CHAPTER - 5

Islam and Contemporary Issues

Democracy

Throughout human history, many forms of political organization have been seen, such as kingship (rule of a king), aristocracy (rule of a body of nobles), oligarchy (rule by a small group of people) and democracy (rule of the people). The trend towards political organization which has received acceptance in the modern age is democracy. Democracy is an important concept of the contemporary world. Etymologically the term democracy originates from the Greek words, demos meaning people with kretin which means rule. As such it literally means the rule by the people in the modern age as against rule of kings of the traditional age.¹ Democracy has varied meanings.²

The Oxford English Dictionary defines democracy as a system of government by the whole population, usually through elected representatives.³

Democracy is a kind of government in which people’s representatives manage the socio-political affairs of society. This structure is a natural system and according to Islamic Scholar, Maulana Wahiduddin Khan, Islam is a religion of nature, and so democracy is compatible with Islam.⁴

Generally, democracy can be understood as the rule of the people, by the people, for the people. The reality, however, is that power is in the control of a group of elective officers as representatives who may be upheld or removed by the people, termed as popular sovereignty as against monarchical sovereignty.⁵ There are conflicting views on the Islamic perspective of democracy. So, scholar will strive to find Islam’s view on the concept with respect to Islam’s original sources-the Quran and Sunnah.

⁵ Rousseau, J.J(1968); The Social Contract(Tran.Cranston, Maurice.).Delhi,Delhi:Penguin Classics (P.44).
Certain traditional Muslim scholars are of the view that democracy is against Islamic principles. Hasan al-Banna (d.1949) who founded Muslim Brotherhood stated that Democracy is like cheating Islam and the only solution is to have an Islamic System. Abul Aala Maududi (d.1979), of the Indian subcontinent; Syed Qutb (d.1966) of the Egyptian Muslim Brotherhood; and Hasan al-Turabi (1932-2016), an Islamist Sudanese political leader consider democracy to be a western innovation that is against the Islamic principles. They are of the opinion that Islam gives the call to establish a Kingdom of God on earth, described as a theocracy (also referred to as Islamic theocracy or Islamic Theo-democracy or Islamic democracy). This they consider to be based on the principle of God’s sovereignty, man’s vicegerancy (khalifah) and governance by an elected body based on the concept of Islamic Sharia as opposed to secular democracy based on popular sovereignty. Noted poet Muhammad Iqbal said that nation (watan) is Islam’s cloak (kafan) by which he meant that the concept of nationhood is death of Islam. Since Muslim community around the world is called ummah so it cannot be confined to a territory. However, Maulana Husain Ahmed Madani, a theologian believes that concept of ummah is to be construed as in religious category and nation to be understood under the confines of geographical territory.

But many other scholars consider Islam to be completely compatible with democracy. Louay Safi, a Syrian-American scholar of Islam and the Middle East, considers Islam to be a set of ideals that uphold the equality of people, the accountability of leaders to the community and respect for diversity and other faiths, thus emphasizing that Islam is well attuned with democracy. Legal scholar L. Ali Khan argues that Islam and democracy are absolutely compatible with one another. Maulana Wahiduddin Khan (b. 1925), an Indian Islamic scholar considers democracy not only to be compatible with Islam, but states that Islam started the

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process that later culminated in modern democracy.\(^\text{10}\) John L. Esposito (b. 1940), an American professor of International Affairs and Islamic Studies and John Voll, Professor of Islamic History opine that the Islamic thought has adopted the essence of democratic spirit with concepts like Shura (Mutual consultation), Ijtihad (Independent Interpretation) and Ijma (consensus).\(^\text{11}\) As per Esposito, democracy exists in the Muslim world even if the terminology of democracy is not used.\(^\text{12}\)

**Islamic Perspective of Aspects of Democracy**

After an initial analysis of the scholarly views of Islam and democracy the Scholar looked into the Islamic perspective of various aspects of democracy. Ahmad Moussalli, Professor of Political Science at the American University at Beirut, is of the view that the Quran supports democracy in its concepts of Shura (consultation), al-huquq-alshariyya (legitimate rights), Ijma (consensus) and al-hurriyya (freedom).\(^\text{13}\) To analyse the phenomenon scholar looked at the Islamic perspective of equality, freedom, secularism, practical governance and peace. The analysis follows is as mentioned below.

1. **Equality:** Equality, which considers every citizen to be equal in front of the law, is an integral aspect of democracy. It is the right of each citizen of a nation-state to participate in the governmental and societal processes. Democracy can, thus, be defined as a conception of government which holds that the state should be administered by all the people, equally sharing the privileges, duties and responsibilities and each participating in person in the government.\(^\text{14}\) The Egyptian scholar Qasim Amin (1863-1908) supported the active participation of all citizens, including women, in matters of public concern, hinting at equality in democracy.\(^\text{15}\)

That equality is integral to Islam and can be understood from what Prophet Muhammad announced in his Farewell Pilgrimage that Arabs, black or red people do

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not have supremacy over others and vice a versa and that all are equal. All are born of Adam and Adam was born of the earth. (Hadith No 2700, al-Silsilah tus Sahiha lil-Albani). As such equality, which is integral to democracy, is one of the pillars of Islam.

2. Freedom: The concept of freedom is bedrock of democracy. This includes the freedom to think and to express, be it distinct from others. It gave rise to the thought that democracy ushered in freedom of expression in the world. Asghar Ali Engineer (1939-2013), an Indian reformist-writer and social activist, considers Islam to have evolved the concept of full freedom of the conscience and religion. Maulana Wahiduddin Khan affirms that Islam was a key contributor to the history of thought that removed persecution and ushered in the era of enlightenment. It was found that Islam is in complete consonance with the concept of freedom.

In a Democracy, citizens have the right to consent, dissent and express freely and Islam confirms to these ethics, in fact it is important to note that dissent is not a taboo in Islam. There is the general view that Islam considers the abuse of the Prophet Muhammad a blasphemy, and the verdict of death can be announced for it. This Scholar found this practice a result of gross misinterpretation. It was found through Quranic sources that the Prophet’s contemporaries spoke abusive words against him. They went to the extent of labelling him as a man possessed (15:6) a liar (23:24) and a forgerer (25:4). While referring to these incidents, the Quran does not give the command to kill those who abuse the Prophet. On the contrary Quran tells us that the Prophet and his companions always ignored the abuses and provocations and responded them with counter arguments and not physical retaliation.

An incident during the time of the Prophet Muhammad at Medina confirms this. It is narrated that once a poet of the polytheistic tribe visited the Prophet to convey his thoughts on polytheism by reciting couplets. The Prophet gave no instructions to punish him. As per tradition, the Prophet sent for Hassan ibn Thabit, also a poet, to respond to him and said, Hassan, rise and answer this man. Then Hassan stood up and answered the poet by reciting couplets. (Hadith, Al-Bukhari, No. 453) At many

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instances people spoke against the Prophet of Islam. He never issued edicts to have them punished. He just asked his companions to respond to them on equal terms, a book for a book; a speech for a speech. So, if a response to an argument has to be given then it should only be done by giving another counter argument and nothing beyond that. From this example we can see that Islam allows criticism, dissent and freedom of expression to the last extent.

Criticism is constructive and is considered important. This can be seen in the words of Umar ibn al-Khattab, the second Caliph who prayed for the blessings of God to any person who tells him about his weaknesses. It is a fact that the right to dissent, criticism and freedom of expression are key principles in democracy and these principles were followed by the Prophet Muhammad as by his Companions.

3. Secularism: Secularism as a modern political and constitutional principle involves two basic propositions which is a corollary of democracy, primarily, the segregation of religion and politics. It essentially means that a nation-state cannot discriminate against citizens on the lines of religion or faith. With the coming of the modern age democratic societies became more pluralistic, with a multicultural and multi-religious citizenry. There arose the need to differentiate between the religious and the worldly affairs. Hence, this is how secularism is envisioned in the modern age: to differentiate between the worldly affairs (social and political) and the religious affairs.

While secularism is a modern principle, roots of secularism-the delinking of religion and politics were found to be in Islam. When Prophet Muhammad started his mission in Mecca in 610 AD there was a tribal parliament called the Darul Nadwa. The Prophet made no stake or claim for a seat in it, even though his grandfather and uncle were leaders of the tribe. When the Quraysh offered him political rule in exchange for giving up his religious mission, he refused by saying that God did not send him for this task. The Prophet of Islam accepted the regime of the Quraysh without any confrontation so that civic duties were discharged unhindered. This strategy not only helped in the betterment of the citizens but allowed disseminating the message

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19 Ibn Jauzi, *Seerah Umar ibn al-Khattab*
peacefully. Therefore, Prophet was able to continue his work during his 13 year stay at Mecca. His Companions followed the Prophet and continued to propagate Islam while leaving governance in the control of the Quraysh. This is the principle of secularism giving each citizen equal rights in relation to religion and social affairs, while leaving politics to the government in power and to the democratic process. It is an effective way for people to progress in their respective fields.

