

# WebMemo



Published by The Heritage Foundation

No. 2042  
September 2, 2008

## Textbook Appeasement: The State Department and the Islamic Saudi Academy

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Pop quiz: Murder is permissible if the victim is:

- (a) An apostate
- (b) An adulteress
- (c) A polytheist
- (d) All of the above

If you answered (d), then you are either a hardened Islamist hunkered down for a last stand in Mosul or a twelfth-grade student at the Islamic Saudi Academy (ISA) in Arlington, Virginia. While the above quiz is fictional, it reflects the actual teachings of some of the textbooks used at the ISA.

As a result of the violent exhortations contained in ISA textbooks, Fairfax County has appealed directly to the U.S. Department of State for assistance in determining whether ISA's curriculum is "offensive to the interests of the United States."<sup>1</sup> So far, the State Department has refused to intervene, claiming it lacks jurisdiction.<sup>2</sup>

Under the Foreign Missions Act (FMA), the State Department has an *obligation* to review the ISA's textbooks and determine whether such texts contain violent teachings which would run "contrary to protection of the interests of the United States."<sup>3</sup>

**A Violent Curriculum.** In 2007, the U.S. Commission on International Religious Freedom (USCIRF)—the independent, bipartisan federal agency mandated to recommend policies promoting religious freedom in U.S. foreign policy—launched an investigation into language contained in official Saudi textbooks used at the ISA. Although Saudi

officials eventually provided the State Department with copies of ISA textbooks, the State Department has so far refused to issue a statement on the content of the materials, let alone make the texts public.<sup>4</sup>

Nevertheless, USCIRF was able to independently obtain several copies of ISA textbooks. The contents were troubling, as USCIRF's June 11 report documented with the following two representative examples:

- "In a twelfth-grade *Tafsir* ([Quranic] interpretation) textbook, the authors state that it is permissible for a Muslim to kill an apostate (a convert from Islam[to another religion]), an adulterer, or someone who has murdered a believer intentionally: 'He (praised is He) prohibits killing the soul that God has forbidden (to kill) unless for just cause...' Just cause is defined as 'unbelief after belief, adultery, and killing an inviolable believer intentionally.'"<sup>5</sup>
- "A twelfth-grade *Tawhid* (monotheism) textbook states that '[m]ajor polytheism makes blood and wealth permissible,' which in Islamic legal terms means that a Muslim can take the life and property of someone believed to be guilty of this alleged transgression with impunity."<sup>6</sup>

This paper, in its entirety, can be found at:  
[www.heritage.org/Research/MiddleEast/wm2042.cfm](http://www.heritage.org/Research/MiddleEast/wm2042.cfm)

Produced by the Douglas and Sarah Allison  
Center for Foreign Policy Studies

Published by The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002-4999  
(202) 546-4400 • [heritage.org](http://heritage.org)

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ISA officials charge that alarm over the contents of students' textbooks is being fueled by mistranslation and misinterpretation.<sup>7</sup> However, if the above-cited passages contained non-violent nuances lost in translation, why don't the ISA and the State Department publicize all Arabic language textbooks currently in use at the ISA? Instead, neither organization has complied with USCIRF's request for full public disclosure.

**USCIRF Recommendations.** Noting that "significant concerns remain about whether what is being taught at the ISA promotes religious intolerance and may adversely affect the interests of the United States," USCIRF issued several recommendations, including:<sup>8</sup>

If, at the conclusion of the 90-day period, [Secretary of State Condoleezza Rice] ha[s] failed to secure the release of the textbooks, or receive texts whose pages are missing or ripped out, then [Rice] should immediately commence action under the [FMA] on the ground that non-diplomatic activities of the ISA cannot be conducted by and through an embassy and because significant concerns re-

main about whether what is being taught at the ISA promotes religious intolerance and may adversely affect the interests of the United States.<sup>9</sup>

The U.S. Congress has also taken action in support of USCIRF's recommendations: Several U.S. senators sent a letter to Rice<sup>10</sup> urging her to adopt many of USCIRF's recommendations, including the need to take action under the FMA, and the House of Representatives has introduced a resolution supporting USCIRF's findings.<sup>11</sup>

**Request for Federal Intervention.** Although initially opposed to USCIRF's proposed federal intervention, Fairfax County is now seeking State Department assistance in determining whether material contained in ISA textbooks constitutes a violation of the school's lease. In a June 23 letter to Rice, Fairfax County chairman Gerry Connolly explained that "as a local government entity, Fairfax County is not capable of determining whether textbooks, written in Arabic, contain language that promotes violence or religious intolerance, or is otherwise offensive to the interests of the United States."<sup>12</sup>

