

RELIGION, STATE AND SOCIETY

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RELIGION, STATE AND SOCIETY*

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I

The Islamic approach to life and its problems is that while human life can be divided into different spheres and in fields of activity, there is an integral unity influenced and shaped by values, beliefs, ideas and ideologies. Muslims do not want to hide under the rubric of pseudo-objectivity or scientism and claim that they are value-free. They are not; perhaps no human being can be. One might even say it is more scientific to know the values that influence us and to transform the implicit into explicit because this helps everyone to understand – and to differ.

To understand the Islamic approach, a few facts need to be borne in mind. First, Islam claims that it is not a new religion; that divine revelation has come to all people since the first man, Adam (UḤBṢ). The source of this revelation has always been the same, notwithstanding the differences, conflicts and contradictions that subsequently arose between peoples. Thus, Prophet Muhammad (PBUḤ) is not the founder of Islam, but the last prophet in a long chain of prophets. Messengers of Allah have come to all parts of the world, and Muslims have no reason to doubt that the land now called India received its share of divine revelation.

Indians today have every right to be fully attuned to the contemporary secular approach to life. Nevertheless, it would be beneficial for them to reflect on the ideas of at least two of their own writers and thinkers: Mahatma Gandhi and former Indian President Radha Krishna. Radha Krishna's work on the relationship between the state and religion, in particular, is very important. He looks upon the issue both from a philosophic perspective and in the light of Hindu tradition.

Muslims believe that religion is not confined to the private, personal relationship between every human being and God. God, to us, is the Creator, the Source of light, wisdom and value. It seems absurd to us to say that God is God as long as we are in our homes or temples or mosques, but that He ceases to have authority over us when we enter other spheres of our life. In the Muslim view, God's guidance and the individual's bond with Him should not be put aside in any realm, be it the home or place of worship, or the society at large and the state.

Of course, there are crucial issues in this approach: what is Religion? How universal and relevant it is today? The values – including the universally acknowledged values – principles and guidance that

* This three-part article is based on a roundtable discussion on "Religion, State and Society," which was hosted by IPS on March 9, 2006, for officers of the Indian Foreign Service Academy (IFSA), who were on a visit to Pakistan. The IPS Chairman, Senator Prof. Khurshid Ahmad, spoke on the main theme, while Dr. Mahmood Ahmad Ghazi, a member of IPS's National Academic Council (NAC), dilated on a related theme, "Islam and International Relations." The two brief speeches have been given in the first and second part while the third part covers the Q&A session. Senator Saadia Abbasi, another IPS NAC member, also took part in the discussion.

God has revealed represent, in a way, the substance of the divine impact on humankind. Earlier divine revelations were not preserved, but that has changed with Islam: the revealed value framework has been preserved and protected, and is available for all human beings to approach and obtain guidance without any intermediary. Now, if religious guidance is universal, as Muslims claim it is, it is important that the religious value framework should be capable of meeting the demands of change. This raises the question: what is the value framework and how is it adaptable to change?

The Islamic approach is that faith, values and principles and some key institutions such as the Quran and Sunnah provide the permanent framework. Within that framework, there is a lot of flexibility for change and experimentation. Islamic commands have been divided into five categories. On the one end are fardh, the obligatory requirements, which are specific and occupy a relatively small proportion of commands. On the other end are haram (forbidden) elements: this is the bottom line that may not be crossed. Between these two ends are desirable elements of conduct (mustahab) and undesirable elements (makruh). The rest of human activity falls in the vast middle area of mubah (permissible) conduct, which may be regarded the domain of human freedom.

The capacity to meet the demands of change is in-built in this system. Religion does not seek to burden or tie down each and every aspect of the society and state. Rather, it gives Muslims a vision – a perspective for considering everything in life; personal motivation, piety, God-consciousness, truthfulness, and a spiritual dimension; and a set of rules and guidance, which contain certain permanent elements, certain desirable ones, and a vast area for experimentation. Islam does not bind people to any one particular model reflecting any particular space and time condition; rather, through this framework, it enables Muslims to respond effectively to changing challenges. There is nothing very rigid or inflexible about the Islamic state and Islamic society; of course, models do exist, but they serve as examples to learn from and emulate, and may be adapted to cope with new situations.

It would be pertinent to discuss the two-nation theory in this context.¹ The “two” in the name of this theory does not simply mean one plus one; it represents the concept of plurality. Pluralism enabling people of different faiths, cultures, societies, systems and ideologies to coexist is integrated in the Islamic vision. Muslims acknowledge that paradigms other than the Islamic paradigm have a right to exist. Those who belong to these different paradigms have to coexist, interact, and even learn from each other. Tolerance is a cornerstone of this approach: there may be no compulsion in matters of faith and religion, Muslims believe, and they reject the imposition of ideas and values of faith by force.

¹ The two-nation theory was the basis for the Muslim demand, before 1947, for partition of India so that Muslims could live freely, without fear of repression as a minority, after the British Empire withdrew from the Subcontinent.

