

The Constitution of India and Muslim Politics

A.G. Noorani*

Abstract

The article documents the irrelevance of Muslim politics in post independence India. The Muslim leaders, by and large, failed to realize the changed circumstances caused by the Partition, and consequently continued to pursue a communal agenda such as demand for separate electorate or reservations for their community. There is no denying the fact that many of the constitutional safeguards have proved to be inefficient specially in protecting the rights of the Muslims. However, it is the communal politics of the post independence Muslim leadership which has harmed the Muslim community more than any thing else.

Just as the Constituent Assembly was about to finish its task, Dr. B.R. Ambedkar, Chairman of the Drafting Committee, said in his reply to the debate on November 25, 1949 that “however good a Constitution may be, it is sure to turn out bad because those who are called to work it happen to be a bad lot. The working of a Constitution does not depend wholly upon the nature of the Constitution. The Constitution can provide only the organs of the State such as the Legislature, the Executive and the Judiciary. The factors on which the working of these organs of the State depends are the people and the political parties they will set up as their instruments to carry out their wishes and their politics. Who can say how the people of India and their parties will behave?” He added that it is “futile to pass any judgment upon the Constitution without reference to the part which the people and their parties are likely to play.”

That the constitutional safeguards for the minorities have proved a rather frail reed to rely on is incontestable. Not that they have been altogether devoid of efficacy. But it is a stark reality that so far as the Muslims of India are concerned the fundamental right to equality before the law and to the equal protection of the law, embodied in Article 14, has provided little protection against hostile discrimination by the State.

*Mr. Noorani is a well-known author and columnist.

The Supreme Court of the United States stated a profound truth when it observed: “Though the law itself be fair on its face and impartial in its appearance, yet if it is applied and administered by a public authority with an evil eye and unequal hands, so as practically to make unjust and illegal discrimination.”¹

An administration hostile to the minorities, functioning in a clime in which they are viewed with distrust, can make a mockery of constitutional guarantees. As Ambedkar warned that “it is perfectly possible to pervert the Constitution without changing its form by merely changing the form of the administration and to make it inconsistent and opposed to the spirit of the Constitution.”² Even before the partition of India the omens were none too reassuring. As far back as in 1936, Jawaharlal Nehru noted in dismay that “many a Congressman was a communalist under his national cloak”³ After the partition of India the clime deteriorated steeply. A deep distrust of Muslims developed.

The judicial check can be effective only upto a point as Justice Benjamin M. Cardozo realistically pointed out: “The great tides and currents which engulf the rest of men do not turn aside in their course and pass the judges by”⁴. A former judge of the Supreme Court of India, Justice V.R. angrily remarked once that on the Babari Masjid question “the judiciary will be described as the villain of the piece”⁵ The situation has not improved since.

The situation Muslims face today is fundamentally no different from the one that confronted them on August 15, 1947. It has, doubtless, become worse with an RSS-driven regime in the seat of power. Unfortunately instead of coming to grips with the realities, daunting as they were, the Muslim leadership of the time pursued the same strategy and tactics of old and aggravated it. It did not mould its politics to the altered situation and grasp the opportunities afforded by a democratic constitution and a free and fair electoral process.

The political aspect is as important if not more as the constitutional and legal aspects. The quest for constitutional safeguards did not reckon with the need for a political process which assured the minorities a role at the centre; a process of “political integration”. Political isolation from the national “mainstream” adds to the fears of the minorities. The problem, therefore, is to devise constitutional and legal safeguards for minorities which would ensure, both, their protection and their participation in governance. Mere constitutional protection is inadequate. Partition proved suicidal. The best course was – participation in the political process. That is a challenging task. The challenge was not taken up. Instead the Muslim League members in the Constituent

Assembly demanded separate electorates for Muslims in total disregard of its history and indeed, of the radically altered situation. The Lucknow Pact of 1916 between the Congress and the League granted separate electorates but at a stiff price which is commonly overlooked.

The deepening divide between Hindus and Muslims was since attributed to separate electorates which the Lucknow Pact between the Indian National Congress and the Muslim League in 1916 endorsed and which held sway till the partition of India in 1947. But a vital aspect of the pact has been neglected. It secured the Muslim League's acceptance of a whole set of proposals for substantial advance in responsible government. Protection of minorities was linked to their participation in the country's progress towards freedom. Years later two socialist leaders, Asoka Mehta and Achyut Patwardhan, made an important point: "While the Muslims gained substantial weightage, they gave up the right to vote in the General Constituencies that they had enjoyed so long. In dropping it they lost an important leverage and began to isolate themselves from the rest of India."⁶

The Report on Indian Constitutional Reforms (1918) jointly authorised by the Secretary of State for India, Edwin S. Montagu, and the Viceroy, Lord Chelmsford, criticised the Lucknow Pact but acquiesced in it, all the same, because it represented an inter-communal accord.⁷ The report, nonetheless, pronounced itself unequivocally against separate electorates: "A minority which is given special representation owing to its weak and backward state is positively encouraged to settle down into a feeling of satisfied security; it is under no inducement to educate and qualify itself to make good the ground which it has lost compared with the stronger majority. On the other hand, the latter will be tempted to feel that they have done all they need to do for their weaker fellow-countrymen, and that they are free to use their power for their own purposes. The give-and-take which is the essence of political life is lacking. There is no inducement to the one side to forbear, or to the other to exert itself. The communal system stereotypes existing relations. We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle."⁸

Separate electorates do assure that the "true" representatives of the community are elected. But they ensure as effectively its isolation and banishment from power. Once enrolment of black voters in the Southern States of the United States began in the wake of Civil Rights Acts, it was noted that many a white racist moderated his stand in order to secure black votes for his election. Mohammed Ali Jinnah, an architect

of the 1916 pact, openly said in 1927 from the League platform: "I am not wedded to separate electorates, although I must say that the overwhelming majority of the Musalmans firmly and honestly believe that it is the only method by which they can be secure".⁹ The formula he agreed with Rajendra Prasad in 1934 provided: "The Electorates shall be joint".¹⁰

The League's espousal of separate electorates in the Constituent Assembly is particularly relevant because it reflected an outlook wholly out of touch with the realities. It is sad to add that signs of greater awareness thereafter are not particularly noticeable.

When the All India Muslim League met for the last time in Karachi on December 14-15, 1947, Jinnah insisted on the League's continuation in India against the pleas of noted Leaguers in India itself. Jinnah said: "There must be a Muslim League in Hindustan. If you are thinking of anything else, you are finished. If you want to wind up the League you can do so, but I think it would be a great mistake. I know there is an attempt by Maulana Abul Kalam Azad and others to break the identity of Muslims in India. Do not allow it.. Do not do it."

Hussain Imam of Bihar then moved his amendment: "In the resolution,...' in place of the All Inida Muslim League, there shall be separate League Organizations for Pakistan and the Indian Union the word 'shall' should be replaced by 'may'." He said: "People here do not know the difficulties the Muslims are facing in India. They should be left free to decide their future according to the circumstance." No one supported the amendment.

Jinnah replied: "I sympathise with Mr. Hussain Imam. He has not read the resolution properly. You should constitute the Muslim League in India. If you do not, you would go back to 1906. You are 40 millions; you can have a leader if not one, then two or more. We cannot give directions to you. When you are strong and Pakistan is developed, the settlement will come." The resolution was passed with an overwhelming majority. Some 10 members, including Suhrawardy and Mian Iftikharuddin, voted against it.

Liaquat Ali Khan and Mohammed Ismail were elected as conveners for the Pakistan Muslim League and the Indian Muslim League respectively. It was decided to hold their sessions shortly in Karachi and Chennai. This belied Jinnah's claim on December 19, 1947 that Indian Muslims were entitled, by implication allowed, "to form their own independent policy."

When the League's Council met in Chennai on March 10, 1948, barely 30 members turned up. There were no representatives from

Bengal, Orissa, Bihar and Delhi, Uttar Pradesh had a sole representative in Maulana Hasrat Mohani. "It was decided to continue the League with emphasis on non-political activities."

The Constituent Assembly debated the issue of separate electorates in two sessions; on August 27-28, 1947 and on May 25-26, 1949.¹¹

On August 27, 1947, no sooner had Vallabh Bhai Patel moved that all elections "will be held on the basis of joint electorates" than B. Pocker Sahib moved that all elections, "as far as Muslims are concerned, be held on the basis of separate electorates". Chaudhuri Khaliquzzaman also pleaded for it, K.T.M. Ahmed Ibrahim Saheb, Kazi Syed Karimuddin and Naziruddin Ahmad favoured joint electorates but with the proviso that the candidate who won the highest votes of his community was to be elected. Reservation of seats for Muslims "on the population basis" was conceded, at this point of time. Patel was predictably incensed at the demand for separate electorates. He threatened to withdraw the concession of reservation of seats. In May 1949 reservation of seats was, indeed, dropped on a motion by Patel. On May 25, Mohammed Ismail, now President of the Indian Union Muslim League, asked for retention of reservations and for separate electorates.¹² Z.H. Lari, who later went to Pakistan, asked for multi-member constituencies. Naziruddin Ahmad while opposing reservation of seats, pointedly remarked: "what is more important is that the Hindus have to seek Muslim votes"¹³

Begum Aizaz Rasul supported Patel's motion. Syed Mohammed Sadullah demanded reservation. The next day, May 26, 1949, Nawab Mohammed Ismail of Meerut delivered a statesman like speech opposing reservation of seats as well as separate electorate. He traced its history and pointed out the tentative character of the safeguard and the harmful consequences of its prolonged retention.¹⁴ Tajamul Husain agreed with him. This was the only redeeming feature. But the damage was done. Even two years after the partition, the bulk of Muslim representatives were seen to be hankering after reservation of seats and separate electorates. Patel's response was not pleasant but the home truths he delivered cannot be ignored. He said: "I do not know whether there has been any change in their attitude to bring forward such an amendment even now after all this long reflection and experience of what has happened in this country. But I know this that they have got a mandate from the Muslim League to move this amendment. I feel sorry for them. This is not a place today to act on your conscience and to act for the good of the country. For a community to think that its interests are different from that of the country in which it lives, is a great mistake. Assuming that we agreed today to the reservation of seats, I would

consider myself to be the greatest enemy of the Muslim community because of the consequences of the step in a secular and democratic State. *Assume that you have separate electorates on a communal basis. Will you ever find a place in any of the Ministries in the Provinces or in the Centre?* You have a separate interest. Herein a Ministry or a Government based on joint responsibility, where people who do not trust us, or who do not trust the majority, cannot obviously come into the Government itself. Accordingly, *You will have no share in the Government. You will exclude yourselves and remain perpetually in a minority.* Then, what advantage will you gain?¹⁵

Dr. B.R. Ambedkar made some pertinent observations when, as Chairman of its Drafting Committee, he moved for the consideration of the Draft Constitution in the Assembly on November 4, 1948: “It is wrong for the majority to deny the existence of minorities. It is equally wrong for the minorities to perpetuate themselves. A solution must be found which will serve a double purpose. It must recognise the existence of minorities, *to start with*. It must also be such that it will enable the majorities and minorities to merge some day into one.” He claimed that the solution proposed in the Draft (based on the 1947 decision) met this test.¹⁶ However, if self-perpetuation of the minorities is to be averted, constitutional safeguards must be matched at the political level by a party system which cuts across the majority-minority divide.

Muslims of India made no effort to promote such a party system. The failure is not theirs alone. There has been a national failure to evolve a viable party system even half a century after the Constitution came into force. *For the most part the Muslim leadership pursued the course of communal mobilization in a polity which gives short shrift to it.* Muslims have faced an acute problem. They face grave handicaps and gross discrimination. Till as late as 1961, any expression of Muslims’ grievances was regarded as an obscenity. The frowns did not vanish thereafter, disquiet at mention of the grievances lingered. On the other hand, the grievances brooked no neglect, either.

Emotional integration was surely not to be achieved by denial of the minorities handicaps. But, then, nor is it attainable by pleas for protection. This brings one to what is really the crux of the problem. To deny discrimination and pretend all is well is to fly in the face of the facts. But agitation against discrimination can arouse the very emotions that foster discrimination. The solution of the Muslim problem lies in a resolution of this dilemma by devising a form and context of agitation which heals old wounds and inflicts no new ones. This resolution can be achieved by regarding discrimination as what it is, a problem of Indian

democracy to be resolved within the framework of national integration. This is best done by associating men of goodwill of all communities in the task of making a success of Indian secularism.¹⁷

Morally and constitutionally, Muslims have every right to do so. The issue is the wisdom of adopting such a course. Little thought is given to devising an alternative strategy which would not incur the odium which communal mobilization does in the context of the Indian situation. It is unlikely, to say the least, that Muslims would ever secure reservation as the National Convention demanded in 1994. Empowerment of Muslims will not be achieved through communal mobilization but as part of a process in which Muslims participate actively in national politics, engage themselves enthusiastically on national issues and bring to the fore Muslim grievances as aspects of the injustices that scar Indian society.

A keen sense of realism must inform this effort, besides considerable patience. No political party would risk its popularity by being seen as a “champion” of the Muslims. A wider educative effort is necessary. It will take time. But there is much promising material in the country which is ready to help. The growing number of NGOs, human rights activists and a whole array of voluntary agencies would profit by Muslims’ participation and thus learn more of their plight. A new climate would be generated in which the secular parties would find it easier to exert themselves to secure redress of Muslims’ grievances.

It would, however, be wrong to blame the Muslim politicians, still less the community itself alone for the said state in which the community finds itself. Leadership is not confined to politicians. There was little sign of it in fields other than politics either.

Notes & References:

1. *Yick Wo vs. Hopkins* (1886) 118 U.S. 356
2. CAD Vol. VII, p. 38.
3. Nehru, Jawaharlal, *An Autobiography*; Oxford University Press (fifth Impression), p. 136.
4. Cardozo, B.M., *The Nature of the Judicial Process*; Yale University Press, 1921. p. 168
5. *The Times of India*, November 11, 1989.
6. Ashoka Mehta and Achyut Patwardhan, (1942), *The Communal Triangle in India*, Allahabad, Kitabistan, p. 107)
7. Report on Indian Constitutional Reforms (1918), Calcutta Superintendent, Government Printing, India, para 163, p. 105.
8. *Ibid.* Para 230, p. 149
9. *The Indian Quarterly Register* 1927, vol. 1, p.37

10. For the text vide Marguerite Dove, *Forfeited Future, The Conflict over Congress Ministries in British India, 1933 -1937*: Chanakya Publications, Delhi, 1987, p. 462, an excellent, but neglected work.
11. CAD: vol. V pp. 211-72 and vol. VIII, pp. 277-342 respectively).
12. CAD: vol. VIII, p. 275.
13. CAD: vol. VIII, p.298.
34. *ibid*, p. 323.
15. CAD, May 26, 1949, vol. VIII, P. 350, his reply to the debate on May 25-26, 194.
16. CAD, vol. VII, p. 39.
17. For details vide the writer's, *The Muslims of India. A Documentary Record*, Oxford University Press, 2003.

Islam and Pluralism

A.R. Momin*

Abstract

This paper first tries to explain the current usages of pluralism and multiculturalism. It is noted that in recent time multiculturalism has been more in vogue than pluralism. The two terms, however, express one and the same reality: the presence of more than one group of people, culture or religion in a given society. Islam believes in pluralism. There are several verses in the holy Qur'an which preach tolerance and peaceful coexistence. Historically Islam has always lived in a plural atmosphere marked by the presence of several other ethnic, religious and racial groups. The Islamic law, developed over the ages, recognizes multiculturalism as a living reality. Indeed Islam has always exhibited a healthy attitude towards other cultures. Likewise, Islam has always treated the non-Muslim subjects living in an Islamic state with utmost fairness.

The terms plural society and pluralism, which came into vogue in the 1960s, have been increasingly used in anthropology, sociology, political science and international relations. The term plural society has been used to describe societies that are characterized by substantial racial, ethnic and social diversities and cleavages. Anthropologists have described many such societies as composite, multiple and dual societies. In the social sciences the term pluralism has been used in two rather different senses. In one sense, pluralism is said to be a property or character of societies that are marked by the coexistence of several distinct groups and cultural communities within a single political and economic system. By virtue of the fact that these groups and communities are governed by the same economic and political processes, they tend to be inter-dependent. At the same time, however, they have a good measure of autonomy. In the second sense, pluralism has a distinct political connotation and is regarded as a necessary condition for the viability of democracy in complex societies. In democratic pluralism, the decision making processes devolve upon a wide variety of autonomous political institutions and social groups.¹

*Professor Momin teaches sociology at University of Mumbai, Mumbai, India.

The first usage of the term pluralism has gained wider currency in the social sciences. Another term, which has more or less the same connotation and which has surpassed pluralism in usage, is multiculturalism. Most contemporary societies, whether in Asia and Africa or in Europe and North America, are now plural and multicultural in the sense that they are composed of many distinct, self-conscious ethnic groups and cultural communities. The great migrations of the post-War period have not only altered the demographic composition of many countries in Europe and North America but have also challenged the assumption of a homogeneous national culture as the edifice of the nation-state. The process of globalization, which has brought about an enormous amount of economic, financial, political and cultural uniformity and homogenization across the world, has also contributed to the revival or reinvention of ethnic identities, thanks to the unprecedented advances in information and communications technology.

Pluralism is not only indicative of an important facet of the political and social reality of our times but it also entails a set of moral premises and value-orientations, including an open and ungrudging acknowledgement and acceptance of ethnic and cultural diversity, disavowal of forced assimilation, tolerance and peaceful coexistence in a humane and democratic framework, respect for human rights, including community and minority rights, and commitment to dialogue and other peaceful methods of conflict resolution.²

This paper seeks to demonstrate that the contemporary discourse of pluralism and multiculturalism can profitably draw upon some of the valuable insights and contributions of the Islamic tradition.

The Islamic perspective on diversity

The Islamic faith is founded on the edifice of two cardinal principles: the oneness and omnipotence of God and the unity, equality and brotherhood of humankind. Islam takes cognizance of racial and ethnic diversities that characterizes human societies across the world and holds that these diversities are divinely ordained. The Qur'an says: "If thy Lord had so willed, He could have made humankind one people, but they will not cease to differ" (11: 118). The Qur'an further says: "And among His signs is the creation of the heavens and the earth, and the variations in your languages and colours; verily in that are signs for those who know" (30: 22). Lineages, tribes and ethnic groups, which characterize human societies everywhere, are said to have been created by God (Qur'an, 25: 54). However, these divisions are meant to serve the purpose of ethnic or cultural identification; they are not indices of

social ranking or hierarchy. The only worthwhile distinction or honour, in the Islamic view, is piety and moral virtue. Thus the Qur'ān says: "O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, so that you may know each other. Verily the most honoured of you in the sight of God is one who is the most righteous of you" (49: 13).

The varied manifestations of diversity include variations in livelihood, behaviour patterns, knowledge and skills, and the distribution of resources, including power. Islam takes due cognizance of such variations in respect of livelihood (2: 212; 13: 26; 16: 71), knowledge (2: 247; 58: 11), and the distribution of wealth and power. The Qur'ān says: "Such days (of varying fortunes) We give to people by turns" (3: 140).

The universality of prophecy

In the Islamic view, God is not a parochial or racial deity like Jehovah, but the Lord of the universe and of all humankind. "All of mankind is God's family", says a tradition of the Prophet. The Qur'ān says that prophets have been sent to all people in all parts of the world (35: 24). Muslims are required to believe, not only in the prophecy of Muhammad, but in that of all other prophets (1, 24, 000, according to a tradition of the Prophet) who were sent to humankind at different points of time, as well as in all divine scriptures (2: 4, 285; 3: 84; 4: 26, 162). Islam holds that all the prophets carried basically the same divine message. The Islamic view of prophecy, therefore, is inclusive rather than exclusive, universal rather than parochial.

According to the Islamic view, God's omnipotence and majesty transcends the diversity of modes and sites of worship. Thus the Qur'ān says: "Had God not checked one set of people by means of another, there would surely have been pulled down monasteries, churches, synagogues and mosques in which the name of God is commemorated in abundant measure" (22: 40).

Tolerance and peaceful coexistence

The Qur'ān explicitly maintains that there is no place in Islam for compulsion (2: 256). It says: "If it had been thy Lord's wish, everyone in the world would have believed; will you then compel people, against their will, to believe" (10: 99). The Prophet is told to say to the unbelievers: "For you, your religion, and for me, mine" (109: 6).

The Prophet is advised to invite people to the path of righteousness and guidance, not through intimidation and coercion, but in a gentle and amiable manner. Thus the Qur'ān says: "Invite (all) to the way of

thy Lord with wisdom and beautiful preaching, and argue with them in the best of ways” (16: 125). It is significant to note that when God asked Prophet Moses to go to the Pharaoh in order to invite him to the path of righteousness, he was told to “speak to him mildly, perchance he may heed the warning or fear God” (Qur’ān 20: 44). The Qur’ān advises Muslims not to revile those who worship idols or images (6: 108).

The people of Semitic religions, especially the Jews and Christians, share some fundamental articles of faith with the Muslims. The Qur’ān emphasizes that these commonly shared tenets should provide the basis for a process of dialogue and reconciliation between Muslims and the People of the Book. The Qur’ān says: “O People of the Book! Come to common terms as between us and you: That we worship none but God, that we associate no partners with Him; that we appoint not, from among ourselves, lords and patrons other than God” (3: 64). The special affinity between Islam and other Semitic religions is reflected in the permission accorded to inter-marriage between Muslim men and Jewish or Christian women and the permissibility of the flesh of animals slaughtered by Jews or Christians (Qur’ān 5: 5).

Following the conquest of Makkah, the Prophet entered the city with his companions. The people of Makkah were terrified and apprehensive about the likely prospect of their summary execution on the orders of the Prophet, for they had subjected him to the cruelest kind of humiliation and torture and had finally driven him out of the city. They stood before him in fear and trepidation. “What kind of treatment do you expect from me?”, he asked. They said in a trembling voice: “You are our kind and affectionate brother. We expect the sort of treatment that is expected from a kind brother”. The Prophet smiled and said: “Today you will not be taken to task. Go, you are free!”. They could scarcely believe their ears and fell at his feet, overwhelmed as they were by the Prophet’s magnanimity and compassion.

Following the Prophet’s migration to Madinah, Makkah was faced with a severe drought. Since Makkah was a barren desert, food grains had to be brought from other areas. Najd was the only area which was unaffected by the drought and could send food grains to Makkah. A group of Muslim soldiers happened to capture an influential person from Najd, named Thamamah ibn Athal. He was brought to Madinah and taken to the Prophet. The Prophet invited him to the Islamic faith, which he refused and retorted that he was ready to pay ransom for his release. The Prophet ordered that he be tied to a pillar in the mosque. On his instruction, Thamamah was provided with food. After a while the Prophet invited him again to embrace Islam, but in vain. A few days

passed. Finally the Prophet ordered his release. He was so touched by the Prophet's generosity and kindness that he fell at his feet and embraced Islam.

Thamamah told the Prophet that food grains from his region of Najd were sent to Makkah and if he permitted, he could block the supply. The Prophet agreed to the suggestion and Thamamah blocked the supply of food grains to Makkah, which caused a great deal of hardship to the people there. They sent an emissary to the Prophet, who told him on their behalf that he had always preached love, compassion and charity and that the people of Makkah were on the verge of starvation. The Prophet immediately dispatched a letter to Thamamah, asking him to lift the blockage and restore the supply of food grains. He then sent 500 gold coins for the poor and destitute people in Makkah.

The attitude and behaviour of the Prophet towards the Jews and Christians in Madinah exhibited remarkable tolerance, broad-mindedness and compassion. Some Jewish families lived in his neighbourhood in Madinah. If one of their children fell sick, the Prophet would make it a point to visit the distressed family as a gesture of good will. If the funeral of a Jew passed by and if he was around, he would stand up as a mark of respect for the deceased.

Islam does not allow aggression. Only a defensive war is permitted (Qur'ān 2: 190). When the Prophet passed away, the area under the control of the Islamic state exceeded three million square kilometers. The cost involved in the conquest of this vast area, in terms of war casualties, was less than 300.

The Islamic attitude towards other cultures

Since Islam is a universal religion, it is characterized not only by a great deal of inner strength and resilience but also by a substantial measure of openness and flexibility. It eschews the narrow path of xenophobia, ethnocentrism and exclusion. The Islamic attitude towards other cultural traditions is reflected in its view of the pursuit of knowledge and the learning of foreign languages, in the legitimacy accorded to regional customs and usages, in the adoption of foreign technology, and in the acceptance of foreign medicines as well as cultural patterns.

The Prophet is reported to have said: "Wisdom is (like) the lost animal of a Muslim; he catches hold of it wherever he finds it". The Prophet regarded the acquisition of knowledge as an obligation on every Muslim and exhorted his followers to carry the torch of learning far and wide. He warned against concealing or withholding knowledge. Islam opened the portals of knowledge and learning to all and sundry:

men and women, rich and poor, high and low.

In the Battle of Badr, Muslims scored victory over the unbelievers and more than seventy prisoners-of-war were captured by them. Umar, who became the second caliph after the demise of the Prophet, suggested that they should be executed. (Incidentally, the Bible says that if the enemy is defeated in a war, their men, women, old persons and children should be put to death). Abu Bakr, who succeeded the Prophet as the head of the Islamic state, disagreed with this opinion and suggested that they should be set free in lieu of some ransom. The Prophet accepted this suggestion. A ransom of four thousand *Dirhams* or a hundred camels was fixed as ransom for each of the captives. Those who paid the ransom were set free. In the case of those who could not afford the ransom money, their relatives and friends came to their rescue and arranged for the ransom amount. Some of the captives had neither the ransom money nor friends or relatives who could pay the ransom money on their behalf, but they knew reading and writing. The Prophet declared that a captive, who is unable to pay the ransom money but knows the art of writing, could secure his release by teaching ten Muslim children how to write. It was from one of these prisoners that Zayd ibn Thabit, who later served as the Prophet's secretary, learnt writing. Imam Bukhari has reported this incident under the caption: *sanction accorded to the appointment of pagans as teachers of Muslims*. Interestingly, a few of the prisoners had neither the capacity to pay the ransom money nor the ability to read and write. They were set free on their assurance that they would not wage a war against Muslims in the future.

The Prophet occasionally adorned Persian and Roman attire and advised the use of Indian medicines. Once, when one of his companions fell seriously ill, he advised him to consult a doctor in Madinah who was a Christian. In the Battle of the Ditch, one of his companions, Salman the Persian, suggested the digging up of a wide ditch around the city of Madinah as a defence strategy. The Prophet readily accepted the suggestion. In some of the battles fought during the time of the Prophet, foreign techniques of warfare were used without any reservations. The Prophet instructed his secretary Zayd ibn Thabit to learn Syriac, Hebrew and Persian languages so that he could carry on the Prophet's correspondence with foreign rulers. Islamic law recognizes the validity of local customs and usages, known as *Urf* and *Aadah* in legal parlance, in judicial pronouncements.

The Islamic attitude of openness towards other cultural traditions was evidenced in later centuries as well. During the reign of the Abbasid caliph, al-Mansur (ruled 754-775), a movement for the translation of

the scientific, philosophical and literary works of ancient Greece, Egypt and India into Arabic was initiated. A number of Jewish, Christian, Hindu, Magian and Sabaeen scholars and translators, such as Hunayn ibn Ishaq or Johannitus (d. 877), Yuhanna ibn Masawayh (d. 873), Thabit ibn Qurra (d. 901), Abu Bishr Matta (d. 940) and Qusta ibn Luqa (d. 912), were associated with this movement. Hunayn ibn Ishaq, a Christian translator, was appointed head of the Academy of Science (*Dar al-Hikmah*) in Baghdad, established by caliph al-Mamun (d. 833). He also served as a physician to caliph al-Mutawakkil. Ibn Maymun or Maimonides, one of the distinguished philosophers and translators, was a Spanish rabbi. Jurji ibn Bakhtishu (d. 880), a Christian, was appointed as a court physician by caliph al-Mansur. The group of translators included Ali ibn Abbas al-Majusi (d. 994), a Magian, and Mankah and Ibn Dahan, who were Hindus. Caliph Harun al-Rashid set up a large hospital in Baghdad under the supervision of a Christian physician Jibril ibn Bakhtishu.³

Legal pluralism in the Islamic tradition

The twin sources of Islamic law, namely the Qur'ān and the Prophet's *Sunnah*, provide the fundamental principles and precepts governing spiritual and temporal matters. These principles and precepts also provide sufficient scope for dealing with unforeseen situations and circumstances. Muslim jurists formulated two methodological principles for the interpretation and elucidation of Islamic law in the context of changing times and situations. These two principles are analogical deduction (*Qiyas*) and consensus among jurists and scholars (*Ijma'*). In addition, they enunciated a rational and creative methodology for legal innovations (*Ijtihad*). All these methodological approaches were basically derived from the Qur'ān and the Prophet's *Sunnah*.⁴

During the early Islamic period, people directly turned to the Prophet for the clarification and elucidation of legal principles and rulings. After his demise, his companions migrated to different lands and set up study circles and schools there. With the passage of time, Muslims living in different cities and towns began to follow the legal opinions (*Fatawa*) and judicial pronouncements of the companions who had settled there. Thus, the people of Madinah generally followed the *Fatawa* of Abdullah ibn Umar; the people of Kufah those of Abdullah ibn Masud; the people of Makkah those of Abdullah ibn Abbas; the people of Egypt those of Abdullah ibn Amr ibn al-'As. During the first three centuries of the Islamic era, several distinctive schools of jurisprudence emerged. These schools of jurisprudence were named

after eminent jurists, including Hasan of Basrah (d. 728), Sufyan al-Thawri (d. 777), Awzai (d. 773), al-Tabari (d. 922) and Abu Thawr (d. 860), among others. Most of these schools died out with the passing away of their founders or shortly thereafter. Four major schools of jurisprudence, which flourished and have survived to this day, include those of Abu Hanifah (d. 767), Malik (d. 795), Shafii (d. 795) and Ahmad ibn Hanbal (d. 855).

Legal pluralism in the Islamic tradition is reflected at three distinct levels: (i) the coexistence and accommodation, rather than suppression, of different interpretations of Islamic law (ii) the cognizance of regional, local practices and usages in judicial pronouncements and legal rulings (iii) the tolerance and accommodation of sectarian and denominational differences.

The Prophet's Companions (*Sahabah*) and the Followers (*Tabiun*) had certain differences in matters of jurisprudence, legal pronouncements and religious rituals. Some of them recited the *Bismillah* aloud in prayers while others preferred to recite it quietly. Some recited the *Qunut* in the pre-dawn prayers while others did not. In spite of such differences they never hesitated to follow one another in congregational prayers. Imam Shafii considered frogs, crabs and tortoises impermissible for eating while other jurists did not prohibit their eating.

Islamic law (*Shariah*) follows the path of ease and convenience for people, and eschews the path of hardship and inconvenience. An eminent Muslim jurist Ibn al-Qayyim says: "The basis of the Islamic *Shariah* is wisdom and welfare of the people in this world and in the Hereafter. This welfare lies in complete justice, mercy, well-being and wisdom. Any thing that departs from justice to oppression, from mercy to harshness, from welfare to misery and from wisdom to folly, has nothing to do with the *Shariah*".⁵ As we shall presently see, several eminent jurists, scholars and men of piety have viewed legal differences in terms of convenience and ease for the common people. One of the important methodological principles in the Hanafi school of jurisprudence is *al-Masalih al-Mursalah*, which emphasizes the greater good and the convenience of people in legal rulings and pronouncements.

In spite of differences in legal pronouncements and rulings, the scholars and jurists of the early Islamic period had tremendous regard and respect for one another. They never doubted the honesty, integrity and sincerity of their contemporaries. They never allowed differences in legal matters to affect inter-personal relationships. Imam Abu Ishaq Shatibi (d. 730) has perceptively observed: "If a new issue leads to differences among people, without causing hostility, malice, ill will or

division, we regard it as a part of Islam. But if a new issue results in creating animosity and incrimination among Muslims, if it causes the snapping of the bonds of brotherhood, it has nothing to do with Islam".⁶

Some times, the scholars of yore abstained from performing some of the religious rituals which they considered obligatory, out of deference for their seniors. When Imam Shafii visited the tomb of Imam Abu Hanifah in Baghdad and it was time for the pre-dawn prayers, he did not say the *Qunut* prayers which, in his opinion, were obligatory. When someone questioned him about this, he replied, pointing to the tomb of Imam Abu Hanifah: "How could I do so before the Imam, who did not think that the *Qunut* prayers are obligatory in the pre-dawn prayers".

The early scholars, jurists and men of learning viewed the legal differences among their predecessors and contemporaries, not as a bane, but as a blessing in disguise. Sufyan Thawri, for example, used to say: "Do not say that the *Ulama* have differed in such and such matter; say, instead, that they have provided convenience and ease for the people (by their difference of opinion)".⁷ Abu Yusuf and Muhammad ibn Hasan al-Shaybani, the distinguished disciples of Imam Abu Hanifah, had certain differences in matters of jurisprudence and legal pronouncements with their mentor. Yet, their opinions were incorporated in the corpus of Hanafi jurisprudence. Hanafi scholars and jurists have maintained that there is nothing objectionable if Hanafi scholars and jurists reach a consensus in respect of an extraordinary case in an extraordinary situation, whereby they give a legal opinion in accordance with the principles and tenets of the Maliki school of jurisprudence, rather than with those of their own Hanafi school. Thus, Hanafi scholars and jurists in the pre-Independence period gave a ruling, based on scholarly consensus, in regard to the dissolution of a Muslim woman's marriage whose husband has left her with no trace of his whereabouts.