4. Mutual Consultation: Yusuf al-Qaradawi (b. 1926), the Egyptian Islamic theologian argues that Islam and democracy are not compatible as power belongs to God so acceptance of God should be a precondition in democracy and therefore democracy is only secondary to the belief of acceptance of God. Democratic elections are, therefore not in consonance with Islam and there should not be any statutory or judicial bodies since role of the religion is to make the law. Fethullah Gulen (b. 1938) counters this by stating that during the time of first four Caliphs (632-661), the basic doctrines of government mentioned above including free elections were fully observed.

It was hence established by the scholar that free and impartial elections of democracy are exactly in accordance with the teachings of Islam. A verse in the Quran in chapter forty-two and verse number thirty eight refers to people as those who conduct their affairs by mutual consultation. This verse explains the shura principle of Islam which means acceptance of the opinion of the majority in worldly matters. The concept of holding free and fair elections was found to be part of the shura process. So, basically in every social issue Muslims are guided to follow the method of mutual consultation. The methodology is to arrive at a consensus and settle the matter with the help of decision taken by the majority. Democracy is nothing but another name for the rule of majority, and the same principle is accepted in Islam.

The Prophet of Islam always adopted this principle in every matter. Whenever he faced a situation or problem, he would gather people and invite for their opinion, and

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the matter would settle only after his discussion with the companions. Even if the opinion was not in conformity with him still sometimes, he would go with the opinion of the majority. He once said that as you are so will be your rulers. (Al Baihaqi, Hadith No. 7391)

The hadith tell us that the government will be formed by people’s opinion and that the democratic process will determine who will be the ruler of the nation. It is not the individual but opinion of the majority which will form the government. The well-known dictum of democracy is also accepted by Islam that says: Government of the people, by the people, for the people.

It is very important to know that khuruj is unlawful in Islam. Khuruj means political revolt. If a government has been established by a democratic process, it has the right to rule up till the specified term. No person or group has the authority to launch a movement to unseat the government.

Chapter two and verse number two hundred and fifty-six of the Quran says that there is no compulsion in religion which means Islam believes in discussion and not in coercion. This principle without exception is applicable in all fields of life, religious, secular and even politics.

Islamic state is not a theocratic state purpose of which is to establish the rule of a religious dynasty. Islam does not subscribe to the notion of religious rule as there is no scope for such a dynastic rule, neither in terms of family nor in terms of clergy. Rather, Islam differentiates between religious creed and political system. According to Islam, religious creed is subject to its eternal teachings. Islam does not compromise in religious belief which is the ideological part but political part in Islam is practically a secular system and hence not part of a religious structure. If the society is a society of believers, then the government will be formed according to their belief; but if the society is a mixed society or is not ready to accept religion in political affairs, then Islam will adjust to the social will.25

5. Peace: Democracy is deep-rooted in peace. In 1964 Dean V. Babst (1921-2006) postulated the Democratic Peace Theory that postulates that democracies rarely fight other democracies, meaning that peace is a corollary of democracy.26 That is why


peace is considered greatest good in the contemporary world. The modern world is replete with activities for the establishment of peace.

Islam gives emphasis to the concept of peace. In fact, the very word Islam is derived from the Arabic word silm which means peace. One of God’s names is Salam or peace. The Quran talks of Prophet as being sent to mankind as a mercy in chapter twenty-one and verse number one hundred and six. The Prophet enjoined believers to welcome each other by saying Assalamm-o-Alaykum meaning peace be upon you. This shows that mutual relationships should be based on peace and well-being.

The Prophet of Islam not only gave the guidelines for peace but also gave to the world a model of how to achieve peace by demonstrating his negotiation of the Sulh-e-Hudaibya or the Hudaibya Peace treaty with the Quraysh.27 One could see that the highlight of the treaty was its emphasis on establishing an atmosphere of peace. This could be understood from the fact that that Prophet unilaterally accepted all the conditions of the Quraysh to obtain this 10-year no war pact that would allow the Muslim community to work towards the positive goal of dissemination the teachings of Islam. In chapter forty-eight and verse number one Quran mentionsthe treaty to be a clear victory precisely for this reason. Because of the peaceful atmosphere, in about two years the Islamic community grew from a mere 1400 to more than 10,000 people and Muslims peacefully entered into Mecca and took control of it.28 Through this example the Prophet of Islam emphasized the importance of peace and how it is essential in bringing about fruitful results.

M.T Ansari says that more than political legality, Islam gives far more precious thing which is the spiritual and ethical values. These values are great contributions to the contemporary world as it shares the Islamic vision such as equality of all men and women before God and the principle to follow the law of the land. Such humanistic traditions can only be possible in a democratic set up. A newer generation of Muslims can succeed if they relate this vision of Islam to the contemporary

democratic set up. He says that Islam can survive if this vision is emphasized and the medieval image of Islam is shunned.  

Comparison of Liberal Islamic View and Conservative Islamic View:

The liberal view was influenced by Muhammad Abduh (1849-1905) an Egyptian Islamic jurist, religious scholar and liberal reformer and also regarded as one of the key founding figures of Islamic Modernism. According to him Islam does not conflict with the secular perspective and the role of Islam is to purify one’s soul and make it God oriented. The other role it plays on the worldly side is of secular one, so according to him government should be made on the foundation of modern reasoning. There are basically three concepts which are attributed to this liberal Islamic view that is, (Mutual consultation), al-maslahah (Public interests), and adl (Justice). Referring to each one of them he further says that Shura has been mentioned in the Quran wherein God instructed Prophet to consult with his advisors so scholars opine that this should be used as a principle to elect the representatives. The second concept which is Maslahah pertains to doing those things which are good for people and avoiding those things which are detrimental to the welfares of the people. Here the determination of what is good and what is not should be done through Shura. Also, for proper functions of democracy he says tolerance, and equality among Muslims and non-Muslims is required in matters of civic rights and duties. Another aspect which shows democratic fabric is that people should not pass judgement on other people religious beliefs so justice should be observed. Another important liberal thinker was Muhammad Imarah an Egyptian thinker who says Islam is far from being a theocracy and that it distinguishes between religious and worldly affairs. His framework on democracy is mainly based on the principle of distinction and not separation between political and religious aspects of the state. So, political authority should be the domain of those who can conduct the rule as per the requirements of the time and as per the Islamic framework. Imarah goes to the extent of saying that it is un-Islamic and tyrannical if both religious and political aspects are mixed.  

The Conservative Islamic view is of Syed Qutub (1906-1966) of Muslim Brotherhood who considers democracy as Modern jahiliyah and therefore un-islamic. According to him Islamic political system is the right system which rests on three pillars that is, Justice on the part of rulers, obedience on the part of the followers and consultation between followers and leaders. According to him Sharia is the source of both worldly as well as non-worldly affairs. So, if a social system is based on Quran and Sunnah then it will help in the implementation of the sharia and finally establishment of the Islamic State. Therefore, according to him this is the ultimate goal of Islam and not democracy. Another view which corresponds with this view is of Hasan al-Turabi (b.1932) an ideologue of Sudanese Islamic National Front and a thinker who believes that all Muslims should unify and use Tawhid (oneness of God) and Shura to set up political or social system. According to him Shura here is not like other scholars take which is discussion and dialogue, rather it represents ultimate sovereignty of God as embodied in the Quran. So, it differs from the democracy which represents the ultimate sovereignty of the People. According to him democracy helps in concentration of power and wealth in few hands which benefits only the elite and not the whole lot. Secondly it will always hinge on the limited reason of humans and therefore democracy will always fall short of perfection. This however would not be the case if we follow the shura and tawhid process of political system.31

Both the above examples show that even though their thoughts resemble elements of Modern democracy in terms of desired results but even after influencing the intellectuals in the Arab and Muslim world the outcome is totally different. None of them or their followers were able to produce a workable political theory and, in this sense, the conservative view is totally baseless and not as per the Islamic tenets.

**Acceptance of Democracy is Islamic**

According to Asghar Ali, Muslim countries should accept democratic way of governance which should confirm with the Sunnah and the Spirit of Quran. As against this, military or dynastic rule or dictatorship runs contrary to the spirit of Islam. This can be seen from the administration of the Prophet Muhammad who gave

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full freedom to people of all faith and legislatively implemented the same through the covenant of Medina. Asghar Ali further says that in the beginning period of Islam there was no formal political theory as the concept of state did not exist and tribal chiefs and later Prophet of Islam managed affairs through discussion. So, in this sense to advocate a policy of Islamic state is incorrect. Many theologians claim that religion and politics cannot be separated and democracy or secularism should be rejected however we clearly see successful examples like Turkey and Indonesia which is both secular and at the same time democratic, it is not politically managed like an Islamic State.

Liberal democratic government pursue people’s satisfaction and Religious Government pursue God’s satisfaction and therefore both is not possible in a secular environment but Mahmoud and Ahmad Sadr feel that they are both possible and in fact task of religious government is much harder in a secular environment. For a democratic government common sense becomes the arbiter of society’s problems while a religious government would refer to religious interpretations and not judge things on independent terms. So, if the society is secular a democratic government is the way but if the society is completely religious then also democratic government would be appropriate unless the religious government can partake collective wisdom and respect human rights, that is, it maintains the balance between God’s satisfaction and People’s satisfaction which may not be attainable.

