

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: SYR17658
Country: Syria
Date: 22 November 2005

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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

1. What is the situation for Christian converts in Syria?
2. Do they face harm from the authorities or from other people?
3. If from other people, would the authorities be able, or willing, to provide protection?
4. What is the situation for a sculptor within Islam?
5. Are they restricted from making representations of human forms?
6. What would be the consequences of them doing so?
7. Anything else you feel might be relevant.

RESPONSE

1. What is the situation for Christian converts in Syria?
2. Do they face harm from the authorities or from other people?
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RRT Country Research has recently completed a research response addressing these questions, and this is supplied as Attachment 1 (RRT Country Research 2005, *Research Response SYR17641*, 31 October – Attachment 1).

4. What is the situation for a sculptor within Islam?
5. Are they restricted from making representations of human forms?
6. What would be the consequences of them doing so?
7. Anything else you feel might be relevant.

Executive Summary

A definitive statement on the situation of sculptors within Islam is difficult to make owing to the diversity of the theological and cultural practices which Islam has engendered in this regard. The representation of the human figure in a religious context has been broadly discouraged by the Muslim faith throughout history; and this has sometimes led to the

marginalization of even secular figurative work and of the medium of sculpture in particular. Certain interpretations of the Muslim faith have censored such practices absolutely and sometimes violently (such as was the case under the Taliban regime in Afghanistan). This has not, however, been the case always and everywhere. For some Muslim communities, non-religious representations of the human form are acceptable; and even representations of the Prophet are not unknown to history (for theological and historical information on Islam and the representation of the human figure, see: Saoud, Rabah 2004, 'Introduction to Muslim Art', Muslim Heritage website, July <http://www.muslimheritage.com/uploads/MuslimArt.pdf> – Accessed 19 November 2005 – Attachment 2; Flood, F.B. 2002, 'Between cult and culture: Bamiyan, Islamic iconoclasm, and the museum – Afghanistan', FindArticle website, source: *Art Bulletin*, December http://www.findarticles.com/p/articles/mi_m0422/is_4_84/ai_95679863/print – Accessed 22 November 2005 – Attachment 3; and: Lejeune, J. (undated), 'An Introduction to Islamic Art and Architecture', University of California, Santa Barbara – Center for Middle East Studies website http://www.cmes.ucsb.edu/egypt_seminar/lejeune/intro_islamic_art.pdf – Accessed 17 November 2005 – Attachment 4).

As regards the present situation of sculptors in Muslim Syria, little information is available. Nonetheless, the little country information at hand in this regard suggests that sculptors working in Syria are not prohibited by government authorities from sculpting human forms; reports on recent sculpture exhibits make no reference to any attendant controversy. No country information could be located which addressed the question of whether, or not, Syrian sculptors have been in any way harassed by members of the Islamic community who could, conceivably, be offended by the sculpture of the human figure. Nonetheless, as is noted in the country information provided in *Research Response SYR17641*, Syria is generally recognized as a relatively secular and tolerant state (for recent reports which refer to the present practice of anthropomorphic sculpture in Syria, see: Farah, S. 2004, 'Which label fits better: "Arab art" or simply "art"?', *Christian Science Monitor*, 30 July <http://www.csmonitor.com/2004/0730/p13s01-alar.html> – Accessed 19 November 2005 – Attachment 5; and: Derderian, M. 2004, 'Disfiguring life upon canvas', *The Star*, 5 January – Attachment 6).

A discussion of the source material, which informs the Executive Summary above, follows below.

Overview of Available Source Materials

Dr Rabah Saoud, of the UK based Foundation for Science, Technology and Civilisation (FSTC), states, in his 'Introduction to Muslim Art', that a "decisive factor dictating the nature of Muslim art is the religious rule that discourages the depiction of human or animal forms". In his footnote to this statement, Dr Saoud observes that this rule does not consistently manifest itself within every school of the Muslim faith and that "Muslim scholars have different views on this matter"; noting that "[s]ome of them, especially from the Shia school of thought permit the imaging of living beings". According to Dr Saoud, "no reference to [the] prohibition [of such practices] is [to be] found in the Qur'an", but some contend that "a number of authentic sayings of the Prophet (pbuh) did forbid them"; noting, as an example of this, "the Hadith reported by Muslim who narrated that Ibn Abbas: 'I heard the messenger of Allah saying: "All those who paint pictures will be in the Fire of Hell. The soul will be breathed in every picture by them and it punishes them in Hell.'" (Narrated by Muslim)". Dr Saoud states that, "[i]n the early days of Islam, sculpture and imagery were seen as reminders

of the despised idolatrous past of the Muslims”; and that, “[t]oday”, the majority of Muslims, still respect this rule”. For more on this, see pages 5, 7 and 15 of Attachment 2 (Saoud, Rabah 2004, ‘Introduction to Muslim Art’, Muslim Heritage website, July <http://www.muslimheritage.com/uploads/MuslimArt.pdf> – Accessed 19 November 2005 – Attachment 2).