In the early Islamic period, some rulers sought to bring about uniformity and homogenization in legal matters under the auspices of the state. However, they were dissuaded by eminent scholars and jurists from doing so. During the caliphate of Umar ibn Abd al Aziz, it was suggested that he should bring about uniformity and consensus in respect of legal rulings, to which he replied: "I would not have been very happy if Muslim scholars had not had any differences in legal matters. The companions of the Prophet had certain differences in legal matters. Therefore, any one who follows the precepts of any of the companions is on the right path". He then circulated an order through the Islamic territories to the effect that the people of every region should abide by the rulings over which the local scholars and jurists had reached a

consensus.⁸

Once the Abbasid caliph al-Mansur told Imam Malik that he proposed to circulate copies of the Imam's books in every city and town, with the instruction that people should follow only these books. Imam Malik dissuaded the caliph from doing any thing of the kind. He told him that people in different cities were following the rulings of local scholars and jurists and that it was advisable to allow this situation to continue. Likewise, caliph Harun al-Rashid told Imam Malik that he wished to have the latter's celebrated work *Al-Muwatta* to be hung in the Ka'bah, so that the Muslim masses could follow it in a uniform manner. Imam Malik advised him not to do so.⁹

More than one-third of Muslims across the world are living as minorities in non-Muslim countries.¹⁰ These Muslim minorities are faced with a number of problems and challenges. This situation has led some contemporary Muslim scholars and jurists to reexamine some of the principles enunciated in the classical works of Islamic jurisprudence. They argue that there is a need to rethink some of the important issues in Islamic jurisprudence, including the traditional dichotomy between the Abode of Islam (*Dar al-Islam*) and the Abode of War (*Dar al-Harb*), the relations between Muslims and non-Muslims in plural and multicultural societies, the participation of Muslims in secular politics, coping with the pressures and challenges of secularization, and the constraints on Islamic family laws and on the maintenance of Islamic identity. In 1994, the North American *Fiqh* Council announced a project to develop a distinctive body of jurisprudence for Muslims living in non-Muslim countries. Dr. Taha Jabir al-Alwani, chairman of the Council, has used the term Jurisprudence of the Minorities (*Fiqh al-Aqalliyyah*) and has argued that this constitutes an autonomous body of jurisprudence based on the principle of the relevance of Islamic laws to the conditions and circumstances peculiar to a particular community. He also argues that the traditional categories of *Dar al-Islam* and *Dar al-Harb* are no longer relevant. The eminent Egyptian scholar Dr. Yusuf al-Qaradawi has carried the argument further in his books *Fiqh al Aqalliyyah al-Muslimin* (in Arabic) and *Fiqh of Muslim Minorities* (in English).¹¹

Non-Muslims in the Islamic state

The attitude and behaviour of Prophet Muhammad towards the beliefs and traditions of the followers of other religions exhibited exemplary tolerance, understanding and magnanimity. He allowed a delegation of polytheists and idolators from Taif to stay in his mosque at Madinah. Some Christians from Najran, who visited the Prophet,

sought his permission to say their prayers in the mosque, which was granted. When he set up a city-state at Madinah, he drew up its constitution, which was committed to writing at his instance. This constitution included two significant passages: first, Muslims and Jews will be entitled to the preservation and protection of their respective religious traditions; secondly, Muslims and Jews will together constitute a (political) community. This covenant was extended, at a later date, to the Christians of Najran and the pagan Arabs. Thus the *Pax Islamica* included not only Muslims but also Jews, Christians and the pagan Arabs, and guaranteed to them religious, cultural, and judicial autonomy. In fact, the Islamic state assumed responsibility for the maintenance and even defence of Jewish, Christian and pagan identities. Thus the city-state of Madinah provided the first model of democratic pluralism. The charter of rights and assurances issued to the Christian population of Najran by the Prophet included the following passage:

An assurance is hereby extended, on behalf of God and the Prophet, to the people of Najran, that their lives, religion, lands and wealth will be protected. No change in their existing conditions will be effected. Their rights will not be violated. Their commercial caravans and delegations will be protected. No cardinal will be dismissed from his position, nor will an ascetic be denied the right to his way of life. The custodians of churches will face no interference in respect of their functions.¹²

The protection of minority rights under the Islamic dispensation has no parallel in the annals of history. The Prophet exhorted his followers to scrupulously protect the legitimate rights and privileges of the *Dhimmis* (non-Muslim subjects of the Islamic state). He is reported to have said: "Whosoever oppresses any *Dhimmi*, I shall be his prosecutor on the Day of Judgement" He issued strict instructions to the effect that, in the event of a war, women, children and religious functionaries belonging to other religions should not be harmed.

This attitude of tolerance and sympathy was continued by the four caliphs and the companions. It is remarkable that the occupation of Syria by the Muslim army during the caliphate of Abu Bakr met with no resistance from the local Christian population who welcomed the Muslim soldiers who, in their eyes, liberated them from the oppression of their own coreligionists. When Khalid ibn Walid made a treaty with the Christian population after the conquest of Hira during the caliphate of Abu Bakr, he gave a written assurance to them that their churches would not be destroyed or desecrated by Muslims and that they would not be prevented from ringing their bells or from carrying crosses in

their religious processions.¹³ During the caliphate of Umar, some Muslims usurped a piece of land belonging to a Jew and constructed a mosque on the site. When the Caliph got to know about it he ordered the demolition of the mosque and the restoration of the land to the Jew. Caliph Umar used to consult non-Muslims in military and administrative matters. During the caliphate of Ali, the Muslim-occupied territories of the Byzantine empire faced internal strife. Emperor Constantine II sent a secret message to the Christian population in the Islamic state, urging them to rise in revolt against Islamic rule and assuring them of his military support. The Christians, however, spurned the offer, saying: 'These enemies of our religion are preferable to you'.

Islam does not favour the forced assimilation or conversion of non-Muslims (Qur'ān 2: 256; 109: 6). The Islamic state guaranteed not only the protection of the lives and honour of the *Dhimmis* but also of their religious beliefs and rituals, personal laws and endowments.¹⁴ When Amr ibn al-A's, a distinguished companion of the Prophet, conquered Egypt in 640 AD, he left the Christian population in undisturbed possession of their churches and guaranteed to them independence and autonomy in all ecclesiastical matters. He allowed the properties and endowments attached to Christian churches to remain with their traditional Christian custodians.¹⁵ In Egypt, a Muslim soldier damaged the eye of an idol. The idol-worshipper complained to the governor Amr ibn al A's, who decreed that the idol-worshipper had a right to damage the soldier's eye. Astounded by this judgement, he forgave the soldier in lieu of monetary compensation.

Some Christians from Najran in Yaman declined to accept Islam but agreed to live under Islamic rule on condition that they would have the freedom to retain and manage their churches and to appoint their own priests. They requested the Prophet to appoint a Muslim judge to arbitrate in their disputes. He deputed Abu Ubaydah ibn al-Jarrah. He carried out the administration of justice in such an efficient and impartial manner that many Christians embraced Islam.

Once Caliph Ali lost his armour. A few days later he saw a Jew selling the same armour in the local *bazaar*. He accosted the Jew and told him that the armour belonged to him. The Jew refused to accept his claim and insisted that he was the rightful owner of the armour. Ali took up the matter with the local magistrate *Qadi* Shurayh. The *Qadi* asked for witnesses in support of his claim. Ali produced two witnesses, his son Hasan and his freed slave Qanbar. *Qadi* Shurayh told Caliph Ali that a son's testimony in support of his father's claim was not admissible in law and decreed that the Jew be allowed to retain the armour. Amazed

and deeply touched by this exceptional display of justice, the Jew admitted that the armour indeed belonged to Caliph Ali and embraced Islam.

After the conquest of Jerusalem, Caliph Umar gave the following assurance, in writing, to the Christian population of the town: "This is the assurance which Umar, the servant of God, the commander of the faithful, grants to the people of Aelia. He grants to all security for their lives, their possessions, their churches and their crosses, and for all that concerns their religion. Their churches shall not be converted into dwelling places, nor destroyed, nor shall any constraint be put upon them in the matter of their faith."¹⁶

Under the Islamic dispensation, non-Muslims were entitled to preserve and maintain their places of worship and to construct new ones. In some cases, the expenses for the maintenance and repair of their places of worship were met from the state treasury. Similarly, the salaries of Jewish rabbis and Christian priests were often paid from the state treasury. Non-Muslims who had no source of income received stipends from the state treasury. During the caliphate of Uthman, Jeserjah, the bishop of Merv, wrote a letter to the Patriarch of Persia, saying that the Arabs, whom God has given dominion over the world, do not attack Christianity. On the contrary, they help our religion, respect our priests and shrines, and offer donations to our churches and monasteries.

Non-Muslims living in the Islamic state are entitled to certain rights and privileges which are not available to Muslims. For example, they are allowed to take and give interest, which is forbidden to Muslims. All Muslims are obliged to take part in a war in the event of an external aggression, which is not binding on non-Muslims. In lieu of this exemption, they are required to pay the *Jizya*. The *Jizya* levy is not an invention of Muslims. It existed in Iran and the Byzantine empire where people who were exempted from military service were required to pay a certain tax in lieu of the exemption. In the battle of Yarmuk, when Muslims were unable to defend the non-Muslim subjects of the Islamic state, they returned to them the whole amount of *Jizya*.¹⁷ During the time of the Prophet, the quantum of *Jizya* was about ten *Dirham* in a year, which amounted to the expenses of an average family for ten days. The amount of *Jizya* differed according to the economic status of a person. Women, old and destitute persons, slaves, physically disabled people and children were exempted from the payment of *Jizya*.

Following the Islamic conquest, the system of administration remained unchanged and the personnel associated with matters of

administration were retained. By and large, the Islamic state did not discriminate between Muslims and non-Muslims in respect of employment or appointment to high positions. Caliph Muawiyah's finance minister Surjun ibn Mansur as well as his personal physician were Christian. A number of *Dhimmis* were appointed to high positions during Umawid and Abbasid periods.

In some cases, when the religious rights of non-Muslims were violated by a ruler, the *Ulama* and the *Qadhis* took the initiative in rectifying the situation. During the caliphate of al-Hadi in the second century AH, Ali ibn Sulayman was the governor of Egypt. For unknown reasons, he ordered the demolition of some Christian churches. When Musa ibn Isa succeeded him, he approached the *Ulama* in this matter. Layth ibn Sa'ad, who was the doyen of the *Ulama* of his times, decreed that all the demolished churches should be reconstructed at state expense. The governor readily complied with this decree. The grand mosque of Damascus had a church in its vicinity. The caliph Muawiyah requested the Christian community to forego their right over the church in lieu of some compensation, so that the church premises could be included in the mosque. The Christians refused. The caliph did not press the matter.

Islamic law guarantees religious and cultural protection not only to the Jews and Christians but also to Zoroastrians, Sabaeans and worshippers of idols. After the conquest of Persia, the fire temples of Zoroastrians were left untouched by the Muslims. In the tenth century, three centuries after the Islamic conquest of Persia, fire temples were to be found in every province of Persia. Following the conquest of Sind, Muhammad ibn Qasim gave a written assurance to the local Hindu population to the effect that their temples would not be harmed or destroyed. Daibul had a majestic Buddhist temple perched on a hillock. Multan had a magnificent Hindu temple. All such places of worship were left untouched by Muhammad ibn Qasim.

Following the end of the period of the four caliphs, Muslim rulers occasionally deviated from the principles of governance as laid down in the Islamic *Shariah*. Nevertheless, the state and society set up by the Prophet and consolidated by the caliphs and the Companions continued to serve as a beacon of inspiration and guidance for successive generations of Muslims. By and large, Muslim rulers and governments exhibited remarkable tolerance and magnanimity towards non-Muslims living in the Islamic state. Since the Roman destruction of Jerusalem in 70 AD, the Christians had prohibited the Jews from entering or living in the city. It was only after the Muslim occupation of Jerusalem that

the Jews came to live in the city.

When the Muslims conquered Spain, they left the Christians in the exercise of their religion. They allowed them to be tried by their own judges in accordance with their own religious laws. The ritual of the mass was observed with all solemnity, the psalms were chanted in the choir, and the church festivals were celebrated with customary enthusiasm. When the Ottomans captured Constantinople in 1453, they proclaimed themselves the protectors of the Greek Church. The control of spiritual and ecclesiastical matters was left entirely to the Christian clergy, with no interference from the state. When the Jews were evicted from Spain in 1492, they took shelter in Muslim lands. In Turkey, they were welcomed by the Muslim mayor of Istanbul.¹⁸ It is significant to note that Jewish communities who speak Ladino (Judaeo-Spanish) survived only in the eastern Mediterranean lands which were part of the Ottoman empire. Under Ottoman rule, the cherished principle of tolerance was institutionalised through the *Millet* system where administrative control was exercised through legally constituted religious communities, notably the Greek Orthodox and Armenian Christians and the Rabbanite Jews. The state did not demand conversion or cultural conformity from the ethnic and religious minorities.

There were instances when some places of worship belonging to non-Muslims were desecrated or destroyed by over-zealous Muslim soldiers or some members of the public. However, they were restrained and chastised by the *Ulama* and the Muslim rulers because such acts were considered contrary to Islamic teachings. During the reign of al-Mutasim (833-842AD), a Muslim general ordered the *Imam* of a mosque to be flogged because he was responsible for the destruction of a fire temple and the construction of a mosque in its place. Caliph al-Muqtadir (908-932AD) gave orders for the reconstruction of some churches at Ramallah in Palestine, which had been destroyed by Muslims during a riot.

Ethnicity in Islamic perspective

Ethnicity, which is an important aspect of the contemporary discourse of pluralism, refers to the positive consciousness of belonging to a group. Factors such as religion, culture, language and a sense of shared identity constitute the key components and markers of ethnicity. Undoubtedly, ethnicity plays an important role in fostering social solidarity and cohesiveness and in providing a sense of belonging and rootedness to the individual. In actual fact, ethnicity is a Janus-faced phenomenon in the sense that it has both benign as well as negative

implications and consequences. In the *Hadith* literature, the negative and socially disruptive implications and consequences of ethnicity are described as *Asabiyyah* or ethnocentrism. The Prophet defined *Asabiyyah* as helping one's own people in a manner that is morally wrong. He said: "He who invites people towards *Asabiyyah* is not one of us; he who fights for it is not one of us; he who dies for the sake of it is not one of us". One day a scuffle took place between a Migrant (*Muhajir*) and a Helper (*Ansari*). Both called out to their respective groups for help. When the Prophet heard about this incident, he expressed displeasure over it and remarked: "Why do you raise slogans like those of the age of ignorance (*Jahiliyyah*) ? Give them up; they stink". A companion asked the Prophet whether loving one's own people was also a part of *Asabiyyah*, to which he replied in the negative and added: "*Asabiyyah* is helping one's community in matters of injustice and oppression".

The renowned philosopher and sociologist Ibn Khaldun (d.1406), in his celebrated work *Muqaddimah* has dwelt at considerable length on the social significance and functions of *Asabiyyah* and its bearing on political processes, especially on the establishment of political power.¹⁹ However, while he takes a largely instrumentalist view of ethnicity, he fails to take cognizance of the negative and dysfunctional implications and consequences of *Asabiyyah*.²⁰

Notes & References:

1. Pierre L. Van Den Berge, "Pluralism" in J. J. Honigmann (ed.): *Handbook of Social and Cultural Anthropology*, Chicago: MacNally, 1973.
2. B. Denitch (ed.): *Multiculturalism: A Critical Reader*. Oxford: Blackwell, 1994; M. Guibernau and John Ex (eds.): *The Ethnicity Reader: Nationalism, Multiculturalism and Migration*, Cambridge: Polity Press, 1997; Bhikhu Parekh: *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, London: Macmillan, 2000.
3. A. R. Momin: *Islam and the Promotion of Knowledge*, Delhi: Institute of Objective Studies, 2001, pp. 74-76.
4. Sabhi Mahmasani: *Falsafah al-Tashri fil Islam*, Beirut, 1952, pp. 120-145.
5. Ibn al-Qayyim: *Ilam al Muwaqqiin*, Cairo, 1932, Vol.4, p. 1.
6. Abu Ishaq al-Shatibi: *Kitab al-Muwafiqat*, Beirut, 1985, Vol. 4, p. 94.
7. Abd al-Wahhab al-Sha'rani: *Al Mizan al Kubra*, Cairo, 1968, Vol. 1, p.21.
8. *Kitab al Muwafiqat*, Vol. 4, p.59.
9. *Al Mizan al Kubra*, Vol. 1, pp. 45-46.
10. M. A. Kettani: *Muslim Minorities in the World Today*, London: Institute of Muslim Minority Affairs, 1986; Syed Z. Abedin and Saleha M. Abedin, "Muslim Minorities in Non-Muslim Societies" in John Esposito (ed.): *The Oxford Encyclopaedia of the Modern Islamic World*, New York: Oxford University Press, 1995, Vol. 3, pp. 112-117.

11. Muhammad Khalid Masud, "Islamic Law and Muslim Minorities" *Newsletter of the International Institute for the Study of Islam in the Modern World* (Leiden), December 2002.
12. Al-Baladhuri: *Futuh al Buldan*, Cairo, 1932, p. 65.
13. Abu Yusuf: *Kitab al Kharaj*, Beirut, 1933, p. 84.
14. *Futuh al Buldan*, pp. 190-192; T. W. Arnold: *The Preaching of Islam*, Delhi, 1997 (1896), p. 56.
15. M. Khadduri: *The Islamic Law of Nations: Shaybani's Siyar*, Baltimore, M. D.: Johns Hopkins Press, 1966, pp. 11-12; I. R. al-Faruqi and L.L. al-Faruqi: *A Cultural Atlas of Islam*, New York: Macmillan, 1987, p. 138.
16. *The Preaching of Islam*, pp. 102-103.
17. P. K. Hitti: *The Origins of the Islamic State*. Beirut, 1966, pp. 210-211.
18. *The Preaching of Islam*, p. 156.
19. Ibn Khaldun: *The Muqaddimah*, Translated by Franz Rosenthal. New York: Pantheon Books, 1958, Vol. 1, pp. xxviii-ixxx.
20. A. R. Momin, "Pluralism and Multiculturalism: An Islamic Perspective" *American Journal of Islamic Social Sciences*, Vol. 18, No. 2, Spring 2001, pp. 115-146.

Islam and Minorities – A Historical Study

Mohd. Yasin Mazhar Siddiqui*

Abstract

The article makes a brief but well-documented effort to record Islam's treatment of its minorities from the time of the Prophet (Pbuh) to the onset of the modern age. It also explains the real meaning of Jizya and other measures that the Muslims took while dealing with the conquered territories and their subjects. Moreover, it seeks to establish how fair and firm the Muslims have been in their dealings with the non-Muslims or in keeping the promises they made to them. Not only the early Islamic sources have been consulted but also some fair-minded modern writers have been quoted in order to explain the subject at hand.

Any study of the rights of minorities granted to them by Islam and of their position and status accorded to them by the Islamic State must be made against the backdrop of political and social set-up and administrative apparatus that obtained in their times. The Prophet (Pbuh) always made maximum use of the existing tribal traditions of Arabia in addition to the divine injunctions he received during his Prophetic period (610-632 A.D.) in particular. He never shut his eyes to any new developments and the timely adjustments suggested to him by the dictates of time and space, provided they were in the best interests of the newly developed Islamic *Ummah* as well as the people at large. A decade-long rule of the Prophet (Pbuh) brought about several historical developments and made a number of adjustments in conformity with the then Arab traditions and norms while determining his relations with the non-Muslim citizens of his state.¹

The first instance of associating or integrating a non-Muslim segment of population with the Islamic *Ummah* is found mainly in the case of Jewish tribes and marginally with regards to some pagan pockets of the city-state of Madinah as early as 623 A.D. Details and principles of this politico-social adjustment are enshrined in what is termed by great Islamist Dr. Muhammad Hamidullah as "The First Written Constitution

*Professor Siddiqi teaches at Department of Islamic Studies, Aligarh Muslim University, Aligarh, India.

in the World”² which is generally called by the orientalist and modern scholars as the “Constitution of Madinah”.³ It was promulgated by the Holy Prophet (Pbuh) just after the social cohesion was brought about by his Islamic social measure called *Muwakhat* (brothering) between the old inhabitants of the city and the new migrants who had come from different parts of Arabia especially Makkah.⁴

Jews and pagans of Madinah were granted the same rights and duties which age-honoured customs of *Hilf* (Confederation or association) offered to all confederates (*Hulafa'*) and recognized by different oligarchies of Arabian Peninsula, with the pioneering modification that they were approved by a central authority. Like Muslim citizens of the Islamic city-state, the Jews and their associates (*Hulafa'*) were charged with equal duties and obligations which are enumerated below:

1. With regard to political and administrative supremacy all had to submit to the overlordship of the Holy Prophet (Pbuh) who, being an apostle and a divine vice-regent, represented the only central authority on earth and as such exercised sovereignty throughout his jurisdiction.
2. Both Muslims and non-Muslims were placed under the obligation of being faithful to the city-state; they could not give shelter or extend assistance or information to the enemies of the state; they should contribute their might for the defence of the city and bear their share of expenses of war in case any external/foreign aggression might take place, and more significantly cooperate with the Islamic *Ummah* in all matters of mutual interests.
3. All conflicts and disputes that could arise between the Muslims and non-Muslims must be brought to the court of the Prophet (Pbuh) and his verdict should be accepted by all without any grudge or ill-will.
4. On condition of reality to the Islamic State and political submission to the Holy Prophet (Pbuh) a guarantee (*Dhimmah*) of Allah, his Apostle and the Islamic *Ummah* was provided to all the confederates for the safety and protection of their life, property and honour.
5. Several articles of the Constitution of Madinah, when read together, provide religious, social, economic and cultural freedom to the *Ahl-al-Dhimmah* (protected people)⁵ who eventually were called as *Dhimmis* in the Islamic literature/corpus.

Incidentally, the same terms and conditions were offered to all Arab pagans, tribes, clans or groups, or for that matter, individuals who preferred to come into the fold of the Islamic state as confederates

(*Hulafa'*). A look at the agreements, covenants and circulars of the Prophet compiled by several historians, both Muslim and non-Muslim, would testify this statement.⁶

The second instance was concerned with the payment of the land-tax by the subjected people to the Islamic State. This development was, interestingly enough, brought about by the subjugated people themselves; the Jews of Khaybar after their capitulation offered 50% of their land-produce to the Islamic State in recognition of its proprietary rights over the conquered lands.⁷ It was quite in consonance with the tribal customs of Arabia by which several powerful Arabian tribes such as Ghaffan exacted the same amount of land-produce from the Jews of Khaybar in particular and other subordinated people in general.⁸ The conquered lands of Khaybar's satellite towns such as Fadak, Tayma and Wadi al-Qura followed the example and paid half of their produce to the Islamic State.⁹ Incidentally, this is the highest rate of land - produce permitted or prescribed in the Islamic literature, juridical or historical.¹⁰ It goes without saying that it is a proportional tax whose various lesser rates might have been realized from the cultivators of the subjugated land. Historical records show that the people of some northern villages such as Maqna, Adhrah, Jarba and the like did pay it at a very lesser rate, precisely 25%, to the Islamic State.¹¹ The guiding principle was the mutual agreement reached by both the parties; not a single example of state-coercion can be cited in this regard.¹²

The third instance related to the fixation of the *Jizyah* (poll tax) by the Islamic State and its payment by the people of the conquered lands such as the Christians of Dumah, Aylah, Najran etc. *Jizyah* rates varied and at times they carried special obligations under extraordinary circumstances. In this regard three facts must be kept in mind: one, that the *Jizyah* was an accepted mode of political submission and a mark of fealty to the central authority which was, interestingly, introduced in Arabia by the Sassanid and Byzantine hegemony in the south and north respectively; secondly, it was levied in lieu of the protection provided by the Islamic State to its non-Muslim subjects; thirdly it was taken from the male earning members of the minorities annually, and children, women, old people, monks, and several others were exempt from it.¹³ It is best illustrated by the Prophet's agreement/covenant with the Christians of Najran which is reproduced below:

“This is a letter from Muhammad the Prophet, the Messenger of God, to the people of Najran. To him belonged the decision upon them in respect of every fruit, yellow white or black, and every slave, but he was gracious to them, left (them) all that for

the payment of 2,000 suits (*Hullah*) of clothes, namely, suits of sources (*Awaqi*) of which a thousand are to be handed over each year (in *Rajab* (vii) and a thousand in *Safar* (ii), each suit worth one ounce (*‘Uqiyah*). Where these tribute suits exceed or fall short of the ounce, that is taken into account. Whatever was taken from them of the coats of mail and horses and riding camels and equipment they possessed is taken into account. Najran is to give lodging to my messengers for 20 days or less, but my messengers are not to be kept more than a month. It is obligatory for them to lend 30 coats of mail, 30 horses, and 30 camels if there is war (*Kayd*) in the Yemen. Whatever is destroyed of the coats of mail or horses or camels they lend my messengers is guaranteed by my messengers until they repay it. Najran and their followers have protection (*Jiwar*) of God and the *Dhimmah* of Muhammad the Prophet, the Messenger of God, for themselves, their community, their land, and their goods, both those who are absent and those who are present, and for their churches and services (no bishop will be removed from his episcopate, and no monk from his monastic position, and no church-warden from his church wardenship) and all for great or little, that is under their hands. There is no usury, and no blood-revenge from pre-Islamic times (*La-Damm al Jahiliyah*). If any of them asks for a right, justice is among them (sic. in their own hands) (to see that they are) not doing wrong and not suffering wrong, it belongs to Najran. If any one takes usury after this, my *Dhimmah* is free from (responsibility for) him. No one of them is punished for the wrong-doing of another. On the terms stated in this document (they have) protection (*Jiwar*) of God and *Dhimmah* of the Prophet for ever, until God comes with His command, if they are loyal and perform their obligations well, not being burdened by wrong...”¹⁴

To the Orthodox *Khulafa* and their commanders and governors, the Prophet’s model in particular and divine commands contained in the Holy Qur’ān in general, provided a guiding principle and administrative ground on which they could build up their apparatus with regard to political treatment to be meted out to the subjugated people of Mesopotamia, Syria, Egypt and Khurasan. Daniel C. Dennett summarises it quite precisely when he writes: “It is a well known fact that as the Empire of the Sassanids fell piece by piece into the hands of the Arabs, the latter maintained, but with few modifications, the system

of administration which had long existed. Not only was the system itself preserved, but the language in which the records were kept continued in use; and where possible the officials who had worked for the Sassanids remained in office under the Arabs. One would expect by common sense alone that such a settlement should have been made, and the fact that it was, is amply attested by the Arabs themselves".¹⁵

Preservation of old system and introduction of certain modifications were not confined to the erstwhile Sassanid lands only but the same had been done in all other subjugated lands as well. Dennett has demonstrated that the later *Khulafa* and their commanders and governors drew upon the examples of the Prophet and the rightly-guided *Khulafa* with certain modifications and alterations that were necessitated by the pressures of time and space, illustrating and substantiating them with historical facts, contemporary events and solid proofs.¹⁶ A historical analysis of all the periods of the *Khilafah* would be too lengthy and too detailed to be accommodated in a short article like this, therefore it is suggested to treat the matter thematically under various heads.

Guarantee to life, Property and Honour

Articles of the Constitution of Madinah are further corroborated by the statements of historians like Baladhuri, jurists like Abu Yusuf, theorists like Mawardi and a host of other Islamic scholars as well as the orientalist and modern scholars. All of them testify that the life of people was protected by the Islamic State and in case of war and external aggression they were defended by the Islamic forces. All their landed property and other possessions remained in their hands as earlier, and their regions were never ravaged by the Muslim soldiers in any period.¹⁷

Historical records show that whenever Muslim rulers failed or even feared to fail in protecting the *Dhimmi*s of any town or land, the amount of *Jizyah* collected from them was returned to them.¹⁸ Such a fine gesture on the part of the Islamic governors prompted the *Dhimmi*s of Hums, for example, to pray for return of the foreign Muslim rule.¹⁹ Incidentally, this type of humane treatment inculcated a spirit of fealty and a zeal of whole-hearted support in the hearts of the *Dhimmi*s for the Islamic rule.²⁰ From it followed a rule that the *Dhimmi*s were exempt from the military service which was compulsory for all the adult and capable males of the Islamic *Ummah*. In case a *Dhimmi* or a group of *Dhimmi*s rendered military service, their *Jizyah* was abolished because in war no protection to their lives could possibly be guaranteed by the Islamic State or Islamic army.²¹

This brings us to the question or principle of retaliation (*Qisas*). In

Islamic law and practice intentional murder (*Qatl-i 'amad*) attracts capital punishment for the culprit. The early *Khulafa* and their *Umayyid* successors applied the same rule to the Muslim murderer who intentionally took the life of a *Dhimmi*. At the behest of the second *Khalifah*, Umar I(633-43 A.D.) a Muslim assassin from the tribe of Bakr b. Wa'il was handed over by the governor of the region to the descendants of the victim who killed him in retaliation. None of the holy companions (*Sahabah*) or later *Ulama* had ever raised any objection or doubt about this rule. The fourth *Khalifah* Ali b. Abi Talib (656-60) clearly prescribed the Islamic rule by saying: "Those who enjoy our protection, their protection is like ours, and their blood money (*Diyat*) is like our blood-money and when a similar case was brought to his court, he gave the same verdict. In the latter case, however, the descendants or relatives of the victim agreed to forgive the culprit; the *Khalifah*, however, made it sure that no undue pressure was exercised from any quarters. The same law of retaliation operated in the period of third *Khalifah* Uthman b. Affan (643-56A.D.) and the *Umayyid Khalifah* Umar II(717-20A.D.)and in all succeeding periods of Islamic rule.²²

A case of the third *Khalifah's* period is very uniquely illustrative of the enforcement of the law of retaliation. A powerful religious leader of Kufah Jundub b. Kab Azdi killed a Jewish magician for his satanic shows. The Governor of Kufah Walid b. Uqbah(625-29A.D.) captured him and put him in prison; he wanted to kill him for killing a *Dhimmi*, but the prison officer cleverly set him free while proceedings of the suit were going on. The governor was so enraged that he killed the offending officer in retaliation.²³

We come across a considerable number of retaliation punishments being meted out to the Muslim assassins for murdering the *Dhimmis* during the *Umayyid* and *Abbasid* and in other succeeding periods of Muslim rule. Many Historians assert that not a single example can be cited against this rule of retaliation and its promulgation by Muslim rulers.²⁴

Right to Property

The Muslims and *Dhimmis* enjoyed the same rights and privileges in respect of their lands and property and no differentiation or discrimination was allowed between them. All the landed property in the actual ownership of the *Dhimmis* remained in their possessions with full proprietary rights. Even if they were needed by the *Khulafa* and governors for public or religious purposes, they were obtained through

purchase, and no coercion of any sort was exercised; transactions were made only when the *Dhimmi* owners gave their consent willingly.²⁵ A few historical facts will illustrate the statement.

A Muslim of Basrah wished to set-up a horse-stable on the outskirts of the city and for that purpose he requested the governor Abu Musa Ashari to grant him a piece of land. The governor gave orders to provide him such a land that should not belong to any *Dhimmi* nor its water should come through the lands of the *Dhimmis*.²⁶

It is a well known fact that even the conquered lands of the *Sawad* region of Iraq were left in possession of their cultivators who, after the conquest, had become *Dhimmis* of the Islamic State with the modification that the latter had acquired the ownership rights because their real owners had fled and the cultivators were only tillers of the soil. But those conquered lands whose owners stayed back, they remained in their possession with full proprietary rights such as inheritance transfer, sale or any transactions they wanted to make.²⁷

Umer I also introduced another law to protect the *Dhimmi* lands. Through a decree he forbade the transfer, purchase and sale of the *Kharaji* i.e. *Dhimmi* lands to Muslims who indulged in purchasing them and converting them into 'Ushri lands. This became a wide-spread practice that not only deprived the state-treasury of larger revenues but also hampered the interests of the *Dhimmis*. Hence, the law that *Kharaji* lands would always remain *Kharaji* whether their owners were Muslims or members of *Dhimmi* communities. Dennett provides enough historical evidence to support these measures of Umar I. Interestingly, he confirms the statements, reports and arguments of the Muslim jurists and historians on the matter rejecting the theories of Wellhausen and his followers charging them with misinterpreting, ignoring or rejecting the historical facts without substantial evidence.²⁸

Many examples may be cited from the later *Umayyid* and *Abbasid* periods of *Khilafah* in this respect. 'Uqbah b. Amir, a companion of great stature, was appointed as Governor of Egypt and as such was given one thousand *Jarib* in land-grant. He selected a piece of barren land quite away from the *Dhimmi* lands saying that "we as Muslims are bound by various treaties to protect their lands. Moreover, the *Khalifah Muawiyah* had also directed us to keep away from them."²⁹

In fact, the issue of the conquered lands is quite complex; it is not as simple as it is thought by the modern writers. Denett has dwelt upon the subject thoroughly and after great researches came to the conclusion that the lands of the subjugated areas fell into four categories:

1. Lands conquered by force: their revenues may be fixed, changed or

- increased or decreased by the state at its will.
2. Lands taken by *Sulh*(agreements) of the people/owners: their revenues could be raised through mutual agreements but could be decreased by the state unilaterally.
 3. Lands taken by *Ahd* (covenant) of the State: their revenues could not be altered at any cost.
 4. Pay lands whose owners fled at the time of conquest became the property of the Islamic State.³⁰

Religious Rights

Right from the Prophet's early days at Madinah when a city state was set-up till the establishment of the World *Khilafah* by the Umayyid *Khulafa* and even in later phases of Muslim rule in various parts of the World, all the *Dhimmis* were given complete religious freedom; in fact, no interference was allowed by the Islamic state in their social and cultural affairs. It is more important to note that no group of Muslims could dare even to say anything against their religious practices and beliefs. Religious freedom to the minorities were guaranteed in various agreements made with the subjugated people; it was, in fact, an essential article of faith as well as the covenant of the state. The agreement made with the notables of al-Hirah clearly states that their churches, temples and other places of worship will not be destroyed or even touched and the *Dhimmis* would not be prohibited from practicing their religious, social or cultural practices such as playing the trumpets or ringing of the bells or taking out the cross on the occasions of their festivals.³¹ Denett has quoted the full text of a covenant of Umar I which is reproduced below:

1. Security is promised for lives, goods, churches, crucifixes, and all things pertaining to the Christian religion;
2. Churches will not be turned into dwellings, nor demolished, nor will lands, crosses or possessions belonging to churches be confiscated;
3. No one will be molested because of his religion;
4. Jews may not live in Jerusalem;
5. People must pay the *Jizyah* as in other cities;
6. The Greeks may depart under safe conduct;
7. The Greeks who remain will pay taxes like the others;
8. Natives may depart with the Greeks;
9. No taxes will be demanded until harvest time;

It may be granted that other versions of the Covenant, which include terms regulating the dress of Christians, the ringing of bells, the

celebration of holidays, etc., contain additions of a later period, but there is no valid reason why this version should not be considered completely authentic. Its terms cover the same points as the treaties of Damascus (Bladhuri, 121), of Ba'labakk (Bladhuri, 130), of Raqqa (Bladhuri, 173) and of ar-Ruha (Bladhuri, 174), They are very similar to the terms reported by the universally accepted John of Nikiu for Alexandria, the only difference being that Jews were permitted to remain in Alexandria.

Finally, the terms offer exactly the sort of itemized guarantee that the Jerusalem patriarch would want to obtain, and Umar would have no valid reason for not granting them. We may conclude, therefore, that the authentic covenant of "Umar is here found in Tabri I, 2405-8".³²

Apart from Dennett several Muslim and non-Muslim historians have quoted texts of similar covenants made with the people of Iraq, Syria, Egypt, Khurasan, and other subjected lands. A cursory look at Baladhuri's *Futuh al-Buldan* or Abu Yusuf's *Kitab al-Kharaj* will bear sufficient testimony to the fact that the *Dhimmi*s of various provinces of the Islamic State enjoyed full religious freedom including protection to their places of worship and other social and cultural institutions.³³

Great Umayyid *Khulafa* who are generally dubbed as despots and autocratic caring very little for the Islamic injunctions such as Muawiyah, Abd al-Malik, Walid etc. could not dare to take any church by force or coercion; and if any excess were committed by any of them, they were rectified by their successors. Walid I is reported to have annexed a church to Great Umayyid Mosque of Damascus against the will of the Christians, who brought it to the notice of Umar II in his Caliphate and the pious *Khalifah* ordered the demolition of the illegally occupied part of the Mosque. He also restored to the Christians several other churches of Damascus taken forcibly by some early *Khulafa*.³⁴

Muslim rulers throughout their political rule in various parts of the world not only permitted the continuance of old places of worship of different communities but also provided large funds and liberal grants for their maintenance from the Islamic treasury.³⁵ Muhammad b. Qasim Thaqafi's example is more important here which is cited in the *Chich Namah*. Land grants given earlier to the churches, temples and other places of worship were confirmed by the Muslim rulers and their revenues accrued to them as always.³⁶

More important than the preservation and maintenance of old places of worship of the minorities is the state permission for building new ones in various cities and towns of the Islamic empire. In the period of Hisham b. Abd al-Malik (724-43 A.D.)Iraq's governor Khalid b. Abd

Allah Qasari (g.722-738 A.D.) constructed a very magnificent church for his Christian Mother in Kufah. K.V.Zetteroteen, writes that he was very liberal and considerate towards Christians and Jews and allowed them to construct new churches and synagogues at various places. It may be pointed here that Khalid Qasari was opposed by some Muslim leaders for his liberal attitude towards the minorities and even charged him with working against Islam.³⁷ A Christian minister of the Buwaihid Azduddaulah also built several new churches with the concurrence of the Muslim ruler and more significantly with the state money.³⁸ These are not stray examples; it was a policy of the liberal Muslim rulers indeed.