According to M. Siddiqi all the elements of modern Democracy like liberty, natural justice, separation of powers, checks and balances, social contract, rule and equality of law, well-being of the people and sovereignty of the God were known to Muslims from the earlier times and therefore there is no issue with respect to democracy in Islam within its framework.

In fact, Political structure of Islam, he says is a perfect form of democracy. It is based on three principles that is Oneness of God, belief in Prophet hood and caliphate. While Oneness of God also known as Tawheed and Prophet hood is well known and clear to all, by Khilafa he means “representation” that is representative of God. So

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here no individual, class or dynasty can be khilafa and it is bestowed on entire community as a whole so each member of the society enjoys the rights and is equal. All the members would participate in forming the state so we can see that it is similar to democracy as is understood in the modern sense.\textsuperscript{35}

Dr. P. Quereshi says that a civil society has never flourished in an authoritarian rule and can only make Muslims more reactionary as they feel oppressed. In a democratic set up Islam becomes a source of tolerance, peace, freedom, justice and will bring peace and prosperity to the entire world in general and Islamic world in particular.\textsuperscript{36}

The relationship between Islam and Democracy is debated mainly due to the belief of some Islamist who says that democracy is a western concept which makes people sovereign. This is akin to idolatry as in Islamic belief sovereignty belongs to God; however, many prominent intellectuals and groups argue that Islam and democracy are not only compatible but democracy is the requirement of Islam. He cites Iran’s earlier President Mohammad Khatami who said Muslims do not need to copy the non-Muslims but today’s Democracy is suffering from major vacuum of spirituality which only Islam can provide. Ali Shariati who was known as Iranian revolutionary in the sociology of religion says that separation of politics from religion creates a vacuum which leads to moral erosion and leads to misuse of power by the state and he gives the example of Baath party of Sadam Hussein in Iraq. Another Sudanese intellectual, Abdelwahab El-Affendi says that no Muslim questions the sovereignty of God or the Sharia but it is only about one-man assuming sovereignty which becomes the problem. According to him principle of Tawheed (Oneness) itself requires a democratic principle as all humans are created equal and any system that denies it is not Islamic. Another important thing to take note of is that the concept of caliphate has been developed after the death of Prophet Muhammad. Mostly people take caliph in the sense of Monarch but caliph in Arabic has a different meaning as mentioned in the Quran. The word caliph means more in the sense of trustee or trusteeship outlining the responsibilities as creation of God. Islam is therefore not incompatible with democracy and global peace can be best achieved by promoting the spirit of democracy. President Bush testified this when he stated in his speech during the 20\textsuperscript{th} anniversary of the National Endowment for Democracy in


Washington D.C. on November 6, 2003; he said that Islam which is faith of one fifth of humanity is in conformance with democratic tenet. Even Prophet Muhammad applied democratic principles when he established Muslim community 1400 years ago. The concept of Bayah (Voting) and the concept of Shura (which means consultation) which were two principles applied in a democratic way to choose leader. Abu Bakr was the first elected Khalifa who was elected by all his companions after much debate and discussion. His election demonstrated the acceptability of the democratic system for choosing the head of the state.

The roots of this misconception that Islam is against democracy lies with dictators who propagated this false notion primarily based on their own political interest. They did not want Muslims to become aware about the True teachings of Islam. There were mainly dynasties like Mughals in India, Abbasid in Baghdad and the Turks who were mere rulers and did not conduct their affairs strictly on the principles laid in Quran and Sunnah.37

While Islam may not have used terms like freedom of thought and speech, peaceful living, secularism and democracy but Prophet Muhammad and his Companions followed the same principles in their lifetime. So, we can convincingly say that Islam and Democracy are very much compatible.

SECULARISM

The definition of Secularism means that religion does not interfere in the matters of government, public life or education system of the society.38 Secularism maintains the fabric which is non-religions. Secularism is derived from the latin words aeculum, that originally meant age or generation in the temporal sense. In later period it got related with matters of this world as against spiritual subject pertaining to Paradise. Secularism or the Secularization process derives from the European historical experience. It meant the gradual separation of religious and non-religious aspects of life. It started with a process that developed in England in the sixteenth century with

the transfer of political power from the religious arena to the state and legal cases from religious to secular courts.\textsuperscript{39}

So basically, it means no interference in religious matters. Essentially it meant that worldly and religious affairs are not against each other but are mutually exclusive. A secular state would confine itself to political matters that pertain to society at large and give total freedom to every individual in matters of religion. According to Dilwar Hussain who is an Associate of the centre of Islamic Studies, Cambridge University and Founding Chair of New Horizons in British Islam, secularism is very important for Muslims in the modern world. Muslim world has been historically responsible for many scientific inventions and is credited with intellectual revolution in Science, Mathematics, Chemistry and Astronomy, geography which later on stagnated and was followed by renaissance in Europe in the 17th Century. So, a modern world provides not only democracy, equality but also freedom which is well understood by Muslim world. Also, a greater call in the present times have been given for renewed thinking (ijtihad) and reform (islah) in the Muslim world which is increasingly being seen as a positive development in the Islamic world and gathering momentum\textsuperscript{40}

\textbf{Is Islam against Secularism}

M.T. Ansari in his book mentions that fundamentalist believe that with modern technology and science, Islam can assert itself as a rival ideology to the notion of modern secularism. But the moot point missed by them is that the present technology and science is itself a product of secular ideologies and of contemporary social-economic relations. So essentially what fundamentalist are doing is akin to putting horse before the cart. He further writes that Muhammad Abduh (1849-1905) an Egyptian Islamic jurist, religious scholar and liberal reformer and also regarded as one of the key founding figures of Islamic Modernism declared that the caliphate as an institution is not an essential part of Islamic dogma.\textsuperscript{41}


According to well renowned Islamic Scholar Maulana Wahiduddin Khan, the modern definition of secularism is completely compatible with Islam and Prophet Muhammad gave the same practical concept. The earlier history was marked by persecution for women, people were not being allowed to practice their religion as it conflicted with the state religion, so when modern scientific discoveries were made, the world shifted to secular thought where person from every religion participated on modern issues like urban infrastructure, city planning, and modern agriculture-based irrigation. All this required complete freedom with no restrictions being played by religion and hence clear distinction emerged between religion and worldly affairs. State took control of all non-spiritual based affairs and individuals were given freedom to practice spiritual and religion-based activities.42

In the book ‘Islam and the state’ P.J. Vatikiotis says secular policy does not make the state and Islam exclude each other as contended by many hardliners or militant radicals. In fact, state will still involve religion for its own purpose while still appealing to international dynamics. He cites Husayn Ahmad Amin who is an Egyptian writer who draws a parallel on the case of secularism in Christianity vs Islam. He says that secularism is the result of free human knowledge and that how Averroes’s (Ibn Rushd) famous tract Fasl al-maqal fi ma bayanal-hikma wa l-sharia min al-ittisal influenced the thought of thomas Aquinas, followed by Duns Scotus and William of Ockham which helped to separate faith from science. Cartesian rationalism and the new age of seventeenth-century science marked the end of Middle-ages and church monopoly. Machiavelli in the renaissance established the right of the ruler to govern independently of the church. Luther and Calvin of the protestant and reformation movements and the European enlightenment which followed gave a new important role to science against the church and proclaimed a triumph of secularism and secular Christianity. Husayn Amin further adds that Islam did not have church like institution and faith being simple did not require any interpreters. However, despite this, religious interpreters emerged as defenders of faith and developed Sharia mainly to control the community.43

One important thing to be understood is that the secularization process in Europe was gradual and evolved with the socio-economic development where as for Islam

secularism as an ideology was exported from outside contributed by Imperialism which was initiated at the beginning of the nineteenth century. So, this in sense meant that the intellectual roots of secularism in Islam was weaker than the west as it was more like a top down process as against the bottom up process of west. Another key issue with respect to secularization in Muslim societies was the status of women. The educated and modernized Muslim society advocated for greater freedom for women besides removal of veil which saw the conservatives fuming and linking it with the foreign influence.\textsuperscript{44}

The problem became grave when so called Radical leaders who kept referring to the glorious past of Islam started to recruit young minds for their cause. This was easy for them to do so as the glorious past of Islam contrasted with the disarrayed system of the present which showed umma (Muslim community) to be deviated. So according to Husayn Amin there is no incongruity between Islam and Secularism, rather historical experiences and events shows that being different has only given rise to elite community which project itself as defenders of religious tradition and oppose any change brought about by science and human knowledge. He says that if this link is broken then Islamic movements which are militant would on its own reduce. He concludes that there is no need of Islamic State and it is wrong to say that it is needed for Muslims and Islam to survive.

Vatikiotis writes that this contrasts with the opposite belief of well- known Abu al-Hasan Nadvi who has influenced radical ideologues like Sayyid Qutub. Abu Al Hasa Nadvi explains the phenomenon of decline of Muslims mainly to their loss of political power and that in no way Islam can be subordinated with the creed of other faiths. According to him Islam is a superior religion which shows his opposite stand on secularism.\textsuperscript{45}

But Muslim secularists like Muhammad Husayn Haykal and Taha Husayn were for secularism in 1920s and in 1925, Ali Abd al Raziq, an ulama argued that Islam permits freedom of opinion and tenets of Democracy and does not support Political system in Islam. This created opposition and contributed to the creation of the fundamentalist outfit that is, Muslim Brotherhood founded by Hasan Al Banna. He


called for the implementation of the sharia and condemned the western system which was accused of promoting socio economic inequality. This led to arguments between the supporters of secularism with Haykal bringing in the attention of ulama to the period of Rashidun (Caliphate period) that no organizational model was left for progeny to follow but rather principles were emphasized which could be applied to changing situation of times. In some occasions these confrontations have led to killing of the secular sided leaders like it happened with Anwar Sadat leader of Egypt who was assassinated in 1981.

