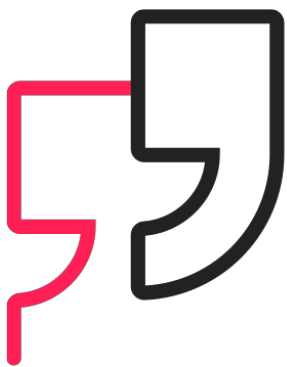


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Introduction

On 12 August 2022, Salman Rushdie was severely injured in an attack on his life in Chautauqua in the state of New York.¹ By the time of the attack, Rushdie had been living under the threat of assassination ever since his novel *The Satanic Verses* was published in 1988. Born in British-India in 1947, Rushdie moved to Great Britain as a teenager and established himself as one of the most acclaimed writers of his generation. His third novel, *The Satanic Verses*, however, provoked worldwide protests by Muslims who felt that the novel had insulted Islam. As the novel in parts bears the characteristics of a *roman à clef*, and as such, many of the often less than favourably described concepts, places and persons in the book – including a prophet called Mahound² and a prostitute called Aisha³ – can be identified as counterparts in early Islamic history, many Muslims the world over demanded that the book be banned.

As the protests turned increasingly violent, Ayatollah Khomeini, Iran's Supreme Leader, issued a fatwa in which he demanded the killing of Rushdie. Rushdie was driven into hiding and lived under personal protection for the next ten years.⁴ While Rushdie has felt increasingly safe in recent years,⁵ he was stabbed by a young man, identified by the media as Hadi Matar. Rushdie was incidentally about to give a lecture on the role of the US as safe haven for writers in exile at the Chautauqua Institution.⁶ While not much is known about the motivation of the assailant at the time of writing, Matar, the alleged attacker, seems to have been in contact with members of the Iranian Republican Guard Corps⁷ and praised Ayatollah Khomeini in an interview after the attack.⁸

Over the years, the controversy around *The Satanic Verses* has attracted significant scholarly as well as journalistic attention and especially the stabbing in 2022 was covered extensively; basically all

¹ Jay Root, [et al.] (12 August 2022): "Salman Rushdie is attacked onstage in Western New York", in: *The New York Times*, (last accessed: 17 November 2022), <https://www.nytimes.com/2022/08/12/nyregion/salman-rushdie-attacked.html>.

² For centuries, "Mahound" has been used in Western literature as malapropism of the name "Muhammad" in order to denigrate the prophet of Islam.

³ Aisha is commonly considered to be Muhammad's favourite wife after Khadija's death.

⁴ Mitchell Prothero (14 August 2022): "Salman Rushdie Stabbing Suspect 'Had Contact With Iran's Revolutionary Guard'", in: *Vice*, (last accessed: 17 November 2022), <https://www.vice.com/en/article/88qxvz/salman-rushdie-hadi-matar-revolutionary-guard>.

⁵ ARTE (17.08.2022): "Die Satanischen Verse: Todesurteil für Salman Rushdie | Doku HD Reupload | ARTE", on: *YouTube*, (last accessed: 17 November 2022), <https://www.youtube.com/watch?v=Y5Py90V1vkE>, min. 36:40.

⁶ Root: "Salman Rushdie is attacked".

⁷ Prothero: "Salman Rushdie Stabbing".

⁸ Frauke Steffens (19 August 2022): "Rushdie-Attentäter preist Chomeini", in: *Frankfurter Allgemeine Zeitung*, (last accessed: 17 November 2022), <https://www.faz.net/aktuell/feuilleton/debatten/rushdie-attentaeter-hadi-matar-gibt-interview-aus-dem-gefaengnis-18254746.html>.

major news outlet reported every available minute detail of the stabbing, often also recapitulating the historical background of the crime. What is largely missing from the media reports, however, is an analysis of the underlying reasons for the uproar that *The Satanic Verses* caused as well as an accurate understanding of the nature of a fatwa. Similar points can be made about some of the academic works covering the issue. As will be shown in the next chapter, the variety of conflicting characteristics ascribed to a fatwa in academic literature is a testament to the intricacies of having to describe this complex and varied phenomenon. Perhaps more problematic, however, is the fact that some of the investigations into the reasons as to why the novel caused such furore are premised on essentialist assumptions of a civilizational clash of inalterable values within Islamic and Western culture.⁹

This article seeks to give a more nuanced overview of the affair. Starting out with an investigation into the phenomenon of fatwas and its importance, the paper will address the concrete fatwa against Rushdie only from the second chapter onwards, beginning with a brief overview of the events following the publication of the novel. The third chapter will then look into the factors prompting Khomeini to issue the fatwa and into the circumstances based on which parts of the leadership subsequently proceeded to uphold it. Finally, the last chapter will investigate the reasons for the anger caused by the novel in both Europe and the Islamic world. Given the complexity and multifacetedness of the issue, the paper can only claim to give a brief, in some cases, only a schematic outline rather than a sweeping analysis. Despite these unavoidable caveats, the article attempts to give a condensed, yet thorough and nuanced account, restricting itself to the most important events and aspects of the relevant subject matters.

⁹ For analyses of the Rushdie affair, at least in part, adhering to such ideas see: Daniel Pipes (2003): *The Rushdie Affair: The Novel, the Ayatollah, and the West*, New Brunswick: Transaction Publishers, *passim*; Thomas Eppinger (17 August 2022): "Fall Rushdie: Das Problem des Islams", in: *Der Pragmaticus*, (last accessed: 17 November 2022), <https://www.derpragmaticus.com/r/salman-rushdie/> and Stanley Kurtz (14 August 2022): "Salman Rushdie and the Decline of Western Civilization", in: *National Review*, (last accessed: 17 November 2022) <https://www.nationalreview.com/corner/salman-rushdie-and-the-decline-of-western-civilization/>.

What is a fatwa and why does it matter?

Although Ayatollah Khomeini's fatwa against Salman Rushdie has received extensive media coverage, the question of what specifically constitutes a fatwa seems to still be marred by uncertainty. One could again read the misconception that has been plaguing reports on this specific fatwa right from the beginning, namely that a fatwa in and of itself was a death sentence.¹⁰ Others, on the other hand, downplayed the importance of fatwas by contending that a fatwa was merely an opinion that changed based on who one asked.¹¹ Some authors say that a fatwa is only valid as long as its issuer was alive,¹² while others assert the opposite.¹³ In some academic and think tank circles, entirely different opinions circulate which take issue with Ayatollah Khomeini's statement being considered a fatwa in the first place,¹⁴ or which claim that Khomeini's fatwa did not apply outside the borders of Iran.¹⁵

While it may appear futile and even indelicate to discuss these questions after somebody seems to have considered the fatwa a binding ruling, the events of 12 August 2022 are a reminder of the relevancy of these questions, as they are directly linked to the authority and power that Muslim legal scholars exert in a globalised world across state borders. The following chapter will therefore try to shed some light onto the question of what a fatwa is and highlight the key aspects of the phenomenon.

¹⁰ See for example: Ian Black (25 September 1998): "Rushdie's nightmare is over", in: *The Guardian*, (last accessed: 17 November 2022), <https://www.theguardian.com/world/1998/sep/25/ianblack> and Sebastian Borger (15 August 2022): "Debatte in Großbritannien: Würden Rushdies 'Satanische Verse' heute veröffentlicht?", in: *Der Standard*, (last accessed: 17 November 2022),

<https://www.derstandard.at/story/2000138278884/wuerden-salman-rushdies-satanische-verse-heute-veroeffentlicht>.

¹¹ Sarakshi Rai (12 August 2022): "What you need to know about Salman Rushdie and the fatwa against him", in: *The Hill*, (last accessed: 17 November 2022), <https://thehill.com/homenews/3598309-what-you-need-to-know-about-salman-rushdie-and-the-fatwa-against-him/>.

¹² Gudrun Harrer (14 August 2022): "Attentat auf Rushdie: Der Schatten des Ayatollahs", in: *Der Standard*, (last accessed: 17 November 2022), <https://www.derstandard.at/story/2000138271966/der-schatten-des-ayatollahs>.

¹³ Reuters (16 August 2022): "Explained: The enduring impact of fatwas", in: *The Indian Express*, (last accessed: 17 November 2022), <https://indianexpress.com/article/explained/salman-rushdie-attack-fatwa-explained-8092396/>.

¹⁴ Mehdi Mozaffari (1998): *Fatwa: Violence and Discourtesy*, Aarhus: Aarhus University Press, p. 39–58; Mehdi Khalaji (15 August 2022): "The Rushdie Attack and Iran's Deceptive 'Fatwas'", in: *The Washington Institute for Near East Policy*, (last accessed: 17 November 2022), <https://www.washingtoninstitute.org/policy-analysis/rushdie-attack-and-irans-deceptive-fatwas>.