The two-nation theory stands for plurality. The approach it represents for Muslims could arise in two different situations. Where Muslims comprise the majority in a country, the two-nation theory demands that they use the opportunity to live according to their faith and values, while non-Muslims have an equal right to live according to their faith and their values. What is envisaged is a majority-minority relationship based not just on coexistence but physical proximity, harmonious environment and equal opportunities for progress and prosperity. In the second situation, where Muslims are a minority, they have the right to maintain their identity and should not be forced to dissolve this religion-, value- and culture-based identity into some overriding identity, for that would be a kind of fascism and imperialism. In other words, different groups may coexist as long as they are all allowed to thrive as parallel, not forcefully merged, streams. The two-nation theory is thus relevant to the current global situation and reflects historical reality.

A special situation arose in the Indian context. Muslims in [pre-Partition] India perceived, correctly or incorrectly, that a situation had arisen where authentic coexistence with the majority in India was not possible. It would appear that they tried their best to live in within India, as a minority in a pluralistic society. However, India was becoming a nation-state along the lines of the Western post-Enlightenment concept of a nation-state based on secularism and territorial nationalism: in essence, this was a negation of the country's plurality. It is this conceptual flaw owing to which, in the entire history of nation-states, problems have arisen wherever there was more than one nationality in a nation-state. The dilemma was not an exclusively Indian phenomenon; it is everywhere—in the history of Europe, in the reports of the League of Nations, and in the cultural, ethnic, linguistic strife of 20th century Europe. At first, Muslims in India tried to live by the two-nation theory within a pluralistic society. When this failed, they strove for political sovereignty in areas where they were in majority with a view to establishing a system in which they would be free to pursue their faith and which, being more truly pluralistic, would accord to minorities an equal right to preserve their identities.

The two-nation theory accepts two of the three cornerstones of secularism. It agrees with the principle of tolerance for other religions and according the opportunity to coexist. It also accepts the rule that this world is important and that religion does not mean abdication of the world. These two features are part of the two-nation paradigm. However, the theory challenges the third assertion of secularism that religion has nothing to provide for guidance in matters of society and state; that only human reason and experience should guide there. In other words, it is the notion of irrelevance of religious values and faith that Muslims challenged. Genuine variety and multiplicity are denied under the garb of secularism. Indeed, here secularism contradicts its own principle of tolerance for other faiths and communities.

Thus, the two-nation theory is not a dirty word that was merely coined to create Pakistan. It is a concept that has been there from time immemorial. It is relevant to Pakistan and India, to Europe

and to the rest of the world because it lays down the principle of plurality of systems. It denies the idea that one identity must prevail upon all other identities. Different identities can flourish together as different flowers grow in a garden, or as different colors glow in the rainbow, each band keeping its own identity, while the rainbow holds a separate identity. The two-nation theory provides a very sound basis for friendly, peaceful and harmonious relationships, both within a state and between states.

II

Mahmood Ahmad Ghazi

In order to fathom the nature of the message or the ideology of Islam as contained in the Qur'an and as understood by the Muslims, it needs to be understood that Islam is not a "just a religion" like other religions or a dharma like other dharmas. The assumption that it is makes it difficult for people to understand the Muslim point of view and position on many issues. In reality, Islam is a code of life that includes a legal system, a culture and a civilization, a society based on some social norms, moral principles and values. Different people emphasize different aspects of Islam, such as the legal, the spiritual and the social. This is why the experts on Islam fall into different groups, such as the 'Ulema (scholars), the Sufis (spiritual guides), and the social reformers. However, all of these groups acknowledge and appreciate the integral significance of the other aspects of Islam.

Unlike many other religions and ideologies, Islam is not confined to any ethnic group, any geographical area, or any particular civilization. It is a universal brotherhood. It has gone to every part of the globe, affecting and influencing cultures and civilizations everywhere in different countries and continents. Indeed, Islam has had an international role from the very beginning. Its divine book, the Qur'an, is perhaps the only religious book in the religious literature available now that takes into cognizance followers of different religions and categorizes them differently with respect to their relations with Muslims.

When Islam deals with legal issues, it provides comprehensive guidance. In terms of 'meta-jurisprudence,' it addresses meta-constitutional issues, i.e. the central issues that make up the Weltanschauung of Islam. Based on this, Muslim jurists developed law and jurisprudence over the past fourteen hundred years and a comprehensive legal system came into existence. That legal system, which we call Fiqh, is an integral part of Islam. Some Western writers and scholars have opined that Islam is basically a law-oriented religion. This is true insofar as high significance is accorded to law and legal issues in the Islamic system. Importantly, however, the law is not an end in itself. Islam does not content itself with statements and declarations about what is right or wrong; it seeks to translate these ideals into practice, and to integrate them in individual and collective human life. In some spheres, law is a necessary means for achieving this purpose, and it is for this reason that it is an integral part of Muslim society.

Therefore, in Islamic terms, religiosity includes abiding by Islamic law; in fact, such abidance enhances the religiosity and spirituality of an individual. In an Islamic system, there is no concept of spiritual growth or religious excellence without full observance of the legal code as well. This code is comprehensive and gives guidance to regulate many aspects of human life, including international relationships and dealings.