However devout Muslims who have been educated in universities find themselves caught in these conflicts as they themselves prefer secular culture as it promises them freedom of expression and democracy. But as per fundamentalist, freedom of expression should be within the confines of Islamic boundaries and the western concept promotes moral and social corruption. In Islam secularism has rather been given religious sanction as can be seen from the hadith Sahih of Imam Muslim, which says that whatever Prophet advised in affairs of religion, it should be followed in letter and spirit but in worldly matters there are free to adopt what is best. This came from one of the incidents which is reported by Prophet’s wife Aisha who said when Prophet heard about manual pollination of the tree, he remarked that it should be avoided. This resulted in dates not maturing properly which was reported to Prophet who then said to manage their worldly affairs themselves and follow him only in the sphere of religion matters.

Maulana Wahiduddin Khan throws light on the hadith saying that Islam is a practical religion as it differentiates between religion and research related matters. In religious matters divine help came to him as revelations which he then imparted to mankind. But in areas of research or worldly matters experience and freedom of enquiry decides the course forward. The revolution in technology and science is a result of this practicality. Therefore, Prophet remarked that in worldly matters people know

best but for religious matters they should consult him so he was able to separate the
two and this separation is the fundamental principle of secularism.48

So there is no clashing between religion and secularism rather they both go hand in
hand without any conflict. This is so because secularism better the worldly affairs
and religion tries to make an individual a better person of the society. As per Islam
the religion cannot be changed as the ideology is permanent how ever in worldly
affairs different situations warrants adoption of practical approach and to avoid
confrontation both in social and political matters. This is the Islamic concept of
secularism which basically means individual idealism and political secularism.

Quran talks about how democratically matters can be resolved as mentioned in
chapter three and verse number one hundred and fifty-nine advising to do
consultation, yet in another chapter forty-two and verse number thirty-eight Quran
says that those who consult among themselves will find the best path. The teaching it
gives us is that in matters of worldly affairs ‘consultation’ should be considered and
for religious matters Quran should be consulted.

Ibn Khaldun, renowned Muslim historian in his historical book the Muqaddamih, an
introduction to History showed how shift happened from Caliphate to Monarchy. In
chapter twenty-five he states: ‘religion as the steward of people’s otherworldly
affairs whereas political laws govern the expediencies of this world’. Such a
definition outlines clearly the distinction of secularism and more so as Ibn kahldun
speaks about religious politics. He further says that governing the lives is possible
without religion and Prophets and refutes the Shiite’s claim about imamat to be one of
the principal pillars of Islam just like governance is domain of the people. He also
writes that the four caliphs during their rule reflected on religion but the Umayyad
and Abbasid dynasties completely transformed the caliphate to absolute monarchy
with focus on accumulating power and indulging in base desires.49

Books. (P.30)
49 Ganji,A.(2015, January 27). Why Secularism Is Compatible with the Quran and Sunnah- And an
‘Islamic State’ Is Not.(Babaei,A.N, Trans.). Retrieved from website Huffington Post.com from

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Why Islamic Government is Not acceptable?

Akbar Ganji Dissident Iranian journalist; Intl. Press Association World Press Freedom Hero further makes a creative point that Islamic government is not an acceptable idea as detailed below:

1. The first is management which has no relation with religion and Islam. Management requires experience and scientific training which equips a person to acquire skill sets and gain knowledge with practice.

2. The second is planning, which again no religion including Islam has a role as part of its ideological give away. The planning again is a result of science and knowledge.

3. The third is societal and moral values. So moral values like justice, Good and Bad, Peace, freedom are independent value system which is further confirmed by religion. If religion does not confirm with such values then it will not receive any respect. So, religion should support development in order to be in conformance with its significance.

4. The fourth is the Fiqh [Islamic jurisprudence] or Sharia. This is the aspect which Islam or any religion is required to manage the affairs of the society in the domain of laws or legal system. But here also they may have laws which concern with worship which has no relation with running of the society or its administration. Secondly, they may include those laws which pertains to period before the prophet and may deal with culture of that time. Thirdly the religious jurisprudence is not the law and to say that would be incorrect.

Therefore, in the light of the above he even says that the Islamic Republic of Iran, Saudi Arabia, Pakistan, and ISIS cannot be considered as Islamic governments. The reason is that Islam has not laid out any process on how a government should be formed. In Islam secularism has left it to the Muslims to form and run the government on the collective wisdom and consultations. Controversial issues like abortion, homosexuality, capital punishment, etc., cannot be decided on the basis of
the Quran or the Sunnah, as here the law must take course on the basis of rational and public opinion.50

Here it is also important to understand that modern secularism is also in consonance with Universal declaration of Human rights which is adopted by all the countries of the United Nations Organization. This is in total accordance to Islamic teachings as Islam advocates for complete freedom which is the fundamental principle of secularism to disseminate one’s ideas. So, in a way Islam endorses secularism and vice a versa.51

Here it would be relevant to see the example Prophet followed as a political formula. Prophet of Islam refused the political position in Mecca when he was offered as the head of the state. He knew that Muslims were in tiny minority so it was not possible to establish Islamic rule. When he was in Medina, he issued a Medina declaration that for Jews their religion, for Muslims their religion. He did not implement Islamic Laws in this first period. Only in the second period he implemented Islamic Law when Muslims came in majority. The above example gives political formula for three different situations that is, according to Islam, in a multicultural society a government can be established through a democratic process and elected representatives will rule. However, if the society is uni cultural then also it is to be seen whether the Muslim society is ready to accept Islamic government and if not, then democratic system has to be adopted, for example in Afghanistan a Taliban system of government is not acceptable. Only in the case where society at large is ready to accept the Islamic laws and comprises of Muslim Majority an Islamic law would be acceptable.

The Medina Charter and Contemporary example

The roots of secularism can be seen from the Medina Charter which was drafted by the Prophet upon his arrival to Medina, before the Battle of Badr. It incorporated all segments of the society. The charter showed that irrespective of the faith, everyone enjoyed equal rights under the leadership of Prophet Muhammad. Prophet Muhammad demonstrated himself as an exemplary model by observing covenants in

51 Khan, M.W (2016, December 24). Interview with Maulana Wahiduddin Khan, New Delhi
its letter and spirit. The charter affirms that as long as people are together and committed to ethical values there will be peaceful coexistence and positive outcomes. The Charter as drafted by Prophet covered social, political, moral aspects which showed Prophet’s secular outlook. For example, the charter stated that they all are a single community. It asked believers to not leave any poor person for not having blood money neither believers should ally against one another. They will stand against the people who commit sin or spread corruption. Believers are friends to one another and will not kill another believer. A Jew has the right to both help and equality and that he should not be wronged in any way. A believer should not support a wrong doer and in matters of difference or controversy it should be referred to Muhammad who was the head of state.

The Jews have the right to their religion as Muslims have to their religion. Muslims and Jews should take care of their expenses and should support one another when they are attacked by an external enemy. They should display loyalty and both should contribute and pay for the war. The document also listed out issues like a woman should be given protection with the consent of her family. The charter further stated that Quraysh and their supporters are not to be offered protection and that signatories to charter should help one another if there is any attack on Medina.52

The Charter showed how Prophet who was the leader of the state managed the issues that Pluralism presented before him. In a multi-religious society despite being the head of the state Prophet could have skewed the document in favour of Muslims but he instead talked in the document of all being one community which reflected on his leadership. This is important from the aspect of maintaining and propagating Peace in the society. It is similar to the role a state is expected to play in a multi-religious society in contemporary times. The clause which said, to Jews their religion and for Muslim their religion confirms with Quranic verse that, in religion there is no extremism.

Medina charter can be considered as the first constitutional charter detailing equality, rights, freedom for all. The charter in its clauses emphasized equality for everyone and protection from persecution which was common in those times. It talked about

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an important human right which is freedom to practice one’s own religion which is in consonance with the teaching of Quran that everyone is free to choose his or her religion without any compulsion. In contemporary times voice of the public or countrymen is a pre requisite to run a democratic set up; similarly, the Medina charter incorporated the clause of mutual consultation in clause 37.

One important observation from the Medina charter one gets to understand is that Prophet despite being the head of the state had the full powers to use the term Islamic State in the document or declare Medina to be an Islamic State but Prophet did not do so and maintained the plural spirit of Medina. This runs in total contrast to the calls of ISIS for Islamic state or likewise many Muslims groups who look at the goal of Islam as formation of Islamic state.