¹⁵ Gilles Kepel (2014): *Jihad: The Trail of Political Islam*, London: I.B. Tauris, p. 189.

The term and indeed the form of a fatwa goes back to the Quran.¹⁶ In Quran 4:127, one of the verses referring to the topic at hand states:

“They ask you [Prophet] (*yastaftūnaka*) for a ruling about women. Say, ‘God Himself gives you a ruling about them (*yuftikum fihinna*). You already have what has been recited to you in the Scripture about orphan girls [in your charge] from whom you withhold the prescribed shares [of their inheritance] and whom you wish to marry, and also about helpless children – God instructs you to treat orphans fairly: He is well aware of whatever good you do.’”¹⁷

In this verse, the verbs “*istaftā*” and “*aftā*”, which are formed from the same semantic root as “fatwa” are related to requesting and pronouncing a ruling. A fatwa at its most basic is therefore a response to a question posed by a believer to a higher religious authority. In the verse above, that is Muhammad. Commonly, however, a fatwa is understood as an opinion. The *Encyclopaedia of Islam* – arguably the most authoritative reference work in the field of Islamic and Middle Eastern Studies – defines “fatwa” in its current third edition as follows: “[A] *fatwā* is a legal opinion issued by an expert Muslim jurist in response to a request from a layman, judge, or ruler.”¹⁸ A fatwa can thus be thought of as “legal expertise”¹⁹ or “legal opinion (*Rechtsmeinung*)”²⁰. As this definition suggests, a fatwa has to be issued by a qualified mufti (*muftī*, literally: one issuing a fatwa), or, in Shi’ite Islam, a *mujtahid*, a legal scholar (*faqīh*) qualified to practise *ijtihād* (individual exegesis in legal matters, based on Quran and *sunna*).²¹ Given its character as expertise or opinion, a fatwa is not legally binding *per se*

¹⁶ Muhammad Khalid Masud, Brinkley Messick and David S. Powers (1996): “Muftis, Fatwas, and Legal Interpretation”, in: Muhammad Khalid Masud, Brinkley Messick and David S. Powers (eds.): *Islamic Legal Interpretation: Muftis and Their Fatwas*, Cambridge, Mass.: Harvard University Press, p. 5.

¹⁷ Quran 4:127. Transliteration added by the author. Translation: M. A. S. Abdel Haleem.

¹⁸ Kate Fleet [et al.] (2007): *Encyclopaedia of Islam, Third Edition*, (E1³), Leiden: Brill, s.v.: “Fatwā, premodern”. Bold formatting of the original was not adopted here.

¹⁹ Bauer translates “fatwa” with “*Rechtsgutachten*”. Thomas Bauer (2019): *Die Kultur der Ambiguität: Eine andere Geschichte des Islams*, Berlin: Verlag der Weltreligionen, p. 450.

²⁰ Lohlker translates “fatwa” with “*Rechtsmeinung*”. Rüdiger Lohlker (2012): *Islamisches Recht*, Vienna: Facultas Verlag, p. 229.

²¹ See for example Ayatollah Ali al-Sistani (no date): “Taqlid: Following a Mujtahid”, on: *al-islam.org*, (last accessed: 17 November 2022), <https://www.al-islam.org/islamic-laws-sayyid-ali-hussaini-sistani/taqlid-following-mujtahid>; Wael B. Hallaq (2009): *An Introduction to Islamic Law*, Cambridge: Cambridge University Press, p. 109.

and only represents an individual legal assessment.²² As such, the bindingness of a fatwa is in principle dependent on the authority of the mufti or *mujtahid*, which on its part is – at least ideally – dependent on his or her²³ qualification in terms of the interpretation of the *sharīʿa*.²⁴

Due to the growing intersection of the various state apparatuses and of legal scholarship – examples for which would include the Şeyhülislam in the Ottoman Empire,²⁵ the codification of Islamic law in the modern era²⁶ and the establishment of national fatwa-committees –, the line between national legislation and the assessments by legal scholars became increasingly blurry. This tendency is further underscored by the decline of the *madhāhib* and the emergence of new bodies of Islamic jurisprudence from roughly the 19th century onwards, particularly the various national and supranational *fiqh* academies (*majāmiʿ fiqhiyya*). These *fiqh* academies ultimately introduced a new form of legal assessment in written form, the so-called *qarārāt* (sing.: *qarār*). These *qarārāt* are similar in nature to fatwas, yet distinguished from the latter by, among some other aspects, the fact that they are more authoritative, issued by a collective of scholars and tend to deal with issues of public importance, rather than individual inquiries over mostly quotidian issues.²⁷

In the case of Twelver Shiʿism, the beginning of the transformation of the ‘*ulamā*’ into a quasi-legislative organ was a response to the declining power of the Safawid administration. During the rule of the Safawid dynasty (1501–1722), the idea that, in the absence of the Twelfth Imam, the elaboration of Islamic law based on the *ijtihād* of a qualified jurist was legitimate, became dominant within Twelver Shiʿism.²⁸ As the importance of the Safawid rulers declined, legal scholars began to fill the vacuum by claiming that it was they who should guide the Islamic community (*umma*) during the absence of the Hidden Imam.²⁹ In general, however, they were reluctant to claim actual power, instead lending support and legitimacy to the ruler.³⁰ Over the following two and a half centuries, the

²² Bauer: *Die Kultur der Ambiguität*, p. 176–177.

²³ At least in theory, there is nothing prohibiting a woman from issuing a fatwa. Jacob Skovgaard-Petersen (1997): *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dār al-Iftā*, Leiden: Brill, p. 6.

²⁴ Hallaq: *An Introduction*, p. 9; Lohlker: *Islamisches Recht*, p. 215–216.

²⁵ Peri J. Bearman [et al.] (1954–2004): *Encyclopaedia of Islam*, Second Edition, (EI²), Leiden: Brill, s.v.: “*Shaykh al-Islām*”.

²⁶ For the Ottoman Empire, see for example: EI², s.v.: “*Medjelle*”.

²⁷ Ahmed Gad Makhlof (2021): “The Doctrinal Development of Contemporary Islamic Law: Fiqh Academies as and Institutional Network”, in: *Oxford Journal of Law and Religion* 10, p. 464–486.

²⁸ Rüdiger Lohlker (2008): *Islam: Eine Ideengeschichte*, Vienna: Facultas Verlag, p. 113; Laurence Louër (2008): *Transnational Shia Politics: Religious and Political Networks in the Gulf*, London: Hurst & Company, p. 18–19.

²⁹ Nikki R. Keddie (1969): “The Roots of the Ulama’s Power in Modern Iran”, in: *Studia Islamica* 29, p. 43. According to Twelver Shiʿite believes, the Hidden Imam is the last person in the genealogical line of twelve infallible imams, each designated by his predecessor to lead the *umma*, beginning with Ali being designated by Muhammad. This last imam is said to be in hiding, returning as the messianic Mahdi at the end of time.

³⁰ Najam Haider (2014): *Shiʿi Islam: An Introduction*, New York: Cambridge University Press, p. 212.

idea that in the absence of the Imam, religious scholars should lead the *umma* gained further traction and the *mujtahids*' claim of authority in temporal matters grew increasingly pronounced. This claim manifested itself in the formulation of a hierarchy of legal scholars and the idea that every Muslim who was not qualified to perform *ijtihād* by him or herself, was required to follow the most qualified *mujtahid*, the so-called *marja' al-taqīd* (source of emulation). In the absence of an authority to identify the *marja' al-taqīd*, the decision of whom to follow is informed by individual preference as well as public consensus.³¹ Notwithstanding that point, in essence, the *mujtahid* therefore began to fulfil a legislative function towards his followers, as legal and political rulings of the scholars took on a "validity superior to any merely temporal ruling by the state."³²

This transformation of the legal scholar into a legislative, as well as executive organ culminated in Ayatollah Khomeini's theory of the *wilāyat al-faqīh*, the guardianship of the jurist, in which the *marja' al-taqīd* stands as the representative of the Hidden Imam. This theory became institutionalised in the contemporary Iranian state, the Islamic Republic of Iran, created in the wake of the so-called Islamic Revolution in 1979. Besides – and, in a hierarchical sense, above – the political trias of judiciary, legislature and executive, the Iranian state thus features the office of the Supreme Leader, the *walī al-faqīh*. Together with the Guardian Council and several other bodies, the Supreme Leader has far-reaching powers to control or at least influence the other three branches of government and is thus the single most powerful body in the governmental structure of the Iranian state.³³

As a truly Islamic government had to follow the laws of Islam, the head of state – laying out the legal framework for the government to execute – had to be a legal scholar, Khomeini reasoned. In his final elaboration on the *wilāyat al-faqīh*, Khomeini elevated the principle of *maṣlaḥa* (roughly: public welfare) to be the primary guiding factor for the Islamic state, eclipsing the necessity for the elaboration of Islamic law and Islamic legal scholarship to a large extent.³⁴ As this final conceptualisation did away with religious constraints on the authority of the guardian jurist, Khomeini had essentially gone beyond what traditionally had been considered permissible within the purview of Islam and "transformed the idea of a religious state into the invention of a state religion."³⁵ As the guardian

³¹ Louër: *Transnational Shia Politics*, p. 77–80; Haider: *Shi'i Islam*, p. 162.