A judicial exposition will be of more interest and greater consequence. Imam Marghinani, perhaps the greatest exponent of the Hanafi Fiqh in the middle ages, writes in the great work, *al-Hidayah*, that if a Christian bequeathes a will to constructing a church out of his property, his inheritors are bound by it, and the Islamic State will not obstruct it, arguing that Muslims are under obligation to protect the civil rights of the *Dhimmi*s and one of them is carrying out their genuine will.³⁹

Induction of the Minorities in the State Apparatus

Several instances of the induction of minority members into the state apparatus have already been cited above. What Dennett has stated about the Sassanid officials' continuation in their offices under Islamic rule is also true of other subjugated lands. Common sense as well as pragmatic policy dictated their continuation in their posts and the Muslim rulers and their governors were not so naive as to dismiss them. After the Islamic conquests only top positions were taken up by the Muslims and subordinate bureaucracy was retained as earlier.

However, after initial period of Islamic rule, the doors for high offices of the administration were also opened for the meritorious members of the minority communities. Muawiyah's finance minister Surjum b. Mansur and his physician were Christians and they enjoyed great respect and vast powers sometimes disliked by the orthodox Muslims. Denett states that "Muawiyah was the real organiser of the Empire and the creator of the bureaucracy. With the aid of Ziyad in the East and of Surjun ibn Mansur in the West, he established a true finance ministry in the modern sense."⁴⁰ Cahen, the writer of the article on *al-Dhimmah*, admits that high offices were opened for the *Dhimmi*s in the Umayyid and Abbasid periods, they were appointed to the high posts in several ministries especially financial department.⁴¹ K.V. Zettersteen

writes that Khalid Qasari had appointed even the Zoroastrians to high posts in additions to Jews and Christians. In fact, natives were generally introduced in the administrative posts.⁴² Muhammad b. Qasim Thaqafi and his Turkish successors had appointed large number of Hindus in their administrative and military services.⁴³ Permit me to refer to my own article, *Apparatus of the Delhi Sultanate-13th-14th Centuries*, and for Mughal administrative machinery a look at Dr. Athar Ali's work, *Nobility under Aurangzeb* will suffice. Great theorists and jurists like Mawardi quote many instances of their nature and on the basis of the practices of the *Khulafa* propound that even the highest post of *Wazir* (minister) can be given to a *Dhimmi*.

Conclusion

From Islamic injunctions, juridical expositions, historical developments, statements of contemporary historians and genuine researches made by modern scholars discussed above two distinct aspects of Islamic relations with minorities emerge very clearly: Fundamental laws, like many other divine and Prophetic prescriptions, which are universal and obligatory for all times to come, never changing with the time and space; and administrative regulations and measures like innumerable matters and issues based on human deduction and administrative inference, and legal intuition (*Ijtihad*) are always liable to change, simply because they are conditioned and shaped by time and space and in fact they have been changing throughout the Muslim rule with the requirements of the Islamic *Ummah* and in the best interests of humanity at large.

Basic rights of the minorities such as protection to their life, property and honour, freedom of religious, social, economic and cultural norms and practices, their induction in the administrative posts, sharing the burden of taxation and host of other human rights and duties that are common between Muslims and non-Muslims fall in the category of fundamentals, while their details like the administrative measures of the early *Khulafa* and even the political adjustments of the Holy Prophet (Pbuh) fall in the *Ijtihadi* category and as such they are neither universal nor obligatory; they must and will be decided in conformity with the prevailing systems and norms, as the practices of the Holy Prophet (Pbuh) and his successors very unequivocally establish.

Notes & References:

1. Cf. M. Yasin Mazhar Siddiqui, *Organisation of Government Under the Prophet*, Idarah-i - Adabiyat, Delhi, 1987, 11-12, 16 ff for Arab tradition of *hif, jiwar*

- and *sila* etc (hereafter as "Organisation" only).
2. Ibid, Lahore, 1968, 41-54.
 3. Cf. W.M. Watt. *Muhammad at Medinah*, Oxford 1956, 221-222 ff; R.B. Searjeant, "The Constitution of Medina", *The Islamic Quarterly*, VIII, (Jan-June 1964), 3-16, Moshe Gil, "The Constitution of Medina Reconsideration", *Israel Oriental Studies*, Tel Aviv, Vol. IV, 1974 etc.
 4. The full text of the "Constitution" has been first reproduced by Ibn Ishaq, *Sirat Rasul Allah*, Eng. Tr. A. Guillamme, Oxford University Press, London, 1955, 231 ff; Ibn Hisham, *al-Sirah al-Nabawiyah*, Cairo, 1955.
 5. Cf. *Organisation*, 7-15.
 6. Text of all the agreements of the Prophet and the early *Khulafa* have been compiled by M. Hamidullah, "*Majmuah al-wathaiq al-Siyasiyah...*" Cairo 1941. Cf. Watt, *Ibid*; Guillamme, *Ibid*; Daniel C. Dennett, *Conversion and the Poll Tax in Early Islam*. Harvard University Press, Cambridge 1950; *Organisation*, especially first and second chapters.
 7. Ibn Ishaq, *Ibid*, 510-23; *Baladhuri, Futuh al-Buldan* Cairo 1932, 47-48. Cf. *Organisation*, 38-39.
 8. Cf. *Organisation*, 27-35 ff; Interestingly enough, the Prophet also contemplated to offer 50% produce of Madinah to Ghatfan to secure the withdrawal of their force during the battle of Ahzab, 5 A.H./627 A.D., but it was abandoned on the suggestion of chiefs of Aws and Khazraj who regarded it a mark of dishonour.
 9. Cf. *Organisation*, 38-39.
 10. Abu Yusuf, *Kitab al-Kharaj*, Cairo 1933; Bukhari & Muslim, *al-Jami, ghazwah-i Khaybar*, Baladhuri, *Ibid* 36-42.
 11. Ibn Ishaq, *Ibid* 607 ff; *Majmuah al-Wasaiq*, 32-39 ff; Baladhuri, *Ibid*, 71. Cf. *Organisation*, 46. ff.
 12. *Ibid*, Cf. Shibli Numani, *Maqalat*, 185-220 ("*Huquq al-Dhimmiyin*"), 221-231 ("*al-Jiyah*").
 13. Cf. *Organisation*, 37-39 ff; esp 302-307 Shibli *Ibid*; "*Jizyah*" Encyclopaedia of Islam; Z.A. Azhar, Urdu Encylo; Dennett; *Ibid*.
 14. *Majmuah al Wasaiq* 81-82. Cf. Watt, 359-60 its Eng. Tr; *Organisation*, 303-304 for discussion.
 15. *Ibid*, 14 ff.
 16. *Ibid*. Cf. Dennett. Op.cit.
 17. Baladhuri, *Ibid*, 190-92
 18. Baladhuri, *Ibid*, Eng. Tr. By P.K. Hitti entitled, *The Origins of the Islamic State* Beirut 1966, 210-11, says "... the Moslems heard that they were coming to meet them at al-Yarmuk, the Moslems refunded to the inhabitants of Hums the Kharaj they had taken from them saying, "We are too busy to support and protect you...."
 19. Cf. P.K. Hitti, *The Origins 211, records*: "But the people of Hums replied: "We like your rule and justice far better than the state of oppression and tyranny in which we were".
 20. *Ibid*, 211 ff. "The inhabitants of other cities-Christians and Jews that had

- capitulated to the Moslems, did the same they opened the gate of their cities, went out with the singers and music players... and paid the *Kharaj*”
21. Ibid; Abu Yusuf, *op.cit.* Cf. Vincent J. Cornell, “*Jizyah*”, in The Oxford Encyclopaedia of the Modern Islamic World, writes that *Jizyah* was a form of tribute that exempted person who paid it from military service.... “; Dennet, 35-36 who reproduces the expositions of Muslims jurists like Abu Yusuf and Yahya b.Adam.
 22. Cf. Shibli. *Op.cit*
 23. Cf. Shibli, *op.cit.*
 24. “*Qisas*” Encyclopaedia of Islam; Cf. Shibli, *op.cit*, *Dennett*, *op.cit.*
 25. The Origins, 198-99ff. Dennett, *op.cit.*
 26. Cf. Shibli, *op.cit.*, who cites Maqrizi’s *Khutat*, 298 as his source.
 27. Baladhuri, *TheOrigins*, 387-92 Cff.Cf. Shibli, *op.cit*; Dennet, *op.cit*, 14-42.
 28. Dennett, 34-36ff; on the authority of jurists he states that ”Without the Caliph’s permission *Kharaj* land may not be transferred into tilth land.
 29. Cf. Shibli, *Op.cit.*, who reproduces a tradition of Maqrizi, *op.cit*, 295.
 30. Dennett, *op.cit.*, 47-48
 31. *The Origins*, 198-99, 201-202ff
 32. Dennett, *op.cit.* 62-63.
 33. Baladhuri, *op.cit.*, The Origins; Dennet, *op.cit.*, Shibli, *op.cit.* etc.
 34. Cf. The Origins, 191-92ff; Abu Yusuf, *Kitab al-Kharaj*, 80 as cited by Shibli. Also see texts of various agreements given in them.
 35. Cf. Shibli, *op.cit.* 199, on the authority of *al-Nujum al Zahirah*.
 36. Shibli, *op.cit.* 202-03.
 37. K.V. Zettersteen, “Khalid b. Abd Allah Qasari”, Encyclopaedia of Islam; *Urdu Dairah-i Ma’arif-i Islamiyah*.
 38. Cf. *Azd al-Daulah*, Urdu Dairah; Shibli, *op.cit.*
 39. *Al-Hidayah*, *Bab al-Wasiyah*; Cf. Shibli, *op.cit.*, 203.
 40. *Ibid*, 31
 41. *Ibid*.
 42. *Ibid*, “.....and granted Christians and Jews generally the privilege of building churches and synagogues, and did not hesitate to give Zoarastrians posts in the government....”
 43. Cf. Shibli, *op.cit.* 216-220.

Liberal Islam: Not a Contradiction in Terms

Charles Kurzman*

Abstract

The article argues that despite opposition from within and outside the Islamic world, liberal Islam has a future. In the world we are living today, specially after the 9/11 it has become difficult to form a balanced opinion or walk on the middle path. There are people within and outside the Islamic fold who tend to take the extreme position and demand others to be either with them or face the consequences. In such a situation it is difficult to form a true opinion about the 'others'. As a result we see the West today as reviling Islam as fanaticism or fundamentalism that seeks to destroy the West. The reality, however, is that there is a "liberal Islam" which cares for human rights, champions freedom of expression and seeks to promote inter-civilization dialogue. The "liberal Islam" not only exists but has also a promising future.

Many non-Muslims picture Islam as uniformly intolerant and fanatic, a picture that is rooted in centuries of hostilities and misimpressions. I argue that this picture is erroneous, and that there is a growing number of Muslims who share common concerns with Western liberalism, in South Asia and throughout the Islamic world. Using the issue of freedom of thought as an example, I propose that there are three liberal Islamic approaches to this subject. The first approach I call the "liberal *Shari'ah*." In this approach Islamic scholars base their arguments on injunctions in the Qur'an and on precedents from the early years of Islam. The second approach I call the "silent *Shari'ah*." In this approach Islamic scholars argue that the *Shari'ah* is silent on certain topics-not because the revelation is incomplete or imperfect, but because these matters have been intentionally left to human invention. The third approach I call the "interpreted *Shari'ah*." In this approach Islamic scholars argue that revelation is divine, but interpretation is human and fallible and inevitably plural. I further examine the social bases and challenges of "Liberal Islam."

*Dr. Kurzman teaches at Univerity of North Carolina, Chapel Hill, USA.

The Apparent Contradiction

Contrary to popular opinion among non-Muslims, there are many Muslims around the world who share *parallel concerns* with Western liberalism. This is my definition of “Liberal Islam:” interpretations of Islam that are focused on democracy, the separation of church and state, the rights of women, the rights of minorities, freedom of thought, and the idea of human progress. These are themes that are prominent both in Western liberalism and in “Liberal Islam,” and they happen to be the themes around which I have organized a recent anthology.¹ These aren’t the only possible themes, because liberalism is a broad term whose definition varies, but these are themes that are very prominent and generally agreed-upon by liberals around the world.

This general agreement is one of the major points I am hoping to make with this anthology. I am trying to show non-Muslims – and Muslims as well – that there is common ground between the Islamic world and its neighbours, which is against what has generated negative feelings on both sides, and has contributed to the sense of an inevitable “clash of civilizations,” as political scientist Samuel Huntington has called it. I’m going to return to this topic at the end of this essay. My point is: liberals exist in many cultures who share parallel concerns, have common interests, and are working to prevent the supposedly inevitable collision.

Mine is a sociological approach to the subject of “Liberal Islam.” By this I mean: treat religion as a social phenomenon, not as a theological phenomenon. The distinction is this: a theological discussion looks at the truth of a religion, and it seeks the best possible interpretation of a religion. This is an entirely legitimate enterprise, indeed it is a necessary enterprise for a spiritual existence. But I am trying to do something different here. I am not qualified to engage in a theological discussion of Islam that would take far greater learning than I am capable of. Instead, I am doing something more modest. I am trying to make a sociological analysis of theological discussions. In other words, I am trying to examine what people say is the truth of a religion, what people say when they seek the best possible interpretation. Personally, I respect all religions, but what I am trying to do here is examine the social basis of religious discourse. To do this, I have gathered as many texts from the “Liberal Islam” movement as I can. I have analyzed the tropes – or meta-narratives – that they use, the social location of the people who are writing these texts, and the social location of their opponents. These are the three main points I want to make: (1) the Tropes of Liberal Islam, (2) the Social Location of Liberal Islam, and (3) the Challenges

of Liberal Islam.

The Tropes of Liberal Islam

Despite their parallel concern, liberalism in the Islamic world and liberalism in the West are not exactly the same thing. They may both support freedom of thought, for example, but they may go about doing this in different ways. Within the Islamic discourse, there are three main tropes that I call:

- a) the “liberal *Shari’ah*”
- b) the “silent *Shari’ah*”
- c) the “interpreted *Shari’ah*”

Shari’ah, for those who are not familiar with the term, is the body of Islamic guidance and precedent that has been handed down from the time of the Prophet Muhammad in 7th century Arabia.

(a) The “Liberal *Sharia’ah*”

The “liberal *Shari’ah*” trope argues that the revelations of the Qur’an and the practices of the Prophet command Muslims to follow liberal positions. For example, in the case of freedom of thought, some “liberal *Shari’ah*” arguments take verses of the Qur’an that urge the believers to think independently. ‘Ali Shari’ati (Iran, 1933-1977), for example, draws on the Quranic distinction between “*Bashar*” (the human animal) and “*Insan*” (the fully human being): “Humankind is a chooser, that is, the only being who is not only capable of revolting against nature and the order which is ruling over it, but can revolt against its own natural, physical, and psychological needs. Humans can choose things which have neither been imposed on them by nature, nor is their body fit to choose them. This is the most sublime aspect of humanity.”² Similarly, Abdelwahab El-Affendi (Sudan, born 1955) argues that all humans must be endowed with free will and the “freedom to sin,” or they will also lack “the freedom to be virtuous.”³

Other “liberal *Shari’ah*” argument defenses of freedom of thought draw on the right to conduct “*Ijtihad*,” or Islamic interpretation. This was one of rallying cries of the modernist Islamic movement of the 19th century, as exemplified by Jamal al-Din al-Afghani (born in Iran, 1838-1897): “In their beliefs they [the members of each community] must shun submission to conjectures and not be content with mere imitation of their ancestors. For if man believes in things without proof or reason, makes a practice of following unproven opinions, and is satisfied to imitate and follow his ancestors, his mind inevitably desists from intellectual movement, and little by little stupidity and imbecility

overcome him – until his mind becomes completely idle and he becomes unable to perceive his own good and evil, and adversity and misfortune overtake him from all sides.” Similarly, Sayyid Ahmad Khan (India, 1817-1898) and Sayyid Mahdi Ali Khan (India, 1837-1907) agreed: “Every person is entitled to *Ijtihad* in those matters concerning which there is no explicitly revealed text in Qur’an and *Sunnah* [the practice of the Prophet].”⁵ (At the same time, it should be noted that Ahmad Khan was also dismissive of “the opinion of every Tom, Dick, and Harry.”)⁶ More recently, Yusuf al-Qaradawi (Egypt-Qatar, born 1926) urged those who wish to impose strict interpretations of Islamic law to recognize that those “who hold different views or approaches are also capable of *Ijtihad* like themselves.”⁷

Indeed, Ghulam Ahmad Parwez (India-Pakistan, 1903-1985) has argued that the Qur’an’s protection of individual freedom is so strong that it overrides all forms of authority: “No person has the right to compel any other person to obey his orders: ‘It is not [possible] for any human being unto whom God has given the Scripture and wisdom and prophethood that he should afterward have said unto mankind: Be slaves of me instead of God.’ (Sura 3, Verse 79)”⁸ Political systems that do allow individual freedom of thought, according to this trope, are un-Islamic.

(b) The “Silent *Shari’ah*”

A second way of approaching the topic of freedom is what I call the “silent *Shari’ah*” In this trope freedom is not *required* by the *Shari’ah*, but it is *allowed* by the *Shari’ah*. This trope argues that the *Shari’ah* is silent on certain topics – not because the divine revelation was incomplete or faulty, but because the revelation *intentionally* left certain issues for humans to choose. Sa’id Ramadan (Egypt, 1926-1995), for example, has written that “the *Shari’ah* of God, as embodied in Qur’an and *Sunnah*, does not bind mankind in *Mu’amalat* (worldly dealings) except by providing a few broad principles of guidance and a limited number of injunctions. The *Shari’ah* only rarely concerns itself with details. The confinement of the *Shari’ah* to broad principles and its silence in other spheres are due to divine wisdom and mercy.... The fact that the *Shari’ah* is silent on these points and we should bear in mind that, as the Qur’an remarks, God is not forgetful __ means only that the application of the general injunctions of the *Shari’ah* to the multifarious details of human life, and the confrontation of new problems according to the dictates of *Maslaha* (public good) have been left to the discretion of the body of conscious Muslims.”⁹

Within this general argument, definitions of the public good may vary. Nurcholish Madjid (Indonesia, born 1939) phrases the public good in terms of intellectual progress: “We must have a firm conviction that all ideas and forms of thought, however strange they may sound, should be accorded means of expression. It is by no means rare that such ideas and thoughts, initially regarded as generally wrong, are [later] found to be right.... Furthermore, in the confrontation of ideas and thoughts, even error can be of considerable benefit, because it will induce truth to express itself and grow as a strong force. Perhaps it was not entirely small talk when our Prophet said that differences of opinion among his *Ummah* [community] were a mercy [from God].”¹⁰ Laith Kubba (Iraq-England, born 1954) phrases the public good in terms of economic progress: “As Muslims devise strategies for economic growth in a competitive world and redefine their priorities, their outlook will shift from the abstract concepts and values of Islam to the realities of the Muslim world. They will continue to turn to Islam as a source of personal and communal identity and moral guidance, but they will also critically assess the legacy handed down by previous generations who may have narrowed Islam in ways that had less to do with the essence of the faith than with historical accidents and parochial circumstances.”¹¹ In both of these examples, *Shari’ah* allows Muslims freedom of thought in order to attain these public goods.

(c) The “Interpreted *Shari’ah*”

The first trope of “Liberal Islam” holds that the *Shari’ah* requires freedom, and the second trope holds that the *Shari’ah* allows freedom. But there is a third liberal Islamic trope that takes issue with each of the first two. This is the trope of “interpreted *Shari’ah*.” According to this view, “Religion is divine, but its interpretation is thoroughly human and this-worldly.” I am quoting here from ‘Abdul-Karim Soroush (Iran, born 1945): “the text does not stand alone, it does not carry its own meaning on its shoulders, it needs to be situated in a context, it is theory-laden, its interpretation is in flux, and presuppositions are as actively at work here as elsewhere in the field of understanding. Religious texts are no exception. Therefore their interpretation is subject to expansion and contraction according to the assumptions preceding them and/or the questions enquiring them.... We look at revelation in the mirror of nature... [so that] the way for religious democracy and the transcendental unity of religions, which are predicated on religious pluralism, will have been paved.”¹²

Similarly, Hassan Hanafi (Egypt, born 1935) has written: “There is

no one interpretation of a text, but there are many interpretations given the difference in understanding between different interpreters. An interpretation of a text is essentially pluralistic. The text is only a vehicle for human interests and even passions.... The conflict of interpretation is essentially a socio—political conflict, not a theoretical one. Theory indeed is only an epistemological cover-up. Each interpretation expresses the socio-political commitment of the interpreter.”¹³

And Syed Vahiduddin (India, born 1909) writes: “But as the Qur’an’s vision of God cannot be confined exclusively to any one of its historical expressions, religion itself cannot be a static construct made once and for all without revealing fresh nuances in its historical development. This static concept of religion neglects the truth that at no point of history can all possibilities be exhausted, though a given point in history might be pregnant with implications for the future. History is a process of creative expression; not a perpetual repetition, and hence it is presumptuous to limit Islam to its classical expression.”¹⁴

The Social Location of Liberal Islam

(a) Increasing Advanced Education

Widespread higher education has broken the traditional religious institutions’ monopoly on religious scholarship. Millions of autodidacts now have access to text and commentaries, for example non-clerics with secular educations – engineers such as Muhammad Shahrour (Syria, born 1938) and Mehdi Bazargan (Iran, 1907-1955); philosophers such as Muhammad Arkoun (Algeria-France, born 1928) and Rachid Ghannoushi (Tunisia, born 1941); and sociologists such as “Ali Shair’ati (Iran, 1933-1977) and Chandra Muzaffar (Malaysia, born 1947).

For example, Fatima Mernissi (Morocco, born 1940), trained in sociology rather than theology, examined the *Hadith* (tradition of the Prophet), “Those who entrust their affairs to a woman will never know prosperity!” She looked it up in *Fath al-Bari* (The Creator’s Conquest), by Ibn Hajar al-’Asqalani (1372-1449), which is a commentary on the influential collection of traditions, *Al-Sahih* (The Authentic), gathered by Muhammad ibn Isma’il al-Bukhari (810-870). The *Hadith* was attributed to Abu Bakra (died circa 671) – born a slave, liberated by the Prophet Muhammad, rising to high social position in the city of Basra. Abu Bakra is the only source for this *Haidith*, and he reported it 25 years after the Prophet’s death. Mernissi suggests that this *Hadith*, though included in al-Bukhari’s collection and widely cited in the Islamic world, is suspect for two reasons:

First, when placed in context, Abu Bakra's relation of the *Hadith* seems self-serving. He was trying to save his life after the Battle of the Camel (December 656), when, to quote Mernissi, "all those who had not chosen to join 'Ali's clan had to justify their action. This can explain why a man like Abu Bakra needed to recall opportune traditions, his record being far from satisfactory, as he had refused to take part in the civil war.... [Although] many of the Companions and inhabitants of Basra chose neutrality in the conflict, only Abu Bakra justified it by the fact that one of the parties was a woman."

Second, Abu Bakra had once been flogged for giving false testimony in an early Islamic court case. According to the rules of *Hadith* scholarship laid out by Imam Malik ibn Anas (710-796), one of the founders of the science of *Hadith* studies, lying disqualifies a source from being counted as a reliable transmitter of *Hadith*. "If one follows the principles of Malik for *Fiqh* [Islamic jurisprudence], Abu Bakra must be rejected as a source of *Hadith* by every good, well-informed Malikite Muslim."¹⁵

Think of the implications of CD-ROM or world Wide Web versions of al-Bukhari, al-'Asqalani, and other *Hadith* collections: anyone literate in Arabic with access to a personal computer can investigate the sources of Islamic law and question the "official" interpretations.

(b) Increased International Communication

International technologies of communication – newspapers, telegraph lines, international trade, as well as high-tech technologies such as radio, television, telephone, and the internet—are bringing educated people from around the world into ever-closer contact. The ideals of Western liberalism, like other Western ideals such as nationalism, authenticity, economic development – have entered people's homes around the world. For example, people in Gabon, in West Africa, watched the fall of Communism in eastern Europe and started demanding democracy themselves. The dictator in Gabon commented derisively on the "wind from the east [i.e. The Communist Eastern bloc] that is shaking the coconut trees."¹⁶

Another example is the tremendous Internet activity surrounding the 1998 arrest of Anwar Ibrahim (Malaysia, born 1947), whose trajectory from youthful Islamist militant to liberal reformist coincided with his increasing use of quotations from William Shakespeare and other cross-cultural sources. Supporters of Ibrahim's reform movement contributed to international communication through Web sites such as Anwar online. Anwar Ibrahim One, Gerakan Reformasi, ADIL, Reformasi Dot Com (quoting poetry by Rabindranath Tagore), and Ibrahim's wife's official

web site, <http://www.anwaribrahim.org>.—some of these sites registering hundreds of thousands of visitors in two or three months. As one flashing pro-Ibrahim Web site noted in halting English: “Welcome to J’s Reformasi Online, the site of the oppressed and depressed!! In the name of Allah, most gracious, most merciful. The Internet can be a suitable place for hatred sites, racism, online movements if you denied our freedom of speech, access to truth, and sodomized our rights!”

Some countries have tried to block foreign ideas from entering their countries precisely because they fear these sorts of inter-cultural interactions. But blocking foreign ideas, to quote U.S. President Woodrow Wilson out of context,” is like using a broom to stop a vast flood.”¹⁷ Few countries are able to keep up this level of booming for long.

(c) **The Failure of Islamic Regimes**

A third factor in the rise of liberal Islam is the failure of alternative ideologies. In particular, there appears to be a growing sense that Islamic regimes have not lived up to their promise. The Sudan and Pakistan, for example, have proved to be no less corrupt after the Islamization of the government than before. The Taliban’s rule in Afghanistan appeared to most Muslims, I think, as a true horror. For example, one devout muslim in Los Angeles shaved off his beard in protest against the Taliban’s enforcement of a mandatory beard policy.¹⁸

The #1 disappointment for “fundamentalist” Muslims, however, is Iran. The Iranian Revolution of 1979 raised tremendous hopes among Islamists in Malaysia, in Africa, throughout the Islamic world –this was going to be the showpiece of the Islamist movement. This was going to be the first place on earth since the 7th century where a truly Islamic society was going to be constructed. And it has been painful for these people to find that dream unfulfilled.

I would like to give one example of this painful disillusionment, and the liberal outcome that resulted: Abdul Karim Soroush. This is a man who was wholeheartedly in favor of the Islamic Republic in the early years; he participated actively in the revolutionary reorganization of the universities in Iran, which involved getting rid of many professors in the name of ideological purity. Yet even this man, this staunch supporter of the Islamic Republic, began to have doubts. By the mid-1980’s he had apparently come to realize that the Islamic Republic was not ushering in a new era of justice and righteousness. Soroush started to criticize the government, began to call for a reinterpretation of Islamic law, began to call for academic and intellectual freedoms that his university

reorganization had disregarded in the early 1980s. These themes, along with his impressive erudition and his talents at public speaking, made Soroush one of the most popular public speakers in Iran in the early 1990s. He spoke at mosques, at universities, on the radio, always with big audiences. Naturally the Iranian government found his words threatening, and Soroush has been barred now from speaking publicly in Iran. Instead Soroush now speaks outside of Iran, when he is allowed to travel, addressing international audiences, mainly in Europe and North America, stressing the commonality of his views with Western interpretations of religion. But the painfulness of Soroush's break with the Islamic Republic, his disillusionment, is apparently so great that he literally cannot deal with his own former hopes and aspirations. In interviews, Soroush denies that he was a supporter of the Cultural Revolution in Iran, denies that he was active in the reorganization of the universities.¹⁹ I think this is fascinating: the Islamic Republic in Iran appears not only to be generating liberal ideas, but also appears to be erasing even the memory of Islamist ideals.

The Challenges of Liberal Islam

(a) Accusations of Inauthenticity

The first challenge of liberal Islam is that it is *inauthentic*: that it is a creation of the West, and does not reflect "true" Islamic traditions.

The world has witnessed a significant increase in the number of what I call "authenticity movements" over the past quarter-century: from religious authenticity movements such as Islamism or the B.J.P. in India to ethnic authenticity movements such as the supposedly age-old tribal hostilities that have resulted in such gruesome massacres in central Africa. So this idea of authenticity is not limited to the Islamic world—it appears to be global phenomenon.

One of the crucial characteristics of this renewed interest in authenticity is the idea that one can take a culture and draw a box around it, that you can define a culture as a discrete *thing*, *separate* from other cultures, with well-defined boundaries. In the real world, these boundaries are rarely so well-defined. Cultural elements drift and migrate and interact in complex and beautiful ways. No culture is an island unto itself, but authenticity movements act as if they were. To give one example: in Uzbekistan, the government insists that the "Navruz" new year's celebration was invented in Central Asia, not in Iran. This is ours!, they say, as though cultural practices would be less valuable, less meaningful, if it were imported from elsewhere. It's like the tiny extremist

Christian group in the United States that swears that the Bible was referring to America as the promised land. There seems to be an increasing need for this kind of cultural ownership these days.

The flip side of this increasing need for cultural ownership is a flurry of accusations against things or people for not being truly authentic enough, for coming from outside of the boundary lines. Liberal interpretations of Islam have been tarred with this brush all over the Islamic world. The idea behind this attack on liberal Islam is: because it shares concerns with Western liberalism, it must not be a valid interpretation of Islam. In other words, a binary opposition: if X is Western, it cannot be Islamic.

This binary opposition ignores the tremendous history of cultural borrowings and influences that permeated this supposed border over the centuries. For example: the Arabic word “*Makhazin*” (meaning weapons) became the Italian word “*Magazzino*” (meaning a store-house of weapons), which became the French word “*Magasin*” (Meaning a store), which became the Persian word “*Maghazeh*” (meaning of store).²⁰

As an example of how this back-and forth can be used against liberal Islam, I have a letter from a Muslim scholar whom I asked for advice and feedback on this “Liberal Islam” project. As a sign of how charged these issues can get, this scholar responded with a personal attack both on me and on “liberal Islamic” scholars: “I am naturally aware that many Muslims.... want to do nothing more than fade into the Judaeo-Christian woodwork.” The letter goes on to suggest that anyone interested in liberal themes must be a “charlatan” and totally ignorant of Islamic scholarship. This is hard-ball, and liberals face these sort of accusations on a regular basis.

(b) Accusations of Treason

If the first charge is that liberal Islam is inauthentic, and therefore somehow *wrong*, the second charge argues that liberal Islam should not be allowed *whether or not* it is wrong.

For example, Gai Eaton, a British Muslim, calls liberal Muslims “Uncle Toms”²¹ (“Uncle Tom” is a derisive term used by African-Americans to describe a Black person who is grotesquely servile to whites.) In essence, Eaton is calling liberal concerns treasonous to the cause of Islam. It’s not just that these concerns are wrong, but raising these concerns publicly weakens the Islamic world in its struggle with other cultures. It’s like a team sport, where each side demands loyalty from its members and sees any internal critique, any self-critique, as aiding and abetting the other team.

In Iran, for example, the feeling of being besieged by the American or the British, the feeling of being under attack by the Great Satan, is so strong that no politician can survive without proving that he is not “soft on Satan.”²² Iranian politicians who wish to negotiate with the West, or who wish to raise concerns about democracy, human rights, or other issues, are immediately labeled by their political opponents as “soft on Satan.” This is such a common pattern, and is so damaging for liberal concerns, that even president, Muhammad Khatami, engaged in this sort of liberal-bashing during his campaign in 1997, perhaps in order to ward off similar criticism of himself! In one speech, on May 4 at Tehran University, Khatami both sounded liberal themes such as: “The government should provide a safe environment for the people so that they may express their opinions on internal issues and economic affairs.” And: “We should study the West, a fountain of all transformations.” At the same time, he accused some liberal oppositionists of having “fallen in the lap of foreigners,” of not being a legitimate political party, and of not coming “from inside society.”²³ In other words, he is calling liberals treasonous, or soft on Satan.

(c) Western Ignorance

For centuries, the West has constructed an image of Islam as “the Other,” identifying Islam with its most exotic elements. Islamic faith is equated with fanaticism, as in Voltaire’s *Mahomet, or Fanaticism* (1745). Islamic political authority is equated with despotism, as in Montesquieu’s intentionally redundant phrase “Oriental despotism.” Islamic tradition is equated with backwardness and primitiveness, as in Ernest Renan’s inaugural lecture at the Collège de France (1862), one of the founding documents of modern Orientalism: “Islam is the complete negation of Europe;... Islam is the disdain of science, the suppression of civil society; it is the appalling simplicity of the Semitic spirit, restricting the human mind, closing it to all delicate ideas, to all refined sentiments, to all rational research, in order to keep it facing an eternal tautology: God is God.”²⁴

Today, too, the West continues to view Islam as something inherently different and dangerous. Most famously, political scientist Samuel Huntington has argued that Western civilization and Islamic civilization are on a collision course.²⁵ Other academics have written books with alarmist titles such as *Radical Islam*, and *Sacred Rage*. Outside of academia, the bias is even more pronounced. “Experts” like Dan Quayle, the former U.S. Vice president, notorious for his malapropisms, suggest that Islam is similar to Nazism and Communism. Military tacticians,

trying to save the Defense Department budget, appear before the U.S. Congress urging America to prepare to fight Islam. The Republican Research Committee in the U.S. House of Representatives issued a report, “Task Force on Terrorism and Unconventional Warfare,” accusing Muslims in Europe of infiltrating the West in order to overthrow it.²⁶ The violence of September 11, 2001, has made such paranoia seem prophetic; indeed, that is the argument of conservative authors in the West.²⁷ Yet the us-versus-them image is factually incorrect.

In all of these Western scare stories, there seems to be no common ground between the West and Islam. Instead, we see the same binary opposition that we saw in Islamic critiques of liberal Islam. Indeed, there is an unstated ideological alliance between the Samuel Huntingtons in the West and the Gai Eatons in the Islamic world: both share this binary-opposition view of the world, both share the culture-in-a-box view of authenticity, and both seek to shore up their team by demonizing internal critiques. In the West this demonization has taken the form of the so-called “culture wars,” in which internal critics of Western culture are branded as traitors and un-American and anti-family values and so on—debates which are in a sense the flip side of the challenges that liberals face in the Islamic world.

The hard-liners of both sides, Western and Islamic, abhor the middle ground. So we have a paradoxical situation these days: when Westerners think about Islam, they generally accept the hard-line revivalist interpretation of Islam as the “true” interpretation and consider the liberal interpretation to be “not really Islamic”—even though they have far more in common with the liberal interpretation.

Thus far I have referred almost entirely to ideas and ideologies, but there are some very real, practical results of this Western bias against liberal Islam. Let me give three examples.