In the first century of the Hijra,² the Muslim community spread from the Arabian Peninsula to places as far as eastern and southern Europe, Africa, and the Indian Subcontinent. Muslim settlements were visible in Thana, Bombay and other southern provinces of the Subcontinent during the days of the Second Caliph. This regional spread created a need and a challenge for the Muslim community to develop a mechanism for developing international dealings and relations, both at diplomatic and commercial levels, and in times of hostile and peaceful relations. Muslim scholars of the late first century and early second century AH addressed themselves to the task of developing a law that may be called Muslim international law. More than a dozen books on this subject were written by Muslim writers in that period. These books are extant, and some have also been translated into English, French and other Western languages.

Thus, international relations and international dealings have been something central and integral to Islamic society. There was guidance from the very beginning, in the form of Islamic Shariah and Islamic law, to regulate the international role of the Muslim community and keep it in conformity with the Islamic ideals of justice. There was a continuous effort, even struggle, to bring Muslim society in particular and human society in general as close as practical and possible to the requirements of morality and spirituality. This constant endeavor is called jihad in Islamic terminology (Literally, jihad means constant endeavor and struggle). The purpose of this jihad has been summarized and epitomized in the Qur'an as the ideal of justice. The Qur'an says that the ultimate objective of the entire divine scheme, the divine books, and messages and messengers is the establishment of real justice. Muslims, therefore, feel that all international dealings and interaction should be based on a common ideal and endeavor in which all humanity should participate with the objective of realizing the goal of real justice in human life, as explained in the Qur'an and exemplified by the Prophet of Islam.

² The Hijra marks the beginning of the Islamic calendar, which opens with the first month of the Arabic lunar year in June 622, and proceeds in pure lunar years of 354 days without intercalation. Where a date is given according to the Islamic calendar, it is followed by the expression "AH," meaning "in the year of the Hijra."

Question-and-Answer Session

Q: The subjects discussed in the two lectures were really new for most of us. In fact, this was the first lecture on Islam that I have attended. My question is to Dr. Ghazi. Sir, you said that Islam recognizes other religions. I want, out of curiosity, some specific answers that what status you accord to Christians, Jews and particularly to Hindus who worship idols?

A: Dr. Ghazi: Islamic law has categorized the religions outside the fold of Islam into four major categories. And these categories have been mentioned directly in the Qur'an, which is the divine book for the Muslims. First, there is the category of "People of the Book." This is a term given by the Qur'an to the followers of Christianity, Judaism and some other religions that were the offshoots of Christianity or Judaism in the Middle East. These have been accorded, to use modern parlance, the 'Most Favored Nations' status, in the sense that a kind of interaction that is not allowed with others is allowed with the followers of these religions.

Then, there is a second category of those religions for which it is debatable, or not claimed by the followers of those religions, or doubtful that the origin is Divine. The terms used for this category by Muslim jurists are "Semi People of the Book" or "Quasi People of the Book." Regarding relations with people in this category, there is a hadith of the Prophet of Islam telling Muslims to deal with and treat them the way they treat and deal with the People of the Book, except that intermarriages with their women are not allowed. This status was given to the Parsis, and to the Hindus and the Buddhists in the Subcontinent.

When Islam came to the Subcontinent formally, which was towards the end of the first century of the Hijra, specifically 92AH, the first question that was raised by Muslims was how to interact with the local Hindus in the Sindh and Multan area. There were two views. The minority view was that they should be treated like the People of the Book: there should be marriages with them, and all those other relations that are permitted with the People of the Book. The majority view was that since the origin of the local religion was not known clearly, it could not be determined with certainty that it was divine. Therefore, Muslims could not deal with the people at par with Christians and Jews. They should be treated as people belonging to the second category, i.e. Quasi People of the Book, and intermarriages with them should not be allowed. The majority view continued to govern the general practice for almost thirteen hundred years, with some exceptions and individual opinions in favor of the second view. A major departure from this popularly accepted interpretation was made during the reign of Akbar, when some scholars expressed the opinion that intermarriages should be allowed, and some did take place between the royal family and the Hindu Rajas of Central India. However, by and large, the prevalent opinion was that intermarriages should not be allowed.

The third category is of those religions which acknowledge, in one way or the other, the Divine Existence but do not claim to be of a divine origin. Finally, the fourth category is that of the atheists, who deny Divinity or God's existence completely.

All these categories have been mentioned in the Qur'an. The sayings of the Prophet (PBUH) have given some further details about how treatment and interaction should be coordinated. Finally, Islamic legal experts have elaborated the legal rulings on these issues.

Q: in continuation with the earlier question itself, among all these four categories, one word Muslim have often used is kafir: who among them are kuffar [plural of kafir]?

A: Dr. Ghazi: Kafir is a term given by the Qur'an in a different context. Kafir literally means a denier. Those who deny the existence of God are kuffar. Those who do not cannot be called kuffar.

Q: Could you throw some light on the importance of jihad in Islam and the current theory and practice of jihad basically, and how it can be reconciled with the current rubric of international relations?