**Contemporary Example (The Medina Charter): Marrakesh Declaration (2016)**

The Charter of Medina is an example of equal and non-partisan citizenship governed by a treaty or constitution, as is evident from Articles 25 and 37 mentioned in the above charter points. Article 25 states that the Jews of Bani Awf are a community which co-exist along with the Believers. The Jews follow their religion and likewise Muslims will follow their religion. Article 37 states that the Jews and Muslims are individually responsible for their own financial needs. The charter stated that they will be united on the face of attack by their enemy. Thus, the charter was the foundation for an inclusive multicultural and multi-religious society wherein all citizens were given the same rights and responsibilities as outlined in a fair constitution. This indeed confirmed that they are like one nation. Taking guidance from the Prophet’s period, the conference in Marrakesh was hosted by King Muhammad VI and was supported by the Moroccan government, which had taken part in the earliest congregations in Mauritania. The joint partner was an organization based in UAE in 2014 called Forum for Promoting Peace in Muslim Societies which is founded by well-known Islamic Scholar Sheikh bin Bayyah under the backing of Sheikh Abdullah bin Zayed, UAE’s current foreign minister. The Marrakesh Declaration outcome brings positive responses which could be a precursor to many important developments that may take shape in future.

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So motivated with the charter there was a gathering of activists, Scholars from different faiths, government representatives, interfaith observers with over more than three hundred people in Morocco in the month of January 2016. Their main objective was to uphold the rights of minorities who are living in countries dominated by Muslim-majority. Many politicians, artists and scholars from other Muslim majority societies were further called to take forward the rights of the minority through social, political and legal process change which aids to the continuity of minority communities so that they can prosper.

The Marrakesh Declaration is led by well-known legal expert in fiqh Sheikh Abdullah bin Bayyah and the declaration is the beginning of a change that is expected to be brought in the Muslim nations and would help address issues on human rights. Even though the initiative has not gained popularity but with forty two governments affirming the initiative, this could be seen as a positive direction and will set a precedent for minority rights not just in Muslim nations but also in other countries like Myanmar, Srilanka or in Europe and U.S where there have been continuous incidents of religious intolerance against communities belonging to the faith of Sikhism and Islam. China, Russia and North Korea have also reported time and again incidents where minorities have been ignored. Then there is Daesh also known as ISIS where there are report of sexual violence, forced conversion, trafficking. There for to make it a success and move forward, Marrakesh Declaration has given recommendations as outlined below:\(^{54}\)

**To Increase the awareness of the declaration in the Islamic world:**

It is obvious that to make the declaration a practical reality would require it to be known in the entire Muslim world. It is indeed a giant task and cannot be done by scholars alone but widespread coverage both at International level as well as in Muslim media is required on a continuous basis. It needs to be taken up collectively by the Muslim groups like a campaign so that the efforts become result oriented else the larger idea or spirit behind the declaration would get undermined.

Chart out the roadmap to its implementation
Since the declaration did not gain much popularity and at present is more at an ideological level, so to implement its vision requires a defined roadmap and a follow up plan so that implementation becomes practical. This could be possible by involving various countries their action plan and concerted efforts of the respective governments with the civil society at large.

• Make the declaration a movement.

Any initiative which has mankind implications can only become impactful if it becomes a widespread movement. The declaration is less known as of now and therefore it requires bigger platform to truly transform the nations. This will require the participation of youth who can play an important part in these efforts. Social media, online push can give it the momentum that it requires across gender, race, community to make it a global phenomenon. The declaration initiative will weaken if there is lack of support of nations and its people. It therefore requires leadership to take centre stage and lead from the front.

• To get local support of organizations including Muslim organizations for its backing.

There could be possibility of local and social level laws which may not be fully in sync with the declaration standard and therefore scholars and intellectuals and civil society may advance its cause by discussing about it more. Using the channel of formal as well as informal education system could help furthering cause of awareness about it. It could be used to educate the Islamic history, Islamic theology thereby increasing the understanding of civil society particularly the youths who shape the future of nations. It can be done by integrating it in the curriculum of the schools and universities and conducting of debates or similar scholarship level programs.
• Non Islamic nations to play their supporting role.

There is increased mistrust between Europe and other western nations and Muslim world particularly in the aftermath of colonialization and support of Israel by the west. Therefore, western nations should play their supporting role sensitively so as not to invite backlash from the Muslim nations.

To conclude, Marrakesh declaration is nothing new but upholding of the secular principles that were always part of the Islam. In a way it shows that Islam and Secularism are compatible in the contemporary context.55

Important points to reflect are:

Islamic states are no longer imperial; rather, they have also entered into the framework known as the nation state.

• Allegiances are no longer religious in nature; but rather managed by mutually exclusive independent factors.

• Individualism and the dissolution of collective associations have become widespread such that the group no longer determines the actions of the individual who now deems himself independent of the group. As a result, new issues have emerged affecting the family, economics, and even politics.

• International law, agreements, and treaties now frame the relationship with “the other.”

• In the age of globalization, society is a confluence of multi ethnicity in every nation which leaves with no choice despite the apparent freedom of choice than to engage ‘the other’ contractually, culturally, ideologically, economically, and politically with every constituent.

• The single most influential idea is that of cultural freedom that prevails in every society today.

• The human rights institution serves as a unpartial body to ensure peaceful existence of minorities in a majority dominated country.

So the above realities show the practical approach of Medina Charter to address issues of minorities in Muslim Societies especially when the nature of the stay of minorities in these societies is contractual. It shows that even though present time is 1400 years apart from the time of Prophet of Islam but the values of earlier time fits well with the present time. The medina charter was based on shared principles wherein all parties worked towards the common goal of one nation and Marrakesh declaration is nothing but application of the same spirit in present time.

**Issue of Vande Mataram**

There has been from time to time a controversy regarding recitation of Vande Mataram as demanded by a certain section. This song was written in a novel Ananda math more than hundred years ago by Bankim Chandra Chatterjee. It is being taken as a patriotic song and demands being made to have it sung daily in the morning assemblies of all educational institutions all over India. This has been opposed by Muslims who consider it against the belief system in Islam since the song glorifies certain deities which run against the basic tenet of monotheism the first pillar in Islam.

Here the important thing to be considered is that Vande Mataram is not derived from any scriptures but is composed of Sanskrit verses appeared in a novel. In this sense it does not have religious sanctity. According to Maulana Wahiduddin Khan, the issue is totally non-religious and is not a threat to religion. If Muslims give a thought to what Iqbal the famous lauded Poet in the Muslim world said to a Brahmin: “Pathar ki murti mein samjha hai tu khuda hai, khake watan ka har zarra dewta hai.” meaning that every particle of his homeland (India) was a god or idol for him. This would tantamount to be a super Vande Mataram therefore one should look at things objectively and not emotionally. He explained that India’s failure on developing a scientific temper is due to emotional attitude of Hindu-Muslim groups who many a times take things to extreme levels.

He further says that the biggest issue our nation is facing today is lack of education and there is no relevance for such emotional issues. Time and again surveys have
revealed that educational institutions have outnumbered religious places of worship. Patriotism cannot come by singing the song alone, and if that was the case then in last so many decades, we have not progressed enough despite singing the patriotic songs. Such issues therefore have only cultural significance with trivial importance and no direct relations to Nations progress.  

**Freedom of Expression:**

The dictionary definition of Freedom of Expression is “The right to express one's opinions freely”. Freedom of expression is held to be the summum bonum in the contemporary world which has become a reality after thousand year spost World War II when all the nations of the world came together to form the United Nations; then on December 10, 1948 a declaration was proclaimed in Paris by the United Nations General Assembly (General Assembly resolution 217 A) which came to be known as the Universal Declaration of Human Rights. It was drafted with the help of representatives from all religions of the world as a common standard for all people and all nations. The essence of its Article 18 states that everyone has the freedom and right to his religion and can decide to change his religion or practice it in the form of teaching, prayer and observance publicly or privately.

M. T Ansari states in his book that distinction is critical between religious law and legal law and many classical theologians identified religious authority with legal authority. The problem is that in this milieu the biggest casualty is human endeavour. Religious law is not law in the legal sense rather it provides a criterion for legal life. True religion is therefore not only a leap from ethical to the religious but a leap from legal to the ethical. So, if religion insists on rivalling science and technology then religion will not only undermine itself but also put its survival at stake. This is the reason he cites that western nations departed from religious stand. However, science

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deals with problems and challenges for which scientific tools are required which are external to the scope of religion.\textsuperscript{59}

**Islam and Freedom of Expression:**

As per Asghar Ali modernization is achieved on the ruins of tradition which is possible only by upholding the culture of freedom of conscience. He says that all countries subscribe to the charter of human rights and freedom of thought is a fundamental and critical part to industrial development. Justice, equity, fair play, brotherhood, mercy, compassion are central values of Islam. The Quran uses a key term to describe these values which is maruf that represents goodness and opposite of this is munkar which represents evil. Since maruf is a term for goodness it includes both human rights and freedom of conscience. So, anything that inhibits human welfare is evil and anything which promotes freedom of conscience is good and it is Islamic duty to encourage it. The Quranic verse shows that supporters of maruf would be successful as shown in chapter three verse number one hundred and four which exhorts that the group will be successful if it calls others for good and enjoins what is right and forbids what is wrong. According to Asghar Ali, Islam fully guarantees freedom of thought and encourages people to reflect and exercise one’s own judgement. Islam according to him was the first religion to uphold democratic principles which Muslim countries are not following today.\textsuperscript{60}