In Iran, in August and September 1978, the revolutionary movement was building against the Shah. But within the movement against the Shah, there were serious divisions between the hard-line faction, led of course by Imam Ruhullah Khomeini, and the liberal faction, led by Mehdi Bazargan and others. The United States government had no idea about this distinction, no idea that Bazargan was engaged in a months-long attempt to get Khomeini to accept a constitutional monarchy with guarantees of free elections. How do we know this? Because of the thousands of pages of classified U.S. Government documents that were published by the Students of the Line of the Imam, the group that took over the U.S. Embassy in Tehran, and the thousands more documents that were declassified through

Freedom of Information Act requests and published by a non-governmental organization in Washington.²⁸ The Carter administration was so clueless about the divisions within the oppositional movement that it considered all of the opposition to be a front for Khomeini. Because of its ignorance about the liberals, the U.S. Government let its only opportunity for meaningful diplomacy pass in September 1978: instead of pressuring the Shah to share power in September when the liberals were still willing to speak out against Khomeini, it waited until December, when the liberals had already surrendered to Khomeini. In September, Barzgan would have accepted the prime-ministership, under certain conditions; by December, his friends were telling him that it was futile, “a drop of water of the ocean,” and the Shah had to scrounge around for weeks to find an oppositionist willing to accept power. I don’t know if a Bazargan cabinet in September would necessarily have changed the course of history, if it would have prevented or postponed the revolution, but it was a road not traveled—and this road was not traveled because the U.S. was unwilling to believe that there was such a thing as “liberal Islam.”

A second example is the recent history of Algeria. Here was another Islamic movement, called the Front de Salvation Islamique (FIS), divided into liberal and radical factions. During the elections of late 1991 and early 1992, the liberal wing was in the ascendant; its leaders were setting the group’s policy, its candidates were running for office, and it stood a great chance of actually coming to power. ‘Abbasi Madani, the leader of the liberal faction, made a number of statements aimed at calming the fears of Algerians and Westerners about the intentions of the FIS, such as: Pluralism is a guarantee of cultural wealth, and diversity is needed for development. We are Muslims, but we are not Islam itself.... We do not monopolize religion. Democracy, as we understand it, means pluralism, choice and freedom.”²⁹

The FIS had won 81 percent of the first-round elections in December 1991 and was poised to do equally well in the second round in early January 1992 when the Algerian military, supported by France and the U.S., canceled the elections, banned the FIS, arrested its leaders, and pretended that the whole democratic episode had never happened. The result seemed almost inevitable: the liberals within the Islamic movement were thoroughly discredited for having been naive enough to think that they would be allowed to play by the rules of democracy, and the radical wing came into the ascendant, even to the extent of murdering liberal Islamic activists who object to terrorism, such as Mohammad Sa’id and Abderrazak Redjam, who were killed along with several dozen followers

in 1995. The Western inability to believe that there might be such a thing as liberal Islam again proved to be a self-fulfilling prophecy.

Since September 11, 2001, hard-liners in the United States have once more launched a campaign to vilify Islam and deny the existence of liberal Islam. Islam is a “wicked, violent” religion, said one fundamentalist Christian leader. It is “a violent religion bent on world domination.” said a second. “I think Muhammad was a terrorist.” said a third.³⁰ Naturally, hard-line Muslims are willing to oblige this image. In Iran, an Ayatollah and a newspaper editor called for the three Christian leaders to be executed.³¹

Still, times may be changing. The Christian fundamentalists who made these comments were forced to publicly retract them, and to recognize in their apologies that liberal Islam exists. President George W. Bush has been carefully coached to denounce the culture-clashers, and has reached out to liberal Muslim leaders in the United States, inviting them to the White House and offering words of sympathy and cooperation. These words may not translate into policy, as the United States government targets Muslim males for finger-printing and surveillance. But the words are to be welcomed in themselves. Liberal Islam is often caught in the crossfire, as the parties of war on both sides join forces against those seeking to build bridges in between. In situations such as these, the bridge-builders need all the assistance that they can find.

Notes & References:

1. Charles Kurzman, editor, *Liberal Islam: A Source-Book* (New York: Oxford University Press, 1998).
2. Ali Shari'ati, “Humanity and Islam” (circa 1969), in *Liberal Islam*, p. 189.
3. Abdulwahab El-Affendi, “Who Needs an Islamic State?” (1991), in *Liberal Islam* p. 24
4. Jamal al-Din Al-afghani, “The Truth About the Neicheri Sect” (1880-1881), in *Liberal Islam*, p. 8.
5. Sayyid Ahmad Khan and Sayyid Mahdi ‘Ali Khan, “Beliefs Agreed Upon with Mahdi ‘Ali” (1873), in *Liberal Islam*, p. 8. See also Sayyid Ahmad Khan, “Intellectual Pluralism and Freedom of Opinion,” in Mansour Moaddel and Kamran Talat, (editors), *Contemporary Debates in Islam: An Anthology of Modernist and Fundamentalist Thought* (New York: St. Martin’s Press, 2000), pp. 109-121.
6. Sayyid Ahmad Khan, “Lecture on Islam” (1884), in Charles Kurzman, (editor), *Modernist Islam, 1840-1940: A Source-Book* (New York: Oxford University Press, 2002), p. 300.
7. Yusuf al-Qaradawi, “Extremism” (1981), in *Liberal Islam*, p. 199.

8. Ghulam Ahmad Parwez, "Two Contrasting Systems" (1954), in *Liberal Islam*, p. 24.
9. Sa'id Ramadan, "Three Major Problems Confronting the World of Islam" (1960), in *Liberal Islam*, p. 15.
10. Nurcholish Madjid, "The Necessity of Renewing Islamic Thought" (1970), in *Liberal Islam*, p. 287
11. Laith Kubba, "Islam and Liberal Democracy" (1996), in *Liberal Islam*, p. 24
12. Abul-Karim Soroush, "The Evolution and Devolution of Religious Knowledge" (1998), in *Liberal Islam*, pp. 245-251.
13. Hassan Hanafi, "Religion, Ideology, and Development" (1995), in *Liberal Islam*, p. 26.
14. Syed Vahiduddin, "Islamic Experience in Contemporary Thought" (1986), in *Liberal Islam*, p. 26.
15. Fatima Mernissi, "The Veil and the Male Elite" (1987), in *Liberal Islam*, pp. 116,117,119.
16. Samuel Decalo, "The Process, Prospects, and Constraints of Democratization in Africa," *African Affairs*, volume 91, 1992, p.7.
17. Arno J. Mayer, *Politics and Diplomacy of Peacemaking: Containment and Counterrevolution at Versailles, 1918-1919* (New York: Alfred A. Knopf, 1967), p. 602.
18. Aslam Abdullah, "Shaving Is His Protest Against Coercion," *Los Angeles Times*, May 10, 1997.
19. See the Web site devoted to Soroush's thought, <http://www.seraj.org.as> as well as the introductory interview in Abdolkarim Soroush, *Reason, Freedom, and Democracy in Islam: Essential Writings of Abdolkarim Soroush*, translated by Mahmoud Sadri and Ahmad Sadri (New York: Oxford University Press, 2000).
20. G.W. Wickens, "What the West Borrowed from the Middle East," in R.M. Savory, editor, *Introduction to Islamic Civilizations* (Cambridge, England: Cambridge University Press, 1976), p.121.
21. Gai Eaton, *Islam and the Destiny of Man* (Albany, New York: State University of New York, 1985), p.12.
22. Charles Kurzman, "Soft on Satan: Challenges for Iranian-U.S. Rapprochement," *Middle East Policy*, volume 6, number 1, June 1998, p. 63-72.
23. *Salaam* (Peace), Tehran, Iran, May 6, 1997.
24. Ernest Renan, *Oeuvres Completes* (Complete Works) Paris, France: Calmann-Livy, 1947), volume 2, p.333.
25. Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996).
26. Reference works on this topic include John D. Esposito, *The Islamic Threat: Myth or Reality?* Second edition (New York, New York: Oxford University Press, 1995, pp. Xiv-xv"; Mark Juergensmeyer, *The Next Cold War?* (Barkeley, California: University of California Press, 1993); Jochen Hippler and Andrea Lueg, (editors), *The Next Threat: Western Perceptions of Islam*

- (London, England: Pluto Press, 1995).
27. Martin Kramer, *Ivory Towers on Sand: The Failure of Middle Eastern Studies in America* (Washington, D.C.: Washington Institute for Near East Policy, 2001); Daniel Pipes, *Militant Islam Reaches America* (New York: W.W. Norton, 2002).
 28. *Asnad-i Lanih-yi Jasusi* (Documents from the Nest of Spies), 77 volumes (Tehran, Iran: *Danishjuyan-i Payru-yi Khatt-i Imam*, 1980-1991); National Security Archives, *Iran: The Making of U.S. Policy, 1977-1980* (Alexandria, Virginia: Chadwyck-Healey, 1989).
 29. Daniel Brumberg, "Islam, Elections, and Reform in Algeria." *Journal of Democracy*, volume 2, number 1, Winter 1991, p. 64.
 30. Franklin Graham, quoted in "NBC Nightly News," NBC Television Network, November 16, 2001; Pat Robertson, "The 700 Club," Christian Broadcasting Network, February 21, 2002; Jerry Falwell, quoted in "60 Minutes," CBS Television Network, September 30, 2002.
 31. *The Washington Times*, November 1, 2002.

The So-Called “Objectionable” Verses

Ishtiyaque Danish*

Abstract

The article is, in fact, a humble effort to explain some verses of the Noble Qur'an on which an anti-Muslim outfit, the Hindu Mahasabha, has raised some untenable objections. All the twenty-four noble verses that the Mahasabha has picked up for objection are explained in their proper context. The article also touches, though briefly, on how a verse of the Qur'an should be studied and explained by taking into account the specific conditions in which it was revealed. Efforts have also been made to place the verses under study in their proper context so that their true meanings become crystal clear to one and all.

The Holy Qur'an is a message of Peace; it stands for the peace within and without. The meaning is simple and clear. A man at peace with himself stands a better chance to bring about peace in the world we all live in.

And yet there are men, unfortunately a section of the majority Hindu community, who believe that there are verses in the Qur'an that preach hatred and, therefore, create cleavages in a plural country like India. An extremist outfit, the Hindu Mahasabha, recently published and widely distributed a pamphlet, *Bharat Mein Dang-e-Kuin Hote Hain*, (Why Riots Break Out in India), which contains 24 verses of the Qur'an that they want Muslims to delete for better relations between Hindus and Muslims. From many other quarters a vicious propaganda has also been launched that some Muslim countries, such as Egypt, have already done so in order to maintain peace in their societies.

A careful study of the pamphlet, published by the Hindu Mahasabha, reveals beyond doubt that it is merely a propaganda exercise in order to poison innocent minds about Islam and Muslims in India. Many verses have been taken out of context, mistranslated and “explained” to convey a message which is against the spirit of Islam. This suggests that the publishing organization, the Hindu Mahasabha, has a prejudiced mind that does not have a desire for genuine understanding and seems to be more interested in maligning the Holy Qur'an.

*Dr. Danish teaches at Hamdard University, New Delhi, India. e-mail: editorsoi@yahoo.com

The so called “objectionable” verses are about *Jihad* (striving, the ultimate form of which is fighting in the way of Allah), *Kufr* (rejection of faith), *Kafir* (rejecter of faith), *Shirk* (to associate some one with Allah) and other such key Qur’ānic terms that, as they allege, determine the Muslim attitude towards the non-Muslims. There are 114 chapters and 6238 verses in the Holy Qur’ān, all like unrivaled pearls of wisdom. One must pity the mind that failed to see and grab the gems and instead looked for things that might be presented as “objectionable”.

The verses that preach “hatred”, according to the Mahasabha, are contained in ten chapters; nine are from the *Repentance*, three each from *the Women* and *the Table Spread*, two each from the *Spoils of War* and *Ham Mim al-Sajda*, one each from the *Confederates*, *the Prophets*, *al-Sajda*, *the Victory* and *al-Tahreem*. These verses were revealed to the Prophet (Pbuh) in specific conditions the knowledge of which is essential for a proper understanding. The Hindu Mahasabha and its ilk, however, appear to be ignorant of this basic principle of studying old religious scriptures. Or perhaps they know the reality and yet are pretending to be unaware so that they can continue their malicious propaganda against Islam.

The men who raise objections against some verses of the Holy Qur’ān are of three kinds. First, there are people who wrongly believe that the Holy Qur’ān targets them whenever it uses such terms as *Mushrik* (one who associates some one with Allah) and *Kāfir*? They also believe that *Jihad* is a barbaric war that urges its believers to murder the opponents of Islam. They further believe that they are the targets of the host of punishments (to be implemented in the life hereafter) that the Qur’ān has mentioned. In the second place, they allege that the Holy Qur’ān gives its followers such good names as *Mūmin* (believer) *Sādiq* (truthful), *Mufleh*, (successful), the elevated, the exalted and the respected. It also calls them the conqueror, the dominant, the high and the mighty, the prosperous and the leader of the world. On the contrary, the Qur’ān calls the unbelievers with such “despicable” and “uncivilized” names as “*Zālim*” (one who indulges in injustice), “*Mufsid*” (one who unleashes disorder) and “*Najis*” (unclean) etc. Finally, some highly motivated extremists know the Muslim reality and situation in India and yet they have unleashed a vicious propaganda. They are telling gullible audiences all across the country that Islam is spreading very fast either through high rate of birth or because of petro-dollar and forced conversion. If this trend continues for some time, a day will soon come when Muslims will attain majority, become the ruler of this country, and enslave the Hindus. This false propaganda understandably creates

a fear psychosis that compels the common Hinuds to put forward such demands as dropping the so-called "objectionable" verses in order to make the Qur'ān acceptable to the civilized world.

Anyone who has read the Qur'ān the way it ought to be studied, would reject the above allegations as baseless and, therefore, untenable. In fact, Islam is a civilized religion and hence it can never use improper words for other religions and their followers. The Qur'ān has called the Jews and Christians by such good names as "people of the book", *Nasārā*, those who helped God and *al-ladhīna Hadū*, those who returned to their God (in obedience and worship). Yes, the Holy Qur'ān is occasionally critical of some of their deeds, even convictions which it says are their creations, unsanctioned by God. No hatred or disrespect is involved here. Instead Islam respects all religions and ensures that its followers "do not use improper words for those who invoke (deities) other than Allah" (*al-An 'ām*: 108).

The Holy Qur'ān is a unique "divine book", a source of guidance for *al-Nās*, the entire humanity. This is not a book for Muslims only; all human beings are, in fact, its addressees and have all the rights to benefit from this eternal source of wisdom and guidance. All people have, thus, also a right to read and understand it. However, there are certain conditions that one must fulfill in order to discover the deeper meanings of the Qur'ān. A common man, no doubt, can understand the message of Islam by simply reading one or another translation of the Qur'ān. However, there are verses that deal with subjects and events which can be properly understood only when one is fully well-acquainted with the historical background or specific conditions in which they were revealed.

The Qur'ān was revealed to Muhammad (Pbuh) in 23 years who communicated or conveyed it to his contemporary Arabs and others. It has been very well preserved, nothing has ever been added to or deleted from this divine book the protector of which is none else than Allah. It is, therefore, essential to study the life and time of the Prophet (Pbuh) for a proper understanding of the Qur'ān. The Prophet (Pbuh), in fact, was the first *Sharīh* or *Mufasssīr* (commentator) of the Qur'ān and hence his sayings and practices are of vital importance for its true understanding. If someone has such a thorough background knowledge and approaches the Qur'ān with a genuine desire for guidance, he surely would be able to understand its true meanings.

The men who "object" to some verses of the Qur'ān are either laymen who do not have the background knowledge for its proper understanding or they are "clever" hypocrites whose malintention is to

show the Holy Book in poor light. The laymen usually correct themselves when told about their mistakes. But the motivated clever lot is hard to impress upon. Even then, efforts must be made to explain the verses the way they ought to be. It must also be noted here that a lot many Muslims, too, need to understand the so called “objectionable” verses in a proper way, for often they are equally guilty of having misperceptions about their religion, culture and history.

Of the 24 verses three are in *Sūrah* (chapter) *al-Nisā*, the Women: 56,89 and 101. A background note about the theme of this chapter would be in order. As it was revealed in Madīnah, the chapter discusses the growing Muslim society focusing especially on what it ought to be. It has been impressed upon the Muslims that along with individual strength, a solid social organization is necessary for creating a healthy and fully united society. As there were some elements, within and outside the Muslim society of Madīnah, who were not happy with the Prophet (Pbuh) and his mission, the believers have been warned against the danger they posed to them.

The verses of the chapter from 44 to 57 deal with the problems that the Jews of Madīnah were posing to the nascent Islamic society. These verses are to be read together in order to get the proper context for understanding them. In these verses Muslims have first been warned about the Jews who, despite having an agreement with them, were scheming against them all the time. At one stage (verse 47) the Jews are directly addressed with the invitation of embracing Islam but few of them were fortunate, the vast majority became jealous and preferred to be on their old path even though the truth had dawned on them. It were these secretly scheming as well as open opponents of Islam: the Jews of Madīnah whom the verse 56 has addressed. With the background knowledge elaborated above now read the verse 56, which is given below, and find out its real meaning:

Those who reject
 Our signs. We shall soon
 Cast into Fire:
 As often as their skins
 Are roasted through
 We shall change them
 For fresh skins,
 That they may taste
 The chastisement: for Allah
 Is exalted in power, Wise.

(*al-Nisa: 56*)

However, if someone is not aware of the background, it is quite possible that he might conclude what the Hindu Mahasabha has done. Even then, the wrong with the Mahasabha is that they believe that wherever the word *Kafir* has occurred in the Qur'ān, it invariably refers to them. The fact, however, is that the Holy Qur'ān condemns to the Fire of Hell only those people who have realized that Islam is the true message of Allah and yet refuse to embrace it because of jealousy and false pride. The problem with the Jews was that they had the wrong belief of being the chosen people of God and, therefore, believed that the last prophet should have come only from among them. However, when it happened otherwise and the final messenger came from among their cousins, they became jealous and opposed him tooth and nail. Allah has, therefore, warned them that their jealousy and stubbornness will only buy them a permanent abode in the Fire of Hell.

The second verse of this chapter which the Mahasabha has found "objectionable" is 89. It reads as follows:

They but wish that you
Should reject Faith,
As they do, and thus be
On the same footing (as they):
So take not friends
From their ranks
Until they flee (do *Hijrah*)
In the way of Allah
(From what is forbidden)
But if they turn renegades,
Seize them and slay them
Wherever you find them:
And (in any case) take
No friends or helpers from their ranks.

(*al-Nisa*: 89)

The Hindu Mahasabha and its followers first make themselves an addressee of the verse and then charge that the Qur'ān calls them *Kafir*. It appears as the term, *Kafir*, stands for Hindu in their thinking whom a Muslim should never befriend. Nothing can be farther from truth. In fact, the verse has been taken out of context. Second, the verse has a specific background that must be taken note of for its proper explanation.

This chapter of the Qur'ān was revealed after the battle at *Uhad*, the second war that the *Makkans* had imposed on Madīnah. After the overwhelming victory of Muslims in the first battle at *Badr*, the Jews of Madīnah came to realize that the new religion, Islam, was destined to

dominate, and they felt compelled to redefine their relationship with it. Some of them apparently embraced Islam, though they were not Muslims at heart. They, in fact, wanted to have a share in the material benefits that a victorious Islam was destined to bring about. Another group of Jews adopted a policy of religious coexistence saying let every one follow his own religion, for they all lead to one and the same ultimate reality. This group, too, was not sincere in its policy because they had adopted it under the pressure of a triumphant Islam. Meanwhile, the battle at Uhad happened in which the Muslims met with a temporary defeat. The setback, however, emboldened the Jews to reverse their policies. Many backslided and abandoned Islam whereas some continued to be half-hearted Muslims whom the Qur'ān has called *Munafiq*. And many of the Jews who had adopted the policy of religious coexistence felt that Islam was vulnerable, hence they decided to openly work against it. As a result they got in touch with the *Makkans* and began conspiring against the nascent city state of Madīnah.

The Muslims were not unaware of the developments in their Jewish neighbourhood and elsewhere. They naturally hardened their attitudes towards the backsliders and the hostile ones. But some Muslims had a feeling that the backsliders or the apostates may still return to the fold of Islam. Some Muslims even maintained friendly relations with some *Makkans* hoping they might embrace their religion that urges to believe in One God. In fact, there were some people in Makkah who said to the Muslims that they had adopted Islam but due to some reasons were unable to migrate to Madinah. In the verse (89) under discussion the Holy Qur'ān has warned the Muslims against such elements. It is specially tough on the *Makkan* hypocrites and says that they should also be treated as enemies in a situation of war.

The “objection” on verse 101 of the chapter is ridiculous and speaks more about the malintention of the critics. In fact, the Mahasabha has taken only the last few words of the verse to criticise and impress upon the gullible readers that the Holy Qur'ān is harsh and provocative. It will be appropriate to quote the full verse here:

When you travel
Through the earth,
There is no blame on you
If you shorten your prayers,
For fear the unbelievers
May attack you:
For the unbelievers are
Unto you open enemies.

(*al-Nisa*: 101)

The above verse (101) and the following three verses (102-104) are about what is known as *Salah al-Khauf*, the prayer of fear. In these verses the Muslims have been given permission not only to shorten their prayers but also offer them in groups. That when one group is engaged in prayer, the other should guard them against any enemy attack. When such was the condition that *Makkans* and other opponents of Islam were feared to be so ruthless in pursuit of their military objectives that they might attack Muslims while they were in prayer, what is then wrong if they are branded as open enemies?

A profile of the enemy under discussion would be in order here. The *Makkans* opposed the Prophet (pbuh) tooth and nail, tried to nip Islam in the bud, persecuted those who accepted Muhammad's message and compelled them to first migrate to Abyssinia and then to Madīnah. The story does not end here. They conspired to kill the Prophet (Pbuh) and waged war against the nascent community of believers in Madīnah. As it was not enough, they went all over the Arabian Peninsula to rope in the support of all major Arab tribes to launch a decisive assault against the new religion. What name should they be given, if such men do not deserve to be called "open enemies"?

The Hindu Mahasabha has picked up three verses (14,51, &57) from the chapter, *al-Māidah* (the *Table Spread*), for "objection". The three verses, in fact, deal with the Jews and Christians who were opposing the new religion, Islam, for frivolous reasons. The addressees of the verses, however, are the Muslims; they are being reminded of the Jews and Christians who went astray and earned Allah's anger because they broke the covenant they had made with Him. Here the Qur'ān reminds the Muslims that if they follow into their footsteps and forget about their mission they, too, will lose sight of the right path and court disaster.

The Hindu Mahasabha has taken only the last portion of the verse and tried to mislead the innocent readers. But first let us quote the full verse:

And from those who call
 Themselves Christians,
 We did take a covenant,
 But they forgot a good part
 Of the Message that was
 Sent them: so We stirred up
 Enmity and hatred
 Between the one and the other,
 To the Day of Judgement.
 And soon will Allah show

Them what it is
They have done.

(*al-Māidah*: 14)

When read properly in the light of the background note given above the verse, in fact, points to some sectarian conflicts and squabblings that have taken place in the history of Christianity. The well-considered meaning of the verse would be that as long as the Christians hold to the truncated and distorted Christianity that has reached them, they would continue wandering in the wilderness of religious ignorance and will remain embroiled in problems that will create enmity and hatred among them. Moreover, God will punish them on the Day of Judgement for failing in the duty that He had assigned to them. Against this explanation, see how the Mahasabha has taken only the last portion (from “So We...”) and generalized it to include themselves in its addressees. It is their misreading of a clear message for which they ought to blame their mind than the Qur’ān and its followers.

Now take the verses 51 and 57 of the chapter 5, the *Table Spread*. In fact, in verses 51-56 the Muslims of Madīnah have been warned against befriending those Jews and Christians who were either their open enemies or hypocrites, the *Munafiqīn*. It has already been said that some Muslims of Madīnah, in the vain hope of reforming the hypocrites, were maintaining friendly relations with them. Here they are being prohibited, in a tone of warning, from establishing or maintaining any relationship with such elements. In view of the above background note, read the concerned verse and think how it can be “objected” upon:

O you who believe
Take not the Jews
And the Christians
For your friends and protectors
To each other. And he
Amongst you that turns to them
(for friendship) is of them.
Verily Allah guides not
A people unjust.

(*al-Māidah*: 57)

The verse 57 of the chapter 5 would also be clearly understood when read in the light of the background note given above. The Muslims of Madīnah have been warned against befriending the openly inimical Jews, the hypocrites and the *Makkans* who not only rejected the new faith but also persecuted its followers and waged wars against it. Now

read the verse and see how it can be faulted for creating bad blood among various communities specially in view of the fact that the conditions that obtained in the Prophet's time do not exist today:

O you who believe!
 Take not for friends
 And protectors those
 Who take your religion
 For a mockery of sport,
 Whether among those
 Who received the Scripture
 Before you, or among those
 Who reject Faith:
 But fear you Allah,
 If you have faith (indeed).

(*al-Māidah*: 57)

The Mahasabha has picked up two verses (65 & 69) from chapter 8 of the Qur'ān for "objection". In fact, these, alongwith a few other verses, deal with the objections of the *Makkan* infidels that they made against the Prophet (pbuh) after they were decisively defeated in the Battle of Badr. The objection was how a true Prophet can fight against his own people and allow the use of the war spoils? The Mahasabha's objection is more or less the same; they also say how a prophet can encourage to wage war against any body?

Before we explain the two verses, let us elaborate the fundamental theme of the chapter. The eighth chapter, The Spoils of War, was revealed after the Battle of Badr. Naturally it has commented on the battle and its consequences for the concerned parties.

The Battle of Badr occupies a very important place in the history of Islam; indeed it was the turning point in the struggle between truth and untruth. Before the battle took place, the boastful *Makkans* had proclaimed that it would prove who was on the right path and who would control Arabia? However, when they met with an annihilating defeat, they swiftly changed the direction and content of their propaganda in order to prevent the general public from embracing Islam. Now they started saying that Muhammad could only be a "false" prophet because he wages wars like a worldly general, takes prisoners, accepts ransom and approves of war booty. In this chapter Allah (swt) has instructed Muslims not to be misled by the false propaganda of the *Makkans*. They have also been encouraged to carry on their *Jihad* against the infidels so that *Kābah* and Makkah are liberated from their wrongful occupation.

It is, thus, clear that the Qur'ān encouraged to wage wars against the infidels after they had blocked and closed all the doors of peaceful preaching. Not satisfied with this, they also attacked the nascent state of Madinah where the Muslims had sought refuge. Viewed in this perspective, how can one object to the two verses in question. Now take the first verse: 65 which is as follows:

O Prophet! Rouse the Believers
 To the fight. If there are
 Twenty amongst you, patient
 And persevering, they will
 Vanquish two hundred: if a hundred
 They will vanquish a thousand
 Of the Unbelievers: for these
 Are a people without understanding.
 (al-Anfal: 65)

In fact, this is the last verse of a group of three verses: 63-65. In these three verses Allah (swt) has addressed the Prophet (Pbuh) saying that numbers do not matter much in a war, for battles are fought with such weapons as faith in God, self confidence and conviction in one's abilities. So, disregarding the shortage of numbers, the Prophet (Pbuh) is instructed to encourage his people to go to war and fight till the last victory.

The verse 69 has been picked from the middle of a systematic subject matter described in verses 67-71. In these verses, first, the Qur'ān has addressed the *Makkans* saying that it is true a prophet is not sent to take prisoners and shed blood; he rather preaches truth and peace. But it is you who are captivated by the charm of the world and have already committed crimes against humanity for fulfilling your material desires. Had it not been for Allah's principle of giving time to the wrong-doers for reform, a big punishment would have destroyed you. Afterward, Allah (swt) urges the believers to remain unimpressed by the false propaganda of the *Makkans* and enjoy what the war has brought for them. Says the Qur'ān:

But (now) enjoy what you took
 In war, lawful and good: But
 Fear Allah: for Allah
 Is Oft-forgiving, Most Merciful.
 (al-Anfal: 69)

Obviously there is nothing that one can object against. It has been made clear that a prophet's mission is not to wage war but he is within his right to resist and fight against invasion. And what would one do

with the articles left behind by a defeated and fleeing army? Should one return them to the enemy so that he would become strong and launch yet another attack? The problem with the Mahasabha is that it has read the verse (8: 69) as a blanket order without taking into consideration the background and context in which it was revealed.

The Mahasabha has picked up 9 verses from the chapter 9 for "objection". These verses deal, *interalia*, with *Jihad* and *Jizyah*. The misunderstanding of the Mahasabha, as usual, originates from its misguided effort of understanding a text without knowing its context. The chapter 9 has a very specific background the knowledge of which is essential for its proper understanding. In a sense this chapter is a continuity of the eighth chapter. In the previous chapter the Muslims were encouraged for *Jihad* which is ordained in the chapter under discussion.

It is important to know the conditions that led to the open declaration of war against the *Mushrikīn* (those who associate other deities with Allah). In fact, this chapter was revealed when it had become abundantly clear that Islam would triumph over its enemies. As a result many tribes embraced Islam; some entered into agreement with Madīnah for living the way they wanted but there were still so many who were openly opposing and conspiring against the new religion. This chapter has chalked out a clear policy towards all these groups. It has been made clear that the people of Arabia have to either sincerely embrace Islam or face war, for they have forfeited their right to avoid it because of their unceasing conspiracies against the State of Madīnah and the religion it practices.

At the time of this chapter's revelation there were some Arabs who, despite having signed a peace treaty with Madīnah, were conspiring, overtly or covertly, against Islam. The Muslims are now not only permitted but are also being encouraged to wage war against them. The second was the group of *Munafiqīn*, those who had not embraced Islam sincerely; these people have been warned against hobnobbing with the enemies of Islam, even if they have blood relation with them. They have been given two choices: either to embrace Islam sincerely or face the consequences along with the enemies of Islam. The third was the group of Jews and Christians. The Muslims are urged to wage *Jihad* against them till they pay *Jizyah*, (a kind of poll tax). The Jews and the Christians earned Allah's anger because of their constant opposition to Islam while knowing well that Muhammad (Pbuh) was the true Prophet that they were waiting, even praying for.

The Mahasabha's next objection is on verse 5 of this chapter which

is as follows:

But when the forbidden months
 Are past, then fight and slay
 The *Mushrikīn* wherever you find them,
 And seize them, beleaguer them,
 And lie in wait for them
 In every stratagem (of war);
 But if they repent,
 And establish regular prayer,
 And pay *Zakāh*
 Then open the way for them:
 For Allah is oft-forgiving,
 Most merciful.

(*al-Tauba: 5*)

The Mahasabha has mistaken this verse as a general command for all times and climes. The fact, however, is that it was a specific order to deal with the *Mushrikīn* who, time and again, had broken the agreements they had signed with the Muslims. The last portion of the verse is specially indicative of the time-specific nature of the commandment. It also explains a general rule of Allah, the Merciful: when the divine messenger comes to a people whose considerable numbers embrace it, Allah (swt) does not destroy them and instead allows the believing section to persuade their remaining fellow-beings to enter the fold of their religion and those who still refuse to accept the Truth are destroyed by Him or are finished and punished into oblivion by the believers.

The above verse has been addressed to the *Mushrikīn* of Arabia to whom Allah sent a prophet from among themselves who spoke their language and was known for his honesty and integrity. The *Mushrikīn* persecuted him, forced him to leave his place of birth and then constantly waged war against him. When the wars they had started, finally exhausted and weakened them economically, militarily, politically and even morally, they signed peace treaties with the Prophet (Pbuh). But they broke their part of the treaty time and again in order to capitalize on opportunities of inflicting damage or causing injuries to the Muslim community. These people of such a criminal background are the target of the ire of the verse quoted above.

The verse 14 that the Mahasabha has unnecessarily “objected” upon reads as follows:

Fight them, and Allah will
 Punish them by your hands,
 And disgrace them

Help you (to victory) over them,
And heal the breasts of believers.

(*al-Tauba*: 14)

Here the Muslims are not only encouraged to fight the *Mushrikīn* but they have also been promised of their triumph in the war. The previous verse (9: 13) has catalogued some of the crimes that the *Mushrikīn* of Makkah had committed against the Muslims and the Prophet (Pbuh). If one honestly reads verse 14 in conjunction with the previous verse, he would have no objection at all. The verse 13 is as follows:

Will you not fight people
Who violated their oaths,
Plotted to expel the Messenger,
And attacked you
First? Do you fear them? Nay,
It is Allah whom you should
More justly fear, if you believe!

(*al-Tauba*: 13)

The Mahasabha is also not comfortable with the message of verse 23 in which believers have been urged to sever relations with their kith and kin. The thing to be understood is that the verses under discussion were revealed at a time when the Muslims were at war with the infidels. Many Muslims still had their relations among the *Mushrikīn* of Makkah and they were in touch with them owing to a variety of reasons. Sensing that such relations might cause problems during a war, the Muslims have been warned and urged to be away from the relatives who are still in the fold of *Kufr*. Here a general principle has also been explained which, when read in its proper context, can not be criticized or questioned. The Muslims' war with the unbelievers of Makkah was, above all, an ideological conflict. In such a conflict, when ideology, principle or a just cause is at stake, relations can not be allowed to bother a warrior. This principle has been observed and explained in the Mahabharata as well. How, then, the Mahasabha can "object" upon the following verses:

O you who believe! Take not
For protectors (or friends) your fathers
And your brothers if they love
Infidelity (*Kufr*) above Faith:
If any of you do so,
They do wrong (to themselves).
Say: If it be that your fathers,

Your sons, your brothers,
 Your mates, or your kindred:
 The wealth that you have gained;
 The commerce in which you fear
 A decline; are the dwellings
 In which you delight_—
 Are dearer to you than Allah
 Or His Messenger, or the striving
 In His cause; _ then wait
 Until Allah brings about
 His Decision: and Allah
 Guides not the rebellious.

(*al-Tauba: 23-24*)

The next target of the Mahasabha is verse number 28 which reads as follows:

O you who believe! Truly
 The *Mushrikīn* are unclean;
 So let them not,
 After this year of theirs,
 Approach the Sacred Mosque.
 And if you fear poverty,
 Soon will Allah enrich you,
 If He wills, out of His bounty,
 For Allah is All-Knowing, All-Wise.

(*al-Tauba: 28*)

The Mahasabha has picked up only first two lines in order to impress upon its gullible and credulous audiences that the Qur’ān has taught its followers to consider unbelievers as unclean. However, when read with the full verse, and also studied as a continuity of the discourse that runs from the beginning of the chapter, this appears to be the culmination of severing relations with the *Mushrikīn* that the Muslims are being urged to enact. Then the term, *Najis*, has a special time-specific meaning. The scholars of Islam have rightly explained that the term refers to the faith of *Shirk* that the *Makkan* pagans had; this is not to suggest that all unbelievers are physically unclean and, therefore, deserve to be treated as untouchable. The purpose of the verse, in simple words, is that *Kābah*, the House of Allah The Alone, is an abode of monotheism, hence the *Mushrikīn*, who do not believe in the Oneness of God, have no right to enter this holy place. This is just a matter of principle which one should not criticize unnecessarily.

The Mahasabha has found “fault” with verse 29 as well. The

objection is that Islam does not tolerate plurality of faith and urges its followers to wage war against them. The verse under discussion is as follows:

Fight those who believe not
In Allah nor the Last Day,
Nor hold that forbidden
Which has been forbidden
By Allah and His Messenger,
Nor acknowledge the Religion
Of Truth, from among
The People of Book,
Until they pay *Jizyah*
With willing submission
And feel themselves subdued.

(*al-Tauba: 29*)

This verse is partly time-specific and partly general in nature and meaning. The believers have been urged to fight against the Jews and Christians who, along with the *Mushrikīn*, had declared war on Islam. The Qur'ān has catalogued the crimes of the People of the Book in its chapters two and three etc. In view of their unceasing conspiracies and open hostilities against Islam, the Qur'ān urged its followers to fight, defeat and force them to pay *Jizyah*. The matter of *Jizyah*, as mentioned above, is a general order. The scholars of Islam have explained the term very well. Those who take up arms against Islam and are defeated in the battlefield, would be forced to pay *Jizyah*, a tax levied on the men having the capacity to earn or fight. The general principle is to be lenient while determining the quantity of the *Jizyah*. And if the Jews or Christians who do not take up arms against Islam and willingly agree to pay *Jizyah*, or they insist on being treated like the Muslims in matters of taxes, they would be dealt with in accordance with whatever agreement is arrived at and signed mutually.