A: Dr. Ghazi: As I submitted earlier, jihad literally means a constant endeavor, or a constant exercise and struggle. The struggle is primarily moral in its character and approach. The Qur'an refers to different levels and stages of jihad. The first stage or level is the jihad or struggle with reference to the Qur'an itself, i.e. the missionary activity to propagate the message of Islam in different corners of the globe.

Then, there is a jihad that is known as jihad bil Qalam (jihad with the pen). Again, this is about spreading the message of Islam to different quarters of human society. Finally, a stage may come where a confrontation becomes inevitable with a non-Muslim or with an enemy group. Those eventualities have been laid down in the Qur'an. These have not been left to be decided by the sweet will of an individual or a group of people. In that case comes the final stage of jihad, i.e. the struggle with the sword, for the defense or in support of the persecuted. There are three areas that have been mentioned in the Qur'an where the sword can be used or use of force is allowed: (i) in self-defense, (ii) in solidarity with a persecuted humanity group, and (iii) to remove unnecessary hurdles in the propagation of Islam, where the use of force is allowed under certain conditions. Those conditions have been discussed in the law of war, elaborated by Muslim jurists right from the second century of the Hijra. The most important thing is that it should always be conducted under the leadership and with the permission of a legitimately established Muslim government. Without the permission and leadership of a legitimately established formal government, jihad with the sword is not allowed.

Q: You talked about these different stages or categories of jihad but that is a development that came only after the twelfth or thirteenth century AH, by which time Islam had captured the major parts of what became the Caliphate and is now part of the Islamic world. There are only one or two Ahadith which quote the Prophet (ﷺ) as saying: I came from the lesser jihad to greater jihad. It has not been mainstream thought; it happened only after eleventh or twelfth century AD: by the time when the jihad with the sword was almost over. The Sufistic interpretations came only after tenth or eleventh century.

This is my first question, and the second is with regard to Arabs of Sindh. Muhammad bin Qasim took permission from Mansur bin Hajaj, the governor of Iraq, who in his own personal opinion asked him to ignore the new subjects, Hindus, because he did not know how to deal with them instead of directly referring the matter to Caliph Al-Walid. So, I feel it is more on personal level that the rulers of that time gave a kind of concession to the people, otherwise, according to the Qur'an and references from the Ahadith – one from Imam Muslim and the other from Imam Tirmizi – there are only three categories of people: one, People of the Book, Ahle-Kitab; second, Zoroastrians and Sabians; and then there are infidels who are given only two options – Islam or the sword.

A: Dr. Ghazi: First of all, it was Hajjaj Bin Yusuf not Mansur Bin Hajjaj. You are absolutely right there is a hadith in which the Prophet of Islam (ﷺ) said, we have returned from the minor jihad to the major or bigger jihad. It simply establishes that these two categories of jihad were present in the mind of the Prophet of Islam and these were not introduced later in the thirteenth or fourteenth centuries under the influence of the Sufis. Some of the Sufis might have emphasized the larger category of jihad, that is jihad bin nafs (jihad with the soul), but the fact remains that these two categories have been mentioned by the Prophet (ﷺ) and some of them have been mentioned by the Qur'an.

You would recall that the Revelation of the Qur'an can be divided into two periods: the Makki Qur'an, which the Prophet (ﷺ) received while he was in Makkah, before his migration to Madina, and the Madani Qur'an, which he received after he migrated to Madina. In Makkah, he was living in a minority without any state, without the wherewithal of the state, and even in those days, when he was living as a persecuted minority, he received guidance about the jihad with the Qur'an.* This simply means that the first category of jihad that was commanded, in terms of time and in terms of preference and precedence, was the jihad with the Qur'an, that is, peaceful and missionary activities. So, it is irrelevant to mention the emphasis given to the spiritual jihad by Sufis in later centuries.

* "Wage Jihad against them with this Qur'an..." (Al-Furqan 25:52)

Regarding the question about the Arabs in Sindh, I am not aware whether the opinion was given by Hajaj or not; I have not read it. The earliest source of historical information about the Muslims' conquest of Sindh is the Futuhul Buldan, compiled by the historian Al Baladhuri, which is followed by Ali Kufi's Chuchnama, which was originally written in the Sindhi language. I have had the occasion of translating Chuchnama into Arabic, so I have read each and every word. It is primarily derived from Baladhuri's works (Baladhuri is available in English and Urdu translation), and there is no mention that a ruling was given by Hajaj. Supposing Hajaj had given this ruling, the fact remains that it was accepted by the majority of Muslims in the Subcontinent, and continued to be considered valid for seven to eight centuries until the time of Akbar; even then, the majority of the Muslims did not accept Akbar's departure from that ruling as valid. So, the statement about Hajaj's ruling does not make a difference. It simply shows, if it is correct, that the ruling given by Hajaj bin Yousuf on his own personal understanding was accepted by Muslims, not only in the Subcontinent but also by scholars in other parts of the world. Nobody is reported to have objected to that interpretation.