³² Keddie: "The Roots", p. 47.

³³ For a good overview of the Iranian political system, see: Peter Mandaville (2014): *Islam and Politics*, New York: Routledge, p. 254–256.

³⁴ The requirement for the head of the Iranian state to be the *marja' al-taqīd* was later struck from the Iranian constitution.

³⁵ Haider: *Shi'i Islam*, p. 211–213; Behrooz Ghamari-Tabrizi (2014): "The Divine, the People, and the *Faqīh*", in: Arshin Adib-Moghaddam (ed.): *Critical Introduction to Khomeini*, New York: Cambridge University Press, p. 234–235, quote on p. 235.

jurist claims to be speaking in the name of the Hidden Imam, he in fact claims to be speaking to the whole Islamic community.³⁶

In other words, Ayatollah Khomeini issued the fatwa on Salman Rushdie as the self-appointed religio-political leader of the *umma*, who, *qua* his claim to have to put the welfare of the community above strict adherence to the principles of Islam, transcended not only traditional concepts of Islamic leadership but also the scope of what it meant to be a *mujtahid* or, respectively, a mufti and even the *marja' al-taqlid*. As a result, Khomeini's ideas, fatwas and indeed every ruling, have a binding character for every sincere follower.³⁷

While this does not necessarily invalidate the aforementioned claim that Khomeini's ruling was not a fatwa, it renders this possibility irrelevant, as this opinion is brought forth to deny the importance of Khomeini's writ on the basis of not constituting a fatwa. Still, even if this was not the case and it was important whether or not Khomeini issued a fatwa against Rushdie, the claim that Khomeini had not formally issued a fatwa remains spurious. The authors argue that, as the fatwa was first read out on the radio, it did not conform to the traditional style of a fatwa, which was strictly a response to a legal question and conventionally written and signed.³⁸ This, however, is not the case. Fatwas have also been issued verbally in the past and especially with the introduction of new technologies and modes of transmission, are now handed out in a variety of ways. Ranging historically from the printing press and global mail service, audio tapes and satellite channels to the internet, the style and format of fatwas has changed continuously.³⁹

Furthermore, the claims that the *mujtahid* or mufti had to be approached with a question in order to issue a fatwa⁴⁰ and that a fatwa was only valid in the country where it was issued⁴¹ have to be challenged. Starting with the latter point, it is absolutely common that fatwas are addressed to inhabitants of a foreign country. A case in point is Muhammad Abduh's⁴² famous "Transvaal fatwa", advising Muslims in Southern Africa, while he himself was the Grand Mufti of Egypt. On the same token, it is not uncommon for scholars to formulate fatwas without being asked, simply in order to voice their

³⁶ Anonymous (2014): "Glossary", in: Arshin Adib-Moghaddam (ed.): *Critical Introduction to Khomeini*, New York: Cambridge University Press, p. xix.

³⁷ Olivier Roy makes a similar point for fatwas of Islamists in general. Olivier Roy (2013), *Globalised Islam: The Search for a New Ummah*, London: Hurst & Company, p. 90.

³⁸ Khalaji: "The Rushdie Attack"; Mozaffari: *Fatwa*, p. 50.

³⁹ EI³, s.v.: "Fatwā, modern".

⁴⁰ Mozaffari: *Fatwa*, p. 50.

⁴¹ Kepel: *Jihad*, p. 189.

⁴² Muhammad Abduh (1849–1905) was one of the most important Islamic intellectuals of the 19th and 20th centuries and from 1899 until his death the Grand Mufti of Egypt.

opinion on a point that appears relevant at the time.⁴³ What is indeed striking, however, is that Khomeini's statement about Rushdie does not conform to the traditional style of a fatwa. Even scholars who issue unsolicited fatwas usually follow the question and answer format, thus writing down the question that they purport to answer before giving their opinion. Khomeini, however, did not follow that principle and, as will be seen further down, just stated that Rushdie and the publishers of the *Satanic Verses* ought to be killed. In addition, the fatwa does not entail the usual ending "*Allāhu a'lam*" (God knows best).⁴⁴ At the same time, Islamic scripture does not lay out the exact characteristics of a fatwa and a universally accepted authority does not exist in Islam. Instead, the form of fatwas is based on consensus and tradition and thus subject to variation. To give an example, Sunni fatwas of the Hanafi school of law in Central Asia and the Indian subcontinent often also did not adhere to the question-answer format and rather communicated an opinion, which in the case of India, was often seen as binding and enforceable in court.⁴⁵ Finally, in light of the fact that Khomeini's ruling on Rushdie is commonly referred to as a fatwa – including by leading Iranian clerics such as Ayatollah Khomeini's son Ahmad⁴⁶ and Ayatollah Khamenei⁴⁷ –, it is safe to treat it as such.

As it is thus entirely justified to speak of a fatwa, it is important to consider whether a fatwa remains authoritative after the death of the *mujtahid*. The answer to this is "yes and no". If one was following or emulating (emulation: *taqlīd*) a *mujtahid* before his death, it is commonly considered legitimate to continue to follow him. As Ayatollah Ali al-Sistani writes in two fatwas:

"Question: What is the meaning of *taqlīd*?

Answer: In emulation (*taqlīd*), it suffices that one's act holds true to the fatwa of the *mujtahid* whose statement is truly proven to be right through acting in accordance with it. By continuing to emulate the most knowledgeable dead [person], it further suffices to adhere in one's acts to his fatwas every time the [issue in] question comes up.

⁴³ EI³, s.v.: "Fatwā, modern", Lohlker: *Islam*, p. 70–71.

⁴⁴ Masud: *Muftis, Fatwas*, p. 24.

⁴⁵ *Ibid*, p. 14–15.

⁴⁶ Al-Ittiḥād (10 November 1992): "Aḥmad Khumaynī: Fatwā ihdār damm Salmān Rushdī 'abadiyya'", in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1992/11/10/01/article/46/?srpos=17&e=-----en-20--1--img-txIN%7CtxTI>, p. 8.

⁴⁷ Khamenei.ir (13 February 2017) "Ayatollah Khamenei's fatwa on Salman Rushdie's apostasy from Islam", on: *khamenei.ir*, (last accessed: 17 November 2022), <https://english.khamenei.ir/news/4634/Ayatollah-Khamenei-s-fatwa-on-Salman-Rushdie-s-apostasy-from>.

Question: What is the assessment (*ḥukm*) of one who does not know that it is not permissible to begin to emulate a dead [person] and this person emulates the dead [person]. Is he correct in his emulation?

Answer: This is not correct. It is incumbent upon him to emulate the most knowledgeable living *marja'* immediately."⁴⁸

It would therefore be erroneous to assume that a fatwa immediately loses its authority after the death of the *mujtahid*. Moreover, the fact that one is prohibited from acting upon the fatwa is not due to an assessment of the fatwa as suddenly faulty. The ruling might still be deemed correct, yet it has become devoid of its authority, which is, as was seen, grounded in the decision of a person to follow the example of a particular living *mujtahid*. The fatwa can, however, be upheld by another *mujtahid*, which is, as will be seen in the third part of this paper, exactly what happened in the case of Ayatollah Khomeini's fatwa on Salman Rushdie.