Mahmoud Sadri & Ahmad Sadri says that freedom is required more when there is conflict of opinion as it helps in dispelling the darkness. But he substantiates by saying that there are two types of freedom that is, internal freedom and External freedom. While internal freedom signifies freeing oneself from the rein of passion and anger whereas External freedom is emancipating oneself from the bondage of exploiters. He says internal freedom can be achieved by submission to divine and through the guidance of Prophets, secondly without internal freedom; both external as well as internal freedom is not possible. So essentially it means that freedom of thought follows the route of freeing oneself first before a person seeks to free from the external environment.\textsuperscript{61} This internal freedom is explained as spiritual freedom

by Dr. Shafique Ali Khan who this spiritual maturity and awareness enables to transcend as well as transform the world. It is freedom which transforms a person to elevate him on a spiritual plane and rise to inestimable level. In the absence of freedom, he would easily decline to animal or abyss level. So, Freedom of thought is the essence of Islam. It is to freely and independently speak out provided it does not hurt the rights of others or their sentiments. He says that Islam is the first ideology which gave a rational reference to Man’s freedom. Prophet of Islam had once said that if a man whose two days are passed in a similar condition, is like a loser. This means that a man should be creative enough that he innovates himself and brings about repeated changes and this is possible only if he enjoys freedom of thought. However, with passage of time people face challenges with emergence of new and complex situations, therefore Prophet and his companions introduced the concept of Ijtihad which means deducing new principles for practical application to the ever-changing situations. This is an accepted school of the usul-al-fiqh (Islamic Jurisprudence) and is in conformance with reason and judgement.62

**Quran on Freedom of Expression:**

God has granted freedom to both men and women alike. It is repeatedly mentioned in the Quran to ponder or do contemplation. This is important because thinking opens up a person’s mind. God has given unlimited potential to every human being and for this potential to unfold an intellectual environment is required which is unrestricted. Another aspect to note is that as per Islam God has created this world to test people to find out who is best in conduct and this is mentioned in the chapter sixty-seven verse number two of the Quran. It is therefore clear from the verse that God has created mankind to be tested and test can only be assessed if there is complete freedom as without freedom there can be no test. So, freedom is an inherent as well as basic requirement of the test. Even if people misuse this freedom God would not abolish it as that would tantamount to abolishing of His very own creation plan which hinges on the concept of test and its accountability.

Religious freedom is the basic human right whose violation has caused conflicts, wars and bloodshed in both ancient and modern societies. The Quran, therefore, has declared for the first time in human history that Freedom of expression is not an evil

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rather it is good for human development. This can be seen in Quran where we find in chapter two verse number thirty that God himself demonstrated the importance of freedom of expression when Angels questioned on God’s plan to put successor on earth. The Angel’s feared that man would cause corruption on earth and God allowed the angels to voice their dissent without their fearing of God’s punishment. It also shows the Islamic way on how one should face dissent. Just like God Almighty listened and then explained Angels to their satisfaction similarly we should listen to opposing views without getting agitated and then present a well-reasoned argument.

Quran in verse number thirty-four from chapter forty-one mentions that dissent is not to be taken as evil as Quran says good and bad are not equal and if there is an enemy then we can turn the enemy into a friend with our positive response. It means that opposition or dispute should not be taken as indication of enmity. If instead a person takes it as merely a misunderstanding and attempts to remove it, then he may be able to change both the situation as well as the person. So, in this way a dissent can be turned into positive provided we do not suffocate the environment with negative or a physical response.

Quran further gives wisdom as to why Muslims should not offend others as it would be counterproductive. In chapter six verse number one hundred and eight it is advised to not abuse opposition as this may offend them and they may react by abusing God.

This puts the responsibility of maintaining unilateral normalcy between themselves and others and not flare up on any controversial or argument opposite to their stand. The important lesson of wisdom that one gets is that this is possible only when there is complete freedom of expression and there is no coercion for others. Quran further says in chapter two verse number two hundred and fifty-six that in matters of religion there is no compulsion.

We can say that equivalent of freedom of expression in Quran is shura (42:38). Shura literally means consultation which can be understood as nothing but a culture of discussion. It is said that Prophet of Islam when faced with situations would always consult others and give reason for an argument.

It is also believed that Islam is not accommodative to beliefs of other religion and
that it does not give freedom to followers of other faiths. But this is untrue as Quran gives excellent formula on how one can lead a Peaceful life in a multi religious society. In chapter one hundred and nine verse number six Quran says to follow one and respect all, it says, unto you your religion and unto me mine. This is a practical formula on peaceful co-existence.

**Prophet of Islam and his companions on Freedom of Expression:**

Prophet of Islam did not discourage criticism and in his time, companions could speak without any hesitation. This can be seen from the example below:

When Prophet was in Medina, he heard that the army of Quraysh were advancing on the town and so Prophet marched toward the direction from where Quraysh were coming. This was to be the historic battle of Badr fought in 624 A.D. When they were marching, they halted at a place before Badr where they could have confronted Quraysh army if they had stayed at that spot. One of his companions Hazrat Khabab bin Manzar asked the Prophet if he had halted on his own account or result of a revelation. When Prophet told him that it was his personal opinion, then Hazrat Khabab bin Manzar without hesitation replied that it was not an appropriate place. On being asked for the reason by the Prophet he reasoned the presence of many wells between the Muslims and the Quraysh army which the enemy would attempt to capture. So, it would be strategic to go beyond all the wells and then make a halt. This would cut off the water supply to the enemy army. After hearing this, the Prophet remarked that Hazrat Khabab bin Manzar’s advice was indeed good. He accepted his counsel and Muslims got a conclusive triumph in the battle of Badr.63.

This entire conversation between Prophet and Hazrat Khabab bin Manzar indicates that through dialogue and exchange one can arrive at important decisions. The only condition is that people do not take criticism as wrong even if it is opposite to one’s views. If one can accept criticism then new dimensions or important aspects are unfolded which helps a person in taking well informed and result oriented decision as was shown by the Prophet of Islam himself from the above example.

Some people may look at the non-coercion verse mentioned in the Quran (2:256)  

limited to religious freedom only however it is applicable to all the aspects of society whether social, cultural or political. This can be understood from an incident that happened at the time of Prophet when a man called Mughees and his wife, Bareera, lived as two slaves in Medina. They decided to accept Islam and after some time the wife got her freedom from slavery. After this freedom, Bareera lawfully obtained the right to either separate or continue her marriage with her husband. She decided to separate and it is narrated in Hadith that when the matter came before Prophet, he said to her that it would be better for you to take back your decision. Hearing this Bareera asked the Prophet whether it was the command of God or his own decision. The Prophet told her that it was only a suggestion. At this Bareera replied without any fear that she does not accept it. 64

This example showed that even at the time of Prophet everyone had full freedom to voice their dissent even if it was with Prophet who was the undisputed leader of all Muslims. This is an extreme example of how freedom was enjoyed by all during the time of the Prophet. Yet in another case when Prophet was distributing something, a person openly remarked that he was not being just in his distribution. The Prophet without getting agitated simply replied that it would bring him misery if he was not just. 65 So one important element of Freedom of Expression is justice that is, everyone stands equal opportunity in every respect. Without the system of justice there can be no freedom of thought.

This reflects in one of the examples of Prophet’s companion Umar the second Caliph who was visited by a Jewish widow asking him for some financial support. Umar made effort to convince the Jewish lady to accept Islam. He even went to the extent of offering her continuous support if she were to accept Islam but the lady declined. After this Umar provided the lady with more than she came for and after she left, he raised his hands upwards and prayed to God to be witness that there was no force or compulsion put on the lady. Yet another example of Caliph Umar when he interacted

64 Abu ’Abd ar-Rahmān Ahmad ibn Shu’ayb (Compiler), Al-Nasā‘ī. Abdul Fattah Abu Ghuddah (Editor), 1986, Sunan Al-Mujtaba, Allepo: Maktab Al Matbo‘at al Islamiyah. (V 8, Pg 245, h 5417).

at the well of Banu Harithah with a person named Muhammad ibn Maslama. Umar asked him as to how he finds him? he said to Umar, ‘By God, I find you just as I would like you to be and just as it would please anywell-wisher to see you’. You are good at accumulating money, I see, but you keep your hands clean of it yourself and distribute it with others equally. He however did not stop talking and asserted that if Umar were to become an offender then his people would straighten him just like a sword is straightened up. However, Umar did not get offended with use of such assertive and critical words. He rather praised the God for keeping him in the company of companions who will put him on right path in case he goes astray.\footnote{Al-Dhahabi, Shams ad-Din `Abdul-Wahhab, (2006), Siyar a’lam al-nubala’, Cairo: Dar Al Hadith. (V 4, pg 34).}

Over the period when Medina witnessed prosperity the Muslims started settling huge dowers at the time of wedding of their daughters. So, Umar as per his official capacity ordered that dower should not four hundred dirhams, as any excess dower would be seized and deposited in the Public treasury.