In an essay published in *The Art Bulletin*, Finbarr Barry Flood similarly observes that “[t]he opposition to figuration in Islam is based not on Qur’anic scripture but on various Traditions of the Prophet, the Hadith”. Flood continues:

The two principal objections to figuration in the prescriptive texts are a concern with not usurping divine creative powers (12) and a fear of shirk, a term that came to mean polytheism and idolatry but originally meant associating other gods with God. (13) Both suggest a concern with the materialism of worship in non-Islamic traditions (Flood, F.B. 2002, ‘Between cult and culture: Bamiyan, Islamic iconoclasm, and the museum – Afghanistan’, FindArticle website, source: *Art Bulletin*, December http://www.findarticles.com/p/articles/mi_m0422/is_4_84/ai_95679863/print – Accessed 22 November 2005 – Attachment 3).

The Hadith referred to by Saoud appears in Chapter 35 of The Book of Tawheed, which details a number of prohibitions on the representation of the image which are then associated with the evils of worship of graven images (in a manner similar to the prohibition expressed in Exodus 20:4-6). An English translation of Chapter 35 of The Book of Tawheed is supplied as Attachment 7, sourced from The University of Southern California website’s electronic Compendium of Muslim Texts. Some pertinent extracts follow below:

...On the authority of Abul Hayaaj Al-Asadi, it is reported that `Ali (ra) said to him: "Shall I not send you on a mission on which I was sent by Allah's Messenger (saas)? "Do not leave any image without erasing it, nor any elevated grave without leveling it to the ground." (Narrated by Muslim)

Because *Islam* is careful to block all roads to *Shirk*, whether apparent or hidden, ‘Ali Ibn Abi Talib (ra) informs us that the Messenger of Allah (saas) charged him with the task of effacing all of the pictures of living things which he might find and with leveling all of those graves which had edifices or grave stones over them. This he did in order to protect the Muslims' beliefs from the evils of worship of graven images and adoration of graves, because making pictures of living creatures and building over graves leads to their glorification and reverence and attributing to them that, which they do not deserve - that which is for Allah (swt), Alone; and anyone who has travelled throughout the Muslim world will have found such things in profusion - things which make one with correct beliefs shudder and sadden his heart:

Circumambulation of graves in the manner in which the pilgrims circumambulate the Ka'abah, in Makkah; animals sacrificed to the graves' inhabitants instead of their being slaughtered in Allah's Name, supplication of the graves' inhabitants and many other acts of *Shirk* and innovation unknown to the Messenger of Allah (saas), his Companions or the pious generations who came after them.

Benefits Derived From This Narration

1. The obligation to reject that which is detestable.
2. That making images of living creatures is forbidden.
3. That building over graves is forbidden (‘Kitaab At-Tawheed, Chapter: 58’ (undated), University of Southern California, Trans. Sameh Strauch <http://www.usc.edu/dept/MSA/fundamentals/tawheed/abdulwahab/KT1-chap-58.html> – Accessed 22 November 2005 – Attachment 7).

In a 1999 article published in *The Journal of Ideas*, Asli Gocer refers to “the Quranic prohibition against making images” as one possible explanation for the absence of “figural imagery” within the “Islamic visual treasury”. In a footnote to these comments, Gocer states that “[t]he most frequently quoted passages from the Quran are for *post facto* justifications (34.12; 3.42; 5.92; 6.74, e.g.)” (Gocer, A. 1999, ‘A Hypothesis Concerning the Character of Islamic Art’, *Journal of the History of Ideas*, vol.60, no. 4, pp. 683-692 – Attachment 8).

Three alternative translations, for each of the Koran passages identified by Gocer, are provided below, sourced from The University of Southern California website’s electronic Compendium of Muslim Texts.

034.012

YUSUFALI: And to Solomon (We made) the Wind (obedient): Its early morning (stride) was a month’s (journey), and its evening (stride) was a month’s (journey); and We made a Font of molten brass to flow for him; and there were Jinns that worked in front of him, by the leave of his Lord, and if any of them turned aside from our command, We made him taste of the Penalty of the Blazing Fire.