In Sunni Islam, on the other hand, no such constraints exist. Around the second half of the tenth century, jurists began to collect the fatwas of their predecessors in a "continuous and unending stream until the present."⁴⁹ These fatwa collections form the backbone and, apart from Islamic scripture, the main textual source of reference for the four remaining Sunni schools of law (*madhāhib*, sing.: *madhhab*). In an interpretative tradition in which the emulation (*taqlīd*) of earlier legal scholars continues to play a greater role than in contemporary Shi'ism,⁵⁰ important fatwas therefore retain their applicability. Besides their role for traditional legal schools, the importance of fatwas by deceased Sunni scholars can also be observed in the fatwas of the likes of Ibn Taymiyya (1263–1328), his disciple Ibn Qayyim al-Jawziyya (1292–1350), as well as modern scholars such as Nasir al-Din al-Albani (1914–1999), Shaykh Ibn Baz (1910–1999) or Shaykh Ibn Uthaymin (1929–2001). Their fatwas continue to be collected, often thematically arranged and re-published.⁵¹

⁴⁸ 'Alī al-Sīstānī (no date): "al-Taqlīd", on: *Mawqī' Maktab Samāḥat al-Marja' al-Dīn al-Sayid 'Alī al-Ḥusaynī al-Sīstānī*, (last accessed: 17 November 2022), <https://www.sistani.org/arabic/qa/0369/>. Muhammad Husayn Fadl Allah argues the same: Muḥammad Ḥusayn Faḍl Allāh (6. November 2015): "Taqlīd al-mayyit fī as'ila wa-ajwiba" on: *al-Mawqī' al-Rasmī li-Mu'assasat al-'Alāma al-Marja' al-Sayyid Muḥammad Ḥusayn Faḍl Allāh (ra)*, (last accessed: 17 November 2022), <http://arabic.baynat.org/NewsPage.aspx?id=19491>.

⁴⁹ Masud: *Muftis, Fatwas*, p. 8.

⁵⁰ Mathias Rohe (2013): *Das Islamische Recht: Eine Einführung*, Munich: C.H. Beck, p. 20.

⁵¹ For an example containing Fatwas of the latter two, see: Muḥammad ibn 'Abdul-'Azīz Al-Musnad (ed.) (2014): *Islamische Fataawa für Frauen: Scharī'ah Regelungen für Frauenangelegenheiten von den Großen Muftis Saudi Arabiens: Schaikh ibn Bāz, Schaikh ibn 'Uthaymīn, Schaikh ibn Ḡibrīn und anderen*, Hannover: Dar Albalagh Verlag, *passim*. The idiosyncratic transliteration of the names of the Editor and the scholars mentioned in the titles as well as the capitalisation of "Großen" is taken from the original.

To sum up, especially in Shi'ite Islam, and particularly in the case of Iran and her Supreme Leader, the traditional conceptual distinction between a fatwa as a legal opinion and a political directive is rendered inconsequential. The fatwa to have Rushdie killed can therefore be perceived as surpassing the normative value of a mere opinion, and, as long as it is upheld by the Iranian government and more importantly, the Supreme Leader, indeed, as a legally binding declaration.

Khomeini's fatwa and its immediate fallout

Even before the publication of *The Satanic Verses* on 26 September 1988, some people were concerned about the possible backlash of the book. In an interview, Rushdie himself recounts how he had given the book to several friends before publication, discussing possible adverse reactions with them.⁵² At least in India, information about the content of the book seems to have reached the public before the 26th, already prompting calls for the banning of the book.⁵³ In an interview with the Indian weekly journal *India Today*, on 15 September 1988, Rushdie replied to the question of whether he “fear[ed] a backlash from the mullahs”: “Even [my last novel] *Shame* was attacked by fundamentalist Muslims. I cannot censor. I write whatever there is to write.”⁵⁴ In response to a similar question before the publication of the book, Rushdie answered “[I]t would be absurd to think that a book can cause riots. That’s a strange view of the world.”⁵⁵

Indeed Rushdie’s former two books *Midnight’s Children* and *Shame* caused an uproar on the Indian subcontinent, with the former getting banned in India for its negative depiction of the Nehru dynasty and the latter for its portrayal of Pakistan’s political elites.⁵⁶ Neither, however, seems to have been controversial in Iran. On the contrary, *Shame* even received a prize for best translation by the Iranian government.⁵⁷ On 14 February 1989, five months after the publication of *The Satanic Verses*, however, Radio Teheran issued Ayatollah Khomeini’s fatwa.⁵⁸ It read:

“In his name, the Exalted

We are from Allah and to him we shall return.

I inform the zealous Muslims in [all] regions of the earth, that the author of the book *The Satanic Verses* that has been written, printed and distributed in enmity towards Islam, the prophet and the Quran, as well as those publishers aware of the tenor of the book, are sentenced to death (*yaḥkum ‘alayhim bi-l-‘idām*). I call on the zealous Muslims to take the initiative to quickly kill them wherever you find them, so that after that nobody

⁵² ARTE: “Die Satanischen Verse”, min. 12:07–12:45.

⁵³ Quoted in: Lisa Appignanesi, Sara Maitland (eds.) (1990): *The Rushdie File*, New York: Syracuse University Press, p. 32.

⁵⁴ Quoted in: *Loc. cit.*

⁵⁵ Quoted in: *Loc. cit.*

⁵⁶ Kenan Malik (2009): *From Fatwa to Jihad: The Rushdie Affair and its Legacy*, London: Atlantic Books, p. xiv.

⁵⁷ Baqer Moin (1999): *Khomeini: Life of the Ayatollah*, London: I.B. Tauris, p. 283.

⁵⁸ Malik: *From Fatwa to Jihad*, p. 8.

dares to insult the sanctities of Islam. Everybody dying in the course of this, will – *in shā’ Allāh* – be regarded as a martyr. And should anybody happen to find the author, yet find himself unable to execute him, it is incumbent upon him to let others know of the place, so that he might receive the punishment for his deeds. The piece, the blessing and mercy of Allah be upon you.”⁵⁹

The fatwa did not entirely come out of the blue. Indeed much had happened in the five months between the publication of the book and the fatwa. Several countries, including India, Pakistan, Saudi Arabia and South Africa had banned the book.⁶⁰ By December 1988, British Muslims in the thousands demonstrated against the book, publicly burning copies of *The Satanic Verses*⁶¹ and on 12 February 1989, protests in the Islamic world culminated in the attempted storming of the US embassy in Islamabad.⁶² The fatwa, however, further aggravated the situation. As British authorities regarded the threat to Rushdie’s life as genuine, Rushdie went into hiding. Living under police protection for the next ten years, he had to take on an assumed name and change addresses 56 times.⁶³ Moreover, as will be discussed later in more detail, an Iranian charity organisation in the shadow of the state put out a bounty on Rushdie’s head.

The fatwa, however, did not remain unchallenged from other Islamic authorities. By 17 February 1989, Indian scholars had attempted to calm the waves and denounced the fatwa as “transgressing all standards and measures of jurisprudence in Islamic law” as the Egyptian newspaper *al-Ahrām* quotes their declaration.⁶⁴ A week later, also in *al-Ahrām*, the General Secretary of the Egyptian Supreme Council for Islamic Affairs at the al-Azhar University stated in an interview that while it was the right of every Muslim to protest against the book, it was not allowed to kill Rushdie without trial:

⁵⁹ Rūḥallāh Khumaynī (13. February 2022): “Salmān Rushdī ḥatā law tāba yajib ‘alā kull muslim an yursiluhu ilā al-darak al-safal”, on: *al-Imām al-Khumaynī*, (last accessed: 17 November 2022), <http://ar.imam-khomeini.ir/ar/n7127/%D8%B3%D9%84%D9%85%D8%A7%D9%86-%D8%B1%D8%B4%D8%AF%D9%8A-%D8%AD%D8%AA%D9%89-%D9%84%D9%88-%D8%AA%D8%A7%D8%A8-%D9%8A%D8%AC%D8%A8-%D8%B9%D9%84%D9%89-%D9%83%D9%84-%D9%85%D8%B3%D9%84%D9%85-%D9%86-%D9%8A%D8%B1%D8%B3%D9%84%D9%87-%D9%84%D9%89-%D8%A7%D9%84%D8%AF%D8%B1%D9%83-%D8%A7%D9%84-%D8%B3%D9%81%D9%84>.

⁶⁰ Malik: *From Fatwa to Jihad*. p. 6.

⁶¹ Robin Lustig, [et al.]: “War of the Word”, in: *The Guardian*, (last accessed: 17 November 2022), <https://web.archive.org/web/2014100823518/http://www.theguardian.com/uk/1989/feb/19/race.world>.

⁶² Moin: *Khomeini*, p. 283.

⁶³ ARTE: “Die Satanischen Verse”, min. 0:23–0:49.

⁶⁴ Al-Ahrām (17 February 1989): “Kitāb ‘Ayāt Shayṭāniyya’ yafajir azma ḍidd Irān”, in: *al-Ahrām*, p. 4.