The Mahasabha has picked up the last sentence of verse 37 for ridiculous "objection". In fact, the verses 36-37 have further explained the meaning or message discussed in verse 5 of the chapter. Then a general principle of divine guidance has been stressed upon in the last line of verse 37:

And Allah guides not
Those who reject Faith.

The meaning is obvious. That no amount of persuasion can work on a person who knows the Truth and yet rejects it for such silly reasons as arrogance etc. Such was the problem with the *Makkan* pagans and Jews

of the Prophet's time who knew in their hearts that Muhammad's message was divine and yet they refused to embrace it. They had so many frivolous reasons for their refusal like arrogance, stubbornness, following the foot steps of their forefathers and the fear of decline in economic and political clouts, as has the Mahasabha today, perhaps.

The Mahasabha's next "objection" is on verse 68 which is as follows:

Allah has promised the Hypocrites
 Men and women, and the rejecters
 Of Faith, the fire of Hell;
 Therein shall they dwell:
 Sufficient is it for them:
 For them is curse of Allah,
 And an enduring punishment.

(*al-Tauba: 68*)

The "objection" is that the Qur'an is too harsh on its opponents and condemns them to a permanent punishment. The reality, however, is that the Qur'an has addressed the hypocrites, those "men" who pretended to be "Muslims" but were either unbelievers or weak in their faith. These hypocrites used to play dirty tricks with the Prophet (pbuh) and the Islamic Movement that he led. In verses 42-60 the Prophet has been urged to be tough with such elements, for they have been taking undue advantage of his leniency. Then in verses 61-72 the Qur'an has catalogued the characteristics of both, the true believers and the hypocrites with a view to persuading the later to mend their ways and become sincere Muslims.

The question is not one of being "harsh" or lenient in punishing the wrong-doers. In fact, one ought to understand the Qur'anic concept of life and the hereafter. This life, according to the Holy Qur'an, is ephemeral whereas the hereafter is eternal, hence the reward or punishment of that world, too, would be infinite and permanent.

The Mahasabha's "objection" on verse 111 is that the Qur'an has urged its followers, time and again, to wage war and indulge in destruction and bloodshed. The so called "objection" is due to the Mahasabha's failure of putting the verse in its proper context and perspective. In fact, Allah (swt) has discussed the *Madīnan* society, specially its various components. There were those *Muhajirin* and *Ansar*, the *Makkan* migrants and the *Madīnan* helpers respectively, who embraced Islam in the beginning of the Prophet's mission. They have been promised a permanent and befitting place in paradise. Allah (swt) has, then, discussed the hypocrites living in *Madīnah* or in the desert areas. They have been warned of a severe and lasting punishment. And finally the

Qur'ān has dealt with the hypocrites who, after being warned in this chapter, repented and entered the fold of Islam in all sincerity. Allah (swt) announced that their *Tauba*, repentance, has been accepted. The verse in question (111) is concerned with the true and sincere believers of Islam. In fact, it has explained the nature of relationship between the true believers and Allah (swt). In plain words, the believer has to wholly submit himself to the will of Allah Who, in return, will reward him in the life hereafter. When a person becomes such a firm and sincere believer, he never fears war and death and follows God's command in all conditions. The purport of the verse is not to encourage war, destruction and bloodshed but its focus is on the quality of faith that a true believer should have. Committed people always sacrifice their lives for the cause they cherish and uphold. Why, then, the Mahasabha has "objection" on the verse in question which is as follows:

Allah has purchased of the believers
 Their persons and their goods;
 For their (in return)
 Is the Garden (of Paradise):
 They fight in His Cause,
 And slay and are slain:
 A promise binding on Him
 In Truth, through the Torah,
 The Gospel, and the Qur'ān:
 And who is more faithful
 To his covenant than Allah?
 Then rejoice in the bargain
 Which you have concluded:
 That is the achievement supreme.
 (*al-Tauba*: 111)

The Mahasabha's next "objection" is on verse 123 in which the Qur'ān, as they allege, has urged its followers to be harsh even on the relatives who are in the enemy camp. The charge has already been answered while explaining the verse 23 of this chapter, *al-Tauba*. The full verse, anyway, is given below:

O you who believe! Fight
 The Unbelievers who are near to you
 And let them find harshness
 In you: and know that Allah
 Is with those who fear Him.
 (*al-Tauba*: 123)

The verse, in fact, belongs to the concluding section of the chapter,

al-Tauba in which Allah (swt) has given general guidance to the Muslims of Madīnah. As there were still some hypocrites as well as open enemies of Islam, the believers are being urged to be constantly on guard against such elements. This is not a general command that in order to be true Muslim one must be harsh on his kith and kin.

The verse 98 of the chapter 21 is the next target of the Mahasabha. The “objection” is that the Qur’ān not only criticizes the unbelievers and their deities but also throws them into the Fire of Hell. Such verses, they claim, are bound to create tension and bad blood in a plural society. Now let us see how wide off the mark the Mahasabha has been in understanding the concerned verse which is as follows:

Verily you (unbelievers),
 And the (false) gods that
 You worship besides Allah,
 Are (but) fuel for Hell!
 To it will you (surely) come!

(*al-Anbiyaa*: 98)

This verse has occurred in *al-Anbiyaa*, the Prophets, whose main theme is to warn the *Makkan* pagans about the consequences of their unjust and stubborn opposition to Muhammad (Pbuh). The Prophet (Pbuh) preached them all day and night but the pagans, instead of heeding to the true guidance, started making fun of Allah’s messenger and His message. They specially ridiculed the Islamic concept of *Ākhirah*, the life hereafter and demanded the Prophet (Pbuh) to bring it about, if he was right. In response, Allah (swt) said that when the Final Day will come, you would find yourselves and your stone-made idols into the Fire of Hell. This warning is not general but has specially been given to the *Makkan* pagans whom the Prophet (Pbuh) had preached for several years. The Qur’ān has never urged the Muslims to despise either any human being or the god(s) he worships; rather its teaching is not to say wrong things about the deities of the pagans. Says the Holy Qur’ān:

Revile not you
 Those whom they call upon
 Besides Allah, lest
 They out of spite
 Revile Allah
 In their ignorance.

(*al-An’aam*: 108)

The Mahasabha has leveled “objection” against verse 22 of the chapter 22, *al-Sajdah*, Adoration. The “objection” perhaps is that Islam does not believe in co-existence of religions and wants to coerce people

into accepting it. Nothing can be farther from truth than this. At several places the Qur'ān has asserted that man is free to reject or accept the *Faith* preached by Muhammad. The famous verse: "There is no compulsion in religion" (2: 256) has banned forceful conversion. The Qur'ān has further explained this point in the following verse:

Say, "The Truth is
From your Lord"
Let him who will,
Believe, and let him
Who will, reject (it):

(*al-Kahf*: 29)

Despite such clear teachings about the freedom of religion, the Mahasabha has unduly "objected" upon the following verse:

And who does more wrong
Than one to whom are recited
The Signs of his Lord,
And who then turns away
Therefrom? Verily from those
Who transgress We shall exact
(Due) Retribution.

(*al-Sajda*: 22)

The above verse has been taken from *al-Sajda*, Adoration, which was revealed in Makkah. The general theme of the chapter is that the Holy Qur'ān is *The True Message* of Allah, and is a special blessing for the Arabs who had not received the divine message for a long time. So they would do good to themselves, if they accept it and would wrong none but themselves, if they reject it.

The verse in question (22) is the last one of a group of three verses beginning from 20. In verses 20-21 the rejecters of Faith have been warned that they will earn Hell, even taste and face punishment in this world, if they continue in their ignorance despite knowing the fact that the Qur'ān was the true divine message. In verse 22, Allah (swt) has given the reason why the rejecters of *Faith* will be punished in both the worlds. When read carefully, the verse means that the *Makkans'* constant denial of the Qur'ān, which is repeatedly recited to them, will surely land them in trouble. By no stretch of imagination one can construe that this verse is against religious freedom.

The Mahasabha has raised unjust "objection" against the following verse:

They shall have a curse
On them: wherever they

Are found, they shall be
Seized and slain.

(*al-Ahzab*: 61)

Perhaps the Mahasabha saw such words as “seized” and “slain” and thought the verse was necessarily about them and other non-Muslims. The fact, however, is that the verse has warned the hypocrites of Madīnah who were always conspiring to sabotage the nascent Islamic society from within. One wonders which civil society will tolerate internal enemies and allow them to succeed in their nefarious designs?

The Mahasabha has “objected” upon two verses (27-28) of the chapter 41. Their silly “objection” is why the infidels would be condemned to permanently live in the Fire of Hell? In a sense it is an “objection” on a very fundamental tenet of Islam: *Ākhirah*, the belief in the life hereafter. The point to be kept in mind is that the punishment, how much severe and harsh it might be, is not pronounced and meted out to the wrong-doers all of a sudden. The Muslim belief is that Allah (swt) sent prophets to all people (13: 7) and His final message has come to the mankind in the form of the Holy Qur’ān. Moreover, it has been made binding upon the Muslims to continue to be witness of Truth unto mankind till the Final Day. The point to impress upon is that before announcing the punishment Allah (swt) made arrangements for preaching His message to the mankind. The “objection”, whichever quarter it comes from, is, therefore, untenable.

The two verses (27-28) being discussed below have been taken from chapter 41. They are as follows:

But We will certainly
Give the Unbelievers a taste,
Of a sever Chastisement,
And We will requite them
For the worst of their deeds
Such is the requital
Of the enemies of Allah, —
The Fire: therein will be
For them the Eternal Home:
A (fit) requital, for
That they were wont
To reject Our Signs.

(*Fussilat*: 27-28)

The chapter 41 was revealed in Makkah, perhaps towards the end of Muhammad’s prophetic preaching there, when the conflict between Islam and *Shirk* (associating deities with Allah) had become very intense.

The *Makkan* leaders had realized well that Muhammad was Allah's messenger but refused to accept him as such for extraneous and frivolous reasons. The *Makkan* leaders were not satisfied with just verbal opposition but they also tried hard to nip Islam in the bud. They persecuted and tried to suppress Muhammad and his followers and prevented people from listening to the Qur'ān. Such was the background of people whom the Qur'ān condemned to the Fire of Hell.

The Mahasabha has picked up a portion of verse 20 of the chapter 48 to "object" upon. They have wrongly understood the verse as encouraging loot and plunder. The main cause for their misunderstanding is that they have not taken the whole context in to account while reading the verse under discussion. For a proper understanding of the verse one must read at least four verses, 48: 18-21 in which Allah (swt) has made some promises to the Muslims. Moreover, one must also know in which conditions these verses were revealed. The occasion, in fact, was the treaty of Hudaibiah, which many Muslims found humiliating. A few explanations will be in order here.

In the sixth year of the *Hijrah* calendar the Prophet (Pbuh) decided to perform *Umrah*, the lesser pilgrimage to Makkah. Some 15 to 16 hundred Muslims accompanied the Prophet (Pbuh). When they reached Hudaibiah, a place near Makkah, the Prophet (Pbuh) sent words to the *Makkan* leaders that their intension was but to perform the lesser pilgrimage. The *Makkans*, however, would not agree with the proposal and suggested to the Muslims to come the next year. They negotiated and signed a treaty whose certain clauses seemed to be humiliating for many Muslims; their complaint was that they should sign the treaty as equal partners and not the vice versa. But when the Prophet (pbuh) signed the treaty disregarding their complaints, they fell in gloom. Such was the general mood of the Muslim community when this chapter 48 was revealed. It declared to the "depressed" believers that far from being humiliating, the Treaty of Hudaibiah was an open victory. The subsequent events proved the Qur'ānic prophesy as Makkah fell to the Muslims within two years.

The verses 48: 18-21 are, in fact, about the gladtidings that Allah (swt) gave to the Muslims in the wake of the Treaty of Hudaibiah. Now read the verses:

Allah's Good pleasure
Was on the Believers
When they swore Fealty
To thee under the Tree:

He knew what was
 In their hearts, and He
 Sent down Tranquility
 To them; and He rewarded
 Them with a speedy Victory;
 And many gains will they
 Acquire (besides): and Allah
 Is Exalted in Power,
 Full of Wisdom.

Allah has promised you
 Many gains that you shall
 Acquire, and He has given
 You these beforehand; and
 He has restrained the hands
 Of men from you; that it
 May be a sign for
 The Believers, and that
 He may guide you
 To a straight path;
 And other gains (there are),
 Which are not within
 Your power, but which
 Allah has compassed and Allah
 Has power over all things.

(*al-Fat-h*: 18-21)

The Mahasabha's "objection" is on the "promised gains". Both peace and war have their economic fallout or benefits and losses. For a person familiar with the history of Islam, specially with what happened at Hdaybiah, and in what conditions, these "promised gains" would neither appear unexpected nor uncalled for. The Muslims were at war with the *Makkans*, and though they apparently signed the treaty at Hdaybiah as a weak party, the far-sighted knew well what good was in store for them. However, there were many who could not see the future and good outcome of the treaty; and it is these people who have been solaced in the verses quoted above.

The last "objection" of the Mahasabha is on verse 9 of the chapter 66 which is as follows:

O Prophet! Strive hard
 Against the Unbelievers
 And the Hypocrites,
 And be harsh with them.

Their abode is Hell,___
An evil refuge (indeed).

(at-Tahrim: 9)

The “objection” is on the word, *Jihad*, which has been translated here as “strive hard”. *Jihad* is not necessarily war for which the common Arabic word is *Qitāl*. There is a consensus that *Jihad* has a wider meaning. Not only for the Mahasabha, but also for many contemporaries of the Prophet (Pbuh) it was incomprehensible if a prophet should wage war? The Qur’ān has tackled this question which has been discussed elsewhere in this article. The important question is what should a prophet, or any body, do when war is imposed on him? Moreover, he has to also deal with the internal enemies who are always scheming to harm from within. In such a situation the only sane advise would be to be harsh on both the internal and external enemies. It is beyond comprehension why a prophet should not fight for the victory of good over evil. Or the Mahasabha thinks that the forces of good should prefer to embrace defeat but should never take up arms? If so, how wrong they are in their assumption.

Jihad: Violent or non-Violent

Obaidullah Fahad*

Abstract

*This article takes into account the various interpretations of Jihad. It also seeks to criticize its misinterpretation both by anti-Islamic writers and by its so called upholders. Verses of the Holy Quran have extensively been quoted and explained in a convincing manner to get at the proper meaning of Jihad. Modern Islamic writers have also been quoted to suggest what Jihad means in the modern world? Such great Islamic ideologues as Maududi, Qutb and al-Qardhavi are of the view that Jihad does not necessarily mean a war against one or another adversary. Jihad, in fact, has a wider connotation; it is an effort to serve Islam and is carried out keeping in mind the time and space we are living in. The proper Arabic word for war is *Qital* not Jihad. However, the ultimate form of Jihad may involve war but there are conditions for waging such a battle.*

In the late twentieth and early twenty first centuries especially after the devastating September 11, 2001 attacks on the World Trade Centre and the Pentagon in USA the word Jihad has gained remarkable currency. The media, the governments, the ordinary citizens, the intellectuals, Muslim and non-Muslim both, have sought to answer questions about Islamic *Jihad*, holy war, violence, terrorism, anti-Americanism and anti-Europeanism etc. What is the real meaning of *Jihad*? Does Islamic *Jihad* necessarily mean anti-West feelings? Whether the holy Quran really provokes its followers to slaughter the innocents?

If you go through the literature on Islam by Muslims and non-Muslims alike, you will find different responses to the question of Jihad. If some scholars have explained it as a non-violent struggle for the noble cause of Islam, others have emphasized on a violent and offensive version.

Dr. Abdul Hamid A. Abu Sulayman, the former Vice Chancellor of International Islamic University, Kuala Lumpur, Malaysia has defined *Jihad* as a non-violent term. In fulfilling his duties to promote and

*Dr. Fahad teaches at Department of Islamic Studies, Aligarh Muslim University, Aligarh, India.

advance the cause of Islam, the Muslim should do his best to rectify wrongs, he has explained. A Muslim must do so by his own actions; if he cannot, he must speak out against them; if he cannot he must oppose them in his heart. Jihad is not only outward act, it is also an inward one to strengthen one's own self and correct one's own mistakes. This rule amply illustrates that Jihad does not necessarily involve the waging of a war (offensive or defensive)¹, Dr. Sulayman has further argued. He has quoted a Hadith in his favour. Al-Bukhari and Imam Muslim have reported a conversation between the Prophet (Pbuh) and a man who came to him to join his troops in fighting (*Jihad*). The Prophet (Pbuh) asked the man if his parents were alive, and the man said, "Yes". The Prophet (PBUH) then told him: then strive in serving and providing for them (*Fafihima fa Jahid*).² This answer clearly shows that *Jihad* is the Muslims's striving to fulfill his every responsibility and to serve the Islamic cause and principles in a manner consistent with the Islamic framework. *Jihad* in this sense is the active expression of the Islamic commitment, responsibility, and sense of duty where it is required in practical life³, explains Abu Sulayman.

Advancing the theory in a more systematic way, Maulana Sayyid Jalaluddin Umari, the Vice President of Jamaat-e-Islami Hind, has quoted some more traditions of the Prophet in order to explain the meaning of *Jihad* as self-exertion.⁴ He has declared *Jihad* as a collective responsibility that would not be legal and justified for any individual. He has categorized it as a *Fardh Kifayah* next to *Fardh Ayn*. Serving one's parents if they are needy and helpless is a prime obligation more important than participating in a *Jihad*.⁵ While talking on the Muslim minorities in non-Islamic states, Maulana Umari emphasizes upon the following Quranic verse:

Therefore listen not to the unbelievers, but strive against them with the utmost strenuousness with Quran.⁶

Jihad-e-Kabeer (the biggest struggle) as referred to in the above quoted verse, to Maulana Umari, means the preaching of Islamic teachings through the weapons of argument and intellectual debate. He has quoted Ibn Taimiyah who declared: "*Jihad* during the *Makkan* period was obligated through the arms of knowledge and expression, while *Madinan Jihad* added the power and weapons as such to the previous one."⁷

In a democratic country, where Muslims are legally and constitutionally allowed to preach their religion and they are practically involved in it, Muslims therein are advised to continue with such religious duties with patience, toleration and practical wisdom. For persons living

in such countries there is no justification to wage *Jihad* (fighting) against them, as Umari has concluded.⁸

James P. Piscatori also admits the view which is ‘directly at odds with the one which focuses on *Jihad* as an instrument of Islamic militancy and expansionism.’ This view, as he has categorized it, is of a tolerant and non-violent Islam that accommodates itself to the reality of divisions and non-Muslim centres of power.’ In this tolerant Islam, as Piscatori elaborates, the greater *Jihad* is working for the good and against the evil; rather than relying primarily on the sword, the Muslim is to use his heart, tongue and hands for the good of his own soul and to build the just society. He is also convinced with the fact that fighting is enjoined in the cause of righteousness, but primarily for self-defense and for protecting the non-Muslim subjects, though *Jihad* can take the form of holy war against polytheists, unbelievers, hypocrites and rebels, and Muslims are obligated to end the fighting if the enemy has the momentary advantage or withdraws from active hostilities.⁹

Islamic Research Council at al-Azhar University, Cairo, regarded by most as the highest moral authority in Islam today, has declared September 11 attacks as illegal and un-Islamic and has made strong, authoritative declarations against bin Laden’s initiatives:

“Islam provides clear rules and ethical norms that forbid the killing of non-combatants, as well as women, children and the elderly, and also forbids the pursuit of the enemy in defeat, the execution of those who surrender, the infliction of harm on prisoners of war, and the destruction of property that is not being used in the hostilities.”¹⁰

John L. Esposito also makes a clear distinction between the classical original concept of *Jihad* and the one employed by modern terrorists. To Esposito, the terrorists go beyond classical Islam’s criteria for a just *Jihad* and recognize no limits but their own, employing any weapons or means. They reject Islamic law’s regulations regarding the goals and means of a valid *Jihad* (that violence must be proportional and that only the necessary amount of force should be used to repel the enemy), that innocent civilians should not be targeted, and that *Jihad* must be declared by the ruler or head of state.¹¹

The violent, uncompromising and crusading image of *Jihad*, on the other side, is so much highlighted by some scholars like Bernard Lewis and others, that it was declared that, ‘Foreign policy is a European concept’ and ‘is alien and new in the world of Islam.’ This is so because Islam emphasizes the division of the world in to *Dar al-Islam* and *Dar al-Harb*. The aim of Islamic world is to expand at the expense of the

non-Islamic world, and Muslims are obligated to resort to holy war to do this, as Lewis has claimed.¹²

Rudolph Peters opines that the traditional ideas have such a hold on Muslim intellectuals that any of their sweeping assertions about Islam recognizing the equality of all mankind and the reciprocity in inter-state relations amounts to be no more than gratuitous and non-committal slogans.¹³ To him, the modern writers mostly discuss the issue of *Jihad* with the aim of mobilizing people for the armed struggle against colonialism, imperialism, Zionism or communism. If some scholars represent the non-violent image of *Jihad*—*Jihad al-Tarbiyah*¹⁴ (educational *Jihad*), *Jihad al-Dawah*¹⁵ (*Jihad* through missionary work) – and are accommodative and tolerant in their writings, they ‘generally represent an ideological defense against the ‘*scimitar-syndrome*’ in the West: the idea that Islam is a violent and fanatical creed, spread by savage warriors, carrying the Quran in one hand and a scimitar in the other.¹⁶

Osama bin Laden (b. 1957) who is called by the world media as a global terrorist, has justified all his activities in the name of Islamic *Jihad*. He invited the Americans to rise up against their government and to force it to give up America’s anti-Muslim policies and massacre of Muslims. Muslims have the right, indeed the obligation to defend themselves. He appeals to the Islamic teaching that *Jihad* in the defense of Islam and to correct an unjust political order is legitimate and required:

“We are carrying out the mission of the Prophet Muhammad (peace be upon him). The mission is to spread the word of God, not to indulge in massacring people. We ourselves are the target of killings, destruction and atrocities. We are only defending ourselves. This is why we say, if we don’t get security, the Americans, too, would not get security. This is the simple formula that even an American child can understand: live and let live.”¹⁷

Bin Laden considers American and European forces as the forces of evil, oppression, exploitation and injustice because “they rob us of our wealth and our resources and our oil. Our religion is under attack. They kill and murder our brothers. They compromise our honor and our dignity and dare we utter a single word of protest against the injustice, we are called terrorists.”¹⁸

Bin Laden justifies all his terrorizing activities in a legal way. He, like an expert of international law, classifies terrorism into commendable and reprehensible ones:

“There is no doubt that every state and every civilization and

culture has to resort to terrorism under certain circumstances for the purpose of abolishing tyranny and corruption.... The terrorism we practice is of the commendable kind for it is directed at the tyrants, the traitors who commit acts of treason against their own countries and their own faith and their own prophet and their own nation. Terrorizing those and punishing them are necessary measures to straighten things and make them right.”¹⁹

One can imagine how many different and contradictory interpretations of *Jihad* in the contemporary world are found. If *Jihad* has so many definitions and meanings, how are they to be understood? Which meanings are correct? What does the holy Quran itself teach? Which interpretation promotes positive and true direction and which has been exploited to justify one’s own understanding and activities? These questions are to be answered rightly only when we approach the holy Quran directly and study the relevant verses in their proper context and apply a systemic and compact research methodology.

The Holy Verses

The holy verses of the Quran discussing the fighting, its aims and objectives, rules and regulations may be classified into three categories:²⁰

- a) Verses relating to fighting against Muslims.
- b) Verses of fighting for defense against non-believers, and
- c) Verses of fighting that seem to be for expansion and offense.

The first category belongs to internal affairs of the Islamic state. The Quran deals with the event of rebellion and breach of public order, either between two groups of subjects or between subjects and rulers. It provides certain provisions for this unhappy event with a view to preserve the unity among the believers, to avoid lawlessness and anarchy and to establish and strengthen the power and authority of the Islamic state. The provisions are clearly prescribed in the following verses:²¹

If two parties among the believers fall into a quarrel, make you peace between them: but if one of them transgresses beyond bounds against the other, then fight you all against the one that transgresses until it complies with the command of Allah; but if it complies, then make peace between them with justice, and be fair: for Allah loves those who are fair and just. The Believers are but a single brotherhood; so make peace and reconciliation between your two (contending) brothers; and fear Allah, that you may receive Mercy.²²

Individual quarrels are easy to solve than group quarrels, or, in the

modern world, national quarrels. According to Islamic spirit the community of Islam should be supreme over other groups and nations in that it would be expected to act justly and try to solve the quarrels, for peace is always better than fighting. But if one party is hell-bent on aggression, the whole force of the community is brought to bear on it, as commanded by Allah.

The second important point in this regard is the Quranic emphasis on the just and fair dealing. If one party accepts the peace-making process of the community that must not be treated as weak and should not be deprived of justice and due right. Instead righteousness and justice prevail and each party must have its due. The League of Nations then, and United Nations today, have failed because these essentials are absent.

The second category of verses relates to the defense against all kinds of oppressions. The holy Quran has sanctioned the fighting against aggression and provided detailed guidelines and regulations regarding the conduct of war:

To those against whom war is made, permission is given to fight, because they are wronged, and verily Allah is most powerful for their aid. They are those who have been expelled from their homes in defiance of right-for no cause except that they say, "Our Lord is Allah." Did not Allah check one set of people by means of another, there would surely have been pulled down monasteries, churches, synagogues and mosques in which the name of Allah is commemorated in abundant measure. Allah will certainly aid those who aid His cause – for verily, Allah is full of strength, exalted in might. They are those who, if we establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong; with Allah rests the end (and decision) of all affairs.²³

And why should you not fight in the cause of Allah and of those who, being weak, are ill-treated (and oppressed)? – men, women and children, whose cry is: "Our Lord! Rescue us from this town whose people are oppressors; and raise for us from you one who will protect; and raise for us from you one who will help."²⁴

Then fight in Allah's cause – you are held responsible only for yourself, and rouse the believers. It may be that Allah will restrain the fury of the unbelievers; for Allah is the strongest in might and in punishment.²⁵ But if they incline towards peace, do you also incline towards peace and trust in Allah for He is

the One that hears and knows all things.²⁶

All these verses are very clear in providing justification for a defensive war. *Jihad* against all kinds of aggressions (*Udwan*), tyrannies (*Tughyan*), corruptions (*Fasad*) and excesses (*Israf*) is lawful, rather obligatory in the Quran. It is the duty of an Islamic state to wage war against all these evils.²⁷ All these verses are categorically defensive in their style and content.

The third category of holy verses, at first sight, seems to be expansionist and offensive. A general reader who does not study these verses in their proper context through a systematic approach, may derive some misleading conclusions contradictory to the very teachings of the Quran. The scholars,²⁸ therefore, have suggested that the concrete cases and conditions in the Quran must be maintained. It is common for a general scholar specially for a non-Muslim one, to deal with these verses of the Quran as entities independent of each other, with little or no regard for the essential concept of the *Surah* entertaining them, their place and significance in the order of the *Surah* and of the preceding and following *Surahs*. A verse being read without regard to its sequence in the *Surah* and to its relation with the other verses of the *Surah* is most likely to be misunderstood.

These Quranic verses, sometimes referred to as the “sword verses”,²⁹ are quoted selectively to prove unconditional fighting against unbelievers and Islam is thus declared as a terrorizing religion that legitimizes the use of violence in every situation. These ‘sword verses’ are as follows:

But when the forbidden months are past, then fight and slay the pagans wherever you find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war); but if they repent and establish regular prayers and practice regular charity, then open the way for them: for Allah is Oft-Forgiving, most Merciful.³⁰

O ye who believe! Truly the Pagans are unclean so let them not, after this year of theirs, approach the Sacred Mosque. And if you fear poverty, soon will Allah enrich you, if He wills, out of His bounty, for Allah is All-Knowing, All-Wise. Fight those who believe not in Allah and nor the Last Day, nor hold that forbidden which has been forbidden by Allah and His Messenger, nor acknowledge the religion of Truth, from among the people of the Book, until they pay the *Jizyah* with willing submission, and feel themselves subdued.³¹

The number of months in the sight of Allah is twelve (in a year) so ordained by Him the day he created the heavens and

the earth; of them four are sacred: that is the straight usage. So wrong not yourselves therein, and fight the Pagans all together as they fight you all together. But know that Allah is with those who restrain themselves.³²

O Prophet! Strive hard against the Unbelievers and the Hypocrites, and be firm against them, their abode is Hell – an evil refuge indeed.³³

O ye who believe! Fight the Unbelievers who are near to you and let find firmness in you: and know that Allah is with those who fear him.³⁴

Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah loves not transgressors. And slay them wherever you catch them, and turn them out from where they have turned you out; for tumult and oppression are worse than slaughter; but fight them not at the Sacred Mosque, unless they fight you there; but if they fight you, slay them. Such is the reward of those who suppress faith. But if they cease, Allah is Oft-Forgiving, Most Merciful. And fight them on until there is no more tumult or oppression, and there prevail justice and faith in Allah. But if they cease, let there be no hostility except to those who practice oppression. The prohibited month for the prohibited month and so for all things prohibited – there is the law of equality. If then anyone transgresses the prohibition against you, transgress you likewise against him. But fear Allah, and know that Allah is with those who restrain themselves.³⁵

They but wish that you should reject faith as they do, and thus be on the same footing (as they): so take not friends from their ranks until they flee in the way of Allah (from what is forbidden). But if they turn renegades, seize them and slay them wherever you find them; and (in any case) take no friends or helpers from their ranks – except those who join a group between whom and you there is a treaty (of peace), or those who approach you with hearts restraining them from fighting you as well as fighting their own people. If Allah had pleased He could have given them power over you, and they would have fought you: therefore if they withdraw from you but fight you not, and (instead) send you (guarantees of) peace, then Allah has opened no way for you (to war against them). Others you will find, that wish to gain your confidence as well as that of their people: every time they are sent back to temptation, they succumb thereto; if they withdraw not from you nor give

you (guarantees) of peace besides restraining their hands, seize them and slay them wherever you get them; in their case. We have provided you with a clear argument against them.³⁶

O Prophet! Rouse the Believers to the fight. If there are twenty amongst you, patient and persevering, they will vanquish two hundred: if a hundred, they will vanquish a thousand of the Unbelievers: for these are a people without understanding. For the present, Allah has lightened your (task) for He knows that there is a weak spot in you: but (ever so), if there are a hundred of you, patient and persevering, they will vanquish two hundred, and if a thousand, they will vanquish two thousand, with the love of Allah: for Allah is with those who patiently persevere. It is not fitting for a Prophet that he should have prisoners of war until he has thoroughly subdued the land. You look for the temporal goods of this world; but Allah looks to the Hereafter: and Allah is Exalted in might, Wise.³⁷

Therefore, when you meet the Unbelievers (in fight), smite at their necks; at length, when you have thoroughly subdued them, bind (the captives) firmly: there after (is the time for) either generosity or ransom: until the war lays down its burdens. Thus (are you commanded): but if it had been Allah's Will, He could certainly have exacted retribution from them (Himself); but (he lets you fight) in order to test you, some with others. But those who are slain in the way of Allah, He will never let their deeds be lost.³⁸

These 'sword verses' were revealed in a very specific situation and alongwith a peculiar background of early Islamic history. In order to understand them properly a brief account of the background is quite essential.

Psycho-Political Background

Dr. Abu Sulayman has summarized the psycho-political background of the verses of 'initiative fighting'. We quote him in detail: "the holy Quran, the collections of Hadiths, and the biography of the Prophet (Pbuh), give the impression that the conflict during the early Islamic era was between unselfish, justice-seeking, persecuted Muslims and self-centered, corrupt, oppressive non-Muslim authorities. It is hard for Western writers to fathom the psychological effect of the events that took place during the early Islamic era. This, coupled with the repercussions these events had on the relations between Muslims and non-Muslims, makes it imperative to relate some of them. This helps us

to understand better not only the events themselves but also Muslims' reaction to non-Muslims, which has basically been one of animosity.

“Some of these events and their effects are briefly discussed below. A prolonged economic and social boycott, humiliation, torture, and killing forced the early Muslims to cross the sea to Abyssinia in order to escape from the unbearable plight. The flight of the Prophet (Pbuh) to Madinah did not mean the end of the confrontation between Muslims and non-Muslims. The Muslims prayed for God's help when the Quraysh went after Muhammad (Pbuh), trying to track him down as he (migrated) to Madinah. In Madinah, the pressure and aggression of the Quraysh continued. They contacted Jewish tribes in Madinah and other Arab tribes, recruiting them to help put an end to Muhammad's mission:

They question thee [O Muhammad] with regard to warfare in the sacred months. Say: warfare therein is a great [transgression], but to turn [men] from the way of Allah, and to disbelieve in Him, to prevent access to the inviolable place of worship, and to expel its people thence, is a greater [transgression] with Allah: for persecution [oppression] is worse than killing. And they not cease from fighting against you until they made you renegades from your religion, if they can. [Qur'an 2: 217]

“The continuous persecution to which the early Muslims were subjected posed a dilemma: should they wait till the enemy attacks, or should they go out against him? In the case of Badr, they chose the latter although they felt that they were weaker:

And remember, when ye were few and reckoned feeble in the land, and were in fear lest men should extirpate you, how He gave you refuge strengthened you with His help, and made provision of good things for you, that happily you might be thankful. [Qur'an 8: 26]

When the Lord inspired the angels, [saying]: I am with you. So make those who believe stand firm. I will throw fear into the hearts to those who disbelieve. Then smite the necks and smite of them each finger. That is because they opposed Allah and His messenger, and if anyone opposes Allah and His messenger, for him Allah is severe in punishment. That [is the award], so taste it, and [know] that for the disbelievers is the torment of the Fire. [Qur'an 8: 12-14]

“It was difficult for Muslims to feel at ease with the non-Muslims, especially in view of incidents such as *Yawm al Raji* (The Day of *al-Raji*) and *Bi'r Maunah* (The Day of *Bi'r Maunah*). In both cases, pagan tribes approached the Prophet (Pbuh) and asked him to provide them with

Muslims to teach them Islam. This proved to be a trick, for as these tribes were returning to their encampments, they attacked and killed their defenseless teachers.