After the proclamation of this ordinance, when he came down from the pulpit, an old woman stood up and confidently argued saying that there is no restriction laid in the Quran and therefore Umar has no authority to fix an upper limit to the dower. In order to prove her statement, she started reciting loudly\footnote{Ibn Abd al-Barr, Abu Umar, Yusuf ibn Abdallah ibn Mohammed Al-Qurtubi,(1994), Jami’ Bayan al-‘Ilm wa Fadlihi (Arabic), KSA: Dar Ibn Al Jawzi (edited by Abu al Ashbal al Zuhairi), (V 1, P. 530)} chapter four verse number twenty of the Quran where it was said that if one were to take another wife then dower was not to be taken from the wife. After hearing this Umar immediately said that the woman was right and he committed a mistake.\footnote{Ibn Abd al-Barr, Abu Umar, Yusuf ibn Abdallah ibn Mohammed Al-Qurtubi,(1994), Jami’ Bayan al-‘Ilm wa Fadlihi (Arabic), KSA: Dar Ibn Al Jawzi (edited by Abu al Ashbal al Zuhairi), (V 1, P. 530)}

Ali ibn Abi Talib, was the fourth caliph and during his time, one group of Muslims revolted against him which led to two battles and about forty thousand Muslims were killed, later even Caliph Ali was martyred. During this uprising one of the rebel groups came to see Caliph Ali and put a critical question to him. He asked how it was that there was such great disarray and dissension among Muslims during his Caliphate, whereas the respective Caliphates of Abu Bakr and Umar had not been marred by such devastating differences among Muslims. Caliph Ali replied: It is
because Abu Bakr and Umar ruled over people like me, while I am ruling over people like you.\textsuperscript{68}

The above incident shows that how people without any fear or hesitation could put critical questions directly to the Caliph and the latter would answer them without losing his mental equilibrium. This is a clear example of freedom of expression enjoyed by people in the early period of Islam.

Abu Dharr Ghaffari who was companion of Prophet was yet another example who demonstrated that freedom of expression was totally part of the Islamic culture and there were no curbs whatsoever. He openly criticized the caliphate of Umayad dynasty without any fear of being punished. When Muawiya built the first palace, Abu Dharr protested and said that if it was built with his own personal money then it was extravagance and if it was built with government’s money then it was criminal misappropriation of public funds. Likewise, he freely criticized other Umayyad’s rulers for their use of funds. Abu Dharr basically wanted that funds to be used for the way of God or for the well-being of the people. The Umayad rulers were offended but did not curb his criticism or punished him.\textsuperscript{69}

\textbf{Islam’s contribution to Freedom of Expression}\textsuperscript{70}

According to Islamic Scholar Maulana Wahiduddin Khan, it was Islam which initiated a process that culminated to present day Freedom of Expression. Religion and Physical knowledge were separated for the first time by Islam. For this it was important to be practical so Islam removed the nature from the pedestal of holiness. Earlier period saw man worshipping nature so he could not think of investigating the nature to unfold the potential which was hidden in it. So, Islam helped in ending the superstitious thinking with respect to nature and such thoughts were rooted out completely. The Prophet wanted to eradicate superstitious beliefs so that the mission becomes stronger as monotheism belief was based on rational and objective understanding. He was so concerned in developing the objective thinking among his people that he did not exploit his personal incident which was on account of death of

\textsuperscript{68}Ibn Khaldun, Abdur Rahman bin Mohammad, (1988), Diwan ul Muhtar e wa al Khabar (Arabic), Beirut: Dar al Fikr, (editor Khalil Shihadah), (Vol 1,P. 264)


his son that coincided with Solar Eclipse. When people began to attribute the eclipse to the death of Prophet’s son, he made no delay in clearing the air and hastened to mount the stage and said that such eclipses are nothing but signs of God and whenever one witnesses these phenomena’s one should glorify God. After this he offered prayers along with others.  

So, the first period of Islam brought the concept of monotheism that is, to worship God and God alone and all other items which were on a holiness pedestal lost its divine status. The scientific studies began in a systematic way during the Abbasid period which saw establishment of the Bayt-al-Hikmah in 832 A.D. This gained momentum and eventually the work spread with the help of Arabs to Spain and Sicily and finally to the renaissance of Europe from where the industrial revolution began. Philip Hitti wrote that Arabs contribution to the human progress was unparallel.

Maulana Wahiduddin Khan quoted the French philosopher Jean-Jacques Rousseau (1712-1778) who is known as one of the founders of democracy. In his book titled Social Contract he writes that ‘man was born free but I see him in chain’.

The revolution to bring freedom and democracy that began in Europe was the culmination of the revolution brought out by Monotheism. As for any scientific progress one requires an atmosphere of intellectual freedom which was not there earlier. It is this intellectual freedom which built the minds and made people creative and curious, therefore with thousands of years of process, Islam directly and indirectly contributed to the modern revolution which was a result of freedom of expression.

Issues of Blasphemy & Apostasy

In last many years we have seen innumerable cases of extreme violence against those who criticize or say anything derogatory against Prophet of Islam. In some cases, Muslim extremist have gone to the extent of killing the individuals who were considered to have criticized Prophet or made cartoons. On January 7, 2015 two masked men entered a satirical French newspaper in Paris office of Charlie Hebdo.

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and killed four cartoonists. Witness’s say that after opening fire the gunmen, shouted that they have avenged the Prophet Muhammad and then glorified God in Arabic while taking names of the journalist who were in their hit list.\textsuperscript{73} The attack killed 12 people and created nation-wide uproar and left yet another damaging impression on Islam.

Quran tell us in chapter thirty-three and verse number twenty-one that Prophet is a good example for all. When we analyse his life, we find a similar parallel of facing extreme dissent and ridicule but his response was without an iota of negative reaction rather it was intended to calm the opposite party with the target to change the situation from negative to positive. This is illustrated by many incidents from the life of the Prophet. Since in ancient times there was no media like today, the only way to spread the idea or communicate was through time honoured custom of poetry. Once when Prophet was in Medina a poetess from the Quraysh side had madea poem which was insulting and began to recite a couplet for Prophet by calling him Muzammam meaning the condemned one\textsuperscript{74}.

When prophet heard it, he simply calmed the situation by saying that his name is Muhammad whereas Quraysh are calling Muazammam to someone else as this is not his name therefore their abuses are not going to apply to him.\textsuperscript{75}

In this way he neutralized the situation in a positive way and managed it to his advantage by not compromising his peace of mind and letting any of his companions get agitated. It was like a demonstration that even in extreme cases of personal insult one should not get provoked and simply learn to ignore.

The condemnation continued even in Medina where Prophet had migrated and he was often ridiculed by the local people. He would on such occasions request one of his poet companions to arise and conduct his defence in similar vein i.e. verse for a verse. This is narrated by Prophet of Islam’s wife Aisha who reported that whenever


\textsuperscript{74}Ibn Hisham, Abdul Malik, (1955), As-Sirah an-Nabawiyyah (Arabic), Egypt: Mustafa al Babi al Halabi & Sons. (V 1, P. 356)

\textsuperscript{75}Ibn Hisham, Abdul Malik, (1955), As-Sirah an-Nabawiyyah (Arabic), Egypt: Mustafa al Babi al Halabi & Sons. (V 1, P. 356)
anyone would condemn Prophet, he would ask Hassan to stand up and answer him in poetry and Prophet would say that Angel Gabriel would support Hassan as long as he supports Prophet Muhammad.76

During Prophet’s life-time there were many likes of Salman Rushdie (Author of Satanic verses), Bangladesh writer Taslima Nasreen’s and other so-called cartoon denigrators but none of them were beheaded or killed for Blasphemy. Prophet would simply appoint a poet called Hassan to give a befitting reply in poetry. This gives us a principle that in Islam the best response to abuses is to respond with reason backed argument and not use any physical force. It would mean that if someone writes a book against Prophet then Muslims should respond by writing another book countering it. If someone takes to a debate then the response should be similar that is, debate for a debate. In no circumstance’s violence should be used. We find from the Quran that every messenger was mocked and ridiculed as mentioned in chapter thirty-six verse number thirty.

According to Prominent Islamic Scholar, Maulana Wahiduddin Khan some of the descriptions ascribed to Prophet in the Quran by his opponents included, a magician and a deceiver, (40:24), mad or crazy (15:6), a fake (16:101), an unwise man (7:66). But despite this Quran does not talk about punishment or sentencing of death. In Islam Blasphemy is an issue to be discussed and not a subject to give punishment.77 He analysed that nowhere in the Quran there is a mention of capital punishment to anyone who abuses the Prophet. Muslims should not take such matters into their hands as it becomes counterproductive and results into more provocation and abuses against Islam and its Prophet. This is the reason Quranin chapter six verse number one hundred and eight given an injunction that commands believers for not using abusive language against opponents of Islam. Clearly the focus is on oneself rather than finding faults with the opposite party.

Quran does not approve violent behaviour of Muslims. Almost every Muslim demands death sentence each time someone abuses Prophet and as a result we see

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violent protests across the world. Prophet of Islam once said that a good believer desists from those actions which do not yield any positive results. This Hadith becomes very relevant to the present situation wherein Muslims have been creating huge issues against blasphemy, but it has only proved counterproductive. Muslims need to realise that they need to change themselves instead of trying to forcefully change the world.