“The opinion of the Islamic jurists is that if a person is accused of apostasy (*ridda*) or leaving Islam (*khurūj ‘an al-Islām*) that he does not face the penalty for apostasy [i.e. death] except after being convicted by a just court, which gave him the opportunity to defend himself. Also, the judges of the court are obliged to demand his repentance [...].”⁶⁵

In the realm of politics, the fatwa caused an international diplomatic controversy. The European Parliament condemned the fatwa on 16 February 1989, calling on its twelve member states to relate to Iran that, should the fatwa be successfully acted upon, Iran would have to face severe repercussions.⁶⁶ Additionally, the countries of the European Economic Community recalled their diplomatic missions, whereupon Iran reciprocated in kind.⁶⁷ In addition, Pakistan withdrew its ambassadors from the UK and the US, demanding that the distribution of the book be banned.⁶⁸

Despite the declaration of the European Economic Community, support for Rushdie amongst Western politicians and fellow authors and artists was far from unanimous. As Barnes & Nobles and other bookstore chains announced they would bow to the pressure and withdraw *The Satanic Verses* from their shelves, American writers’ and publishers’ associations as well British authors, among them Martin Amis and Ian McEwan, came out in support of Rushdie.⁶⁹ After Stephen King demanded in protest that Barnes & Nobles also stop selling his own books, the chain reversed its decision.⁷⁰ In 1993, amidst the ongoing protests, also a number of Muslim writers, artists and intellectuals, including Naguib Mahfouz, Adonis and Edward Said, published a collection of essays entitled *For Rushdie*

⁶⁵ Al-Ahrām (24 February 1989): “Riwāyat ‘Ayāt Shayṭāniyya’ takīd al-Islām wa-rasūlahu wa-ṣāhibuhu yasī li-l-shuhra wa-kasb al-māl ‘alā ḥisāb dīnihi”, in: *al-Ahrām*, p. 13.

⁶⁶ Al-Ittiḥād (17 February 1989): “al-Barlamān al-Ūrūbī yastankiru da’wa al-Khumaynī li-qatl al-kātib al-hindī Salmān Rushdī”, in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1989/02/17/01/article/3/?srpos=2&e=-----en-20--1-byDA-img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----0>, p. 1.

⁶⁷ Al-Ittiḥād (22 February 1989): “Istid’ā sufarā’ Īrān raddan ‘alā saḥb ru’asā’ ba’tha al-Mujtama’a al-Ūrūbiyya”, in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1989/02/22/01/article/10/?srpos=4&e=-----198-en-20--1--img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----1>, p. 4.

⁶⁸ Al-Ahrām: “Kitāb ‘Ayāt Shayṭāniyya’”, p. 4.

⁶⁹ Edwin McDowell (18 February 1989): “Furor Over ‘Satanic Verses’ Rises as 2 More Book Chains Halt Sales”, in: *The New York Times*, (last accessed: 17 November 2022), <https://archive.nytimes.com/www.nytimes.com/books/99/04/18/specials/rushdie-furor.html?scp=116&sq=william%2520styron&st=Search>; Vanity Fair (14. April 2014): “How Salman Rushdie Survived the *Satanic Verses* Fatwa”, in: *Vanity Fair*, (last accessed: 17 November 2022), <https://www.vanityfair.com/news/2014/04/salman-rushdie-fatwa-satanic-verses>.

⁷⁰ ARTE: “Die Satanischen Verse”, min. 25:12–25:30.

in which they – despite several instances of critique of the novel – defended Rushdie’s right to be left in peace and publish freely.⁷¹ Others were less tolerant.

Former US president, Jimmy Carter, called Western responses towards the fatwa an overreaction. Western governments should make sure to state their disapproval of the book.⁷² However, while Carter in principle upheld Rushdie’s right to publish his ideas, the eminent British historian, Hugh Trevor-Roper, made it known that he “would not shed a tear if some British Muslims, deploring Mr Rushdie’s manners, were to waylay him in a dark street and seek to improve them.”⁷³ In May 1989, singer Yusuf Islam, before his conversion to Islam known as Cat Stevens, openly supported the fatwa. According to the *New York Times*, the singer stated that he would have preferred Rushdie himself being burned instead of an effigy and – clearly in reference to the fatwa – that he would attempt to inform Ayatollah Khomeini in case Rushdie showed up at his doorstep.⁷⁴

This outrage expressed in Yusuf Islam’s words reflected a widely held sentiment that manifested itself in increasingly violent international protests on the streets. On 25 February 1989, for example, protesters burned an effigy of Rushdie in front of the offices of Viking Press, the US Publishers of the book, chanting: “Rush-die Rushdie” and “Long Live Khomeini”.⁷⁵ In London, protesters torched a puppet of Rushdie on a gallows and in Paris, thousands of protesters shouted “Death to Rushdie”.⁷⁶

Given all this verbal and symbolic violence, in hindsight, it was only a matter of time before some activists turned to physical violence. On 29 May 1989, the rector of the Islamic Centre in Brussels Abdallah al-Ahdal, who, according to an ARTE documentary movie, held “moderate”⁷⁷ views regarding *The Satanic Verses*, was shot alongside the librarian of the Islamic Centre, Salem el-Beher. On 3 September, a pipe-bomb exploded in front of a department store in London, injuring a woman. A warning to the police before the explosion indicated a connection to *The Satanic Verses*. On the 14th

⁷¹ Alan Riding (4 November 1993): “Muslim Thinkers Rally for Rushdie”, in: *The New York Times*, (last accessed: 17 November 2022), <https://archive.nytimes.com/www.nytimes.com/books/99/04/18/specials/rushdie-rally.html>.

⁷² The op-ed that was originally published in the *New York Times*, can be found under: Jimmy Carter (4 March 1989): “Rushdie’s Book Is an Insult”, on: *The Carter Center*, (last accessed: 17 November 2022), <https://www.cartercenter.org/news/documents/doc1381.html>.

⁷³ Cited in: Melanie Phillips (28 May 2006): ““After the Rushdie affair, Islam in Britain became fused with an agenda of murder””, in: *The Guardian*, (last accessed: 17 November 2022), <https://www.theguardian.com/commentis-free/2006/may/28/religion.islam>.

⁷⁴ Craig R. Whitney (23 May 1989): “Cat Stevens Gives Support to Call for Death of Rushdie”, in: *The New York Times*, (last accessed: 17 November 2022), https://archive.nytimes.com/www.nytimes.com/books/99/04/18/specials/rushdie-cat.html?_r=2.

⁷⁵ William K. Rashbaum (25 February 1989): “Protesters burn Rushdie in effigy”, in: *United Press International*, (last accessed: 17 November 2022), <https://www.upi.com/Archives/1989/02/25/Protesters-burn-Rushdie-in-ef-figy/8105604386000/>.

⁷⁶ ARTE: “Die Satanischen Verse”, min. 20:25–21:08 and min. 25:50–26:08.

⁷⁷ *Ibid*, min. 21:10

of the same month, four bombs were planted in front of bookstores owned by Penguin, the publishers of the book. While one bomb could not be defused in time and actually exploded, nobody was wounded.⁷⁸ In July 1991, both the novel's Japanese and the Italian translators, Hitoshi Igarashi and Ettore Capriolo, were stabbed. While Capriolo survived, Igarashi succumbed to his wounds.⁷⁹ In 1993, William Nygaard, the Norwegian publisher of the book was shot two times but survived. Although the attacker was never caught, the attempt on Nygaard's life is assumed to be connected to the publication of *The Satanic Verses*.⁸⁰ In 2018, the Norwegian police filed charges against two men, one from Lebanon and one an Iranian diplomat.⁸¹ The most serious attack, however, took place in July 1993 in Turkey where a mob set fire to a hotel in Sivas which was accommodating the Turkish translator of *The Satanic Verses* and other participants of an Alevi cultural festival. Thirty-seven people, including two protestors, died in the attack.⁸²

By the time of the Sivas incidence, however, international protests had died down and in 1995 – for the first time in six years – it was deemed safe for Rushdie to appear pre-announced in a public event again.⁸³ As will be laid out further down in more detail, in 1998, Iran and the UK resumed diplomatic relations and the Iranian foreign minister declared the affair to be a thing of the past. Even as protests periodically flared up again, as for example when Rushdie was granted a visa for India in 1999 or when he was knighted in 2007,⁸⁴ by the 12th of August 2022, the affair indeed seemed to be a thing of the past.

⁷⁸ United Press International (14 September 1989): "Bookstore Bombed", in: *United Press International*, (last accessed: 17 November 2022), <https://www.upi.com/Archives/1989/09/14/Bookstore-bombed/3380621748800/>

⁷⁹ Wilson Center (16 August 2022): "Part 2: Timeline of Iran's Fatwa on Rushdie", in: *Wilson Center*, (last accessed: 17 November 2022), <https://www.wilsoncenter.org/article/part-2-timeline-irans-fatwa-rushdie>.