“As the sources indicate, the persecution of the Muslim community continued. This time, the tribes of Banu al-Nadir along with the Quraysh, and Ghatfan of Qays’aylan planned to finish off the Muslim community of Madinah. This alliance was too strong for the Muslims to confront. They dug a ditch around most of Madinah in order to hinder the advance of the powerful army. To make things worse, Banu Qurayzah, Muhammad’s ally inside the besieged city of Madinah, conspired to join the alliance and to attack the Muslims from the rear:

When they [the non-believing allies] came upon you from above you and from below you, and when eyes grew wild and hearts reached to the throats, and ye were imaging vain thought concerning Allah, then were the believers sorely tried and shaken with a mighty shock. And when the hypocrites and those in whose hearts is disease were saying, “Allah and His messenger promised us naught but delusion...” they wished but to flee. [Qur’an 33: 10-13]

“The siege came to an abrupt end due to a worsening of the weather conditions. The Muslims viewed the failure of the alliance’s attack as a manifestation of God’s help:

And Allah repulsed the disbelievers in their worth; they gained no good. Allah averted their attack from the believers. Allah is Strong, Mighty. And He brought those of people of the Scriptures who supported them [the allies] down from their strongholds and cast panic into their hearts. Some ye slew and ye made captive some. [Qur’an 33: 25-26]

“The persecution continued even after the peace treaty of *Hudaybiyah* was concluded between the Prophet (Pbuh) and the Quraysh. In the sanctuary of Makkah, home of the Quraysh tribe, the Banu Bakr, allies of the Quraysh, massacred Khuza’ah, the Muslims’ allies. To the Muslims of that time it appeared that the basic objective of the non-Muslims was simply to take advantage of the situation irrespective of peace agreements. This is expressed in the Qur’anic position on these occasions, which can be seen as a direct reaction to the unrestrained aggressive behavior by the non-Muslims:

How [can there be any treaty for others] when, if they have the upper hand of you, they regard not pact nor honor in respect of you? They satisfy you with their mouths while their hearts refuse. And most of them are wrongdoers. [Qur’an 9: 7-8]

How should ye not fight for the Cause of Allah and of the feeble among men and of women and the children who are crying: Out Lord bring us forth from out of this town of which the people are oppressors! Oh, give us from thy presence some protecting friend! Oh, give us from thy presence some defender! [Qur'an 4: 75]

And fight them until persecution is no more, and religion is for Allah. [Qur'an 2: 193]

Unless we understand the gravity of these historical cases and the psycho-political background, we will be unable to understand the meaning and contents of these holy verses as well. These are the same Muslims who managed to bring about a tremendous humane transformation in the world of their time.³⁹

Mahmud Shaltut,⁴⁰ the late Shaykh of al-Azhar has studied the verses of fighting comparatively. To him the verse (9: 29) that reads "Fight against those who do not believe in Allah" does not mean that the quality of being an unbeliever constitutes a sufficient reason for fighting but mentions the characteristics peculiar to them in order to give a factual description and as a further incident to attack them once their aggression will have materialized. There was nothing to hold them back from breaking pledges, and violating rights, and they were inclined to desist from aggression. This defensive interpretation has been provided by most of the modern Islamic scholars including Maududi.

The Modern Scholars

Sayyid Abul Ala Maududi (1903-1979) the stalwart of modern Islamic revivalism in the world has defined *Jihad* in term of a limited revolutionary activism. In 1948 he rejected the validity of a *Jihad* declared by the Pakistan government in Kashmir during a cease-fire with India. Pakistan had let it be known that the *Jihad* was declared by local religious leaders and was undertaken by volunteer fighters. Maududi rejected the validity of a *Jihad* so declared, stating that it could only be proclaimed by a government.⁴¹ Nor did Maududi accept pure or revolutionary readings of the doctrine of *Jihad*. He argued that it must not denote "crazed faith... blood-shot eyes, shouting *Allah'u Akbar* (God is great), decapitating an unbeliever wherever they see one, cutting off heads while invoking *La ilaha illallah* (there is no god but Allah)"⁴² the very terms in which *Jihad* and its western interpreters are seen today. *Jihad*, Maududi further explained, was not war, but a struggle – a struggle not in the name of God but along the path set by God.⁴³ Maududi's position reflects, more or less, the opinion of those *Ulama* who divided *Jihad*

into a greater and a lesser struggle. In 1939 he declared the military *Jihad* to be a weapon of last resort when it pointed to a path of victory for Islam.⁴⁴ In 1954 he told Justice Muhammad Munir and the Court of Enquiry into the Punjab Disturbances that *Jihad* could only be declared when the country was actually, and not potentially, at war, and then only if the war was with *Dar al-Harb* (abode of non-Muslims).⁴⁵

Maududi's emphasis on the Islamic revolution was not a revolutionary in the modern sense. A social revolution is the profound and often violent process of change. Maududi has always avoided violent social change and has instead viewed the path of the Islamic state as lying within the existing socio-political order. While clarifying the issue in 1945, he accepted 'the possibility of using the existing political and constitutional process for change provided there is a chance to come to power and to Islamize the moral, cultural, political and economic system of the society.'⁴⁶

Maududi in his "The Process of Islamic Revolution" discussed Islam as "a revolutionary ideology and a revolutionary practice, which aims at destroying the social order of the world totally and rebuilding it from scratch..... and *Jihad* denotes the revolutionary struggle."⁴⁷ A thorough study of his writings, however, reveals that he has described revolution in evolutionary terms, as a piece meal effort predicated on the exact confluence of a set of social, cultural and psychological prerequisites. The exact requirements of this confluence preclude the kind of spontaneity that the liberating force of a true revolution denotes.⁴⁸

In 1957, Maududi reasserted the democratic and constitutional process of Islamic revolution when he declared that "transforming the political system can be done only through constitutional means;... transformation of the political order through unconstitutional means is forbidden by the Shariah."⁴⁹

Maududi's stand was not softened even when Ayub Khan regarded Jamaat-e-Islami as a subversive organization and pushed it out of politics and harassed and tortured its workers and followers. Maududi maintained the same constitutional stand:

I am in principle opposed to all unlawful, unconstitutional and underground activities. I did not come to this opinion out of consideration of any expediency or in response to any challenge. My opinion is rather the product of contemplation and studying.... Support for the law is the basic tenet of a civilized society.... covert activity is a greater menace to society than the one it seeks to remove.⁵⁰

Again he insisted in 1963:

whatever I have done, I have always done it openly within the boundaries of the law and existing Constitution, so much that I have never violated even those laws which I have fought hard to oppose. I have tried to change them through lawful and constitutional means and never adopted the path of violence.⁵¹

In November 1968, addressing a press conference in London, Maududi asserted that “in order to revive democracy in the country the Islamic movement will never assist any subversive group nor let them operate here” and that “no stable government would be established through violence and anarchy” and “therefore we ourselves will not use violence nor let the others use it.”⁵²

In October 1974, in a meeting with the youths of *Islami Jamiat-e-Talabah* and of *Al-Badr*, Maududi gave the direction, that “unless an open process is opted along with a bold, courageous and consistent will power, Islamic state would not exist. Through underground activities no Islamic state would have been founded. For the first time in history, it was established only through open and public mobilization and in future also the same process would be opted for the same noble cause.”⁵³

Abdul Karim Pareekh, a notable Indian scholar as well as social activist, has noted the four prohibited months, referred to in the Quran (9: 36) as respectable, dignified and most venerable. In all these months e.g. ‘*Ziqadah*, *Zil Hijjah*, *Muharram* and *Rajab* as in Arabic calendar, no fighting even against the established enemy is allowed. If the world political system recognizes this Quranic injunction, the 33% of the days of a year would be saved from all kinds of violent activities. This is the unique feature of Islamic law. Pareekh advised not to study the Quranic verses out of their context. To raise any objection through a selective reading of the Quran with the help of any index is also not advisable. One should study the whole Quran seriously in order to seek guidance and then reach at some conclusions. To Pareekh, a careless, non-serious and unsystematic study of a book like *Bhagwad Gita* (the classical religious scripture of Hinduism) too would have led to wrong conclusions. According to *Bhagwad Gita*, Lord Krishna provoked Arjuna to fight against the opponents though they were close relatives. Arjuna was very much reluctant to follow. Krishna again and again advised to go ahead because his fighting was Krishna’s fighting in the real sense. Seeing these writings of *Bhagwad Gita*, as Pareekh comments, if some Hindu is provoked and he initiates killing his relatives, he will not do justice to his holy book. Then how that approach would be proper with a book like the Quran in which there is no single change or replacement?⁵⁴

Muhammad Farooq Khan, the translator of the Quran in Hindi

language and a prominent Islamic author, has explained that the holy Quran ordered to fight against those who were not unbelievers only but were combatants also, and persecuted Muslims throughout the prophetic period. The history has well recorded their atrocities and oppressions. If Islam has permitted war, it is to crush the oppression, not to encourage it. If a Hindu brother understands that the Quran instructs its adherents to kill him, this is a misunderstanding that needs to be removed.⁵⁵

Farooq Khan further clarifies that all the Quranic verses of fighting should be seen in their true context. The unbelievers about whom these verses were revealed, were not only unbelievers but also they were the adversaries of right and justice who had targeted Muslims and subjected them to all kinds of tortures and humiliations. If even today a group is involved in conspiracies against the Islamic state the relevant verses of the Quran would apply, he concludes.⁵⁶

It is in this perspective that renowned Islamic scholar Shaykh Yusuf Al-Qaradhawi has declared: “resisting the invaders is an individual duty on all Muslims. If the enemy invaded a Muslim country, the people of that country must resist and expel them from their territories... it is an individual duty on all Muslims of that territory, men and women.” Shaykh Qaradhawi warned Arab leaders that they will be cursed by history and despised by their people if they sided with the United States in its war on Iraq. He urged the Muslim *Ummah* around the world to stand united in the face of war. Delivering the Friday sermon on 7th March, 2003 at Umar bin al-Khattab mosque in the Qatari capital, Doha, Al-Qaradhawi issued a *Fatwa* that it was not permissible for Arab and Muslim countries to let the United States use their air and sea ports and territories as a launching pad for striking Iraq. He further said that “if the attacked people succeeded in forcing the enemies out, it is alright... but if they fail, it is incumbent upon their Muslim neighbour countries to defend them,” ruled the renowned scholar.

Asked what does Islam say about participation in Al-Jazeera Shield Force formed by the Gulf Cooperation Council countries and whether it is permissible for such troops to be developed in Kuwait, Shaykh Al-Qaradhawi said “it is permissible for them to defend Kuwait should it come under attack, but it is absolutely *Haram* (impermissible) for them to take part in any attack on Iraq.”

He further charged that any (Arab or Muslim) country that assists aggression on a Muslim country is sinful, citing a noble Hadith (saying) of the Prophet Muhammad (peace be upon him), narrated by Abu Hurairah, that “whoever assists in killing a believer by (even) half a word, will meet Allah (on the day of Judgement) with ‘hopelessness in

Allah's mercy' written between his eyes."

The prominent Muslim scholar further said that the U.S. war was aimed at taking control of Iraqi oil, annihilating the military and human power of Iraq by destroying its weapons and weakening Arab powers, which represent obstacles in the way of the Zionist state.

About the hundreds of thousands of anti-war protests who took to the streets of the world capitals, Shaykh Qaradhawi said: "we as Arab and Muslim were more entitled to say: "No to war." He reaffirmed his respect for the American people and said he regards them as "kind" people, adding that he disagrees with the American administration which, he charged, opts for an oppressive and criminal policy against the Muslim nations.⁵⁷

The Myth of Forced Islamization

An important issue relating to the meaning and concept of *Jihad* is the myth of forced conversion, highlighted by the Western Writers and Hindu communal forces alike. The holy Quran has clearly announced: "Let there be no compulsion in religion."⁵⁸

An all-out war against the Arab unbelievers unless they turned to Islam by forced Islamization was not the Prophet's policy. It was a historical decision made by the Prophet of Islam (peace be upon him) after the experience of about twenty years to protect the human rights of Muslims and Arab people alike, as discussed earlier. If it were simply an exercise to show superiority, or a denial of the right of religious freedom, the Prophet (PBUH) had more reasons and time to practice this against the Jewish tribes of Madinah; however, he never attempted that policy either before or after issuing his orders regarding the Islamization of the Arab tribes.⁵⁹

That is why there is a consensus of opinions in Islamic law that *Jihad* merely on grounds of difference in beliefs can not be sanctioned. The Muslim thinkers, in modern times too, have distinguished disbelief from persecution or injustice and rejected forced conversion. Sayyid Qutb (1906-1966) the ideologue of *al-Ikhwān al Muslimūn* in Egypt, who has been blamed and accused of supporting militancy and violence, has rejected the idea of forced conversion:

It is not the intention of Islam to force its beliefs on people, but Islam is not merely belief... Islam is a declaration of freedom of man from servitude to other men. Thus it strives... to abolish all those systems and governments which are based on the rule of man over men and the servitude of one human being to another. When Islam releases people from the political pressure

and presents to them its spiritual message, appealing to their reason, it gives them complete freedom to accept or not to accept its belief.⁶⁰

Submission in Islam refers to conscious and willing submission, for without these it can not mean the real submission as required by the holy Qur'an (4: 125). This kind of submission is neither momentary nor erratic for real submission is a continuous act lived throughout the entire span of one's ethical life; moreover, it is not the one that operates only within the realm of the heart without manifesting itself outwardly in the actions of the body as works performed in obedience to God's law.⁶¹

In Islam, as Al-Attas has elaborated, there is no compulsion, not only in submitting to religion, but also one must not compel others to submit to it. One must submit oneself wholeheartedly and willingly, and love and enjoy his submission. Unwilling submission betrays arrogance, disobedience and rebellion and is tantamount to disbelief, which is one of the forms of unbelief (*Kufr*). It is a mistake to think that belief in one God alone is sufficient in true religion and that such a belief guarantees security and salvation. *Iblis* (Satan), who believes in one true God and knows and acknowledges Him as his Creator, Cherisher and Sustainer, his *rubbb*, is nevertheless a misbeliever (*Kafir*). Although *Iblis* submits to God, yet he submits grudgingly and insolently, and his *Kufr* is due to arrogance, disobedience and rebellion. He is the most notorious example of unwilling submission. Unwilling submission, then, is not the mask of true belief, and a *Kafir* might therefore be also one who, though professing belief in one God, does not bow in real submission, but prefers instead to submit in his own obstinate way – a way or manner neither approved nor commanded by God. Real submission is that which has been perfected by the holy Prophet (Pbuh) as the model for mankind for that is the manner of submission of all the prophets and messengers before him, and the form approved, revealed and commanded by God. Thus, to Al-Attas, the fundamental core of true religion is not the belief, but rather, more fundamentally, the submission; for the submission confirms and affirms the belief to be true and genuine.⁶²

Al-Attas' opinion, as quoted above, proves to be the last nail into the coffin of the myth of forced Islamization as fabricated by the Western writers. The Hindu communalists as being the local agents of Zionism in India, tried their best to launch propaganda mission against the Quran and Islam. During the process of saffronizing the whole country, they demanded to exclude the verses of fighting from the pages of the Holy Quran.⁶³ They opposed the act of conversion to Christianity or Islam

even willingly and peacefully because it violated a basic feature of the Indian constitution, i.e., of secularism that has been defined as *Sarva dharma sama bhav* (attitude of equality towards all faiths), as G.S.H.V. Seshadri, the spokesman of RSS claimed. They considered all the peaceful means of conversion as of fraud, force and temptation. Conversion to Hinduism falls in an entirely different category, because, "It is only a 'home coming' not only to their original faith but... to their social and cultural milieu," as Seshadri argued.⁶⁴

RSS has planned to assimilate the minorities in the (Hindu) mainstream. It believes that only Hindu thought can provide a stable and conflict-free model based on the ancient Hindu ethos and civilization.⁶⁵ The supporters of *Hindutva* trace its origin from Vir Savarkar who gave *Hindutva* the semblance of a definition in 1923. According to him, "A Hindu is one who acknowledges Hindustan as his fatherland (*Pitribhumi*) as well as his holy land (*punyabhumi*). Whether he or she is a devotee of *sanatandharma* is unimportant. Any one who is or whose ancestor was Hindu in undivided India is also welcome back to Hindu fold provided he accepts India as his fatherland-cum-holy land. Leaders of the RSS from Hedgewar and Golwalkar to Sudershan and others, the Shiv Sena's Bal Thakeray, leaders of the Vishva Hindu Parishad, Bajrang Dal and the BJP regard Savarkar's concept of *Hindutva* as an article of faith."⁶⁶

It is, in fact, the *Hindutva* hegemony in the country that intends to saffronize all the religions and cultures in general and Islam and Muslims in particular, though in vain. In this background the propaganda machinery of RSS – minded journalists and intellectuals engaged in the conspiracies against the concept and meaning of *Jihad*, should be studied and analysed. Going beyond the academic exercise a concrete future plan to meet this cultural and intellectual onslaught should also be made.

As a concluding remark, let me finally quote Dr. Anis Ahmad, the vice-chairman of Institute of Policy Studies, Islamabad, Pakistan who has written the following: "The Quran and Islam need to offer no apology. If it allows to wage *Jihad*, it announces clearly, categorically and unambiguously that fighting against every aggressor, oppressor and tyrant is a human obligation. The objective of Islam is to establish truth and justice. If dialogues, moral pressure, persuasions and other peaceful means are exhausted, and the women, children and elderly remain the victim of aggression, the oppressed believers and non-believers alike, it must be quickly responded by the Muslims. This is the core message of the holy verses of fighting."⁶⁷

Notes & References:

1. Abu Sulayman, Abdul Hamid A., *The Islamic Theory of International Relations: New Directions for Islamic Methodology and Thought*, International Institute of Islamic Thought, Herndon, 1987, pp. 18-19.
2. See Al-Tabrizi, Wali al-Din Muhammad Ibn Abdullah al-Khatib al-Imari, *Mishkat al-Masabih*, ed. Muhammad Nasir al Din al Albani, Damascus, Al-Maktab al-Islami, 1961. vol. III, p. 354; Bukhari, Muhammad Ibn Ismail, *al-Jami al-Sahih, Kitab al-Jihad, Bab al-Jihad*.
3. Abu Sulayman, op.cit p. 123
4. See Abu Dawud, *Kitabl al-Sunan, Kitabl al Jihad*; Nasai, *Kitab al-Sunan, Kitab al-Jihad Bab al-Rukhsa*; Ibn Rushd, *Bidayah al-Mujtahid*, Dar al-Kitab al-Ilmiyah, Lebanon, 1996. Vol. III 0. 409
5. Umari, Sayyid Jalaluddin, *Tahqiqat Islami* (A quarterly Urdu Journal) Aligarh, Vol. 21, No. 4, October-December, 2002. Article on ‘Some Rules about *Jihad*,’ pp. 5-20.
6. The Quran, 25: 52.
7. Ibn Taimiyah, *Fatawa Ibn Taimiyah, Kitab al-Fiqh* Vol. 28, p. 38.
8. Umari, S.J. *Tahqiqat Islami* vol. 20: No. 1, January-March 2001, pp. 20-21.
9. Piscatori, James P. *Islam in a World of Nation States*, Cambridge, 1986. pp. 45-46.
10. *Al-Hayat*, Islamic Research Council of al-Azhar University, November 5, 2001.
11. Esposito, John, L., *Unholy War-Terror in the Name of Islam*, Oxford, 2002. p. 115.
12. Lewis, Bernard, *The Middle East and the West*, Harper Row. New York, 1964. p. 115.
13. Peters, Rudolph, *Islam and Colonialism: The Doctrine of Jihad in Modern History*, The Hague 1979, p. 140.
14. *Jihad al-Tarbiyah* means spreading Islamic values in Muslim society and may be compared with the idea of home mission. See, Darwazah, Muhammad Izzah, *Al-Jihad fi Sabil Allah fi al-Quran wa al-Hidith*, Damascus, Dar al-Yaqazah al-Arabiyyah, 1395/1975. p. 7.
15. *Jihad al-Dawah* means spreading Islam among non-believers through peaceful means such as through arguments and thus equivalent to external mission. Waheeduddin Khan has declared it as the only form of *Jihad* nowadays. As during the first period of Islam means of communication were lacking and now intensive communication is possible without having recourse to military expedition. *Jihad* really means the struggle for propagation of the religion exclusively. It has no direct concern with the fighting (*Qital*) as such, *Al-Risala*, Monthly Urdu Journal), N. Delhi. Vol. 7 No. 1-2, 2003, p. 59.
16. Peters, op.cit., p. 118.
17. Interview with Osama bin Ladin (May 1998), “Hunting the Enemy,” Frontline: <http://www.phs.org/wgbh/pages/frontline/shows/binladen/who/family.html> quoted by Esposito, op.cit., p. 24.

18. Ibid, p. 24.
19. Ibid, pp. 24-25.
20. Mahmud Shaltut (*Jihad in Mediaeval and Modern Islam*, translated and annotated by Rudolph Peters, Leiden, E.J. Brill, 1977, p. 39) has categorized these verses of fighting into two e.g. Verses of fighting against Muslims and those against non-Muslims. To Esposito (op. cit., pp. 31-32) some verses are related to defence and others to expansion. The classification under writing is more convenient and helpful to understand the problem.
21. The translations of all the verses in this paper are taken from Abdullah Yusuf Ali, *The Holy Quran-Text, Translation and Commentary*, Amanat Corporation, U.S.A. 1409/1989.
22. The Holy Quran, 49: 9-10.
23. The Holy Quran, 22: 39-41.
24. The Holy Quran, 4: 75.
25. The Holy Quran, 4: 84.
26. The Holy Quran, 8: 61.
27. Dr. Abu Sulayman (op. cit., pp. 126-127) has pointed out that the basic values of each Islamic society as exemplified by the Prophet (P.B.U.H.) in both internal and external affairs are: no aggression, no tyranny, no corruption and no excess.
28. Dr. Abu Sulayman, (op. cit., pp. 110-113.) For a detailed study of the theory of coherence in the Quran see Farahi, Hameeduddin, *Tafsir Nizam al-Quran* (Urdu translation by Amin Ahsan Islahi), Azamgarh, 1990.
29. Esposito op.cit., p. 35.
30. The Holy Quran, 9: 5.
31. The Holy Quran, 9: 28-29.
32. The Holy Quran, 9: 36.
33. The Holy Quran, 9: 73.
34. The Holy Quran, 9: 123.
35. The Holy Quran, 2: 190-194.
36. The Holy Quran, 4: 89-91.
37. The Holy Quran, 8: 65-67.
38. The Holy Quran, 47: 4.
39. Dr. Abu Sulayman, A.A., op. cit., pp. 31-35.
40. Shaltut, Mahmud, op.cit., p.47-48. The author, after a thorough discussion has concluded that there are only three reasons for fighting, viz. To stop aggression, to protect mission of Islam and to defend religious freedom (op.cit., p. 51).
41. Nasr, Seyyed, Vali, Reza, *Maududi and the Making of Islamic Revivalism*, Oxford, 1996. p. 74.
42. From the text of the Iqbal Day speech of 1939, published as, Sayyied Abul Ala Mawdudi, *Jihad fi Sabil Allah*, Lahore, 1989, p. 3.
43. Ibid., p. 11.
44. Maududi, *Jihad'fi Sabil Allah*, op. cit., p. 14 ff. He, in fact, did not see *jihad* as a way of converting non Muslims to Islam, but only as a weapon to guarantee the right to propagate Islam peacefully. See. Binder, Leonard,

- Islamic Liberalism: A Critique of Development Ideologies*, Chicago, 1998, p. 181.
45. *Report of the Court of Inquiry Constituted under Punjab Act 11 of 1954 to Enquire into the Punjab Disturbances of 1953*, Lahore, 1954. pp. 223.
 46. Sayyid Abul Ala Maududi, *Islami Reyasat-Falsafah, Nizam Kar Aur Usool Hukmarani* (Urdu) (Islamic State-Philosophy, System and Principles), ed. Khursheed Ahmad, Lahore, 1987., pp. 718-719.
 47. *Ibid.*, p. 698ff.
 48. Nasr, S.V.R., op. cit., p. 72
 49. Sayyid Abul Ala Maududi, *Tahrik Islami Ka Aindah Laihah Amal* (Future Strategy of the Islamic Movement) Lahore, 1986, p. 205.
 50. Interview with Maududi in *Nawai Waqt*, Lahore, November 11, 1963, p. 4.
 51. Quoted in Maryam Jameelah, *Islam in Theory and Practice*, Lahore, 1973. p. 334.
 52. Sayyid Abul Ala Maududi, *Tasrihat*, ed. Saleem Mansoor Khalid, Rampur, 1980. pp. 134-135.
 53. *Ibid.*, p. 243.
 54. Pareekh, Abdul Karim, 'Study of the Quran-The Treatment to Misperceptions, in *Quarterly Assalam* (Urdu), N. Delhi, Vol. VII, No. 1-2 (October 2002-March 2003) pp. 51-52.
 55. *Ibid.*, the scholar's article, 'Justice with the Quran' p. 63.
 56. *Ibid.*, p. 65.
 57. *The Milli Gazette, New Delhi*, 16-31 March 2003, 76 Vol. 4 No. 6. p. 1.
 58. The Holy Quran, 2: 256.
 59. Dr. Abu Sulayman, op. cit., p. 102.
 60. Qutb, Sayyid, *Milestones*, Stuttgart, Ernst Klet Printers, 1978, pp. 109-110.
 61. Al-Attas, Syed M. Al-Naquib, *Islam and Secularism*, ABIM, Kualalumpur, 1978. p. 58.
 62. *Ibid.*, p. 61, Footnote No. 67.
 63. An anonymous leaflet received by Mr. Syed Shahabuddin ex-M.P. On February 10, 1999 reads as the following:
For the Muslims to Qualify as Indians:
 - (1) The Muslims must stop the use of Arabic names outfits or dresses. Why be Arab slaves when your Indian forefathers belonged to higher civilization known as Indian civilization?
 - (2) The Muslims must renounce "jihad" and "Razzia or "Ghaswa" (pillaging+looting). This will drastically reduce the existing crime rate.
 - (3) The Muslim must use Indian language in Azan which must propagate the equality of all Indian religion, holy books and prophets.
 - (4) The Muslims must stop the annual Haj pilgrimage abroad, which is a heavy drain on the Indian foreign exchange.
 Courtesy; *Muslim India*, Vol. XVII No. 195, March 1999. p. 120.
 64. RSS: GS.H.V. Seshadri on Conversion, *The Hindu*, 5 February, 1999.
 65. *The Organiser*, 3 January, 1999.
 66. Khushwant Singh's review on BJP spokesperson Praful Goradia's *The Saffron Book*, *The Hindustan Times*, 9 June 2001.

67. Dr. Anis Ahmad, "The Quran and Violence – A Critique of the Orientalists", *Monthly Tarjaman al-Quran, Lahore*, Vol. 130, No. 3, Muharram 1424/ March 2003, p. 18.

Forced Conversion Under Islamic Law

Faizan Mustafa & Akhlaq Ahmad*

Abstract

The article attempts to clarify the Islamic position on conversion. Quoting the holy verses of the Qur'an, it proves that theoretically Islam is against forced conversion. Then, on the authority of well-documented researches carried out by learned scholars, Muslim and non-Muslim, the article blasts the myth of forced conversion that supposedly happened during the Muslim rule in India or elsewhere as propagated by the vested interests. The article also explains the various provisions of the Indian Constitution relating to conversion. A humble effort has also been made to elucidate the causes of conversion in India.

Introduction

Hans Kung has rightly said that there will be no peace between or within nations without peace between or within religions. India is world's most complex and comprehensive pluralistic society, being home to a vast variety of races, tribes, castes, communities, languages, customs and religions. In several quarters of India, it is feared that cultural minorities are converting the Indian majority to their own religions in order to seek recognition and protection of their distinctive identities, claim, autonomy and self-governance and demand segregation and sometimes secession. Religious conversion in India is thus a big and sensitive issue as it is evidenced from the history that the maximum conversion in India has taken place from Hinduism to other religions such as Buddhism, Jainism, Islam and Christianity, the reverse rarely happened despite some efforts of re-conversion by the *Hindutva* forces. It is commonly believed that conversion is the product of missionary activities. But then conversion is a dynamic and multifaceted process. An effort will be made in this paper to look at the issue of conversion from Islamic perspectives. A brief reference will also be made to the causes of conversion and the law relating to it.

*Both the authors teach law at Faculty of Law, Aligarh Muslim University, Aligarh, India.

Meaning of Conversion

The word “conversion” is as old as the religion. The history known to us connotes that it was used primarily in Judaism and Christianity. It points to the phenomenon that is associated with personal and communal metamorphosis.¹ Change of religion is mainly a product of propagation and missionary activities. The great living missionary religions claim to have universalistic vision based on ‘a unique revelation or great discovery about the nature of being.’² The great living missionary religions are Christianity, Islam and Buddhism. They aim to bring a ‘social transformation and revitalization of purpose sparked by spiritual impulses.’³ The metaphysical-moral vision induces a passion for transcendence that intellectually, morally and emotionally frees its adherents from local deities and cults, from familial, tribal, caste or ethnic loyalties from fixed political, economic conditions, and from traditional “paganisms.”⁴ They lay a new foundation and give ‘a new discipline, one that liberates from evil and falsehood and binds to a good and truth.’⁵

Whatever the concept and approach of mission in different religions, it represents the outreach of one’s religious traditions to the other and, as a result, conversion takes place. To understand forced conversion, first question is: what is conversion? The search of answer to this question leads us to study the various types of conversion processes and structures. Conversion is defined in many ways. There are various aspects of conversion. To appreciate its diversity and complexity, conversion should be understood from following three perspectives⁶ which are interactive and interpenetrative:

Sociological study of traditions relating to conversions covers social conditions at the time of conversion, important relationships and institutions of potential conversion, and characteristics and processes of the religious group to which people convert.⁷

Anthropologists delineate the ideological and cultural realms of tradition. Further (they) examine a culture’s symbols and methods for religious change, the cultural impact of conversion, the way culture impedes or facilitates religious change, and stages of the development of new religious orientations.⁸

Psychological study of conversion considers transformation, in both objective and subjective aspects. Transformation may be defined as the process of change, manifested through alteration in people’s thoughts, feelings and actions.⁹

Recently scholars have argued that conversion is a progressive, interactive process that has consequences in the community. Conversion

is thus not a single event, but an evolving process in which the totality of life is transformed.

The term conversion is often used in a very general way to stand for the whole series of manifestations just preceding, accompanying and immediately following the apparent sudden changes of character involved.¹⁰

To be converted, to be regenerated, to receive grace, to experience religion, to gain an assurance, are so many phrases which denote the process gradual or sudden, by which a self divided and consciously wrong inferior and unhappy, becomes unified and consciously right, superior and happy in consequence of its hold upon religious realities. That at least is what conversion signifies in general term.¹¹

The conversion is a change in religious allegiance or profession. Generally the term “conversion” is used in positive sense i.e. joining a religion (from no religion) from atheism/polytheism to monotheism. But it has also its inverted image, to say, a reversal phenomenon. Reverse of conversion is “apostasy”. This is the repudiation of a religious tradition or its beliefs by previous members. The term “Proselytism” is used in the sense of conversion of a person who has been readily admitted, not necessarily being one that has been invited or persuaded to come.¹² It is, therefore, related to both the forms of religions..... missionary religions as well as religions non-proselytizing in character. The religion which has given the name (proselytize) to the world is Judaism.

What follows from the above discussion is that while conversion and proselytism are complementary, apostasy is just the reverse. An apostate is one who rejects his newly adopted faith and becomes atheist or adopts some other religion.

Causes of Conversion

The question of why people convert is at the heart of most anthropological studies of religious conversion. The related social question is: why do some societies accept new religions, others reject them outright, and still others selectively accept or modify elements of the imported belief for their own purposes?

It is alleged that historically most conversions to Islam and Christianity took place under the shadow of the power of Muslim and Christian conquerors of India, and mostly from the ranks or economically poorest and socially most defenceless Hindus. This is the context in which the converts, the conversions and the converters were seen by the vast majority of Hindus, who had remained faithful to their religion despite defeat in battle. They saw the converts as people who had

betrayed the nation by going over to the side of the conqueror, and they saw conversions as the converter's device, oiled through coercion and lure, for subverting the Hindu society by dividing it against the higher Hindu castes, which had resisted what many Hindus saw as a religio-cultural invasion by foreign conquerors. Therefore, it is not a coincidence that the conversions were condemned most and re-conversion to Hinduism was mostly preached by organisations which prided on their nationalism.

But even the voluntary conversions of Hindus resulted in social tensions. As the converts were mostly poor, they came usually from the lowest castes, as they tried to escape the notorious oppression by the higher castes. Thus the conversions further inflamed the demarcations of caste. This, too, explains why the political affiliates of the higher caste Hindu parties are the bitterest about the original converts and most aggressive in trying to reconvert the descendants. Thus the threads of conversion lead one to many fault lines in India's polity and society. To the historical divides of castes, to the trauma of historical conquests and their contemporary fallout, to the divide between the poor, rural, tribal people, and the grabbing of their land and other resources by their richer, urban, non tribal neighbours and above all they lead to the justifiably jealous concern for the country's unity and independence.

So long as tribal Hindus are not treated as equals to their cousins living in plains, there will be an incentive for many to escape through the embrace of a faith that does not perpetually condemns them as inferior. For the 85% of the Indian population outside the circle of the higher caste, little difference was made whether they are exploited by the Rajput or by the Mughal kings.¹³

So long as caste arrogance and discrimination continue, so will the motivation for conversion. Dignity is a basic human right, and if this is denied by one set of beliefs, then the victim will seek it elsewhere. If much of the country has yet to get converted to Christianity and Islam, the reason lies not in the Dara Singh's but in the hundreds of Hindu social reforms, especially from the underprivileged sections such as Jyotiba Phule and Sir Narayana Guru. Both gave confidence to such individuals. In Kerala for example, the Ezhava community to which the Guru belonged has today become the second most affluent in the state, giving way only to the Christians, who have the advantage of centuries of education. In that state, by refusing to cast themselves in the role of victims, both minorities and hitherto underprivileged segments of society have closed the gap with those who under the feudal era, were dominant.¹⁴

It is said that the poverty is the main cause of conversions among the suppressed class in India, that's why one should debate poverty not conversions. We need a national debate not on conversions but, on growing poverty and the neglect of the tribal regions and atrocities on Dalits. We need to ask ourselves why the laws banning bonded labour, child labour, rural indebtedness and abolishing untouchability are not implemented. No Christian or Muslim organisation can be blamed for all this. The tribals and Dalits have the right to know why universal primary education remains a dead letter? Why this Directive Principle has not been implemented? Though this is the only Directive Principle of State Policy about which framers of the constitution had put a definite time frame within which it must have been implemented. So conversion is a bogey. The real problem is education and health care of the poor. Those with a vested interest in the poverty of the Dalits and tribals use the *Hindutva* façade to continue to keep them in bondage. Poverty being their vested interest, any improvement in the lives of the victims of the injustices they perpetrate is a threat to them. So those imparting them education or/and health care are 'missionaries' and they should quit India. The fact that most such 'missionaries' have not seen the face of any country other than India is of little relevance to them. To safeguard their power, those with a vested interest in the poverty of Dalits and tribals demonise Christians and Muslims in the name of religious conversions.

Laws Relating to Conversion

States of Madhya Pradesh, Orissa, Arunachal Pradesh and recently Tamil Nadu had passed laws banning forced conversion. The validity of these laws was examined by the apex court in *Rev. Stanislaus v. State of M.P. and State of Orissa and others Mrs. Yalitha Hyde and other.*¹⁵ In the first case the validity of the two Acts i.e. M.P. Dharma Swatantrata Adhiniyam 1968 and in the later Orissa Freedom of Religion Act 1967 were challenged. It was said for these acts that as they relate to the prohibition of conversions they are violative of Art. 25 of the Constitution of India as they are hindrance in the propagation of one's religion. But Supreme Court upheld the validity of the M.P. Dharma Swatantrata Adhiniyam, 1968 and Orissa Freedom of Religion Act 1967 and said that these two Acts are not violative of Art. 25 of the Constitution. Further explaining ambit of Art. 25 Supreme Court held that Art. 25(1) of the Constitution does not grant the right to convert another person to one's religion, but to transmit or spread one's religion by an exposition of its Tenets. Art. 25(1) guarantees "freedom of conscience" to every

citizen, and not merely to the followers of one particular religion, and that in turn postulates that there is no fundamental right to convert another person to one's own religion, because if a person purposely undertakes the conversion of another person to his religion, as distinguished from his effort to transmit or spread the tenets of his religion that would impinge on the "freedom of conscience" guaranteed to all the citizens of the country alike.