Then, you say in Tirmizi, three categories [of religions other than Islam] have been mentioned. Yes, in some Ahadith two categories have been mentioned; in some, four categories have been mentioned. Different statements of the Prophet (ﷺ) relate to the different situations. He was operating in the Arabian Peninsula; there was no encounter with the Hindus in those days. There was no encounter with many other people in those days. Muslims during his time encountered only the idol worshipers of Arabia, Jews, Christians or the Magians, so he mentioned these three categories. In some Ahadith, where there was also an encounter with the fourth category, it was mentioned. So, the context of the Prophet's statements has to be kept in perspective. Ahadith do not negate the four categories mentioned in the Qur'an. The Qur'an, in any case, would take precedence over the statement of others, including the reported statements of the Prophet (ﷺ).

Q: While hadith talks about lesser jihad and greater jihad, a verse in the Qur'an itself says that any person who wages jihad with the sword is anyway better than the person sitting at home, something like that.

A: Dr. Ghazi: If there is a call for jihad with the sword, if there is a need to rise in self-defense. If a country is attacked and self-defense is needed, some people sitting idle cannot be equated with those who are defending their country. I think it is as simple as that.

Q: I want to know how central the role of rituals in Islam is: can somebody be a faithful and a pious Muslim without doing, say, Namaz (prayer) or any of the other rituals. Secondly, is there any space for questioning God in Islam? Is there space for an atheist?

A: Dr. Ghazi: I would first of all submit that we do not use the word "rituals," because these have a separate connotation. In Islamic terminology, we do not have any term similar to this term, so we

can use it only tentatively, within quotation marks. Most of the so called 'rituals' of Islam, relate to worship and areas related to worship that is offered to the Almighty in order to show one's profound humility to Him and one's indebtedness to the Creator and one's total dependence on His Will and Desire. This is something between the individual Muslim and the Creator.

In Islamic terminology, rights are classified into two categories: Rights of Allah, i.e. rights of the Creator, and rights of human beings. If the rights of human beings are violated then it is for the human beings to demand them. If the rights of Allah are violated, then it is up to Allah. If somebody does not perform prayer, I do not know how Allah will deal with him. He may accept him without 'rituals,' or He may not. Neither I nor anybody else has the right to pass any judgment on somebody who does not pray. It is to be decided only by Allah.

Our duty is to constantly emphasize the significance and importance of prayer and worship, and to not give it up. If somebody has given it up and does not pray, then Allah will deal with him on the Day of Judgment. We have nothing to do with him. We are not allowed to pass judgment. A great Sufi from the Subcontinent – your part of the Subcontinent – used to advise his followers that everyone should consider himself to be inferior to every human being. A follower asked him how he could consider himself inferior to a person who is not a believer, i.e. a kafir, as you said. He said, you consider yourself inferior to everybody in your present situation and inferior to all human beings in your position on the Day of Judgment, because a person may get a better position than you while you may get a lower position on the Day of Judgment. So, this is the Islamic teaching as far as the 'ritual' is concerned.

There is a space for questioning every teaching of Islam but Islam does not encourage questioning the existence of the Almighty because the Qur'an tells us that the Greatness of God is so awesome and Infinite that it may be beyond the reach of common human perception. If one is incapable of realizing and admiring His Reality, it would generally be futile to delve into various dimensions of His Being on a superficial level.

Q: How do you see the US attack on Afghanistan. Is it invasion?

A: Dr. Ghazi: It is invasion, I condemn it. I do not consider it to be acceptable in terms of Islamic law. It is a persecution of a defenseless community. It is islamically wrong, it is humanly wrong. I have no doubt about that.

Q: It was nice to hear about the concept of plurality in Islam but it is really painful to hear about the clashes between Shiites and Sunnis during Muharram. I mean, Islamic teachings are so encompassing, as you say, and it is so tolerant. How do you explain these clashes?

A: Dr. Ghazi: Our main problem is that Muslims have abandoned Islam. They have not lived by Islam. Our effort is to make them live and abide by Islam. As soon as they start abiding by Islam and living by Islam, these problems will be over. That is a problem you have rightly pointed out. These difficulties have not arisen by observance of Islam. These problems are there because of non-observance of Islam.

Prof. Ahmad: First of all, we must realize that Muslims are also human beings. And no human being is perfect. There are human failings. So, if the value reference is correct, then, you see, you can identify the failings, and not sanctify them. So, if there is sectarian strife, it is not something desirable, it is something bad.

And secondly, unfortunately, in the current global situation particularly, as we are seeing in Iraq, the Sunni-Shia disturbance is not a sectarian problem. They have lived together for centuries and there has never been, I can claim, a single incident of sectarian clash in Iraq for the last thousand or eleven hundred years. Yes, there may be discriminations, there may be differences, but the type of clashes you are witnessing today is totally new. It is has nothing to do with Islam, nothing to do with being Sunni, nothing to do with being Shia. It is a part of a design to divide Iraq and array one group and one leader against the other. So much so that while all the Kurds are Sunni but they are never described as Sunni. So, there are Kurds, there are Shia, and then there are Sunnis! This categorization is very much imposed from the outside as part of the overall aggression in the region.. So, do not look at it as a religious phenomenon: it is primarily a political, and not only political but also an externally implanted, phenomenon.