1. Gerald E. Connolly, Fairfax County Chairman, letter to The Honorable Condoleezza Rice regarding the existing lease between the Royal Embassy of Saudi Arabia and the Fairfax County Board Supervisors for the Islamic Saudi Academy, June 23 2008, at <http://www.investigativeproject.org/documents/misc/137.pdf> (July 21, 2008).
2. Tom Casey, Deputy Spokesman, "Daily Press Briefing," U.S. Department of State, June 24, 2008, at <http://www.state.gov/r/pa/prs/dpb/2008/jun/106226.htm> (July 25, 2008). See also: Patrick Poole, "Virginia's Islamic Academy on Shaky Legal Ground," June 27, 2008, at <http://pajamasmedia.com/blog/islamic-saudi-academy-on-shaky-legal-ground> (August 22, 2008); Monty Tayloe, "State Dept. Stands Aside," *Fairfax County Times*, July 23, 2008, at <http://www.fairfaxtimes.com/news/2008/jul/23/state-dept-stands-aside> (August 22, 2008).
3. Foreign Missions Act, 22 U.S.C. § 4301-4316, 4301 (1982).
4. United States Commission on International Religious Freedom, Saudi Arabia: USCIRF Confirms Material Inciting Violence, Intolerance Remains in Textbooks Used at Saudi Government's Islamic Saudi Academy, June 11, 2008, at [http://www.uscirf.gov/index.php?option=com\\_content&task=view&id=2206&Itemid=1](http://www.uscirf.gov/index.php?option=com_content&task=view&id=2206&Itemid=1) (July 21, 2008).
5. *Ibid.*
6. *Ibid.*
7. Press release, "Statement from the Islamic Saudi Academy in Response to the U.S. Commission on International Religious Freedom," Islamic Saudi Academy, June 13, 2008, at <http://www.saudiacademy.net/html/pressrelease1.html> (July 21, 2008).
8. USCIRF Saudi Arabia, "Confirms Material Inciting Violence."
9. *Ibid.*
10. Senator Jon Kyl *et al.*, United States Senators, letter to The Honorable Condoleezza Rice, November 15, 2007, at <http://www.investigativeproject.org/documents/misc/138.pdf> (July 21, 2008).
11. Expressing the sense of Congress regarding Saudi Arabia's policies relating to religious practice and tolerance, including Saudi Arabia's commitment to revise Saudi textbooks to remove intolerant and violent references, H.Con.Res.262, 110th Cong., 1st Sess., at <http://www.govtrack.us/congress/billtext.xpd?bill=hc110-262> (July 21, 2008).

Subsequently, citing directly from the FMA, Connolly formally requested specific direction from the State Department, noting that it is the secretary of state who “may require any foreign mission to divest itself of, or forgo the use of, any real property determined by the Secretary to be otherwise necessary to protect the interests of the United States. 22 U.S.C.A. § 4305(b) (2004).” Indeed, even the lease itself is “contingent to and subject to the approval of the United States Department of State.”<sup>13</sup>

Yet, despite Fairfax Country’s appeal, as well as repeated requests from Rep. Frank R. Wolf (R–VA), the State Department has failed to pursue the case.

**A Saudi Foreign Mission.** A close examination of the ISA demonstrates that the school is subject to the terms of the FMA. Precedential case law and established rules of statutory interpretation mandate that the secretary of state may declare that the ISA is a foreign mission of the Kingdom of Saudi Arabia and, if operating against the interests of the United States, may be closed. Although the secretary is not obligated to make such a politically uncomfortable determination, she retains clear authority to do so. Previously, Secretary of State George Shultz used the authority of the FMA to exercise jurisdiction over the Palestine Information Organization,<sup>14</sup> and Secretary of State Rice has similar authority. Indeed, the authority of the secretary of state to apply to the FMA extends far beyond traditional embassies and consulates to “entit[ies] in the United States... [that are] substantially owned or effectively controlled by... a foreign government.”<sup>15</sup>

The evidence in favor of such a determination is overwhelming:

- The Islamic Saudi Academy is the only school in the United States that operates with the direct authority of the Royal Embassy of Saudi Arabia;

- The ISA operates on two northern Virginia properties owned or leased by the Royal Embassy of Saudi Arabia, with property being leased by “the Royal Embassy of Saudi Arabia d/b/a [doing business as] the Islamic Saudi Academy”;
- The ISA shares the Saudi embassy’s IRS employer identification number;
- Saudi Arabia’s ambassador to the U.S. is the chairman of the ISA’s board of directors;
- ISA is funded by the government of Saudi Arabia; and
- ISA used the government of Saudi Arabia’s curriculum, syllabus, and materials for all classes taught in Arabic.<sup>16</sup>

Subsequently, based on the powers granted to the secretary of state through the FMA, the State Department has jurisdiction to regulate the ISA.