⁸⁰ Malik: *From Fatwa to Jihad*, p. 16.

⁸¹ Odd Isungset [et al.] (12. November 2021): "NRK avslører: Var diplomat ved Irans ambassade i Oslo – siktet for Nygaard-attentatet i 1993", in: *NRK News*, (last accessed: 17 November 2022), https://www.nrk.no/dokumentar/nrk-avslorer_var-diplomat-ved-irans-ambassade-i-oslo_-_siktet-for-nygaard-attentatet-i-1993-1.15722722.

⁸² France 24 (02. July 2018): "Turkey marks 25 years since mob attack on Alevi intellectuals" in: *France 24*, (last accessed: 17 November 2022), <https://www.france24.com/en/20180702-turkey-marks-25-years-mob-attack-alevi-intellectuals>.

⁸³ Wilson Center: "Part 2".

⁸⁴ *Loc. cit.*

The fatwa and Iranian politics

Similar to Rushdie, Ayatollah Khomeini initially did not seem to have considered *The Satanic Verses* a problem worthy of further discussion. After reading a Persian language summary of the book, he reportedly stated: “[T]he world has always been full of lunatics who talked nonsense. It is not worthy replying to this sort of thing. Do not take it serious.”⁸⁵ While this quote cannot be independently verified, as it is based on a private conversation of the author of the work cited here, the fact that the Iranian government did not immediately ban the book even though its content was widely known and publicly discussed in Iran, points in the same direction.⁸⁶ By the beginning of 1989, however, things had changed and Khomeini increasingly came under pressure at home as the Iran-Iraq War had ended in a costly stalemate, whereas Saudi Arabia, as the most public driver of the US-backed jihad in Afghanistan, was on the verge of claiming victory over the Soviet Union. As Gilles Kepel observed, it was on 15 February 1989 – one day after the release of Khomeini’s fatwa – that the Soviet Union completed its withdrawal from Afghanistan.⁸⁷

“By issuing the *fatwa*, Khomeini had made a serious bid for the leadership of the entire Islamic world, while at the same time, finding a way to refocus the energies of those of his supporters at home who had been demoralised by the long, bloody inconclusive war. From being regarded by most non Shi’a as merely a renewer of Islam, through the *fatwa*, he became a spokesman for the frustrations and ambitions of Muslims in general, and not just in the Islamic countries.”⁸⁸

In Iran itself, however, the fatwa was not only greeted with approval. Both Ayatollah Khamenei – who was to succeed Khomeini as Supreme Leader after he died on 3 June 1989 – and Ayatollah Rafsanjani – who was to serve as president of Iran from 1989 until 1997 – were, initially at least, less than enamoured with the idea of Khomeini further fuelling Iran’s international notoriety. Whereas Rafsanjani demanded that Iran should not take responsibility in the event that Rushdie were killed,

⁸⁵ *Loc. cit.*

⁸⁶ *Loc. cit.*; Malik: *From Fatwa to Jihad*, p. 6.

⁸⁷ Kepel: *Jihad*, p. 185–186.

⁸⁸ Moin: *Khomeini*, p. 284.

Khamenei stated that the fatwa would be revoked should Rushdie apologise.⁸⁹ A day after Khamenei's promise, on 17 February, Rushdie published an apology stating that he had caused distress amongst Muslims and that "I profoundly regret the distress that publication has occasioned to sincere followers of Islam."⁹⁰ While the official Iranian news outlet IRNA at first signalled its satisfaction with the apology, this was later retracted⁹¹ and Ayatollah Khomeini's office doubled down on the fatwa:

"The imperialist foreign media falsely allege that the officials of the Islamic republic have said the sentence of death on the author of *The Satanic Verses* will be retracted if he repents. His Excellency, Imam Khomeini, long may he live, has said: 'This is denied 100 per cent. Even if Salman Rushdie repents and becomes the most pious man of all time, it is incumbent on every Muslim to employ everything he has got, his life and wealth, to send him to Hell.' His excellency the Imam added: 'If a non-Muslim becomes aware of Rushdie's whereabouts and has the ability to execute him quicker than Muslims, it is incumbent on Muslims to pay a reward or a fee in return for this action.'"⁹²

Moreover, the idea of rewarding the executor of Khomeini's fatwa apparently caught on and was extended to Muslims. As early as 1989,⁹³ it seems that the 15th Khordad Foundation – a charity organisation situated in the institutional grey zone of the Iranian state – which is neither in private nor in

⁸⁹ Alex Vatanka (2021): *The Battle of the Ayatollahs in Iran: The United States, Foreign Policy, and Political Rivalry since 1979*, London: I.B. Tauris, p 117; Moin, *Khomeini*, p. 284.

⁹⁰ Dan Fisher (19 February 1989): "Rushdie Issues Apology; Iran Waffles on Accepting", in: *Los Angeles Times*, (last accessed: 17 November 2022), <https://www.latimes.com/archives/la-xpm-1989-02-19-mn-396-story.html>.

⁹¹ *Loc. cit.*

⁹² Cited in: Moin: *Khomeini*, p. 284.

⁹³ The exact date of the announcement in 1989 could not be found.

state hands,⁹⁴ offered a bounty for the killing of Rushdie.⁹⁵ In 1992, the amount promised to the murderer arrived at 2 million dollars⁹⁶ and was raised to 2.5 million in 1997⁹⁷, 2.8 million in 1999⁹⁸ and 3.3 million in 2012.⁹⁹

Four months after the announcement of the fatwa, in June 1989, Ayatollah Khomeini died and other Ayatollahs reaffirmed the fatwa including the new Supreme Leader Ali Khamenei and Ahmad Khomeini, the former Supreme Leader's son who surpassed Khamenei in clerical seniority.¹⁰⁰ Khamenei upheld the fatwa in 1992¹⁰¹ and Ahmad Khomeini, who from 1989 represented Khamenei in the Supreme National Security Council,¹⁰² is quoted in the Israeli Arab-language newspaper *al-Ittiḥād* as saying: "This fatwa is founded on the principles of Islamic teachings. It therefore remains eternally and in place (*abadiyya wa-thābita*)."¹⁰³

Additionally, the fact that the reward promised for killing Rushdie was continually raised by the 15th Khordad Foundation shows that the hardliners inside the Iranian state apparatus continued to hold on to the fatwa. Although the foundation is, as aforementioned, not under direct state control, it is highly unlikely that the 15th Khordad foundation would take such far-reaching steps without at least tacit approval from the Supreme Leader.¹⁰⁴ From what originally most likely constituted a mere product of pragmatic deliberation on the side of Ayatollah Khomeini, the fatwa developed into a marker of the uncompromising anti-imperialist stance of Iran's hardliners.

At the same time, the fatwa became a means for more conciliatory elements of Iran's leadership to signal their aspirations to foster rapprochement with the West. This became clear when the Iranian government – under the more moderately inclined presidents Ali Akbar Rafsanjani (in office 1989–

⁹⁴ Ali A. Saeidi (2004): "The Accountability of Para-Governmental Organizations (bonyads): The Case of Iranian Foundations", *Iranian Studies* 37/3, p. 485.

⁹⁵ Reuters (13 August 2022): "Iran's hardline newspapers praise Salman Rushdie's attacker", in: *Reuters*, (last accessed: 17 November 2022), <https://www.reuters.com/world/irans-hardline-newspapers-praise-salman-rushdies-attacker-2022-08-13/>.

⁹⁶ Al-Ittiḥād (4 November 1992): "Ilghā' fatwā al-Khumaynī – miliyūnan Dūlār li-man yaqtulu Salmān Rushdī!", in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1992/11/04/01/article/46/?srpos=9&e=-----en-20--1-byDA-img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----0>, p. 6.

⁹⁷ Vatanka: *The Battle*: p. 117.

⁹⁸ Al-Ittiḥād (1 March 1999): "Ḥamlat jam' 'tabarru'āt' fi Īrān li-tamwīl iḡhtiyāl Salmān Rushdī!", in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1999/03/01/01/article/68/?srpos=23&e=-----en-20--21--img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----1>, p. 20.

⁹⁹ Wilson Center: "Part 2".

¹⁰⁰ Vatanka: *The Battle*, p. 61.

¹⁰¹ *Ibid*, p. 117.

¹⁰² AP News (14 November 1989): "Khamenei Names Ahmad Khomeini to National Security Council", in: *AP News*, (last accessed: 17 November 2022), <https://apnews.com/article/935b528e18747fd23a47fe3b024c9099>.

