



**Australian Government**  
**Classification Review Board**

19 June 2006

23-33 MARY STREET  
SURRY HILLS, NSW

**MEMBERS:** Ms Maureen Shelley (Convenor)  
The Hon Trevor Griffin (Deputy Convenor)  
Mr Rob Shilkin  
Mrs Kathryn Smith  
Mrs Gillian Groom  
Ms Ann Stark  
Mr Anthony Hetrih

**APPLICANT:** Commonwealth Attorney General, the Hon Philip Ruddock  
MP, not represented.

**INTERESTED PARTIES:** NSW Council for Civil Liberties.

**BUSINESS:** To review the Classification Board's decision to classify the publication *Islam and Modern Man: The Call of Islam to Modern Man Vol. II* 'Unrestricted'.

**DECISION AND REASONS FOR DECISION**

***1. Decision***

The Classification Review Board (the Review Board) in a unanimous decision classified the publication *Islam and Modern Man: The Call of Islam to Modern Man Vol. II* 'Unrestricted'.

***2. Legislative provisions***

The *Classification (Publications, Film and Computer Games) Act 1995* (the Act) governs the classification of publications and the review of classification decisions. Section 9 of the Act provides that publications are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines.

Section 11 of the Classification Act requires that the matters to be taken into account in making a decision on the classification of a film or publication include:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults; and
- (b) the literary, artistic or educational merit (if any) of the publication or film; and
- (c) the general character of the publication or film, including whether it is of a medical, legal or scientific character; and
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

Three essential principles underlie the *2005 Guidelines for the Classification of Publications* (the Publication Guidelines), determined under s.12 of the Act:

1. The importance of context;
2. Assessing impact; and
3. The six classifiable elements – themes, violence, sex, language, drug use and nudity.

### ***3. Procedure***

The Review Board convened on 19 June 2006 in response to the receipt of an application from the Attorney General, the Hon Philip Ruddock MP, (the Applicant), dated 5 June 2006.

The original application for classification of the publication was lodged by the Australian Federal Police on 15 December 2005 (application reference L05/1451). The Classification Board classified the publication as Unrestricted on 22 December 2005.

At its meeting on 19 June 2006 seven members of the Review Board, having read the publication prior to their meeting, received both oral and written submissions from Mr Drew Kovacs representing the New South Wales Council for Civil Liberties. The Review Board then adjourned to deliberate further “in camera” and, after considering the substance of the application and all relevant matters, unanimously determined that the publication be classified ‘Unrestricted’.

### ***4. Evidence and other material taken into account***

In reaching its decision the Review Board had regard to the following:

- (i) The Attorney General’s application for review;
- (ii) The NSW Council of Civil Liberties’ written and oral submissions;
- (iii) The Publication *Islam and Modern Man: The Call of Islam to Modern Man Vol. II* (L05/1451);
- (iv) The relevant provisions in the Act;
- (v) The relevant provisions in the Code, as amended in accordance with s.6 of the Act;

- (vi) The Classification Board's report; and
- (vii) The 2005 *Guidelines for the Classification of Publications*.

### **5. Synopsis**

*Islam and Modern Man* is a book of 28 pages that examines the call of Islam to modern man in terms of finding faith, religion, and a world view. It is an attempt at a scholarly text.

The author reflects upon the state of the world and its materialism and corruption, although one may not agree with the examples of corruption given. She considers in her treatise what should be the distinguishing characteristics of a Muslim and how young people, in particular, may be attracted to Islam.

It was first published (2000 copies) in 1976 and reprinted in 1980 (4000 copies). The book is not considered to have a wide publication.

### **6. Findings on material questions of fact**

The Review Board found that the publication contains aspects or scenes of importance, under various classifiable elements:

#### Classifiable elements

There is no depiction or description of violence, sex, nudity, coarse language or drug use. The treatment of themes and concepts does not have a high impact and is inoffensive in a legal context.

In considering publications, the Review Board must also consider the context of the work. The history of the author is of note. According to the introduction the author was born into a German-Jewish family in 1934 and entered a "liberal arts program" at university in New York in 1952. She became "ill" at university and was "unable" to earn "any diploma". She was "confined to private and public hospitals for two years (1957-1959)" and "only after her discharge, did she discover her facility for writing".

She became a convert to Islam and migrated to Pakistan in 1962 and married becoming a "co-wife" in 1963. It is stated in the introduction that she observes strict Purdah (the practice of requiring women to cover their bodies so as to cover their skin and conceal their form).

The book explains the author's hatred of atheism, materialism and the Western World as "intense" and "in her restless quest for absolute, transcendental ideals" she upholds Islam as "the most emotionally and intellectually satisfying explanation to the Ultimate Truth which alone gives life (and death) meaning, direction, purpose and value".

#### Promotion, incitement or instruction in matters of crime or violence

There are no calls for revolution or acts of violence or disobedience. Although Western culture is severely criticised, there is no specific call for action other than an expression of the author's view about the superiority of the Islamic way of life. The book does not in any way promote, instruct or incite in matters of crime or violence.

### **7. *Reasons for the decision***

Although most Australians would not agree with the views expressed in the book, applying the criteria in the Code and Guidelines, the book falls within the “Unrestricted” classification.

### **8. *Summary***

The publication *Islam and Modern Man* does not promote, incite or instruct in matters of crime or violence and the Review Board does not find that there is any aspect of the publication that offends against the Guidelines. Therefore the classification is “Unrestricted”. The decision of the Review Board was unanimous.