PICKTHAL: And unto Solomon (We gave) the wind, whereof the morning course was a month’s journey and the evening course a month’s journey, and We caused the fount of copper to gush forth for him, and (We gave him) certain of the jinn who worked before him by permission of his Lord. And such of them as deviated from Our command, them We caused to taste the punishment of flaming Fire.

SHAKIR: And (We made) the wind (subservient) to Sulaiman, which made a month’s journey in the morning and a month’s journey in the evening, and We made a fountain of molten copper to flow out for him, and of the jinn there were those who worked before him by the command of his Lord; and whoever turned aside from Our command from among them, We made him taste of the punishment of burning (‘Translations of the Qur’an, Chapter 34: SABA (SABA, SHEBA)’ (undated), University of Southern California website <http://www.usc.edu/dept/MSA/quran/034.qmt.html> – Accessed 22 November 2005 – Attachment 9).

003.042

YUSUFALI: Behold! the angels said: “O Mary! Allah hath chosen thee and purified thee—chosen thee above the women of all nations.

PICKTHAL: And when the angels said: O Mary! Lo! Allah hath chosen thee and made thee pure, and hath preferred thee above (all) the women of creation.

SHAKIR: And when the angels said: O Marium! surely Allah has chosen you and purified you and chosen you above the women of of the world (‘Translations of the Qur’an, Chapter 3: AL-E-IMRAN (THE FAMILY OF ‘IMRAN, THE HOUSE OF ‘IMRAN)’ (undated), University of Southern California website <http://www.usc.edu/dept/MSA/quran/003.qmt.html> – Accessed 22 November 2005 – Attachment 10).

005.092

YUSUFALI: Obey Allah, and obey the Messenger, and beware (of evil): if ye do turn back, know ye that it is Our Messenger’s duty to proclaim (the message) in the clearest manner.

PICKTHAL: Obey Allah and obey the messenger, and beware! But if ye turn away, then know that the duty of Our messenger is only plain conveyance (of the message).

SHAKIR: And obey Allah and obey the messenger and be cautious; but if you turn back, then know that only a clear deliverance of the message is (incumbent) on Our messenger (‘Translations of the Qur’an, Chapter 5: AL-MAEDA (THE TABLE, THE TABLE

SPREAD)' (undated), University of Southern California website <http://www.usc.edu/dept/MSA/quran/005.qmt.html> – Accessed 22 November 2005 – Attachment 11).

006.074

YUSUFALI: Lo! Abraham said to his father Azar: “Takest thou idols for gods? For I see thee and thy people in manifest error.”

PICKTHAL: (Remember) when Abraham said unto his father Azar: Takest thou idols for gods? Lo! I see thee and thy folk in error manifest.

SHAKIR: And when Ibrahim said to his sire, Azar: Do you take idols for gods? Surely I see you and your people in manifest error ('Translations of the Qur'an, Chapter 6: AL-ANAAM (CATTLE, LIVESTOCK)' (undated), University of Southern California

<http://www.usc.edu/dept/MSA/quran/006.qmt.html> – Accessed 22 November 2005 – Attachment 12).

In an essay published in *The Art Bulletin*, Finbarr Barry Flood has observed that the Taliban's “destruction of the monumental rock-cut Buddhas at Bamiyan” has come to “define ‘Islamic iconoclasm’ in the popular imagination”; “reinforcing the widespread notion that Islamic culture is implacably hostile to anthropomorphic art”. Such a notion, argues Flood, “obscures any variation, complexity, or sophistication in Muslim responses to the image”; “anthropomorphic and zoomorphic images [have] proliferated in the secular arts” and, “in the eastern Islamic world, depictions of the prophet Muhammad survive from the thirteenth century on”; “[t]he profusion of figural ornament in every imaginable artistic medium attests that the gap between proscription and practice could be a wide one” (Flood, F.B. 2002, ‘Between cult and culture: Bamiyan, Islamic iconoclasm, and the museum – Afghanistan’, FindArticle website, source: *Art Bulletin*, December http://www.findarticles.com/p/articles/mi_m0422/is_4_84/ai_95679863/print – Accessed 22 November 2005 – Attachment 3).