¹⁰³ Al-Ittiḥād: "Aḥmad Khomaynī", p. 8.

¹⁰⁴ Vatanka: *The Battle*, p. 117.

1997) and Mohammed Khatami (in office 1997–2005) – tried to backpedal on the fatwa so as not to impede the possibility of better relations with the West.¹⁰⁵ In 1995, the Iranian foreign minister assured the European Community that Teheran would not take any steps, neither clandestinely nor openly, to execute Khomeini’s fatwa.¹⁰⁶ In reaction, however, the Iranian newspaper *Kayhān* published a strongly worded criticism of this pledge, stating that “it will not be Iranian diplomats who will kill Rushdie but *mujāhidūn* and revolutionaries (*thuwwār*), especially those present in the West.”¹⁰⁷ Rafsanjani, for his part, tried to deflect criticism for the aforementioned raise in bounty in 1997 with the argument that the 15th Khordad foundation was not part of the Iranian state.¹⁰⁸

Likewise during the ruling period of Rafsanjani’s successor, Khatami, this disagreement on Iranian foreign policy between the government wishing to increase ties with the West, on the one hand, and the more hawkish faction on the other, continued to manifest itself – among other things – in relation to the fatwa against Rushdie. In September 1998, the Iranian foreign minister Kamal Kharrazi declared that the Iranian government would not undertake nor encourage any action that would endanger the life of Rushdie and that it was not in support of any reward for such a deed.¹⁰⁹ As a consequence, Britain and Iran re-established their diplomatic relations and at least partly due to this step – another one being the government’s expression of regret for the hostage taking in the US embassy 1979¹¹⁰ – the US lifted Iran’s designation as a state sponsor of terrorism.¹¹¹ In return, the US acknowledged their own role in the coup against Prime Minister Mohammad Mossadegh in 1953.¹¹² Shortly thereafter, however, the hardliners hit back as intelligence services arrested around a dozen Iranian Jews, accusing them of spying for Israel. The operation was interpreted as a signal of Khomeini’s rejection of the detente with the West.¹¹³ In 1999, the 15th Khordad Foundation raised the bounty again. While Khatami once more declared that he “considered the issue of Salman Rushdie

¹⁰⁵ *Ibid*, p. 117, 133–134.

¹⁰⁶ Al-Ittiḥād (19 June 1995): “‘al-Thuwwār’ al-Īrāniyūn lan yakhtallū ‘an qatl al-kātib Salmān Rushdī!”, in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1995/06/19/01/article/29/?srpos=22&e=---en-20--21--img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----1>, p. 6.

¹⁰⁷ Cited in: *Loc.Cit*.

¹⁰⁸ Vatanka: *The Battle*, p. 117.

¹⁰⁹ Al-Ittiḥād (25 September 1998): “Īrān tatakhallā ‘an al-mukāfa’a al-mu’alīna li-qatl Salmān Rushdī”, in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/1998/09/25/01/article/11/?srpos=18&e=---en-20--1--img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----0>, p. 1.

¹¹⁰ Sina Azodi (4 March 2022), “The president’s time: How US-Iran relations are out of sync”, in: *Middle East Institute*, (last accessed: 17 November 2022), <https://www.mei.edu/publications/presidents-time-how-us-iran-relations-are-out-sync>.

¹¹¹ Vatanka: *The Battle*, p. 138.

¹¹² Azodi: “The president’s time”.

¹¹³ Vatanka: *The Battle*, p. 138.

to be closed”¹¹⁴ in June 2001, it was the political fallout of the 9/11 attacks that settled the issue in the hardliners’ favour. With 9/11 and the changing approach of the Bush administration towards Iran and the Middle East in general, thereby designating Iran as part of the so-called “Axis of Evil”, Iranian attempts at reforming their foreign policy came to a grinding halt¹¹⁵ and the fatwa and the bounty remain in place. In 2009, IRNA, the official news channel of the Iranian government reissued the fatwa verbatim¹¹⁶ and at least since 2017, Khamenei’s homepage has stated as much in English:

“Question: As you know, the enemies of Islam are trying to bring to attention, once again, to the name of that cursed liar Salman Rushdie, particularly, at the Frankfurt exhibition: in order to humiliate the historical fatwa and the personality of Late Imam Khomeini (ra).

Meanwhile, the non-Islamic and invalid violent actions by Takfiri groups, who falsely introduce their satanic acts as Islamic decrees, have led to the creation of a distorted and violent image of Islam. Henceforth, we would like to ask our Wali al-Faqih and our Marja’ — given the above mentioned facts — is the fatwa on the irtidad (apostasy from Islam) of the cursed liar Salman Rushdie still in effect? What is a Muslim’s duty in this regard?

Answer: The decree is as Imam Khomeini (ra) issued.”¹¹⁷

¹¹⁴ Al-Ittiḥād (6 June 2001): “Khatāmī: Qaḍiyya Salmān Rushdī yajibu i’tibāruhā muntahiyya”, in: *al-Ittiḥād*, (last accessed: 17 November 2022), <https://www.nli.org.il/en/newspapers/alittihad/2001/06/06/01/article/53/?srpos=16&e=-----en-20--1--img-txIN%7ctxTI-%d8%b3%d9%84%d9%85%d8%a7%d9%86+%d8%b1%d8%b4%d8%af%d9%8a-----1>, p. 12.

¹¹⁵ Azodi: “The president’s time”.

¹¹⁶ Wahied Wahdat-Hagh (20 February 2009): “Iranische Politiker fordern die Hinrichtung von Salman Rushdie”, in: *Die Welt*, (last accessed: 17 November 2022), <https://www.welt.de/debatte/kolumnen/Iran-aktuell/article6061708/Iranische-Politiker-fordern-die-Hinrichtung-von-Salman-Rushdie.html>.

¹¹⁷ Anonymous: “Ayatollah Khamenei’s fatwa”. Bold formatting of the original was not adopted here.

Underlying causes and long-term impact of the affair

Meanwhile, outside Iran, the furore the book and the fatwa caused are not solely explainable by the mere reference to an insult to individual religious convictions. While this does not mean that the anger about the book was not genuine, the Rushdie affair served as a catalyst for broader aspirations related to the advancement of political interests and the consequences of attempts at both an individual as well organisational level at reasserting religious identity in an increasingly globalised and westernized world. Discarding analytically unsatisfactory and ultimately dangerous notions of a civilizational conflict between “Islam and the West”, most scholars see the underlying reason for the anger the book evoked in a particular form of Islamic religiosity and identity that defined itself in opposition to the West and that by the 1980s had spread both in the Islamic world as well as among European Muslims.

From the end of the 1960s and especially the early 1970s, the Islamic world saw the proliferation of a new form of Islam that was defined by its social activism. Funded largely by Saudi Arabia for the purposes of curbing the spread of socialism as well as the influence of post-revolutionary Iran, this form of Islam was largely a reaction to the proliferation of Western conceptions of gender relations, the subordinate role of religion in politics and increasingly also society, as well as the impact of a general trend towards individualism and neo-liberalism and the consequent withdrawal of the state from society. The resulting societal rifts with poverty on the one side and Western-style consumerism on the other, coupled with the widespread perception of the West’s purportedly undue political influence – not least in relation to Western support for Israel and unpopular governments of Muslim countries – bred resentment in wide parts of the Islamic world and helped to propel the conviction that “Islam is the solution” (*Islām huwa al-ḥall*).¹¹⁸ Islam therefore came to assume the role of a political programme as well as the expression of an identity that stood in opposition to the *status quo*, which was characterised in the eyes of many by increasing Western influences in most aspects of social, economic and political life.

A similar dynamic has been observed in Europe. The reasons for this are likewise manifold. The first reason lies in the fact that protests were deliberately stoked by community leaders, whose standing

¹¹⁸ On more detailed accounts of this development, see for example: Leila Ahmed (2011): *A Quiet revolution: The Veil’s resurgence from the Middle East to America*, New Haven: Yale University Press, p. 46–446; James P. Piscatori (1991): *Islam in a World of nation States*, Cambridge: Cambridge University Press, p. 22–39 and Kepel: *Jihad*, p. 23–80.

opposite state authorities and thus their possibility to acquire funding for the community and influence for themselves within the community is a function of the public influence which the respective community exerts. The second reason is that different Islamic organisations, such as Deobandi networks and the Jamaat-e-Islami in the UK, as well as states such as Iran and Saudi Arabia were vying for influence over Muslims abroad and thus supported different organisations in order to increase their influence within the European Muslim communities.¹¹⁹ The third, and perhaps most important reason for the profound impact of *The Satanic Verses*, however, lies deeper.