In *Yalitha Hyde's Case*,¹⁶ the petitioners expressly averred that conversion was a part of the Christian religion. No affidavits were filed in reply by the Government, and although opportunity was given to do so, the court was informed that it was not proposed to file any affidavit in reply. The court in this case held that "Counsels for the several petitioners have freely quoted from several Christian scriptures of undoubted authority to show that propagating religion with a view to its spreading is a part of religious duty for every Christian and therefore must be considered as a part of religion. Learned Government Advocates did not dispute this assertion of fact. We, therefore proceed on the basis that it is the religious duty of every Christian to propagate his religion".¹⁷

It is, therefore, clear that first conversion was a part of the Christian religion, and, secondly, this proposition was not controverted by the counsel appearing on behalf of the state. The Orissa High Court recorded the finding that "Article 25(1) guarantees propagation of religion and conversion as a part of Christian religion". The Supreme Court which reversed the judgement of the Orissa High Court, has made no attempt to show that the question raised and decided was either irrelevant, or was wrongly decided. It is submitted that the decision must be reviewed sooner than later and an effort must be made by the court to expand the meaning of religious freedom as has been done by the apex court with regard to other fundamental rights.

The point to be recalled here is that the Supreme Court in its judgement in 1977 in *Rev. Stanislaus v. State of Madhya Pradesh*,¹⁸ held that Madhya Pradesh Freedom of Religion Act, 1968 and Orissa Freedom of Religion Act, 1967 are valid and not *ultra-vires* to the constitution of India even if both these Acts were hindrance in propagation of one's religion. Therefore, it seems that Supreme Court clearly denies freedom of conscience. Jurist like Justice Hidayatullah has expressed his views that the judgement deserves reconsideration and Justice Mathew, former Judge of the Supreme Court observed that all consideration applicable to freedom of speech and expression Article 19(1) (a) are applicable to right to propagate. The right to propagate one's idea is inherent in the concept of speech and expression.

Thus it is clear these Anti Conversion Acts and upholding of their constitutional validity by Supreme Court truly deny the freedom of conscience because freedom of religion has no meaning without freedom of conscience and the freedom of conscience is the freedom to choose between competing values.

It thus emerges from the above discussions that both in pre-independence as well as post-independence India, there have been several attempts to curb religious conversions. The laws of several princely states and several states in independent India did try to prohibit conversion from Hinduism but since the same continues, it is submitted instead of framing an anti-conversion law, better conditions of life and equality be created in the Hindu society which will put an automatic ban on conversion. It must also be kept in mind that no Muslim princely state in pre-independence India ever enacted any anti-conversion law.

Forced Conversion Under Islam

Islam is an Arabic word. It means the act of resignation to God. The root of the word is SLM and when pronounced *as Salam* it means protection, conciliation and peace. It also means submitting one's will to Allah. Thus Islam is a religion of peace, which is acquired by submitting one's will to the will of Supreme Creator and Lord of universe i.e. Allah.

The word '*Aslama*' means he submitted, he resigned himself¹⁹ The other major shade of meaning in the root is to become reconciled with one another to make peace.²⁰ It also includes peace²¹ and higher values. Al-Islam or Islam is the religion which brings peace to mankind when man commits himself to God and submits himself to His Will.²² Greatness of a man is in the obedience of Islam.²³ As a religion, it stands for belief in one God and in all the Prophets of God, the last of whom was Muhammad (Peace be upon him) and for complete submission to the Divine will as revealed through His Prophets. A Muslim believes in the Prophethood of Abraham, Moses and Jesus, holding that all of them conveyed to mankind the same message of God. The final revelation came through Prophet Muhammad (Peace be upon him) and is known as Islam-the religion of all Prophets and not what is mistakenly called "Muhammadism". The very finality of Muhammad's prophethood makes a Muslim believe that all other Prophets before him need not be looked at for guidance as Muhammad's *Shariah* incorporates the entire prophetic traditions. Islamic *Shariah* is thus based on the Quran, the divine revelation and the *Sunnah*, traditions of Muhammad, (Peace be upon him).

The word “Islam” stands for complete submission and obedience to Allah, speaks itself of conversion in the sense of a real and spiritual change from singleness to righteousness. The other literal meaning of the word ‘Islam’ as stated above is ‘peace’ and this signifies that one can achieve real peace of body and of mind only through submission and obedience to Allah. Such a life of obedience brings peace of the heart and establishes real peace in society at large.

Islam gives right to religion and freedom of conscience to all human beings. Muslims can invite non-Muslims to Islam, but they can not compel them to embrace Islam. They can not persuade anyone to accept Islam by moral, social or political pressure. The Holy Quran clearly says:

There shall be no compulsion in the matter of professing a religion.²⁴
Say (O Prophet ! O non-Muslim I do
Not worship them whom you do. Nor
Do you (want to) worship whom
Do... for you is your religion
And for me is mine.²⁵

Islam not only forbids coercion in the matter of faith but also the use of abusive language against the deities of other religions. “Do not abuse those whom they appeal to instead of God.”²⁶ No Islamic government can ban propagation of other religions in its territory. The followers of other religions are also entitled to construct their places of worship and Muslims can not interfere with them. Islam gives the right of freedom of thought to all the persons on the condition that it should be used for the propagation of virtue and truth, and not for spreading evil and wickedness.

Although the Muslims believe that there is no truth and virtue greater than the religion of Islam, yet if somebody does not accept Islam, Muslims will have to recognize and respect his decision and allow him the freedom of conscience and religion. The Charter of Madina which lays down the rules to govern relationship of Muslims with non-Muslims was a perfect document of tolerance and human rights and is far superior to British Magna Carta of 1215 which merely talked about few procedural rights. It clearly laid down that Jews will not be injured, nor any enemy will be aided against them.²⁷ The Jews were, in fact, one community with the believers by the orders of Prophet (Peace be upon Him). They were even included in the defense of Madina.

The rights which an Islamic state gives to its non-Muslim citizens should not be confused with the rights given to minorities in modern states. Islamic state is an ideological state. It classifies its citizens in the

light of their adherence to the ideology of the state. People are divided into two groups: Muslims (who believe in the ideology of the state) and non-Muslims (who do not believe in that ideology). Since the Islamic state is an ideological state it is to be run primarily by those who believe in its ideology. Non-Muslims can not take up the positions wherefrom they can influence the ideological basis of the state.²⁸

Non-Muslim citizens of an Islamic state are divided into two groups:

- (i) Those who become its subjects after being defeated by the Muslim in a war.
- (ii) Those who become the subjects of an Islamic state under some treaty or agreement.

The non-Muslims who live in the places which are conquered by Muslims, they are to be levied a tax (*Jizyah*) and exempted from their duty to defend the territory. Their properties and other belongings are fully protected. Moreover the tax is levied on able – bodied persons who have capacity to participate in a war. Non – combatants like women, children and old people can not be asked to pay *Jizyah*. Those who want voluntarily to go on war are also exempt. So far as rights of the second group are concerned, such non – Muslims are to be treated in accordance with the terms of the agreement. The Prophet (Peace be upon him) has warned:

Beware! whosoever is cruel and hard
 On such people (i.e. contractees) or
 Curtails their rights or burdens them
 With more than they can endure,
 Or realizes anything from them
 Against their free will, I shall
 Myself be a complainant against
 Him on the Day of Judgement.²⁹

The second caliph issued an ordinance on the conquest of Syria to Ubayda, the Muslim commander. It said:

Forbid Muslims to tyrannise the *Dhimmis* or
 Harm or exploit their properties
 Fulfill faithfully all the terms reached with them.³⁰

The Prophet (Peace be upon him) is also reported to have said:

“One who kills a man under covenant (a non-Muslim citizen of an Islamic state) will not smell even the fragrance of Paradise”.³¹

The term *Dhimmi* (protected person) relates to a classification of citizenship only relevant within a state under Islamic rule. Because the Islamic State is governed by a religious ideology, those not subscribing to this ideology are not called upon to defend it and therefore not

required to do military service.

Below are given the Quranic verses which are frequently quoted as a proof of Islamic intolerance towards non-Muslims. These verses are often mistaken as instructions to persecute non-Muslims so that they either convert to Islam or face death and thus justify the claim that Islam encourages forced conversion. These are the very same verses which are quoted to justify the stereotype that Islam is a religion of force and intolerance and was indeed spread by sword. The verses are:

1. Remember thy lord has inspired the angels with the message. Give firmness to the believers and instill terror into the hearts of the unbelievers. Smite them above their necks and smite the fingertips of them (8: 12).
2. And fight them until there is no more tumult or oppression, and there prevail justice and faith in Allah altogether and everywhere (8: 39).
3. When the sacred months have passed, kill the idolaters wherever you find them (9: 5).
4. O Prophet, struggle with the unbelievers and hypocrites, and be thou harsh with them (9: 73).
5. And fight them until persecution is no more and religion is for Allah alone (2: 193).
6. And slay them wherever ye catch them and turn them out from where they have turned you out; for tumult and oppression are worse than slaughter; but fight them not at the sacred mosque, unless they (first) fight you there, but if they attack you (there) then slay them, Such is the reward of His disbelievers. (2: 191)

It is in the fitness of things that before we proceed any further, we must examine the history and context of above verses.

It is indeed sad to note that in their zeal to defame Islam, many non-Muslim scholars have not bothered to quote all the Quranic verses in full and quote some verses out of context and without appreciating the history and the context in which the above verses were revealed.

Sura 8 whose verse 12 was quoted above is about a battle – the battle of Bard – not just some daily affair. It was revealed shortly after the battle of Badr. The laws of war and laws of peace have always been different. A battle takes two sides to occur. One should not be under the impression that while these horrid Muslims were fighting, the enemies of Islam were simply standing there like little peaceful gentlemen.

Verse number 39 of chapter 8 is unfortunately not quoted in full. The remaining part of this verse says:

But if they cease, verily Allah doth see all that they do.

Now this is a vital omission from the above quotation. If we read the whole verse, it becomes clear that if they stop from fighting and from persecution of truth, Allah judges them by their actions and their motives, and would not wish that they should be harassed with further hostility. Thus if they cease fighting, let there be no hostility except with those who practice oppression. Islam thus is not interested in war or fight but stands for the end of persecution and oppression and exploitation.

Similar is the case with *Sura 47* quoted above. This *Sura* was revealed during the first year of *Hijra* when the Muslims were under threat of extinction by invasion from Makkah. Thus if we keep in mind the circumstances and context of this *Sura's* revelation, we would be able to appreciate that this is applicable to peculiar circumstances of the time when Muslims were facing a real danger from the non-Muslims and their very existence was at stake.

The non-Muslim scholars are very fond of quoting *Sura 9*. But it is indeed disgusting that they quote verses of this *Sura* quite selectively and not objectively. While they frequently quote verse 5 but they completely ignore verses 4 and 6 which are interrelated. Here again, it must be pointed out that logically this *Sura* follows the argument of the last *Sura* and indeed may be considered a part of it. It deals with the vital question of International Law of War as to what is to be done if the enemy breaks faith and is guilty of treachery. It is commonsense that no nation can go on with a treaty if the other party violates it at will; in fact the *Sura* lays down that even such a party who is in clear breach of treaty must be given four months by way of notice after denunciation of treaty; the due protection be accorded in the intervening period; that there should always be the room for repentance and reunion with the people of Allah; and if all these efforts fail, and war must be undertaken, it must be pushed with utmost vigour.³²

This verse is thus in response to intolerance, oppression, and autocracy of highest order which was shown by the pagans. Muslims were willing to implement the treaty and wanted to honour the agreement but the pagans cared least about their own words and indulged in blatant violation of the terms of the treaty.

Verse 123 of *Sura 9* where Muslims are commanded to fight unbelievers who are near to them must also be understood in the historical perspective. When the conflict becomes inevitable, the first thing is to clear our surroundings of all evil, for it is only evil that we can rightly fight, we must put up a stout and stiff resistance. Meanly-mouthed compromises are not right for soldiers of truth and righteousness. They

are often a compound of cowardice, weariness, greed, and corruptibility.³³ If they want forcibly to prevent you from exercising your sacred rites, they have declared war on your religion, and it would be cowardice to ignore the challenge or fail in rooting out the tyranny. It is thus clear that when war becomes inevitable, it must be prosecuted according to English phrase: you can not fight with kid gloves. The fighting may take the form of slaughter, or capture, or siege, or ambush and other stratagems. But even here, Islam makes a room for repentance for the guilty party and encourages giving of forgiveness for the establishment of peace. But the repentance must be real and sincere, and should be shown by the religious spirit of prayer and charity.

As we clearly see in the above noble verses, the laws of killing the unbelievers or the pagans were for particular and specific times, and not for all times and all places. Notice the quotes "...after this year..." and "...when the sacred months have passed..."

It is important to know that when Prophet Muhammad (Peace be upon him) started preaching Islam, he had to deal with 360 Arab pagan tribes at first, and he and his followers had to go through a lot of battles that were imposed upon them by the pagans who unduly felt threatened by the new system and wonderful religion of Islam. Similarly verse 191 of *Sura 2* is quoted by non-Muslims without bothering to look into the history and context of this verse. This *Sura* was revealed in early Madinah period. The verse under discussion was revealed in the context of the events that happened at Hudaibiya in the sixth year of *Hijra*. Many Muslims were exiled to Makkah as per the terms of treaty of Hudaibiya which indeed is a glaring example of Islamic tolerance as Muslims accepted apparently humiliating terms to avoid bloodshed. But then the Pagans started persecuting Muslims, established an intolerant autocracy, prevented Muslims from visiting their homes and even keeping them out by force from performing the pilgrimage during universally recognized period of truce. As to verse 194, it must be noticed that even in such an extreme situation, Muslims are commanded to exercise restraint as much as possible. Force is a dangerous weapon. It may be used for self-defense or self-preservation, but we must always remember that self-restraint pleases Allah the most.

The following verses from the Quran lay down the general policy of Islam towards non-Muslims. These verses clearly demonstrate that Islam is a religion of peace and abhors violence and harshness towards non-Muslims.

1. There is no compulsion in religion, for the right way is clear from the wrong way. Whoever therefore rejects the forces of evil and

believes in God, he has taken hold of a support most unailing, which shall never give way, for God is All hearing and Knowing. (2: 256)

2. But if they turn away from you, (O Prophet remember that) your duty is a clear delivery of the Message (entrusted to you)(16: 82).
3. If it had been Allah's will
They would not have taken
False Gods: but We
Make thee not one
To watch over their doings
Nor art thou set
Over them to dispose
Of their affairs. (6: 107)
4. But if they turn away from you, (O Prophet remember that) your only duty is a clear delivery of the Message (entrusted to you) (16: 82).
5. Yet if God had so willed, they would not have ascribed Divinity to aught besides Him; hence, We have not made you their keeper, nor are you (of your own choice) a guardian over them.(6: 107)

A brief discussion about the meaning and explanation of some of the verses quoted above will make it abundantly clear that Islam is against forced conversion and is a religion of peace. Verse 256 of *Sura 2* is very important in this context as it clearly lays down the basic principle of Islam. It clearly says that there can be no compulsion in matter of religion. We must keep in mind the circumstances surrounding the revelation (*Shan-i-nuzul*) of this verse:

(i) the revelation blocked an *Ansar* women from forcing her Jewish boy to convert to Islam; (ii) the revelation blocked an *Ansar* father from forcing her two Christian sons to convert to Islam; (iii) the revelation permitted a member of the people of Book to retain his religion. But eminent theologian Shah Wali Ullah does not accept the view that this verse is confined to particular incidents mentioned above. On the contrary, "the verse, in his opinion, should be held to convey the commandment therein generally.³⁴The Quranic phrase *La Ikraha fi al-din* (there is no compulsion in religion) must be therefore generally understood to mean that no one should be brought under pressure in matters of religion and faith. The verse in question talks of a principle which gained recognition much later in modern international human rights law i.e. the doctrine of religious tolerance. Mohammad Asad rightly says about this verse that "all Islamic jurists, without any exception, hold that forcible conversion is under all circumstances null and void,

and that any attempt at coercing a non-believer (in Islam) to accept the faith of Islam is a grievous sin: a verdict which disposes of the widespread fallacy that Islam places before the unbelievers the alternative of” conversion or the sword.³⁵ In the past, the enemies of Islam have propagated that Islam demands conversion or death, they have now decided that Islam calls only for this in regard to Pagans, and not Christians or Jews. Backtracking, and backtracking; and when they will fully understand the true spirit of Islam, they will realize that Islam does not permit even those sorts of measures. Verse 99 of *Sura* 10 must be kept in mind as it clearly commands:

“Will thou then compel mankind, against their will, to believe? No soul can believe, except by the will of God”..

Compulsion is incompatible with religion: Because (1) religion depends upon faith and will, and these would become meaningless by use of force; (2) Truth and Error have been so clearly shown by the mercy of Allah Almighty that there should be no doubt in the minds of any person of good will as to the fundamentals of faith; (3) Allah Almighty’s protection is continuous, and His Plan is always to lead us from the depths of darkness into the clearest light. Thus the general principle of Islam is that no Muslim should ever compel or use coercion against a non-Muslim to convert him to Islam. But then the issue of relationship between 2: 256 and 9: 5 must also be discussed from yet another perspective. We have already noted above that while 2: 256 is of general application, 9: 5 is talking of peculiar circumstances. Moreover, it must be kept in mind that there is an exception to the general principle of tolerance and non-compulsion when a Prophet is sent to a people. The Quran tells us that when a messenger of Allah is sent to a people, the decision of their ultimate success or failure is not deferred until the Day of Judgement. If they submit to the truth, the administration of reward is initiated in the life of this world. On the other hand, if they persist in their rejection of truth, the administration of punishment is also prescribed.” Until, when he reached the setting of the sun, he found it set in a spring of murky water: Near it he found a People: We said: ‘O Zul-qarnain! (thou hast authority,) either to punish them, or to treat them with kindness.’ (Quran, 18: 86)” In this noble verse we see that if the enemy wants to do us harm, then we must punish those who did us harm. Otherwise, we must treat the enemy civilians and the innocents with kindness.

Charter of Madinah

In fact, it was the first declaration of human rights in human history.

The Charter gave people the rights of protection, security, peace and justice: not only to Muslims but also to Jews as well as their allies who were not Muslims. It recognized Jews as a separate political and ethnic minority, and conferred on them a right to practice their religion quite freely. In fact, Jews were considered on equal term with Muslims. They were protected from external threat from any other nation. But perhaps more significantly, they were protected from internal threat, persecution and prejudice. They were allowed to follow their own personal law. They were given a right to have a holiday, the Jews on a Saturday, and the Christians on Sunday. Can any modern civilized state which claims to be committed to human rights will be willing to give similar holiday to Muslims on Friday? Another special concession was that the non-Muslims were permitted to manufacture, see and consume alcohol. They were allowed to eat even pork which is prohibited for Muslims. Bosworth Smith rightly says about the Prophet (Peace be upon him):

He was Caesar and Pope in one; but he was Pope without Pope's pretensions, Caesar without the legions of Caesar: without a standing army, without a bodyguard, without a palace, without a fixed revenue; if ever any man had a right to say that he ruled by the right divine, it was Muhammed (Peace be upon Him), for he had all the power without its instruments and without its support.³⁶

After Prophet's (Peace be upon him) death, Jews and Christians were never required to convert to Islam but were allowed to practice their religion freely in the Islamic empire. Later, Zoroastrians, Hindus, Buddhists and Sikhs were also counted among the People of the Book. It has never been a problem for Muslims to co-exist with the people of other religions. The Islamic empire was able to play host to Christians and Jews for centuries; but Western Europe has found it almost impossible to tolerate Muslims and Jews in Christian territory.³⁷

When the Muslims entered Jerusalem, instead of tearing down the Churches or synagogues, the holy places were respected. Hazrat Omar even forbade his followers to pray inside the holy Sepulcher, and refused to pray inside it himself, for the fear that his followers might later build a mosque in its place, thinking that his actions were a validation for such an act. He also issued an order that no Muslim should ever pray at this Church or at martyrrium of Constantine or even built a mosque there. Jerusalem's history is splashed with blood, before and after Islamic intervention, but the transfer of power to second caliph was the most peaceful in its entire history. No one was killed after surrender, no property destroyed and no attempt was made to convert any

inhabitant.³⁸

On 2nd October, 1187, another important event took place in the history of Jerusalem when it was conquered again by a great Muslim ruler named Salahuddin Ayyubi. Not a single Christian was killed even in this conquest. Heraclius, the Christian ruler scandalized the Muslims by leaving with his chariots loaded with wealth while many poor Christians headed for slavery because they did not have ransom money. Great Salahuddin, moved famously to tears by the tragedy of families who were being separated by slavery, freed hundreds without ransom. He released the widows of dead soldiers, and wives of prisoners and sent them away with gifts.

Following are some of the vital and hard facts about the presence of non-Muslims in countries which were ruled by Muslims for centuries; the facts speak for themselves:

- a. Muslims ruled India for about one thousand years. If they wanted, they had power of converting non-Muslims to Islam. Today more than 85% of Indian population does not profess Islam.
- b. The largest numbers of Muslims live in a country like Indonesia yet no Muslim army ever went to conquer this country. Similarly there are millions of Muslims on the east Coast of Africa, yet no Muslim army ever went there too to convert people by force.
- c. Muslims were in complete command of Spain for 800 years. The Muslims never used force or compelled people to convert to Islam. Later the Christian Crusaders came to Spain and wiped out Muslims so much so that no one was left even to give *Adhan* (Prayer call) openly.
- d. Muslims have been ruling Arabia for more than 1400 years. Only for few years, the British and French were in command yet today, there are 14 million Arabs who are Coptic Christians i.e. Christians for generations. If Muslims had used forced conversion, there would not have been a single Arab who would have remained a Christian.

It is a known fact that between 1934 to 1984, Islam increased in the world by 235% and Christianity increased only by 47%.³⁹ Can any one tell which war or sword was used by Muslims in this period of Christian domination of world to convert people by force. Today the fastest growing religion in Europe and America is Islam.⁴⁰ Can anyone say that Muslims there are converting people by force? 34,000 Americans have converted to Islam following the September 11 and this is the highest rate reached in United States since Islam arrived there.⁴¹ The American Newspapers have reported that the Muslim proselytizing efforts have been unusually successful since the September 11 attacks. Libraries have run out of

books on Islam, English translations of the Qur'an head the American best-seller list etc. Muslims number about 6 Million in USA today. It certainly is not force which is spreading Islam in America and other Western countries. The reasons for the spread of Islam have to be found in Islam itself.

The issue of apostasy is the strangest argument which is put forth in support of the thesis that Islam is intolerant towards other religions as it welcomes a non-Muslim into its fold but punishes a Muslim who becomes a non-Muslim. A brief discussion about the law of apostasy will not be out of place. The traditional juristic view about apostasy is that it is a capital offence yet the following verses from Holy Quran can be cited as an argument against this view and there is room for a more liberal approach. An apostate is a person who believes, and after believing disbelieves in the message of Allah. The consequences of such a state are clearly mentioned in the Quran:

How shall Allah guide a people who disbelieved after their believing and (after) they had borne witness that the Messenger was true and clear arguments had come to them; and Allah does not guide the unjust people. (3: 86)

For such (apostates) the penalty is the curse of Allah, that is deprivation from the benefits that result from the following verse of the Quran:

(As for) these, their reward is that upon them is the curse of Allah and the angels and of men, all together. Abiding in it; their chastisement shall not be lightened nor shall be respited. (3: 87-88).

But as the Holy Quran identifies the severe consequences of apostasy, it also makes some room for repentance and that apostasy does not qualify for the death penalty though there is difference of opinion amongst the jurists on this issue. But let us look at the following verse:

Except those who repent after that they amend, then surely Allah is Forgiving, Merciful. (3: 89)

Verse 137 of Chapter 4 clearly shows that a person does not get death penalty for apostasy, as it identifies stages where a person believes, then disbelieves, then again believes and after that again disbelieves. Now, had the law been there punishing him with death for the apostasy, then above verse would not have identified these stages of belief, then rejection, then believing and then again rejection, as a person who after believing rejects faith would then be subjected to death penalty at the first instance of rejection of faith itself, and would not have lived to use

the opportunity to believe and yet again not to believe.

Apostasy is not subject to *Hudud* (Capital Punishments in Islam). The judgement on apostasy is in the hereafter. Hazrat Abu Bakr, the trustworthy, when he fought the apostates, he fought them because of their political rebellion against Islam. It was not because of their position on creed. Allah is the sole judge of the apostate. It must further be remembered that even otherwise there is some very solid justification to support the traditional juristic view which favours capital punishment for an apostate. We must try to understand that Islam envisages a very close relationship between religion and state. In fact since there is no separation of religion from state, renunciation of religion can be validly termed as treason and is punished just like any other crime against the state. Islam's hard attitude towards apostasy is due to the fact that it is a state as well as law enforcing machinery. Any such system or state would not tolerate a rebellion which endangers its very foundation. All states specially ones based on ideological foundation do safeguard both their geographical and ideological frontiers. If they do not, they will be failing in their duty. Even today in all the countries in the world, the Criminal Law punishes sedition and treason with maximum punishment. There is no doubt that in many Western countries a person does not get death penalty today merely on the basis of abandoning his religion. But then this is so because religion is no longer as important in these countries as it used to be in previous times. The separation between Church and State has rendered religion impotent as a social force; it is just another private matter. Thus Islamic law on apostasy must be compared with crimes against state and should not be taken as anti-conversion law.

The Islamic concept of *Jihad* has similarly been understood as a proof of Islam's intolerance towards people of other faiths. It is submitted that the concept of *Jihad* is widely misunderstood. It is indeed the most glorious word in the vocabulary of Islam and is "untranslatable" in English language. Broadly speaking, it means, 'striving', 'struggling', 'trying to advance the Divine causes or purposes.' It is the duty of a believer to carry forward the message of Allah and to bring it to the notice of his fellow-human beings in most gracious way as has been noted in the Quranic verses quoted above. But if someone attempts to obstruct him from doing so, he is entitled, as a measure of self-defense, to retaliate. *Jihad* also is a means of discovering the truth, of finding out what man should do in order to fulfill the law, even search of knowledge is an aspect of *Jihad* and has been ranked as *Jihad-e-Akbar*, that is to say, it is regarded as a greatest struggle as contra-distinguished from *Jihad Bi-al-Saif* (striving with sword) which is described as a *Jihad-e-Asghar*,

that is *Jihad* on the minor scale.

It is disgusting that many Western scholars have contended that the world of Islam is in perpetual struggle against the non-Muslims. Islam does not agree to this conclusion and puts the blame and consequent responsibility on those who do not believe in Allah. As a matter of fact in Islam the believer is under a Quranic duty as noted above to invite non-believers to the fold of Islam by employing the power of persuasion. It is only after the non-Muslims refute this invitation and persecute Muslims, oppress them, do not allow them to follow Allah's faith that Muslims are allowed to fight them in sheer self-defence. But it must be clearly understood that Islam does not permit *Jihad* for converting people to Islam, use of force to compel people to convert is clearly prohibited in Quran(2: 256) Islam clearly teaches that fighting is permissible only with those who fight Muslims.(2: 190).

One must remember that criminal laws of all the countries in the world including Indian Penal Code, 1860 (Sections 96-106) confer a right of self-defence on all the people. Even the United Nations Charter permits its member States to start a war in self-defence. (Article 51)

Thus *Jihad* (in the sense of war)is permitted only against the aggressor and against oppression. Islam may tolerate anything, but it teaches zero tolerance to violations of the rights of other human beings. Allah says:

And fight for the cause of Allah and of those who, being weak, are ill-treated, women, and children, whose cry is: Our Lord! Rescue us from the oppressors; and raise us from Your side one who will protect us and raise from Your side one who will help. (4: 75)

The age of forcing ideas and values upon others through military and political power is over. In fact, it is clear from our discussion that Islam never believed in imposing faith through compulsion and force. It has stood from the day one for religious and civilizational pluralism and coexistence. Islam affirms that faith, commitment to religion, and a worldview are primarily moral decisions. Men and women, as moral beings, must make these decisions freely and voluntarily. Any compulsion on this count is abhorrent. It can only breed hypocrisy, a moral disease Islam aims to fully cure and eradicate. The 'superiority' or otherwise of a system is established because of its moral excellence and its acceptance or rejection has to be free and without coercion or duress. The Holy Quran itself affirms as a moral as well as a historical premise that the differences between human beings, in terms of wealth, race, color, language, religions etc are natural, and thus philosophical and religious

pluralism is a norm and not an anomaly:

And if God had so willed He could surely have made you all a single people; But (He willed otherwise) in order to test you by means of what he has vouchsafed unto you. Therefore, strive with one another in doing good works. Unto God you must return; and He will make you fully understand all that on what you differed. (5: 48).

Thus pluralism is the basic framework -the very divine will according to Islam. It is in this pluralism in which human societies must learn to exist. It is this Islamic pluralism which can become a guarantor for health, co-existence, competition and confluence. Tolerance, according to Islam, is imperatively the Divine policy.

Famous historian De Lacy O' Leary clearly writes about this misconception that Muslim rulers used force to convert people to Islam when he says: "History makes it clear, however, that the legend of fanatical Muslims sweeping through the world and forcing Islam at the point of the sword upon conquered races is one of the most fantastically absurd myth that historians have ever repeated".⁴²

References

1. Mircea Eliade (ed. in chief), *The Encyclopaedia of Religion*, Macmillan, New York (1987) vol. 4 at p. 73.
2. Ibid. Vol. 9, at p. 563
3. Ibid.
4. Ibid.
5. Ibid. at p. 564.
6. Ibid. at p. 73.
7. Ibid.
8. Ibid.
9. Ibid. at pp.23-24.
10. W. Bromilley Geoffrey, *The International Standard Bible Encyclopaedia*, William B. Eerdmans Publishing Company, Michigan (1980) pp. 768-70.
11. Ibid.
12. James Hastings (ed.) *Encyclopaedia of Religion and Ethics*, T & T Clark, Edinburgh (1952) Vol. X, p. 400.
13. M.D. Nalapat, "Causes of Conversion" *The Times of India*, 30th September, 1999.
14. Ibid.
15. Rev. Stainislaus vs. State of M.P. AIR 1977 SC. 908.
16. 73 A. or 116.
17. Ibid.
18. Supra note 15.
19. The Quran, 5: 16

20. Ibid. 2: 31
21. Ibid. 2: 208
22. Ibid. 2: 25
23. Ibid. 10: 62
24. Quran II: 256
25. Quran CIX: 1-6
26. Quran V: 108
27. Ibn Hisham, 1/502, 503, quoted in Safi-ur-Rahman al-Mubarakpuri, *Al-Raheeq al-Makhtum* (The Sealed Nectar-Biography of Noble Prophet, Dar-al-Salam Publications, 1996, at p.190.)
28. Quran 3: 108.
29. Sheikh Showkat Hussain, "Human Rights in Islam – Principles and Precedents" in Human Rights in Islam, ed. Tahir Mahmood, *Readings in Islamic Law*, IOS Series No. 1, 1993, New Delhi, at p. 97.
30. See Abu Daud, *Kitab al-Jihad*.
31. See Sahih Bukhari, *Kitab al-Dhimmah*
32. FN 1208, Yusuf Ali, at p. 484.
33. FN 1374, at p. 541.
34. Quoted in S.A. Rahman, *Punishment of Apostasy in Islam*, Institute of Islamic Studies, Lahore, 1972, at p. 18.
35. The Message of Quran, FN 249.
36. Bosworth Smith, *Mohammad and Mohammadanism*, London, 1874, at p.92.
37. See generally, Karen Armstrong, *Muhammed: A Biography of Prophet*.
38. M.J. Akbar, *The Shade of Sword – Jihad and Conflict Between Islam & Christianity*, Roli Books, 2002, at p. 117
39. The Plain Truth Magazine in The Reader's Digest; Almanac Year Book, 1986.
40. The New York Times, Feb 21, 1989, at p.4.
41. A Wave of Conversion in the U.S. Following September 11, *al-Hayat*, London, November 11, 2001.
42. De Lacy O' Leary, *Islam at the Crossroad*, p. 8

Media and the Muslims

Mirza Asmer Beg*

Abstract

This paper seeks to pinpoint the factors responsible for a poor, even maligned, media portrayal of Muslims in India. There are, no doubt, hostile forces which seek to malign and disfigure the Muslim image all the time. Then, there are media persons who either have misperceptions or do not have a proper understanding of Indian Muslims, their religion, culture and civilization. As a result, their depiction of Muslim realities is misleading, to say the least. Due to a variety of reasons the Indian Muslims have not been able to improve their image in the media; their failure to explain themselves in a convincing manner has further aggravated their misery. The present Muslim inability to counter their negative portrayal in the media, however, should not deter them from making sincere efforts to explain Islam in its true context.

Introduction

The pervasive and vigorous presence of the media as a principal element in any cultural definition was brought to our notice by Marshall McLuhan, in his authoritative book, *Understanding Media*. The only message, he warned us, was the medium;¹ in our age the medium is the master, a demon master. Yesterday Saddam was the Arab moderate *par excellence*, today he is a Hitler. The nature and influence of the media as central to the understanding of power and domination are accepted widely today – Pictures on television can be as devastating to a country as a volley of missiles falling on it. Through the media the opposing position can not only be triumphed over but also, by denying it access, it can cease to exist altogether.

The powerful media offensive is compounded for Muslims: they appear not to have the capacity to defend themselves. Worse, they appear unable to even comprehend the nature and objections of the onslaught. The empty bluster of the leaders and the narrow minded

*Dr. Beg teaches Political Science at Aligarh Muslim University, Aligarh. Email: asmer@rediffmail.com

whining of the scholars make them appear pitiful, like pygmies arguing among themselves while the powerful giant of an enemy is at the gate. It is the ordinary Muslim who senses the immensity of the danger. He is conscious of the potential scale of the battle and the forces arranged against him; his tension is made worse because he has so little faith in his own leaders.²

In the media no serious effort is made to understand Islam and its real meaning. The word Islam which is derived from 'silm', means peace. Islam has no place for violence. The prophet of Islam said that one who kills a human being has killed the whole humanity. The right approach should have been to judge Muslims in the light of the real teachings of Islam. However, the media generally tend to judge Islam in the light of behaviour and actions of Muslims, but the same logic is not applied when the actions of those professing other faiths are judged. So when the Taliban regime in Afghanistan destroyed the Buddha statues in Bamiyan, the world's media was quick to link it to fundamentalist Islam and its dangerous teachings, whereas, when the U.S. forces in Iraq presided over the plunder of thousands of priceless artifacts, transcripts and archaeological material from the National Museum in Baghdad, the media did not attempt to cast aspersions on their religion or the Western civilization.

It is really strange that the media never examine critically those tenets of other religions which are violative of basic human rights and defy rationality, rather they tend to glorify and create a positive image of other religions. The approach, however, is very uncharitable when it comes to Islam. It is projected as anti-democracy, anti-western and anti modernity. Calls are given for reform and review of different tenets of Islam.

These calls are rarely sincere and mostly mischievous. The intention being to project that hundreds of years old teachings of Islam have no place in this modern world. Those who make this calculated assault are also aware that Muslims would react against such suggestions. Sometimes the reactions could turn violent. This strengthens the argument of these media created experts that Muslims are intolerant and they do not want to change with the times.

In the face of the power and aggressiveness of the media, Muslims appear to have lost the capacity to represent themselves, even to express what they see and know as the reality of their lives. Muslim reality for the world has become the images on television and the countless hostile words in the papers. Muslims in the media have no voice, no platform, so they cannot object or explain. Muslim expressions of cultural identity

are dismissed as fanaticism, Muslim demand for basic rights seen as fundamentalism. In this media game Muslims-weak and impotent-cannot win. Their frustration, therefore, finds expression in anger and in violence.