Fareed Zakaria famous American journalist and columnist says that Quran does not mention the word blasphemy. He writes in his article titled ‘Blasphemy and the law of fanatics’ that in Pakistan, jihadis have killed scores of people whom they accuse of blasphemy, including a brave politician, Salmaan Taseer, who was killed as he called blasphemy law a black law. Fareed Zakaria says that world cannot ignore this issue anymore and that western politicians, Muslim Scholars and intelligentsia should come forward and speak in one voice that blasphemy is not mentioned in the Quran nor Quran sanctions blasphemy law and it has no place in the modern world.78

Another issue is of Apostasy for which extremist Muslim demand penalty of death. The Arabic meaning of apostasy is Irtidad. The Quran nowhere refers for a person who commits Irtidad any legal punishment but rather indicates natural death as can be seen in the chapter two verse number two hundred and seventeen which says that a person who turns his back on faith dies a natural death. The verse does not use the word killed for such a person. Secondly it clarifies that the fate or judgement of an apostate would not be dealt in this world but in the hereafter. So, when it says that such person will be inhabitant of hell it means that it is God Almighty’s judgement and therefore no person in this world has the authority or legal sanction by Quran to give death penalty.

**Argument for Punishment on abuse of the Prophet (Shatm-ar-rasul)**

The Muslims give the argument for death penalty to anyone who abuses the Prophet by basing it on the ordinance in Fiqh. This is incorrect reference as killing a person comes under capital punishment and any law which is used should have acceptance of the Islamic Scriptures that is, Quran and Hadith, the only two authentic sources.

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The position of fiqh is that it relies on Qayas (inference) which cannot be accepted as a law. Secondly Quran and Hadith do not sanction capital punishment for blasphemy against the Prophet. Some of books which have dealt on the issue of Abuse of the Prophet have been written exclusively on this subject. Some of these are:

1. Taqiuddin Ahmad Ibn Taimiya (d. 1328): Al-Sarimul-Maslul ‘ala Shatimir-Rasul.


3. S. Muhammad Amin bin ‘Umar al-Shami (d. 1836): Tambihul-wulat Wal-Hukkam ‘ala Akahmi Shatimi Khairil-Anam

None of the books mentioned above and all others do not give any valid reference from the Quran and Hadith to support the execution for abuse of Prophet.

The verses they cite have no relevance to the issue of Abuse of Prophet, for example Ibn Taimiyya quotes in his book: As Sarim al Maslul ‘ala Shatim ar Rasool certain verses, one of which is in chapter nine verse number sixty-one of the Quran which states that those who trouble God’s messenger will have a painful punishment.

The painful punishment that the Quran refers in the verse talks about the punishment in the life after death and not punishment in this world. It is an extreme innovation on the part of those scholars who fail to understand this important difference. Secondly any punishment in this world is to be decided by the law of the land and punishment in the hereafter will be given by God Almighty in his divine court. So, equating both the punishment is highly illogical and a clear bidah (innovation).

The second source of Islamic Sharia is the sayings and deeds of the Prophet but even here as the Scholar has shown above that Prophet would send out his poet companion to address the issue and not command to respond by a sword. So, there is no authentication by both the primary sources of Islam that abuse of Prophet is followed by capital punishment.
Imam Muhammad bin Ahmad Az Zahbi (d. 1348) wrote, that a hadith which is not known to Ibn Taimiyya is not an authentic hadith.\(^79\)

Analysing this further, Maulana Wahiduddin Khan who does not agree with Ibn Taimiyya’s verdict on awarding punishment for abuse of Prophet elaborates further by saying that even a renowned and a great religious scholar like Ibn Taimiyya failed to present an authentic hadith to this effect. In his book Ibn Taimiyya quotes a tradition, the authenticity of which he is not quite certain. It states that, ‘anyone who abuses any of the prophets should be killed’. He further writes that it was possibly fabricated and that only if its authenticity were proved, could it serve as an argument that abusers of the prophets should be killed.\(^80\)

Maulana Wahiduddin Khan says that till now, no scholar has yet written about the source and authenticity of this tradition. It therefore leaves without any doubt that it is a fabricated Hadith and that there is no authentication in Quran or hadith on the command to kill an abuser of the Prophet. So, retaliating against the pen or spoken word with the sword is not the way of Islam. The way of Islam is through dialogue and reason. Taking the course of violence is not only unlawful but un-Islamic.

To summarize, the significant conclusion derived is that Secularism and Democracy is a method and not part of the faith.

Islam is a not a different religion but religion of nature. The law of nature covers entire universe which is also applicable to human beings. As per Quran and Hadith, Islam is a religion of nature but the problem is that Islam came in 7th century in the book form of Quran and Sunnah. With the coming of Islam, Muslim community was formed which kept on increasing with people entering into the fold of Islam, also through mass conversion. Islam started with Muhammad and today Muslim population has exceeded one billion. The challenge Islam faces is that even though the language and ideology of Quran and Sunnah is intact but Muslims today are not on the teachings of Islam. Since Non-Muslims are not aware of the scripture of

\(^79\) Ibn ul Imad, Abdul Hai bin Ahmad, (1986), Shadhrat udh Dhahab, fi akhbar e man Dhahab, Beirut-Damascus: Dar Ibn Kathir, (edited by Mahmood Al Arna’ut & Abdul Qadir Al Arna’ut), (Vol.8 pg 145)

Islam, they look at Muslims and form opinion about Islam. When we analyse Muslims as a community, we find them following more of a culture than Islam. It is also a fact that culture is developed due to geography, interaction with others, historical development and civilization. Therefore, culturally Muslims seem to practice Islam in its form by following its tenets like Prayer, Hajj, Zakat (charity) but they lack in following its spirit.

The reason is attributed to later periods of conquest by Muslims who adopted the local culture, their practices and Islamized many of the wrong practices which found its way in the mainstream of Islam. For example, Muslims today give importance to its ‘Big People’ which were Scholars and Islamic Leader of later times but in Islam God is big and not his creation however Muslims started to follow personality cult which is another type of shirk. So, the reforms Islam wanted to bring was overwhelmed by the culture of the times.

When Islam came there was kingship but Islam introduced Shura concept which is nothing but akin to a democratic concept. In later period, Muslims Islamized dynasty in the name of Islam and started khilafat concept which was nothing but a parallel of dynasty rule.

It was Islam which initiated Secularism, Democracy and Freedom of speech that culminated in Europe. Islam showed Namaz, Roza etc and also showed how people should conduct themselves in society. As per Islam, Democracy is not to impose external ideology but to form government by the vote of the people. The objective is to establish peace so in an election whatever is the outcome; the winner party should rule and manage political matter with the consent of the society. This is how social peace would be established as per Islam. But Muslims gave shape to this only in the partial sense and the real concept of democracy got actualised in Europe, seeds of which were sown by Islam much earlier. In later period even though dynasty came in Islam but there was no despotism. Another important point to note is that during khilafat there was no despotism as Khalifa was based on succession while Islam presented shura based method. The only exception was umar bin abdul aziz who was elected through shura during Ummayad period. In earlier kingship period there was despotism but in khilafat period in partial sense there was democracy.
The reason for dictatorship in the Arab world goes directly to the Muslim leaders like Syed Qutub and in Indian subcontinent to Abu ala Maududi. They gave political interpretations through their set ups like Jamat- e- islam in Asian subcontinent and Muslims Brother hood in Arab world. So, they created a threat like situation by saying we want to establish Islamic rule and therefore the existing leaders of these nations increased their control by getting drawn into dictatorship. If these leaders had not raised the threat then Arab rulers would not have become dictators. Arab leaders were not dictator even though there was dynasty but they were more democratic in rule. For example, the Arab rule started in Spain through Aabdur Rahman who established the kingship and, in his rule, there was a khalifa who made Alhambra which was huge palace and when it was ready, he made a speech asking if anyone had witnessed such a great palace. Everyone appreciated except Qazi Munzir (written in ibn kathir) who was silent and expressed his discontentment that the king made this palace after increasing the taxes. The king did not like his statement and told his son that Qazi Munzir humiliated him, his son asked him to remove Qazi but Abdur Rahman remarked that it is not possible and he will remain Qazi. This shows that there was no despotism and despite kingship the rule was in a democratic framework.

Today we can say that even in Muslim countries democracy is possible and we can learn this from the example of China. China was a great civilization which declined then it had new emergence like renaissance. Therefore, if re-emergence can happen in China then it can happen anywhere.

Islam can be credited to be the first to make it possible to separate politics with religion that eventually led to the culmination of renaissance in Europe. Politics is subject to social verdict and religion pertains to the domain of an individual. This is the fundamental differentiation in modern democracy which Muslims today have forgotten due to political interpretation of Islam. Arnold Toynbee hinted that Islam’s contribution is that it gave a great beginning to scientific thinking because for 1000 years there was no process of research and scientific study. Here the question arises as to why unfolding of natural laws took so long while they were always present. The reason according to Arnold was due to shirk as they had made nature object of worship and as a result nature could not become object of investigation. Shirk basically means divinity in everything including nature. So, when Monotheism came
with Islam, the investigation of nature and its laws started. Monotheism finished this thinking which eventually led to the unfolding of the scientific discoveries in later periods which was a great contribution of Islam.