Dr. Ghazi: I would add to what Prof. Khurshid has said. You see Muslims –Sunnis and Shia – existed in the Subcontinent from the fifteenth century onwards. It was mostly with the establishment of the Mughal Empire that the Shia element was introduced. But they lived peacefully without any difficulty in different parts of the Subcontinent: in Delhi, Lucknow, in eastern India, and in the present Pakistan. There was no difficulty and no problem. The Shia-Sunni clash took place in the Subcontinent after the coming of the British. Previously, there were not very many Hindu-Muslim clashes; there were only one or two incidents in the whole history of one thousand years. Why did the frequency of Hindu-Muslim clashes increase after the arrival of the British? These questions will answer the query.

Barrister Saadia Abbasi: I would like to add to what Prof. Khurshid has said. The issue of sectarian violence in Pakistan is an artificially created phenomenon. It is not possible to go into its genesis within the time we have, but please bear in mind that in Iraq, there was a Shia-majority population and a Sunni ruler. Look at the example of Iran. A Shia-majority population and Shia government, yet there is no violence against Sunnis. So, why in Pakistan? There is a global dimension in it and there is interaction of many factors; that is what you must bear in mind and throughout your career. You will be facing it and you will be addressing it, so do not take things only at their face

value.

Q: My question is to both Dr. Ghazi and Prof. Khurshid Ahmad. You said that Islam is much more than a religion and it also has directions which a society or state are to follow to become an ideal state or society. In the contemporary world, there are many Islamic states, claiming to be Islamic states, so in your view, which are nearest to the ideal?

A: Dr. Ghazi: I can only talk about Pakistan's case. We have combined different experiments and practices. The British pattern, which is common between you, Bangladesh and us, we have inherited in tradition from our colonial past. Our institutions have been fashioned out of it. Then, we have taken something from the American model. Our Supreme Court is the custodian of the Constitution; it is the interpreter of the Constitution. The Parliament has to abide by the interpretation of the Supreme Court and there is a balance between the Parliament and the Supreme Court. This, we have taken from the American Constitution. We have integrated many Islamic principles and concepts in our Constitution: that Allah is the Sovereign; that all laws should be brought into conformity with the Qur'an and Sunnah; that all existing laws should be revised and changed and institutions required for the implementation of Islam should be established; and the State should proactively promote Islamic ideals. These things have been taken from Islam. A combination has been designed which is being practiced. There are failings undoubtedly, but there are achievements as well. So I can say, as a student of contemporary Islam that our model is the most viable model and if it succeeds – and succeed it will, Insha'Allah, though it may take time – it will generate a similar interest in other Muslim countries.

Q: Does Islam support the acts of Al Qaeda under the name of jihad to kill innocent people?

A: Dr. Ghazi: The killing of innocent people is not allowed. The Islamic law of war requires that only those should be targeted who are on the battlefield and who are using arms against you. If somebody is not using arms against you, you are not allowed to use arms against him. If innocent people are being killed anywhere in any situation, it is murder in terms of Islamic law, not jihad.

Q: How do you explain the intolerance shown by the Taliban, which implemented Islamic values in Afghanistan but destroyed Bamiyan Buddhas, which were a world heritage.

A: Dr. Ghazi: Taliban would better explain their position than I do. I do not hold any brief for Taliban – why should I defend their point of view?

Q: Don't you think they were trying to implement Islamic values?

A: Dr. Ghazi: As I said, there could be different paradigms of an Islamic state; there could be different models. Afghanistan is basically a tribal society. It is primarily a society that is different

from Pakistani society. If they wanted to develop their own paradigm or model, we have no objection. We may have a difference of opinion on some of the details and some issues but they are in a better position to defend their paradigm. I can defend Pakistan's paradigm, no doubt, but I should not speak on behalf of a group of people who have not authorized me to speak on their behalf.

Q: My question is about culture. Is there any specified Islamic culture or are there different cultures in different parts of the world?

A: Dr. Ghazi: The culture may be different in different parts of the world but there will have to be some common elements. An Islamic culture would be based on Islamic fundamentals: on the spiritual values of Islam, on the moral principles of Islam, especially concerning the nature of the relationship between sexes, and the nature of interaction between individuals and groups of individuals. Details may be different from country to country and from situation to situation. If you allow me to use a simile, I can say that Islamic culture in different parts of the world is as different as the children of one father and one mother are; it is also as common everywhere as the children of one father are.

Prof. Ahmad: Islam has given some instructions. In case of dress, for instance, Islam says it should not be revealing, it should necessarily cover certain parts of the body, it should be decent, it should be simple and it should not be pompous. After that, any garment can work, whether it is shalwar and qamiz, whether it is trousers and shirt, whether it is jalabiah, whether a turban is worn or not. All the variety is there. In culture, there will always be variety. One unifying factor is the value framework, the value base.

Q: What about artwork?