Similarly, in an essay published on the website of the University of California, Santa Barbara – Center for Middle East Studies website, ‘An Introduction to Islamic Art and Architecture’, Jerri Lejeune notes that Muslim “[s]ecular art...abounds with human figures, as well as animals and plants”; and that “people are mistaken to “think that Islam does not allow representations of the human figure”. According to Lejeune, the prohibition on the making of images is only confined to matters of a religious nature: “Islam, as a religion, does not believe that Allah can be represented as a human being; nor does it promote figural representations of Mohammed or other saintly persons inside mosques”. Dr. Semra Germaner, of Mimar Sinan University's Head of Department of Art History, writes similarly in his discussion of Turkish art, noting that: “[a]fter the acceptance of Islam, sculpture with religious quality and worship purposes were prohibited”; and that “[s]ince there was no prohibition against description of non-religious nature, it was especially possible to realize stylized plant, animal and human sculptures in Seljuk art” (Lejeune, J. (undated), ‘An Introduction to Islamic Art and Architecture’, University of California, Santa Barbara – Center for Middle East Studies website http://www.cmes.ucsb.edu/egypt_seminar/lejeune/intro_islamic_art.pdf – Accessed 17 November 2005 – Attachment 4; Germaner, Semra (undated), ‘Turkish Sculpture’, Museum of Turkey website <http://sanat.bilkent.edu.tr/interactive.m2.org/Sculpture/sGermaner.html#anchor22605> – Accessed 18 November 2005 – Attachment 13).

The Christian Science Monitor has recently reported on the staging of “Syria's first international sculpture symposium”. The report notes of one participant, Monkith Saaid, an

Iraqi sculptor, that his “studio, in a suburb of Damascus, is peopled with weightless and soaring human forms in bronze”. In January 2004, *The Star* reported on an exhibition which featured the work of a Syrian sculptor, Mohammad Omran: “[e]ighteen bronze sculptures in various sizes and forms reflect Omran’s theme that revolved around the human figure”. The report states that “Omran...was born in Damascus and has a BA of Fine Arts in Sculpting and is a lecturer at the faculty of Fine Arts” (Farah, S. 2004, ‘Which label fits better: “Arab art” or simply “art”?’ , *Christain Science Monitor*, 30 July <http://www.csmonitor.com/2004/0730/p13s01-alar.html> – Accessed 19 November 2005 – Attachment 5; Derderian, M. 2004, ‘Disfiguring life upon canvas’ , *The Star*, 5 January – Attachment 6).

List of Sources Consulted

Internet Sources:

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US Department of State website <http://www.state.gov>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>

Human Rights Watch (HRW) website <http://www.hrw.org/>

International News & Politics

BBC News (World Edition) website <http://news.bbc.co.uk/>

The Christian Science Monitor website <http://www.csmonitor.com>

Region Specific Links

Syria Art – Syrian Artists Directory website <http://www.syriaart.com/>

Topic Specific Links

Catholic News Service website <http://www.catholicnews.com>

Islamic Art and Architecture Organisation website <http://www.islamicart.com/>

Muslim Heritage website <http://www.muslimheritage.com>

Search Engines

Google search engine <http://www.google.com.au/>

StaggerNation website’s Google API Proximity search engine

University Sites

University of California, Santa Barbara – Center for Middle East Studies website

<http://www.cmes.ucsb.edu/>

University of Southern California website <http://www.usc.edu/>

<u>Databases:</u>		
Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

List of Attachments

1. RRT Country Research 2005, *Research Response SYR17641*, 31 October.

2. Saoud, Rabah 2004, 'Introduction to Muslim Art', Muslim Heritage website, July. (<http://www.muslimheritage.com/uploads/MuslimArt.pdf> – Accessed 19 November 2005)
3. Flood, F.B. 2002, 'Between cult and culture: Bamiyan, Islamic iconoclasm, and the museum – Afghanistan', FindArticle website, source: *Art Bulletin*, December. (http://www.findarticles.com/p/articles/mi_m0422/is_4_84/ai_95679863/print – Accessed 22 November 2005)
4. Lejeune, J. (undated), 'An Introduction to Islamic Art and Architecture', University of California, Santa Barbara – Center for Middle East Studies website. (http://www.cmes.ucsb.edu/egypt_seminar/lejeune/intro_islamic_art.pdf – Accessed 17 November 2005)
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7. 'Kitaab At-Tawheed, Chapter: 58' (undated), University of Southern California, Trans. Sameh Strauch. (<http://www.usc.edu/dept/MSA/fundamentals/tawheed/abdulwahab/KT1-chap-58.html> – Accessed 22 November 2005)
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12. 'Translations of the Qur'an, Chapter 6: AL-ANAAM (CATTLE, LIVESTOCK)' (undated), University of Southern California. (<http://www.usc.edu/dept/MSA/quran/006.qmt.html> – Accessed 22 November 2005)
13. Germaner, Semra (undated), 'Turkish Sculpture', Museum of Turkey website. (<http://sanat.bilkent.edu.tr/interactive.m2.org/Sculpture/sGermaner.html#anchor22605> – Accessed 18 November 2005)