By the late 1980s, the second generation of Muslim migrants had come of age in Europe. Born and raised in the West, they were generally better educated and rooted in the language and culture of their countries of birth than their parents. As the culture of their parents' homelands became increasingly foreign and unalluring, these young people manifestly perceived themselves *not* to be a part of the majority population either. Faced with discrimination, open racism and stigmatisation based on their ancestry as well as increasingly also their religion in day-to-day life, becoming part of the host society began to appear illusory. Meanwhile, the host states preached tolerance, freedom and equal rights, yet failed to ensure and indeed live up to these principles, appearing increasingly hypocritical in the process.¹²⁰ In case of France and the UK in the late 1980s, these allegations of hypocrisy were fuelled by the recent sinking of the Greenpeace ship *Rainbow Warrior* by French agents of the Direction Générale de la Sécurité Extérieure (DSGE), which New Zealand's transport secretary described as an act of terrorism,¹²¹ and the attempt to stop the sale of the book *Spycatcher* in the UK, for revealing government secrets, while refusing to at least attempt to ban Rushdie's novel a few years later.¹²² Combined with blasphemy laws in the UK –which, until 2008, only addressed offences against Christianity¹²³ – the blaring incongruences between a self-image that was all too often used in a self-congratulatory fashion to set apart the “West from the rest” on the one side, and social and political realities on the other, ultimately led many from among the younger generation to search for their identities elsewhere.

¹¹⁹ Malik: *From Fatwa to Jihad*, *passim*; Kepel: *Jihad*, p. 185–202.

¹²⁰ On this see: Roy: *Globalised Islam*, *passim*; Kepel: *Jihad*, p. 185–202 and Malik: *From Fatwa to Jihad*, *passim*.

¹²¹ Paul Brown, Rob Evans (23 August 2005): “How *Rainbow Warrior* was played down”, in: *The Guardian*, (last accessed: 17 November 2022), <https://www.theguardian.com/politics/2005/aug/23/uk.freedomofinformation>.

¹²² On *Spycatcher* and the *Rainbow Warrior* see especially: James Piscatori (1990): “The Rushdie Affair and the Politics of Ambiguity”, *International Affairs* 66/4, p. 780.

¹²³ Malik: *From fatwa to Jihad*, p. 156–161.

Whether one ascribes to Roy's model of five layers of identity which were in tensions with each other,¹²⁴ Kepel's somewhat simpler contention that young Muslims in the late 1980s were torn between the culture of the host country and the country of the original homeland of their parents,¹²⁵ or Malik's claim that young people from migrant families were in fact "caught between no cultures"¹²⁶, the conclusion is the same. Young people from migrant families could not shed their status as migrants, yet did not necessarily ascribe to the values and traditions of their respective ethnic communities either. The only thing that appeared to genuinely encapsulate both their difference as migrants as well as their residual attachment to their ethnic communities, was religion – in many, if not most cases, Islam. Speaking about general religious trends in the West, Roy sums up the effects of this process:

"The process of re-Islamisation or re-Christianisation, especially in its preaching dimension (usually towards those coreligionists who are not born-again), is a process of drawing lines between true believers and the rest of the world. Muslims and Catholics tend to see themselves increasingly as members of a specific insecure and inward looking community, obsessed by its own frontiers, rather than as members of universal religions well-entrenched in given societies and cultures."¹²⁷

This phenomenon has been described by Eickelman and Piscatori as the "objectification of Islam"¹²⁸, by which they refer to the process of Islam turning into a describable, definable, all-encompassing system or programme, distinct from other religious traditions. Islamic identity and especially its public enactment therefore becomes inherently political.¹²⁹ The political quality of this act does not lie in the adherence to a concrete political ideology or movement, nor in demands for the implementation of an Islamic state as in the case of Islamism or Political Islam, but in the sense that adhering to Islam – especially in its outwards appearance – increasingly became a manifestation and reiteration of one's own "otherness". The corollary effect of this is of course that the religious sphere became a forum for voicing political grievances. Every attack against Islam – and be it only a perceived

¹²⁴ Roy: *Globalised Islam*, p. 117.

¹²⁵ Kepel: *Jihad*, p. 193.

¹²⁶ Malik: *From Fatwa to Jihad*, p. 103.

¹²⁷ Roy: *Globalised Islam*, p. 36.

¹²⁸ Dale Eickelmann, James Piscatori (1996): *Muslim Politics*, Princeton: Princeton University Press, p. 42.

¹²⁹ Eickelman: *Muslim Politics*, p. 37–45.

offence – now became seen as another hostile act of the host society against the supposedly embattled Muslim minority community and thus served as a crystallization point around which individual grievances and anger transformed into collective action. In this light, the underlying reason for the Rushdie affair at least in the West, was, generally speaking, “not theological distress about blasphemy but political despair about belongingness and identity that stoked up anti-Rushdie sentiments.”¹³⁰

¹³⁰ Malik: *From Fatwa to Jihad*, p. 95.

Conclusion

In the preceding four chapters, we have attempted to give an overview of the Rushdie affair, its causes and, taking Ayatollah Khomeini's fatwa against Rushdie as starting point, a short elaboration on the characteristics of a fatwa. Contrary to some of the misconceptions about fatwas transpiring in the context of the controversy around *The Satanic Verses*, a fatwa in and of itself is neither a death sentence nor is it necessarily only a mere opinion. Moreover, a fatwa does not automatically lose its validity with the death of the *mujtahid* or mufti who issued it. The fatwa in question was issued by Ayatollah Khomeini, one of the highest Shi'ite legal scholars of his generation, and upheld by his successor, Ayatollah Khamenei, both claiming to be the rightful political leader of the *umma* in the absence of the imam. For their followers, the fatwa therefore had and retains an authority that exceeds the bindingness of a simple opinion. While it is true that in Twelver Shi'ite Islam, it is not considered legitimate to follow the ruling of a *mujtahid* whom one has not followed prior to his death, the fatwa – being upheld by Khomeini's successor and other scholars – thus nevertheless remains valid.

At the same time, the importance of the fatwa should not be overstated. The protests against the novel predated the fatwa by several months and while Khomeini was a widely respected figure in the Islamic world, outside Iran and the rest of the realm of the Twelver Shi'a, this respect was first and foremost a function of his political position and success and only then of his scholarly erudition. Likewise, the protests were not the outcome of a "clash of civilizations", as some authors seem to suggest. The fact that Rushdie faced such a backlash is a manifestation of an identity crisis among many Muslims worldwide. While the immediate reasons for this crisis vary between individuals, countries as well as between Muslims in the Islamic world and in the West, the results are very much alike. Islam ceased to be a given, unquestioned, part of collective identity, upheld on a broad scale more by custom and tradition than by learning, and increasingly became a narrowly defined yet comprehensive counter model to Western modernity.

By interpreting the world in such an antagonistic fashion from a self-ascribed position of political inferiority, every act interpreted as an insult on Islam is perceived not as an isolated transgression but as another manifestation of a perennial Western enmity towards Islam which countless Muslims across the world came to feel in their individual lives on a daily basis. Generally speaking, herein lies the reason for the scale and, more often than not, the violence of the controversy surrounding *The*

Satanic Verses and similar affairs – be it in the case of Theo van Gogh’s and Ayaan Hirsi Ali’s film *Submission* in 2004, the Danish cartoon controversy of 2005 or the Charlie Hebdo cartoon controversy of 2012, to name just a few. As abhorrent as the threats and the violence they evoked are, all these affairs can be understood as the result of a widely felt shared frustration, aggregated at an individual level, erupting over a collectively felt insult and additionally stoked by political actors. These cynical attempts to exploit concerted expressions of anger become apparent in the Iranian political response to the protests surrounding Rushdie’s novel. For Iran’s political hardliners, the whole affair was and continues to be an opportunity to uphold and reiterate their anti-imperialist credentials by keeping the whole issue unresolved as such, if nothing more.

While the certainly inexcusable threats as well as the violence directed against Rushdie and other people associated with the novel therefore may very well have been influenced by Ayatollah Khomeini’s fatwa, it would be analytically reductive to explain the whole controversy around *The Satanic Verses* with the impact of the fatwa or assumptions of the irremediable anti-Western or anti-modern character of Islam. Instead, the protests following the publication of *The Satanic Verses*, as well as subsequent periodic eruptions of public anger ultimately reflect the manifestation of a particular exclusivist form of religious group identity that has made inroads among Muslims in the West, as well as in the Islamic world over the course of the 20th century.

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Report