A: Prof. Ahmad: Yes, why not! Muslims have produced some of the best pieces of art and architecture. They would, however, avoid figurative –human figurative – presentations. Yet, Muslims have articulated their artistic talent in architecture, calligraphy, in geometric art, in the floral art, and in so many other fields. This is a historical reality.

Q: Would you like to say a few words on the India-Pakistan relationship?

A: Dr. Ghazi: First of all, before I answer this question or say something about the future of the India-Pakistan relationship, I must clear one thing: I am not a politician, nor am I an expert on international relations. I am basically an educationist and I teach Islamic studies, although I have held some political office.

I would like to invite your attention to a higher issue: this area houses the largest human assembly or at least the second largest human assembly in one geographical region. In fact, South Asia is one of the most thickly populated regions on the surface of the globe.

We have been living together for the last more than one thousand years and we will go on living together. A life of conflict, hatred or aloofness will do no good to any of us. Our past is common; our future will have to be common. When I say our future will have to be common, I mean our future as independent distinct Muslims and your future as independent Indians or Hindus or Buddhists, etc. Unless we develop an understanding, based on mutual respect, mutual understanding, acknowledgement of each other's positions and rights as human beings, we will not be able to give a peaceful life to our coming generations.

We should come forward to think about it. There might have been some prejudices in the minds of those – with apologies to Prof. Khurshid Sahib –who participated in the Pakistan Movement because those were heated days and there was a charged atmosphere. We are not living in that charged atmosphere any more. We are perhaps in a better position to look at issues dispassionately. There are two ways of looking at things. One, with apologies to my Indian friends and guests, there is a formula every Indian talks about. Whenever I meet Indians, they say, we are one and these boundaries are unnatural and they should be obliterated, and so forth. We are one and we will become one. No! We will not become one, we were never one in that sense. We lived together for more than one thousand years, Muslims remained Muslims and Hindus remained Hindus. Muslims will remain Muslims in future and Hindus will remain Hindus in future. With the acknowledgement of that distinct character and with the acknowledgement of the collective decisions of the Muslims of the Subcontinent to have their own homeland, we should develop a paradigm whereby we can live together peacefully and with mutual dependence and cooperation in the spirit in which it was conceived by Quaid-e-Azam Muhammad Ali Jinnah. As I have often said, the nature of the relationship between us should be like the one between America and Canada. How much time we will take and how long we have to go in that way? I do not know. But our future lies in understanding, cooperation and removal of this unnecessary hatred and conflict. This is how I look at the future of India and Pakistan.

Q: You said that Islam challenges one of the principles of secularism that religion should not be brought into the state and the society. In that context, could you throw some light on – I think Dr. Ghazi has preempted the answer – but my question is how does contemporary Islam view democracy?

A: Prof. Ahmad: Let's consider, what is democracy? The original idea came from the Greeks and the substance was rule of the people. Then, of course, we had monarchy, we had Christendom, while Renaissance and Reformation constitute the next major historical watershed, and the Enlightenment gave us the idea of modern secular democracy.

This system represented a rebellion against God and the Church: its proponents' point was, we should depend on our rationality and our experience, and religion should not have any say in the affairs of the society and the state. It also represented a revolt against the medieval arrangement in which people were irrelevant. The voice of the ruler or the monarch had been the law. Now, the secularists said, no – the focus should shift from all that to the people. So, the sovereignty of the people, or popular sovereignty, became the fundamental principle of democracy. Later, it was translated into a new operational institutional arrangement: in the form of representative democracy, elections, and the slogan "Government of the people, by the people and for the people." As a philosophical base, the sovereignty of the people is accepted to the extent that they are the source of all law and values. And they can change values, if they so desire.

From the Islamic viewpoint, we divide the concept of democracy into two different dimensions. We say that as far as the ultimate source of values and guidance is concerned, it is God, Who is the Source of guidance that is not changeable by the human vote. But within that framework, as I explained in my earlier presentation, there is a very vast area of choice. And in that area of choice, no individual, no group of people, not even the religious people or any family has the right to decide. It is the people who decide. We call it Khilafat: instead of sovereignty of man, we say vicegerency of man; and our system is popular, which means that all members of the society have to be consulted and it is they who should be deciding who should rule, how and what policies should be formulated. Then there is accountability to people. So, in Islam, there are two pillars of legitimacy. One: belief in God and the supremacy of the Divine Law; Two, reference to the people, and their authority to conduct their affairs by mutual consultation. The Qur'anic principle is: Their affairs are conducted by consultation among themselves. This is not just a choice, it is an amr (commandment); it is not recommendatory, it is mandatory.

Shura, or consultation, is possible only when there is freedom. If there is no freedom, there can be no discussion. There cannot be dissent. There cannot be variety of opinions. Shura also means that those who have to run the affairs should be elected by shura, not imposed on people. Then, they should run the affairs by shura. So, rule of law, fundamental rights of freedom, right to differ, change through people, all this is integral.