Having established the ISA’s status as a foreign mission, under the FMA the secretary retains the discretion to determine how to engage the ISA:

The treatment to be accorded to a foreign mission in the United States shall be determined by the Secretary after due consideration of the benefits, privileges, and immunities provided to missions of the United States in the country or territory represented by that foreign mission, *as well as matters relating to the protection of the interests of the United States.*<sup>17</sup>

The ISA’s clear status as a foreign mission publishing and distributing textbooks advocating violent attacks in direct contravention to U.S. national security interests provides a clear mandate for the State Department to respond proactively to Fairfax County’s request for assistance. Although there may be other considerations that weigh in favor of inaction—such as potential diplomatic retaliation or

12. Connolly, letter to The Honorable Condoleezza Rice.

13. *Ibid.*

14. *Palestine Information Office, et al., v. Shultz*, 853 F.2d 932 (1998).

15. Congressional Research Service Report for Congress, Legislative Attorney, American Law Division, letter to Rep. Frank R. Wolf (R–VA) regarding the Potential Application of the Foreign Missions Act to the Islamic Saudi Academy, July 28, 2008, at <http://wolf.house.gov/uploads/7.28.08-Foreign%20Missions%20Act-ISA.pdf> (August 8, 2008).

16. USCIRF Saudi Arabia, “Confirms Material Inciting Violence.”

17. Foreign Missions Act, § 4301 (emphasis added).

forced closure of American missions overseas—the protection of Americans must remain the government’s paramount priority.

The State Department’s assurance that it will “continue to work with the Saudis on this issue”<sup>18</sup> is insufficient. The problems should be corrected or the ISA should be closed down.

**A Promise Is a Cloud; Fulfillment Is Rain.** Invoking the FMA as a means of holding the Saudi government accountable represents the next logical step in a diplomatic process begun by the State Department on July 19, 2006, when it announced:

The Saudi Government is conducting a comprehensive revision of textbooks and educational curricula to weed out disparaging remarks towards religious groups, a process that will be completed in one to two years.<sup>19</sup>

This public pledge was reinforced by assurances from Ambassador-at-Large for International Religious Freedom John V. Hanford III that the Saudi kingdom was committed to “halt[ing] the dissemination of intolerant literature and extremist ideology within Saudi Arabia and around the world.”<sup>20</sup> A January 2008 letter from the State Department to Senator Jon Kyl (R-AZ) confirmed that the process of revising Saudi textbooks was to be completed by the start of the 2008–09 school year.<sup>21</sup>

Yet, the 2008–09 school year is about to begin, and the Saudis have failed to remove all passages that incite intolerance and violence from ISA textbooks.

**Need for Immediate Action.** Under the guise of providing private instruction, the ISA indoctrinates its pupils, including many Americans, with the same ideology of hatred and intolerance that fuels

this nation’s enemies in Iraq and Afghanistan. Yet as another school year is about to begin, providing a fresh crop of impressionable young minds to the ISA and its Saudi sponsors, the U.S. State Department continues to do nothing.

Until the State Department displays a willingness to dispense with diplomatic dhimmitude, the Saudi government will continue to use its wealth and influence to export hateful and bigoted elements of the Wahhabist ideology onto U.S. soil.

Therefore, in order to ensure that an intolerant, violent ideology hostile to the United States is not allowed to establish a beachhead in northern Virginia, the following steps must be taken:

- Operating under the authority of the FMA, the State Department should adhere to the recommendations contained in both the USCIRF’s October 19, 2007, missive regarding the ISA and House Concurrent Resolution 262, including, but not limited to, closing the academy if after 90 days the requested textbooks have not been received; and
- The State Department should make public all texts received from the ISA.

After all, how can our nation fight Islamist extremists abroad if it appeases them or condones their ideas at home?

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18. IPT, “State Department Stands Alone.”

19. Center for Religious Freedom of the Hudson Institute with the Institute for Gulf Affairs, “2008 Update: Saudi Arabia’s Curriculum of Intolerance,” July 15, 2008, p. 21, at [http://www.hudson.org/files/pdf\\_upload/saudi\\_textbooks\\_final.pdf](http://www.hudson.org/files/pdf_upload/saudi_textbooks_final.pdf) (August 8, 2008).

20. *Ibid.*

21. *Ibid.*, appendix B.