Image of Islam

The mass media provide a certain picture of Islam and reflect powerful interests in the society served by the media. Along with the picture, which is not merely a picture but also a communicable set of feelings about the picture, goes what we may call its overall context. Context here means the picture's setting, its place in reality, the values implicit in it and not least the kind of attitude it promotes in the beholder. The media observe certain rules and conventions to get things across intelligibly, and it is these, often more than the reality being conveyed, that shape the material conveyed by the media. Since these tacitly agreed upon rules serve efficiently to reduce an unmanageable reality into "news" or "stories" and since the media strive to reach the same audience which they believe is ruled by a uniform set of assumptions about reality the picture of Islam, is likely to be quite uniform.³

Negative images of Islam are quite prevalent and they do not correspond to what Islam "is", but to what certain sections of the media take it to be. These sections have the power and the will to propagate that particular image of Islam, and this image therefore becomes more prevalent, more present, than all others.

The present coverage of Islam canonizes certain notions, texts and authorities. The idea that Islam is medieval and dangerous for example has acquired a place both in the culture and the polity that is very well defined. Authorities can be cited for it, references to it can be made, arguments about particular instances of Islam can be adduced from it. And in turn such an idea furnishes a kind of a priori touchstone to be taken account of by anyone wishing to discuss or say anything about Islam. From being something out there Islam is turned into an orthodoxy of this society. It enters the cultural canon, and this makes the task of changing it very difficult.⁴

Stereotypes and Caricatures

Vulgar stereotypes and caricatures are circulated by the media. The media have reserved the tag of "terrorist" only for Muslims who are involved or are alleged to be involved in acts amounting to terrorism. So a non-Muslim involved in such activities can be anything but a terrorist. The media very seldom question the authenticity of government

versions on terrorist incidents. The national English dailies routinely carry reports with titles like “unidentified Laskar-e-toeba terrorist killed” without pausing to think that if the alleged terrorist was unidentified, how did the police know that he belonged to a particular terrorist organization. Often those killed are so imprudent that they carry their names and addresses and those of their accomplices in their pockets for the convenience of the security forces.

Whenever, terrorism is being discussed on the T.V. or in the press, the picture of a terrorist is shown as a person with a typical Muslim beard and appearance. Long after the discussion or the write up have been forgotten, the picture remains etched in the memory of the viewers/readers. So whenever they hear or read the term “terrorist”, the picture in their memory gets refreshed.

An Islamophobic climate on the issue of terrorism has been created. Islam has been vilified as an intrinsically intolerant religion prone to extremism. In this picture every Muslim in India figures as Pakistan’s fifth column and his religion as the fount of “global terrorism”. He needs to put in extra effort to prove his patriotism, but thanks to the media created image he is still viewed with suspicion.

This has led to the social and political discourse in India getting so badly vitiated that large numbers of urban-middle class people, especially the young, now spout rabid inflammatory anti-terrorism (read anti-Muslim) rhetoric. Middle class audiences on talk shows reflect this. In the ‘Movers and Shakers’ show on Sony T.V., Shiv Sena Supremo, Bal Thackeray won applause for demanding that Indian Muslims must be sent to Pakistan as Hindustan belonged only to the Hindus.

The media’s attacks on Muslim extremists easily convert into an attack on the entire body of Muslims. It is then difficult to distinguish between the two types of Muslims created in the minds by the media. For non-Muslims beneath the quiet façade of every ordinary Muslim there is a mad mullah struggling to emerge, the sooner and more effectively he is put down the better.⁵

Muslim polygamy has been reduced to a caricature and is always used as a stick to beat Islam. In reality, however, its incidence among Muslims is quite low and official figures have shown that an almost equal percentage of Muslims and non-Muslims practice it. Interestingly, according to the Union Ministry of Welfare’s figures 5.8% Hindus practice polygamy as against 4.3% Muslims.

In popular cinema a shady character is usually a Muslim. A butcher is necessarily a Muslim who is depicted as being able to cut the neck of animals and humans with equal felicity. Needless to add that he has

many children. A Muslim family is usually shown as living in medieval times, bereft of education and not in sync with today's world. The image of a typical Muslim which takes shape in the minds of an ordinary non-Muslim is that of an illiterate man with four wives and many children, running a small trade, having sympathy/collusion with terrorists and cheering for Pakistan in a cricket match against India. This is not to suggest that no Muslim comes true to this image or at least some features of it, but so do some non-Muslims. The problem actually is that in a ruthless and deliberate sweep the whole community has been given this image. One Muslim is, therefore, seen to be typical of all Muslims and of Islam in general.

Islam and Jihad

The term fundamentalist which otherwise is a harmless word, has been given a negative connotation and has been reserved only for Muslims. So people associated with SIMI or Jamat-e-Islami are fundamentalists but those belonging to VHP or RSS are not. Imam Bukhari is a fundamentalist but Praveen Togadia is at best a hardliner.

The media have been able to equate jihad with terrorism. They have been able to make people believe that jihad, which is one of the basic tenets of Islam, means a religious war of aggression for the purpose of proselytizing or exacting tribute and exterminating the idolaters. Actually *Jihad* does not classically or literally signify war, warfare or hostility, and is never used in such a sense in the Qur'ān. The Arabic terms for warfare and fighting are *Harb* and *Qital*.⁶ The Qur'ān does not teach a war of aggression but has allowed a war of defence, clearly setting forth the grounds in its justification and strictly prohibiting offensive measures. It says: "Fight for the sake of Allah those that fight against you but do not attack them first. Allah does not love the aggressors".⁷

The term 'militants' and '*Jihadis*' are used interchangeably by the media.⁸ In fact, these two terms are contradictory to each other. While militancy is aggressive, *Jihad* is defensive. This irresponsible linkage of an Islamic concept with militancy has led to the presentation of Islam as a violent religion.

Although some misguided Muslims in order to justify their inhuman actions hide under the cover of Islam, the media have been all too willing to accept their explanation as the truth. The media are fond of using terms 'like Islamic terrorists' and 'Islamic *Jihadis*'. The link between Islam and terrorism is too obvious and clear.

Islam and Women

The media have presented a wholly incorrect negative stereotype of women in Islam as inanimate objects, submissively attending to the needs of the lord and master, locked away in darkened homes. In reality, the potential of women in Islam is far superior to anything what Hindu and other civilizations offered. Muslim women are central to family affairs from domestic decision making to outside matters. Where their lot is miserable it is to be attributed to Muslim male tyranny, not Islamic advice.

However, an isolated incident like the marriage of a minor Muslim girl in Hyderabad to a *Saudi Shaikh* is converted into an attack on women in Islam. The media give extensive coverage and the whole story is discussed threadbare. It is a different matter that child marriage is a norm in some parts of India among non-Muslims, but it does not interest the media. This is not to justify that the marriage of a Muslim minor is right but to illustrate the media's "great concern" for Muslim women, which actually leads to strengthening the negative stereotype of women in Islam. It ought to go without saying that media are profit seeking corporations and therefore quite understandably have an interest in promoting some images of reality rather than others.

The media never try to look at the rights which have been given to women in Islam. No other major religion has given as many rights to women. But whenever this issue comes up for discussion, a very grim picture of women in Islam is presented. The veil which Muslim women use to cover their bodies decently and protect their modesty is seen as a symbol of physical and mental enslavement, which is forced upon women by men. They cannot accept that behind the veil could be an enlightened woman who has decided to use the veil voluntarily. For the media, exposure of the female body has somehow come to be construed as a form of women empowerment. As Islam does not subscribe to this simplistic logic, its approach is said to be antithetical to modernist tendencies.

The media are adept at creating a controversy where none exists. The very natural and positive concept of divorce (*Talaq*) in Islam has also been dragged in a needless debate. The controversy over 'triple divorce' has come in handy to demonize Islam. Learned editorials and researched papers are written on this subject without understanding its real meaning and context. Although divorce is allowed in Islam, but not the way it is presented in the media. The irreducible basis of what the media have to say on this subject is that in Islam a married woman is like a pawn in the hands of her husband and he can get rid of her by

simply uttering the word '*Talaaq*' thrice in one go. This is an extremely ignorant and mischievous distortion. Instead of recognizing this positive concept in Islam where the contract of marriage allows an honourable exit for both the parties after they have explored all means of living together and failed. Divorce is the last and not the first option. This certainly is more natural and human than the irrevocable marriage in some religions where both the parties have to live together, come what may, till death. The result is clandestine illegitimate affairs, secret second marriages and in some cases murder of the spouse when no other option seems viable.

Instead of applauding this provision in Islam, the media have decided to concentrate upon the technicalities of its operationalization without trying to understand it properly. The irony is that a positive feature of Islam has been used as a stick to beat it.

Islam is News

The vernacular press is forthright and brazen in pursuing an anti-Islam and an anti-Muslim line. Their consistency on this count has been successful in poisoning the minds of ordinary folks. Concocted stories and canards against Muslims have been responsible for many a riot in independent India.⁹ The English press, however, is more circumspect in this regard. Nevertheless, the media's affiliation with power gives its coverage of Islam more strength, durability and presence.

Over the past decade or more, an aggressive campaign is being run by the Hindu right to malign the Muslim religious institutions called '*Madrasas*'. The media have dutifully gone along. They have never bothered to go and investigate as to what is the real basis of these allegations. They truthfully report what the likes of Advani, Togadia and Singhal have to say. The ordinary people accept what they read and hear and take it as '*The Truth*'. Muslims are advised to revise the courses being taught in these *Madrasas*. The media, however, are not alarmed at what is taught in schools run by the Sangh-controlled Vidya Bharti, which specialize in suppression, distortion and invention of historical facts.

Issues and controversies about Islam and Muslims are taken up or invented and that becomes *News*. Whether it is triple *Talaaq* or alimony to divorced Muslim women or a small incident in the Muslim University or Muslim opposition to some blasphemous publication. These Islamic topics are picked out of a huge mass of Islamic details and for the media, these topics define Islam so as to exclude everything not fitting neatly. The issue is then blown out of proportions and learned editorials

are written suggesting as if these are the real issues confronting Muslims. For the non-Muslims the image which comes out of such coverage is that of a people who are still living in the past and are not comfortable with the present. Even their religiosity is primitivised.

Conclusion

These images stem partly from a lack of understanding of Islam among non-Muslims and partly from the failure by Muslims to explain themselves. For Muslims, therefore, it is good time to pause to reflect and to attempt to re-locate the main features of Islam. The sheer range of approaches and biases and consequent confusion oblige us to attempt clarification. The problem is not that there are too few answers but that there are too many.¹⁰ The path ahead is difficult, but that must not deter us from trying to present the whole truth in its proper context.

Notes & References:

1. Marshall Mc Luhan, *Understanding media: The Extensions of Man*. MIT Press, Massachusetts, 1964, p.7.
2. Akbar S. Ahmed, *Postmodernism and Islam: Predicament and Promise*, Routledge, London, 1992, p.223.
3. Edward W. Said, *Covering Islam: How the media and the Experts Determine How we see the Rest of the World*, Pantheon, New York; Routledge, London, 1981, pp.44-45.
4. *Ibid.*, p.149.
5. Akbar S. Ahmed, *op.cit.* p.39.
6. For a detailed analysis of the defensive nature of *Jihad* in Islam see: Moulvi Chirag Ali, *A Critical Exposition of the Popular Jihad*. Idrah-i-Adabiyat. Delhi, 1884.
7. The Qur'ān, II: 190.
8. The Times of India, May 17, 2003. While the news item had the title – ‘crackdown on *Jihadis* in Surankote’. It stated that “.....security forces have killed around 60 hardcore militants in Surankote area over the past three weeks”, suggesting that these two terms have the same meaning.
9. For e.g. in 1990 riot in Aligarh in which more than 500 people were killed, the local Hindi daily played a major role in instigating the majority community. In addition to many other concocted stories directed against the Muslims, it carried a totally baseless and false report that a lot of Hindu patients had been killed by Muslim doctors in the Medical College Hospital of the Aligarh Muslim University. This led to a lot of attacks on innocents.
10. Akbar S. Ahmed, *Discovering Islam: Making sense of Muslim History and Society*, Routledge, London 1988, p.1.

Book Review

Communal Riots in India*

by

S.W. H. Jafri

The book under review deals with the communal problem in India. The author has divided the book in eight chapters. Every chapter is very important and has its relevance. The author is a prolific writer with a convincing approach and touches on the ground realities. He has also focused on the communal situation as it exists in the Indian social and political system. The book is a record or the communal history of contemporary India. The author has surveyed the communal riots in a very systematic manner and analyzed the communal situation.

The first chapter, *Democracy and its Problems in Developing Countries* is important. The author says that the role of media, controlled by powerful vested interests, is far from being healthy. The regional press, while reporting the *Shah Bano* case, or *Ramjanam Bhoomi* movement or communal problem, openly played a partisan role and aggravated the situation. Many communal riots would not have taken place but for the false stories deliberately planted in regional newspapers. He has analyzed that by late sixties democracy had acquired sufficient roots in Indian political and social consciousness when regional aspirations began to acquire greater dynamism. He gives examples of U.P and Bihar, where particularly the lower castes became conscious of their rights under democracy and the caste leaders began to demand greater share in power and jobs. He is of the opinion that it would not be realistic to expect two-party rule like the one that exists in UK or US. These regional parties came into being because of tokenism of the national political parties in which they never got proper political representations. He believes that stability tends to benefit the upper classes more than the weaker sections of the society. Stability is highly desirable for good governance but it should not be achieved at the cost of the weaker sections of the country.

*The book being reviewed is: Asghar Ali Engineer, *Communal Challenge and Secular Response*, Shipra Publications, New Delhi-3; the reviewer, Dr. Jafri teaches at Department of Islamic Studies, Jamia Hamdard, New Delhi.

In the second chapter Mr. Engineer deals with communalism and communal violence. He refers to the surveys of communal situation in the post *Babri* demolition period. In this chapter he has described the role of civil society extensively. He says the communalization of civil society is spreading at a faster speed now as the Sangh Pariwar is in power through the coalition government of National Democratic Alliance. The resources of the government are being cleverly used by some BJP ideologues to promote their communal ideology. It is spreading now in rural areas also as RSS is sending its *Pracharaks* throughout the country. A civil society has to be secular and connected with democratic ideals rather than with religious fundamentalism. Only then riots like the Gujrat carnage could be prevented.

Mr. Engineer has also discussed the composite culture, secularism and communal harmony. He says, “the Sufi and *Bhakti* Saints were trying their best to evolve composite trends, composite culture was the ruling culture in India, particularly at the level of masses”. Even at the level of ruling elites composite culture was widely popular particularly during the Mughal period. The writer is of the opinion that cultural nationalism is without any root in our society and can hardly carry conviction with the common people because of our composite society. He also does not favour the two-nation theory. He praises secularism because it has been the fundamental philosophy of our nation. Further, he says that it was the philosophy of secularism which guided our freedom movement.

In the fourth chapter Mr. Engineer deals with the BJP, the Sangh Pariwar and the minorities. He has touched on media and the minorities’ issues in this chapter. Media play very important and crucial role in projecting images. The organs of communal outfits like the ‘*Samna*’ which deliberately, and even maliciously, project a distorted image of minorities and thrive on this. The writer says: ‘*Samna*’, the *Marathi* mouth organ of Shiv Sena, uses highly provocative language against Muslims and Christians especially against Muslims. It should be borne in mind that the ‘*Samna*’ is read by lakhs of *Maharashtrians* and their opinion is formulated by it. Even the policemen read it regularly and form their perceptions about minorities from what appears in ‘*Samna*’. No wonder if they have very jaundiced view about the Muslims. The media also do not project positive aspects of Indian Muslims which can create a different image of the community. For example, Col. Wajihuddin laid down his life fighting in ‘Kargil’ along with others. This news was not carried by English media. The author read this only in Urdu paper, the *Asian Age* did report the event but did not project

it properly and prominently. He asserts that a minority can not be left at the mercy of RSS.

The fifth chapter deals with the Indian Muslims. He says there are 12% Muslims in India. It is quite a sizable number. The Muslims, however, should not be treated as a homogenous community. They have sectarian, regional, caste and cultural differences which are quite crucial to the understanding of the problems. The author says that many Muslims can not afford high-cost education because of poverty. However, there are resources available both internally and externally. He wants that the misuse of Waqf properties is avoided, and is utilized in a proper way. In this regard he cites the example of *Gulbarga Sharif* in Karnataka. The *Durgah* of Ajmer has a great potential in this respect, and it can do good works for the Muslim community. The Muslims can take help from the Islamic Development Bank of Jeddah, if proper projects for educational institutions and scholarships are submitted to this premier Muslim institution but he laments that there is no such vision and no such attempts are made. If the government fulfils its promise the Muslims can achieve much higher rate of literacy. The main problem for educational backwardness among Muslims is poverty not religion or lack of will, the author has observed. He also focuses on the necessity for social reforms among the Muslim community. The author is in favour of modernity & change among the Muslims. He has advised that a separate Muslim party is not needed. In the sixth chapter, he has concentrated on Muslim Women & the Muslim Personal law. In this chapter he has raised the issues of Muslim women's maintenance etc. In the seventh chapter he deals with violence in Kashmir & democratic rights and asks: can autonomy be a solution? And in the eighth and ninth chapters he appears to be worried about Pakistan & Indo-Pakistan Relations, and also thinks about the Islamic World.

Mr. Engineer seems to be very cautious when he responds to the clash of civilizations theory of Huntington. However, the Islamic theory of compensation and punishment: eye for an eye and nose for a nose should be contemplated afresh and in this regard he quotes Gandhi who is reported to have said: if every one wanted an eye for an eye, the world would be full of blind people.

Mr. Engineer is a great scholar and is widely read. He has written the Bombay Communal Riot Report which is a reference work. Everyone who wants to know the communal situation and the secular approach should read this book. It should be treated as the *Magna Carta* on the communal situation in contemporary India.

Book Review

Press & Prejudice*

by

Mohd. Arshad

Mr. V.B. Rawat is a human rights activist and champions the causes of the poor and the marginalized in India. He is also a freelance journalist and contributes regularly to a number of Hindi dailies and weeklies. He is associated with numerous organizations working for the socio-political and economic welfare of the downtrodden including the minorities. He works for and among the people and knows well how the Hindi journalism influences and shapes their worldview. In the last one and a half decade the Hindi journalism has flourished a lot and has shown the potential to compete with the national media dominated by the English newspapers, magazines and lately by a number of T.V. channels. The Mosque-Temple controversy revolving around the now demolished Babri Masjid gave a boost to Hindi journalism; specially the newspapers supporting the Temple Movement thrived and flourished a lot. For no qualifications other than supporting the Temple Movement, some journalists became Members of the Rajya Sabha.

Rawat has approached the subject at hand with objectivity and clarity of purpose. He knows what role the media can play in the society and how effective this medium is in shaping public opinion. He cites the examples of newspapers, controlled by big business houses that played a negative role during the Temple Movement. On the one hand such newspapers wanted to sabotage the positive effects of the Mandal Commission recommendations and on the other they targeted the Muslim minority to communalize the atmosphere. For this purpose, they carried out sensational news items or editorials that had no relationship with reality or truth whatsoever.

Rawat has conducted a good deal of research in various parts of the country. He specially visited the areas where some influential Hindi newspapers are in large circulation and are read widely. Through

*The book being reviewed is: V. B. Rawat, *Press & Prejudice- An Insightful Analysis of Hindi Media*, published by Institute of Objective Studies, New Delhi, 2003, Pp. 187; Dr. Mohd. Arshad is associated with the Al-Qanun project (translation) being carried out by Department of Islamic Studies, Jamia Hamdard, New Delhi.

interviews he tried to discern how the public opinion is influenced and moulded by the Hindi newspapers. He found that the common public quite believed the sensational news items and hardly bothered about what the comparatively serious Hindi or English newspapers carried out. They easily succumbed to the false propaganda and became votaries of the Ram Temple. Capitalizing on the favourable atmosphere created by the Temple Movement, many a newspaper increased their circulation and earned many fold profits. Some more adventurous and fortunate journalists also reaped political rewards as they got elected to the Rajya Sabha or even became minister. They hardly ever bothered about how dangerous their negative journalism had become in that it was polarizing the society along communal lines.

Rawat rightly feels that for its survival, every democratic society should have a mechanism to monitor the media and urge them at least to desist from sensationalism. He thinks one way of monitoring the media is to publish books that take stock of journalistic writings and reporting. In the book under review Rawat has tried to critically examine the role that the media, specially the Hindi newspapers and T.V channels played in mid 1990s. It is here the book makes a fascinating reading. It analyses editorials, edit-page articles, letters to the editor and the headlines to give a feel of ideological bias of the concerned newspapers.

There are some very good journalists who write in Hindi. Their knowledge, analysis and approach are as good as those of the serious and sober journalists writing in English. However, their good work was undone by large number of journalists who readily espoused the cause of the Temple Movement. Then there are newspapers which reported objectively on a number of issues but when it came to reporting the Ayodhya Movement, they began to exhibit a clear communal bias. Rawat feels that their shift in policy was motivated more by profits and increase in circulations than their craze for religion and religious symbols. Surely some individual journalists espoused the Temple Movement with their minds and hearts but the business houses running the newspapers were more motivated by economic considerations.

The book under review consists of five chapters. The first chapter tries to locate the factors and reasons that prompted newspapers-owners and editors to espouse a communal agenda. Rawat thinks that this phenomenon specially became visible during the Temple Movement. The second chapter, *Reports and Headlines*, reveals how through sensational and one-sided reports the minds of people can be prejudiced and communalized? Rawat has scanned a lot many news reports and come to the conclusion that ‘motivated’ communal journalists

deliberately sought opportunities that will show the Muslim community and its respected leaders in poor light.

The third chapter deals with the communal treatment of some issues by the Hindi press. These issues relate to the writing of history text books, *Vande Mataram*, Kargil, ISI and *Madaris* (Muslim religious seminaries). As can be imagined no stone has been left unturned to defame the Muslim community on the above issues. Rawat feels that the Hindi press took great interest in sensationalizing news that it thought would put the Muslim community in the dock.

The fourth chapter is revealing and interesting. Rawat has scanned some influential Hindi newspapers such as *Dainic Jagran*, *Punjab Kesri*, *Hindustan*, *Amar Ujala*, *Jansatta*, *Rashtriya Sahara*, *Nai Duniya*, *Navbharat Times*, *Aaj*, *Janmorcha* and *Dainik Bhaskar* etc.etc. He has critically examined the articles, editorials and news analyses appearing in the above newspapers. No doubt a few journalists regularly write objectively but the great majority seems to be utterly or partially biased against the Muslims. The result is that a great majority of the people who read the Hindi newspapers have become communal in their approach and behaviour.

The fifth chapter contains Rawat's conclusions. His following remark is worth quoting:

It is ultimately the people's choice as what they would like to read in print but newspapers can not allow India's cultural heritage to be balkanized by a few religious lunatics and hence a greater responsibility on them for a fearless and unbiased reporting.

If only the media heed to Rawat's advice, India would become a better and more peaceful place to live in. This country has great potentials to become a developed nation. Here the media have an important role to play. Both the electronic and print media have to continuously work for creating a healthy and harmonious communal atmosphere which is so essential for developing the country and ensuring peace and prosperity for all irrespective of their caste, community and religion.

Book Review

Islam and Knowledge*

by

Ziaur Rahman

Knowledge has a high place in Islam. The very first revelation of the Holy Qur'an is about reading, writing and knowledge; it shows the importance that Islam attaches to the acquisition of knowledge. A saying of the Prophet (Pbuh) has made it binding upon all Muslims, male or female, to acquire knowledge. Due to the high importance of knowledge, Muslims have always tried to acquire it from wherever they could get it. In the medieval period, when the Islamic civilization was dominant in the world, the Muslim scholars contributed enormously to the body of human knowledge. They not only wrote about their religion but also about the world they knew and about the sciences it had then.

The book under review is yet another attempt to highlight Islam's contribution to knowledge. Dr. A.R. Momin, a professor of sociology at Bombay University, has done full justice to the subject at hand. Although professionally a trained sociologist, he seems to be an equally great scholar of Islam. His training in social sciences seems to have enabled him to make the book under review even more valuable.

The book contains eight chapters, beside a valuable introduction. The introduction has touched on some general but highly important aspects of knowledge in Islam. Knowledge *per se* had its importance in all civilizations. The Islamic civilization views it as central to the meaningful human existence. The Islamic concept of knowledge is closely associated with its concept of *Tawhid*. Knowledge, like all other things, is a creation of God and is therefore sacred. It is the good or bad human use of knowledge that makes it bad or good.

A great characteristic of knowledge in Islam is its universalism. As Islam is universal, knowledge in Islam can not be but universal. This universalism is best reflected in Islam's concept of revelation. Here revelation is for the guidance of entire humanity. Likewise knowledge

*The book being reviewed is: A.R. Momin, *Islam and the Promotion of Knowledge*, Published by IOS, New Delhi, 2001, Pp. 273; Mr. Ziaur Rahman is associated with the Al-Qanun project (translation) being carried out by Department of Islamic Studies, Jamia Hamdard, New Delhi.

in Islam is the common fund of humanity which can not be monopolized by few on the basis of race, caste or some other considerations. Historicity is another quality of the Islamic concept of knowledge. Islam emerged in full historical view, hence there is no scope or place for myths. Likewise the knowledge that Muslims developed has a continuity and historicity which are difficult to find in other traditions.

Rationalism, humanism and holism are other characteristics of knowledge in Islam that Prof. Momin has explained very well. He also says that the acquisition of knowledge is not elitist in Islam; here every one has a right to acquire and spread it.

The first chapter deals with what the Holy Quran has to say about knowledge. There are several verses in the Quran that urge its readers to observe the universe and reflect over Allah's signs scattered all over. Interestingly there is also a good deal of scientific data in the Qur'an. Moreover, the Holy Qur'an is replete with animal imagery and verses dealing with cosmology, embryology and procreation which have been employed to provide arguments in favour of Oneness of God or the Day of Judgement etc.

The second chapter discusses as to how Muslims have pursued and promoted knowledge. The Prophet (Pbuh) urged his companions to acquire knowledge and learn how to read and write. The art or science of writing was developed by the Mesopotamians in 3500 BC. Since then various civilizations have used this technology to disseminate knowledge. The Islamic civilization, however, put a great deal of emphasis on it and the Prophet (Pbuh) spared no opportunity that came his way to promote and popularize its usage. Inspired by the Quran and greatly urged by their Prophet (Pbuh) the Muslims made great contribution to the art of writing.

Muslims took great pain in disseminating knowledge. They institutionalized learning when they opened colleges (*Madaris*). Men of knowledge are not supposed to be living in isolation or in ivory towers. Islam assigns them a social role to perform which the Muslim divines have done all across their history. Mainly due to it, knowledge also got democratized under the Muslims making it possible even for slaves to pursue it or become master of it. The history of Islam is replete with the intellectual contributions of men who had a humble beginning. To make the acquisition of knowledge easy for common people, the Muslim rulers or rich Muslims made *Awqaf* which benefited large numbers of people.

The Muslim contribution to the sciences that deal with one another aspect of their religion is well known. Of late a good deal of effort has been made to record the Muslim contribution to what is known as

natural sciences. Prof. Momin has dealt with this subject in chapter 4 of the book. The fifth chapter is about the Muslim contribution to social sciences. In this regard Prof. Momin has discussed the Muslim contribution to law, jurisprudence, history, archeology, sociology, anthropology, psychology and psychotherapy etc.

Prof. Momin has devoted the sixth chapter of his book to outline the Muslim contribution to humanities. Those who are familiar with the subject under discussion know well that the Muslims have written extensively on philosophy and ethics. Here the Muslim philosophers were influenced by the Greek philosophy. The Greek influence, in fact, generated a great controversy regarding certain beliefs in the world of Islam. The body of literature produced to explain Islam logically or philosophically is known as the literature of *Ilm al-Kalam*. In this chapter Prof. Momin has also touched on the Arabic language and literature and its impact on European languages.

The seventh chapter deals with the development of art and crafts in the Islamic world. Many great Muslim rulers were preoccupied by building huge forts and mosques etc. Over the ages there developed a typical Muslim architecture the parallel of which is not found in other civilizations. The Muslims — the Arabs, Iranians and Indians — also contributed a great deal to arts and crafts from pottery, ceramics, glasswork to metal work and textiles etc.

The last chapter is the gem of the book in that Prof. Momin here suggests as to how the Muslims of today can recover and regain their lost heritage. He also touches on how knowledge began to decline in the Islamic world and what were its causes. In order to regain the lost glory of Islamic learning Prof. Momin advises Muslims to reorient knowledge in Islamic perspective. However, while discussing the contribution of modern Muslims and institutions to knowledge, Prof. Momin has left much to be desired. Despite this flaw, the book is valuable and people would find it interesting to read.

STUDIES ON ISLAM

Volume I, No. 1, 2004

Editor

Ishtiyaque Danish



Department of Islamic Studies
JAMIA HAMDARD
(HAMDARD UNIVERSITY)
HAMDARD NAGAR, NEW DELHI-110062
INDIA

Notes to Contributors

* Studies on Islam (SOI) published by Department of Islamic Studies, Jamia Hamdard, is an academic refereed biannual journal. Authors from all over the world are welcome to publish their research papers in it. However, ideas/opinions expressed in articles/book-reviews that appear in SOI will be those of the concerned authors/reviewers and would not necessarily reflect the editorial policy of the journal.

* A paper submitted for publication should not exceed ten thousand (10,000) words; book-reviews, likewise, should not contain more than 1200 words. Review articles may be written in 2000 words.

* All submission must include a 150-word abstract.

* The authors should clearly write their address for correspondence, e-mail address, designation and present affiliation.

* Notes & references should be listed at the end of articles.

* We would like you to send your submission to editor SOI alternatively, you may send a hard copy of your submission along with an electronic copy on a diskette; the articles may be emailed to: editorsoi@yahoo.com

* All articles will be referred to experts in the relevant field and will be published only if expert opinion is favourable.

Studies on Islam

Department of Islamic studies, Jamia Hamdard, New Delhi, publishes this biannual journal to promote objective research in various Islamic disciplines and to enlist wider participation of scholars and experts through their well-researched and well-written articles/reviews. The SOI encourages publication of different points of view on issues of vital social concern. Articles on all aspects of Islamic Studies are welcome but preference will be given to contributions that deal with contemporary Islam and Muslim societies. Copies of books intended for review should be sent in duplicate.

Annual Subscription Rate

	Student	Individual	Institutions
For India	Rs. 200/-	Rs. 300/-	Rs. 500/-
For SAARC Countries	US\$ 10	US\$ 15	US\$ 30
For all other countries	US\$ 15	US\$ 25	US\$ 40

All cheques (preferable Bank Drafts), drawn in favour of Jamia Hamdard, should be sent to Ms. Shameem Bano, Circulation Officer, Publication Unit, Jamia Hamdard (Hamdard University), Hamdard Nagar, New Delhi-110062, India.

Editor

Ishtiyaque Danish

Editorial Board

Professor Anwar Moazzam
Professor Yasseen Mazhar Siddiqui
Professor Akhtarul Wasey
Dr. M. Manazir Ahsan

Published by

Department of Islamic Studies
Hamdard University
New Delhi

Printed at

Rakmo Press Pvt. Ltd.
C-59, Okhla Indl. Area Phase-I
New Delhi-110020

Mailing Address for Editorial Correspondence

Editor SOI
Department of Islamic Studies
Jamia Hamdard
New Delhi-110062

Mailing Address Regarding Circulation etc.

Circulation Officer
Publication Unit
Jamia Hamdard
New Delhi-110062

Contents

Editorial

Articles

A.G. Noorani <i>The Constitution of India and Muslim Politics</i>	1
A.R. Momin <i>Islam and Pluralism</i>	9
M.Y.M. Siddiqi <i>Islam and Minorities – A Historical Study</i>	26
Charles Kurzman <i>Liberal Islam: Not a Contradiction in Terms</i>	39
Ishtiyaque Danish <i>The So-Called “Objectionable” Verses</i>	55
Obaidullah Fahad <i>Jihad: Violent or non-Violent</i>	78
Faizan Mustafa & Akhlaq Ahmad <i>Forced Conversion Under Islamic Law</i>	100
Mirza Asmer Baig <i>Media and the Muslims</i>	121

Book Reviews

Communal Riots in India <i>S.W.H. Jafri</i>	129
Press & Prejudice <i>Mohd Arshad</i>	132
Islam and Knowledge <i>Ziaur Rahman</i>	135

Editorial

We feel pleasure in presenting the first issue of *Studies on Islam*, a new journal that the Department of Islamic Studies, Jamia Hamdard, has decided to launch. The journal is intended to publish articles and research papers on various aspects of Islam and the Muslim societies. Although it would cover the broad spectrum of Islamic studies, the emphasis and focus would be on studying and analyzing the contemporary Islam. There are any number of issues and challenges facing the Muslims the world over. We propose to discuss them in objective and detached manner and would like to request scholars, intellectuals and writers to help us in our humble endeavour.

The journal is not intended to represent any specific point of view. Conscious of varying approaches to one or another subject of Islamic Studies, it would welcome scholarly contributions, though we would prefer to avoid controversies pertaining specially to sectarian matters. Moreover, the journal would encourage our prospective contributors to approach and analyze any given subject from a social science perspective.

Although a relatively new university, Jamia Hamdard has made rapid advances in all the areas it chose to focus on. From its very inception the university has been keen to promote Islamic studies keeping in mind the cherished ideals and wishes of its founder-chancellor, late Hakeem Abdul Hameed. The man is no longer among us but we are sure that Hakeem Sahib would have been the happiest person to see this journal and would have welcome our endeavour from the bottom of his heart. His vision and ideals will be our guiding principles, we promise solemnly.

We have received generous help from various quarters which we would like to acknowledge. Hamdard National Foundation under the able guidance and stewardship of Mr. Abdul Muid is helping the university and our Department in a very generous way which we acknowledge with appreciation and gratitude. Mr. Sayyid Hamid and Mr. Siraj Hussain, Chancellor and Vice-Chancellor respectively, have been a source of inspiration and have always encouraged us to bring out this journal. Dr. S.H. Hasan, Registrar, Jamia Hamdard and Mr. S.A. Ali, Director, Hamdard Archives and Research Centre helped us in a variety of ways. We thank both of them.

Prof. Akhtar Majeed, Director, Centre for Federal Studies and Dean, Faculty of Islamic Studies and Social Sciences, his colleagues, Dr. Arshi Khan, Dr. Ajay Singh, Mr. Kumar Suresh, Prof. Altaf Ahmad

Azmi, Former Dean of our Faculty, Dr. Baseer A. Khan, and Dr. G.Y. Anjum, Readers in Department of Islamic Studies, have helped us with advice and sincere comments; their unqualified support is appreciated with sincere thanks.

The journal would not have seen the light of the day without the generous assistance that we received from Dr. Mohd Arshad and Mr. Ziaur Rahman. Although the two are associated with *Al-Qanun* (translation) project, they took pains to type the articles along with Mr. Arshad Ahmad. Their hard work is duly appreciated. Dr. Shahid Umar, lecturer, Department of Botany and Dr. Najm Zaheer Khan of Department of Chemistry were kind enough to extend their assistance in production process of the journal which is gratefully acknowledged. Last but not the least we thank all the contributors who put their faith in us and honoured our journal with their valuable articles and book reviews.

Printed by Rakmo Press Pvt. Ltd., C-59, Okhla Indl. Area Phase-I, New Delhi-110020, and published by Department of Islamic Studies for Registrar, Jamia Hamdard, Hamdard Nagar, New Delhi-110062. *Editor:* Ishtiyaque Danish, Department of Islamic Studies Jamia Hamdard, Hamdard Nagar New Delhi-110062