I would say the Islamic concept of democracy has a vast area of commonality with the contemporary human experience at the operational institutional level. At the level of principles too there are common points, like the rule of law, right to dissent, freedom—even separation of powers – between the judiciary, legislature, and the executive. But where we differ is: we do not concede to the people, to ourselves, the right to change the Divine Law. So, there is democracy, it is not merely compatible, it is mandatory. The ideal period of the Righteous Caliphs (Khulafa-e-Rashdeen) was democratic, but there was deviation and there were efforts to restore that and, in the contemporary world, we are trying to see how these ideals can be actualized in our own

context.

Barrister Saadia: I would just like to add that yesterday we had a very good lecture by Mr. Anwar Ibrahim, former Deputy Prime Minister of Malaysia, on “Democracy in Islam.” There was a general consensus that there is no incompatibility between democracy and Islam, and Islam is about justice and equity and giving the due rights to the people. In fact, the problems of the Muslim world are the problems of denial of those rights to the people. That is why we have the problems that are there in the Muslim world today. When you deny people their basic rights, you are denying them their Islamic rights.

Q: My first question is regarding Fidaeen attacks, which ususally cause collateral damage of so many innocent lives. Does Islam give that blank injunction wasting the lives of innocents and is the highest purpose of that jihad served through Fidaeen? The second is that, even in the Qur’an, there are some tempting verses where Paradise or Janna are described in beautiful terms and it is said people who die for the cause of jihad will be rewarded in Heaven with all the beautiful pleasures and all the essentials. So, does it not give an incentive to die and does it not imply that human life is very cheap?

A: Prof. Ahmad: Thank you very much. This is a very topical question, thank you for it.

Suicide bombing is not something new. If you read history, you will find that more than two thousand years back, historians relate there was a group of zealots, and this group had a Jewish background, who was the first suicide bombers in history. In contemporary history, you must have heard that the Japanese in the Second World War used this [suicide bombing] as an instrument of war. If I remember correctly, there were about 700 and they destroyed some 200 American vessels. After that, if you read about military strategy, you will find there is a portion called “Suicide Mission,” which is part of military strategy. And if you read the latest studies on this subject, two very important books have come out: one is from Oxford, My Body is My Weapon, and the other is an even more important study from Chicago University Professor Roger Dutt, Dying to Win. This is the most valuable and scientific study on the subject. The author has made a complete profile of all suicide bombings from 1980 to 2003. There are some very interesting findings. Dutt comes to the conclusion that religion has nothing to do with suicide bombing. The analysis shows that 95 percent of individual bombing occurs owing to a strategic secular purpose. Those bombers, out of desperation, are prepared to sacrifice their lives. The author says that as long as there is injustice and occupation, and there is no way out for the grievances to be corrected, it becomes a kind of imperative act.

If you read Huntington’s Clash of Civilizations, a flawed book with some insights, he says that “Terrorism is the weapon of the weak against the strong.” If the strong are not prepared to offer themselves to any law and justice then what option do the weak have? When there is a clash

between an ant and an elephant, there is no comparison, until the ant travels into the trunk of the elephant. It would be an interesting situation then for the elephant to call the ant a suicide bomber! So, I think you have to see things in their contexts.

As far as the religious position is concerned, as Dr. Ghazi rightly explained, the killing of any innocent human being, indeed, killing yourself as well – in Islam even suicide is not permitted, what to speak of suicide bombing – is forbidden, because Islam believes that your body has been created by God. It is an amana (a trust). You can use it for certain purposes, but you cannot destroy it. Even the Islamic concept of property is very different. In the Anglo-Saxon law, you can acquire, sell, or destroy property. Islamic law says you have the right to acquire and to use, but you cannot destroy it. The right to destroy is not part of the right to own. So suicide is prohibited in Islam.

But if people are in a desperate situation, they depart from the law. And I would like you to read the interview of the spokesman of Hamas, published in Newsweek. He was asked this question pointedly, and he said I will be honest with you: we regard it haram in Islam, but we are under occupation, a state is unleashing unlimited terror on us, thousands upon thousands are being killed and we have no way to redress. And all our appeals and efforts are dismissed.

Yes, Islam does not deny the demands of human nature and the pleasures of life. It also mentions pleasures in Jinnah, and the highest pleasure is the spiritual elevation and the blessing of seeing God.

Further, I would not add much to what my brother Dr. Ghazi has said and he is very right about that the earlier question about the Taliban, which should be addressed only by the Taliban. But, had they been here, they might have said: Yes. Perhaps we committed a mistake because Muslims have ruled Afghanistan for twelve hundred years and these statues were there. In Pakistan, there are hundreds of Buddhist statues. But didn't you commit a crime too when you demolished Babri Mosque?

Q: in text books on Islam, 'peace be upon him' is written after the name of Prophet Muhammad. Is that a religious requirement?

A: Prof. Ahmad: Whenever the name of any Prophet is mentioned, you should pray that Allah's blessings and peace be upon him. This is not just the case with the name of Prophet Muhammad (ﷺ), but whenever we say Adam, we also say Alaihissalaam – Upon him be peace), Musa Alaihissalaam, and Eisa Alaihissalam, i.e. we pray for them and pay our respects. In the same way, we say: Peace Be Upon Him – Sallallahu Alaihi wa Sallam.
